

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

April 8, 2011

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.: 11od-043

OAHU

Issuance of Revocable Permit to Hilton Hawaiian Village LLC for Purposes of Beach Activities to be held from April 30, 2011 through May 4, 2011 at Duke Kahanamoku Beach, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:portion of 021

APPLICANT:

Hilton Hawaiian Village LLC, a domestic limited liability company

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Honolulu, Oahu identified as of tax map key: (1) 2-3-037:portion of 021, as shown on the attached Exhibit A1 and A2.

AREA:

Zone 1	46,000 square feet	on May 2, 2011
Zone 2	26,000 square feet	on May 2, 2011
Zone 3	18,000 square feet	on May 2, 2011
Zone 4	6,000 square feet	on May 1 through May 3, 2011
<u>Lagoon Island</u>	<u>1,800 square feet</u>	<u>on April 30 through May 4, 2011</u>
Total	97,800 square feet, more or less. (See Exhibit A2)	

ZONING:

State Land Use District: Conservation

TRUST LAND STATUS:

Section 5(a) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Requested area is vacant and unencumbered.

CHARACTER OF USE:

Beach activities purposes.

TERM:

From 7:00 am on April 30, 2011 to 10:00 pm on March 2, 2011

RENTAL:

\$11,700 (based on 10 cents per square feet per day)

COLLATERAL SECURITY DEPOSIT:

None.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1) and (4), the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation." See Exhibit B.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>x</u>	NO <u>__</u>
Registered business name confirmed:	YES <u>x</u>	NO <u>__</u>
Applicant in good standing confirmed:	YES <u>x</u>	NO <u>__</u>

REMARKS:

Pursuant to the authority delegated by the Board on September 28, 2001 (D-4), right-of-entry permits were issued for beach activities in the past. After discussion about different types of commercial activities and any associated requirements, staff brings the request to the Board for disposition. The form of disposition could be in form of a revocable permit.

Hilton Hawaiian Village LLC requests the use of a portion of State lands about 97,800 square

feet for the purpose of conducting a welcome reception, a "Team Building" Beach Olympics for a corporation client. No commercial activities will be conducted and no alcoholic beverages will be served within the requested area. Zones 1,2, and 3 will be used for games, and zone 4 will be used for stage and tables for food and beverage. The island will be used for banners, an inflatable and a 12' tiki torch. As part of the permit conditions, a public access corridor will be maintained for the general public to use the beach.

No comments were solicited from government or community agencies.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions.

Staff has no objections to the request.

RECOMMENDATION: That the Board

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a revocable permit to the Hilton Hawaiian Village LLC covering the subject area for beach activities purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
 - B. Review and approval by the Department of the Attorney General; and
 - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

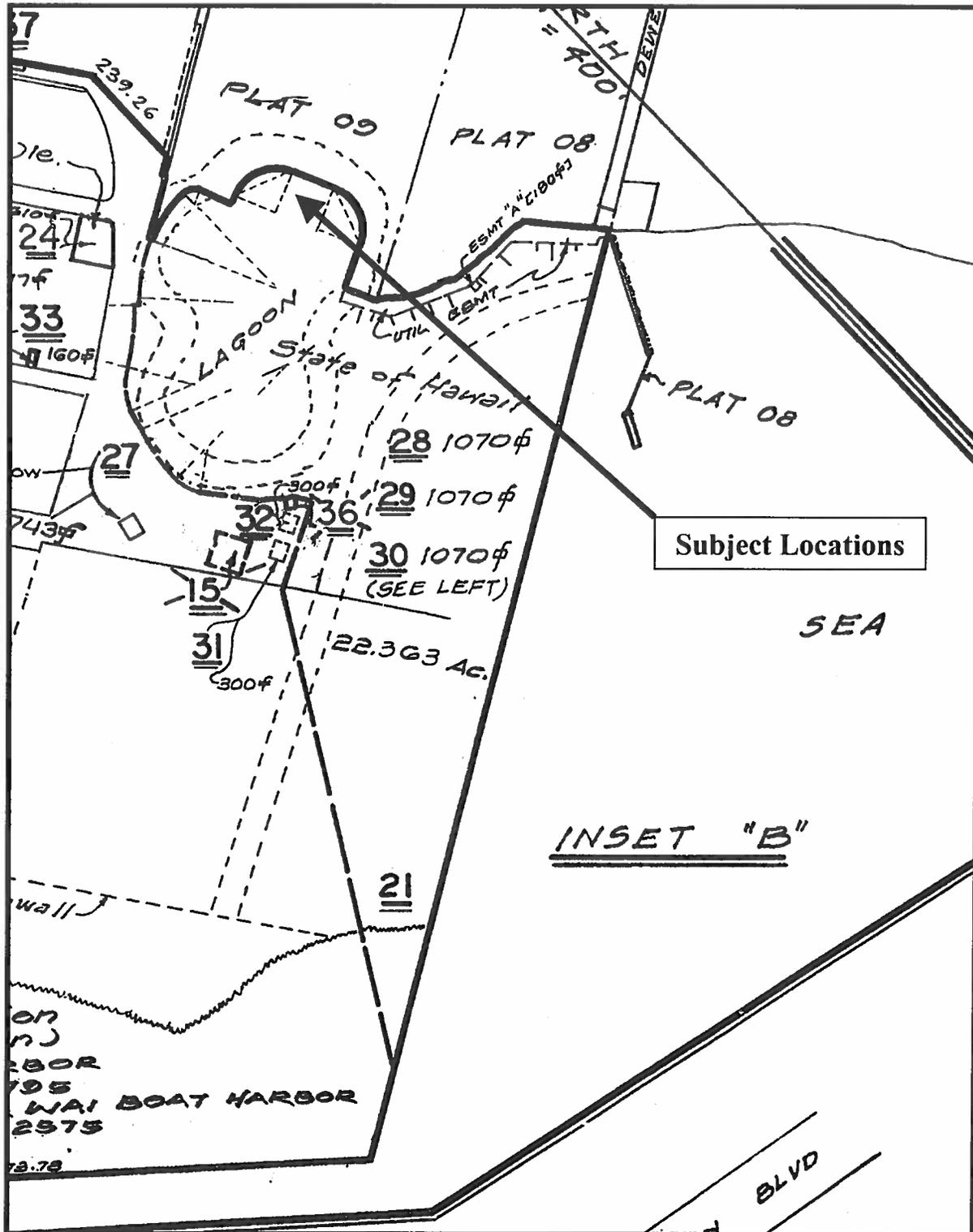
Respectfully Submitted,



Barry Cheung
District Land Agent

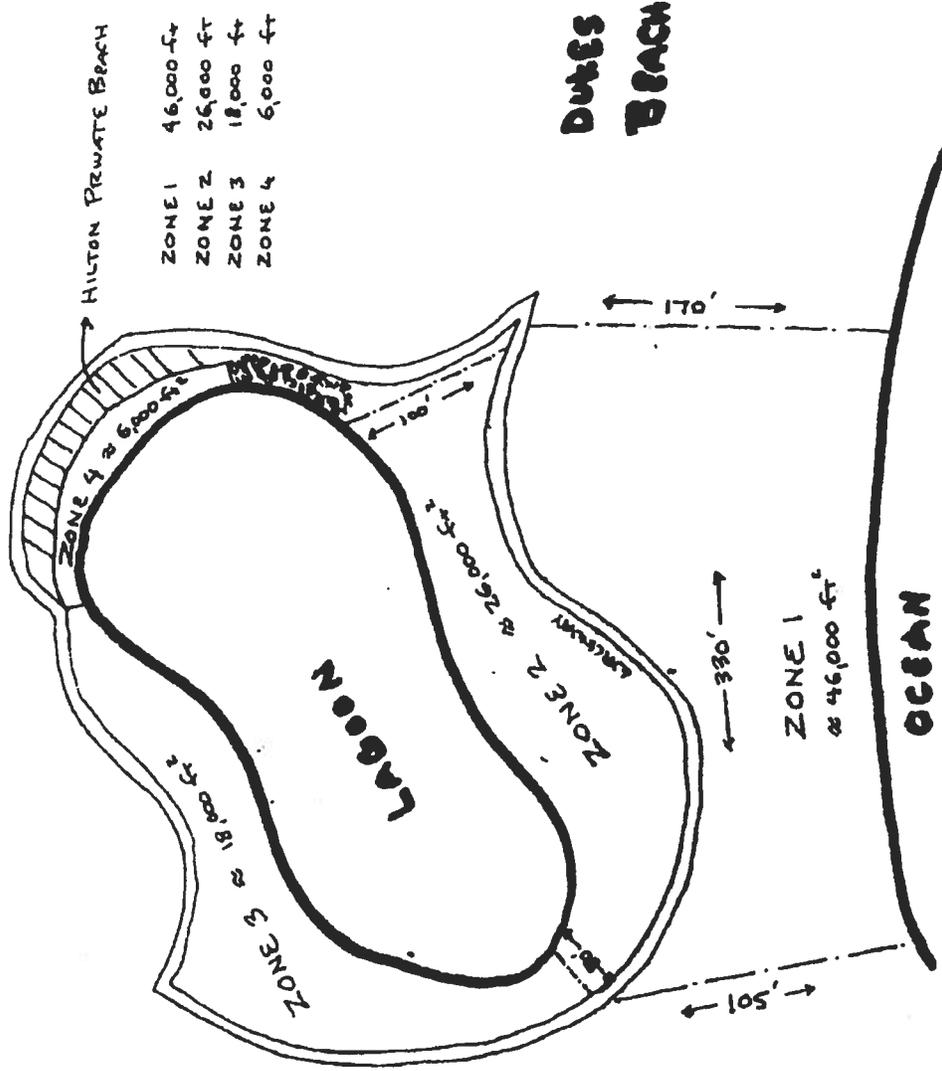
APPROVED FOR SUBMITTAL:


William J. Aila, Jr. Chairperson



TMK (1) 2-3-037:portion of 021

EXHIBIT A1



- ZONE 1 46,000 ft²
- ZONE 2 26,000 ft²
- ZONE 3 18,000 ft²
- ZONE 4 6,000 ft²

**DUTIES
BEACH**

OCEAN

LAGOON

HILTON PRIVATE BEACH

ZONE 1
≈ 46,000 ft²

ZONE 2
≈ 26,000 ft²

ZONE 3
≈ 18,000 ft²

ZONE 4
≈ 6,000 ft²

170'

330'

501'

100'



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

April 8, 2011

EXEMPTION NOTIFICATION

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Issuance of Revocable Permit for Beach Activities Purposes

Project / Reference No.: PSF 11od-043

Project Location: Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of 021.

Project Description: Stage for Luau Show

Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1) and (4), the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

This Division has permitted similar events in the past. The proposed activity is of a similar type and scope of beach activities that periodically occurred and continues to occur on this and other beach areas across the State. Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. As such staff believes that the proposed event would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Consulted Parties Office of Conservation and Coastal Lands

EXHIBIT B

Recommendation:

That the Board find this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.



William J. Alfa, Jr.

Chairperson

3/22/11

Date