

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

April 12, 2013

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

PSF No. 13OD-043

Oahu

Issuance of Right-of-Entry Permit to Hilton Hawaiian Village, LLC for Beach Activities Purposes to be held from April 23 to May 3, 2013 at Duke Kahanamoku Beach, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:portion of 021

APPLICANT:

Hilton Hawaiian Village, LLC, a domestic corporation

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Duke Kahanamoku Beach, Honolulu, Oahu, identified as Tax Map Key: (1) 2-3-037: portion of 021, as shown on the attached **Exhibit A**.

AREA & DATES OF USE

Lagoon Island:	1,800 square feet	April 29 to May 3, 2013
Zone 2:	26,000 square feet	May 1, 2013
Zone 3:	6,000 square feet	April 23 to May 3, 2013 ¹
Zone 4:	18,000 square feet	May 1, 2013
<u>Zone 5:</u>	<u>7,500 square feet</u>	<u>May 1, 2013</u>
Total:	59,300 square feet	

ZONING:

State Land Use District: Urban
City and County of Honolulu LUO: Public Precinct

¹ The event for "Forever Living Group" will be held from April 23 to 28, 2013 in Zone 3 as shown on Exhibit C.

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:

April 23, 2013 8:00 a.m. to May 3, 2013, 8:00 p.m.

RENTAL:

\$12,050 (one-time payment, based on 10¢ per square foot per day)

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1) and (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, 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.", as explained in **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:

Hilton Hawaiian Village, LLC (HHV) is requesting a right-of-entry permit for beach activities purposes to conduct two welcome receptions, "Forever Living Group" and "Panda Team Building" in connection with the corporation conventions to be held on Hawaii on the requested dates. The requested period is from April 23 (Monday) to May 3 (Friday), 2013 at the locations of the Duke Kahanamoku Beach as shown on **Exhibit C**, in which the "Forever Living Group" will start from April 23 to 28, 2013, and the "Panda Team Building" will utilize the requested area from April 29 to May 3, 2013.

HHV 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. No comments were requested from government or community agencies. Staff has no objections to the subject request.

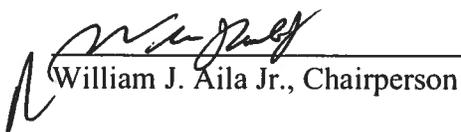
RECOMMENDATION: That the Board

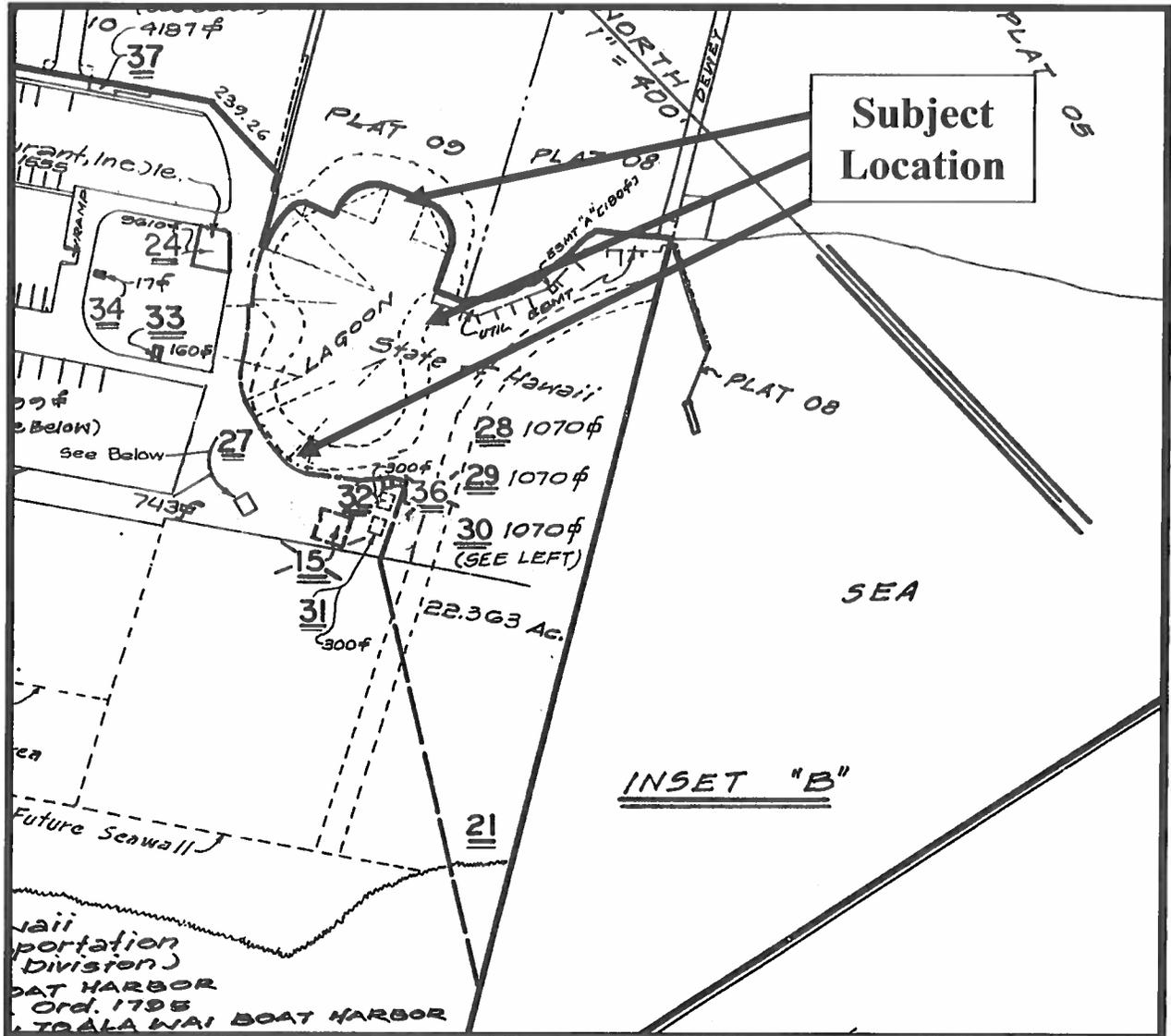
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a right-of-entry permit to Hilton Hawaiian Village, LLC for the beach activities purposes covering the subject area for 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 right-of-entry permit form, as may be amended from time to time; and
 - b. 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 21

EXHIBIT A

EXEMPTION NOTIFICATION

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

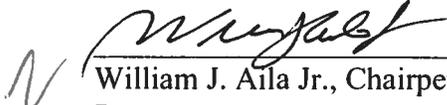
Project Title: Issuance of Right-of-Entry Permit to Hilton Hawaiian Village, LLC
Project / Reference No.: PSF 13OD-043
Project Location: Waikiki, Honolulu, Oahu, Tax Map Key (1) 2-3-037:portions of: 021
Project Description: Beach Activities Event
Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1) and (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, 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."

The Board 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 beyond that previously existing.

Consulted Parties Not Applicable

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. Aila Jr., Chairperson
Date

EXHIBIT B

PANDA GROUP
 APRIL 30 - MAY 3, 2013

