

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

April 27, 2012

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

PSF No.12OD-039

Oahu

Issuance of Right-of-Entry Permit to MC&A Inc. for Set-up and Conducting Beach Activities to be held on May 17, 2012 on the beach area fronting Kahala Hotel, Waialae, Honolulu, Oahu, Tax Map Key: (1) 3-5-023:041(Portion).

APPLICANT:

MC&A Inc., a domestic profit corporation.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands at Waialae, Honolulu, Oahu, identified by Tax Map Key:(1) 3-5-023:041 portion, as shown on the attached map labeled Exhibit A.

AREA:

2,900 square feet, more or less.

ZONING:

State Land Use District: Urban
City and County of Honolulu LUO: P-2

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

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

CURRENT USE STATUS:

Encumbered under Revocable Permit No.S-7430, Kahala Hotel Investors, LLC, Permittee, for maintenance and recreational purposes.

CHARACTER OF USE:

Set-up and conducting beach activities.

TERM:

May 17, 2012, during the hours of 8:00 a.m. to 6:00 p.m.

RENTAL:

\$290.00 (one-time payment)

COLLATERAL SECURITY DEPOSIT:

None.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(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.", as included 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:

MC &A Inc. is requesting a right-of-entry permit for set-up and conducting beach activities for the "MC Afee Team Building Event" on the lawn and beach area fronting the Kahala Hilton Hotel. The beach activities is scheduled for May 17, 2012 from 8:00 a.m. to 6:00 p. m. which would consist of 2,900 square feet as shown on the attached map labeled Exhibit "A". Set-up time will be at 8:00 a.m. through 6:00 p.m. break down time.

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. No comments were solicited from government or community agencies.

MC&A Inc. will be utilizing approximately 1,500 square feet of the lawn area and 1,400 square feet of the beach area fronting the Kahala Hotel for set-up and conducting beach relay activities.

The hotel has indicated its concurrence to the request by its letter attached as Exhibit C.

RECOMMENDATION: That the Board ;

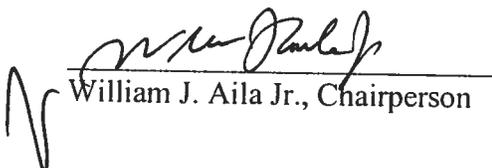
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a right-of-entry permit to MC&A Inc. covering the subject area for set-up and conducting of beach activities 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;
 - 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,



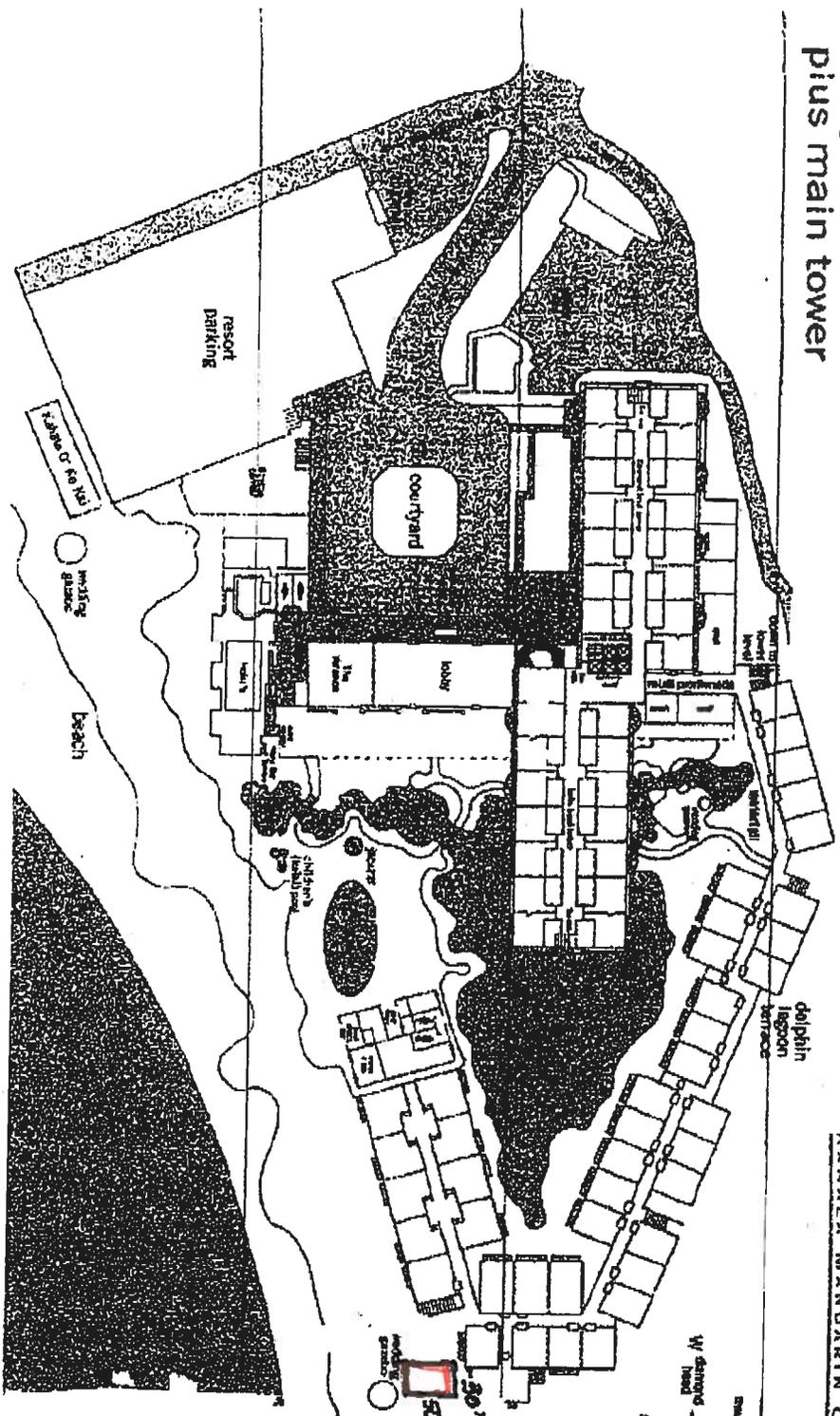
Steve Lau
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila Jr., Chairperson

lobby level
plus main tower



KAHALA MANDARIN ORIENTAL
HAWAII

EXHIBIT "A"



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

EXEMPTION NOTIFICATION

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

Project Title: Set-up and Conducting Beach Activities on the beach fronting Kahala Hotel

Project / Reference No.: PSF 12OD-039

Project Location: Waialae, Honolulu, Oahu, TMK:(1) 3-5-023:041(portion)

Project Description: Set-up and conducting beach activities on the beach fronting Kahala Hotel

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

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(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 Land

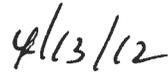
EXHIBIT "B"

Recommendation:

It is recommended that the Board find that 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



THE KAHALA

HOTEL & RESORT

Honolulu, Hawaii

MEMORANDUM

Date: Thursday, March 08, 2012
From: Stuart Kotake, Director of Food & Beverage
Subject: The Kahala Hotel & Resort Beach Permit
To: Department of Land and Natural Resources

The Kahala Hotel & Resort allows for MC&A access and working rights to the property. This permission is in conjunction with the McAfee Incentive Program to be held on Thursday, May 17, 2012. MC&A will be responsible for an event on the Koko Head lawn of our property. Should there be any questions, please feel free to contact myself at, skotake@kahalaresort.com or 808-306-0096.

Warmest Mahalo,

Stuart Y. Kotake, CMP
Director of Food & Beverage
THE KAHALA HOTEL & RESORT
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Honolulu, HI 96816
Cellular: (808) 306-0096
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