

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

October 10, 2014

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

PSF No.:14OD-163

Oahu

After-the-Fact Issuance of Right-of-Entry Permit to Hilton Hawaiian Village LLC for Beach Activities Purposes on October 11, 2014, Waikiki, 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 situated at Waikiki, Honolulu, Oahu, identified by Tax Map Key (1) 2-3-037:portion of 021, as shown on the maps attached as **Exhibit A1** and **A2**.

AREA:

6,000 square feet, more or less.

ZONING:

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

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:

8:00 a.m. to 11:00 p.m. on October 11, 2014 (Saturday)

RENTAL:

\$850 (one time payment comprising \$600 rent and \$250 surcharge.)

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

Pursuant to the authority delegated by the Board on June 14, 2013, Item D-11, Chairperson declared the request exempt from the preparation of an environmental assessment, and signed the exemption notification.

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 is requesting a right-of-entry permit over portions of the Duke Kahanamoku Lagoon area as depicted on Exhibit A2 for beach activities purposes in connection with the reception to be held on the hotel's property on October 11, 2014 evening. There will be no consumption of alcoholic beverages or amplified sound system to be used on the subject location. The requested area is intended for any spillover seating from the event on the hotel's property.

Written request was submitted by the applicant and received by the Department on September 15, 2014, i.e. request was submitted in the fourth week prior to the event date. Pursuant to the authority delegated by the Board on June 14, 2013, Item D-11, Chairperson declared the request exempt from the preparation of an environmental assessment and issued a right-of-entry for the requested event, subject to an additional payment of \$250 surcharge.

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.

There are no other pertinent issues or concerns, and staff does not have any objection to the request.


RECOMMENDATION: That the Board authorize the issuance of an after-the-fact right-of-entry permit to Hilton Hawaiian Village LLC covering the subject area for beach activities purposes under the terms and conditions cited above.

Respectfully Submitted,



Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila Jr., Chairperson



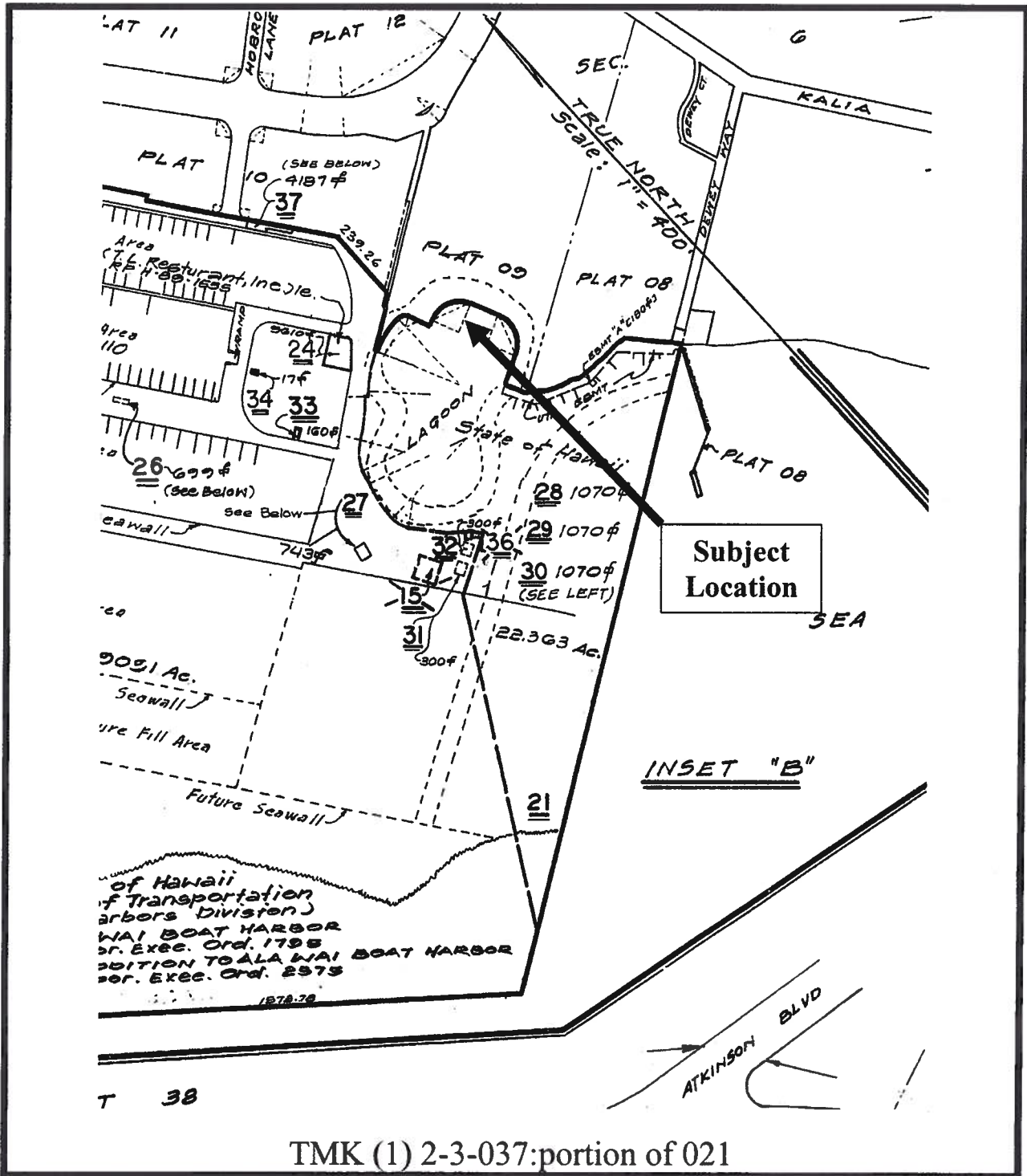
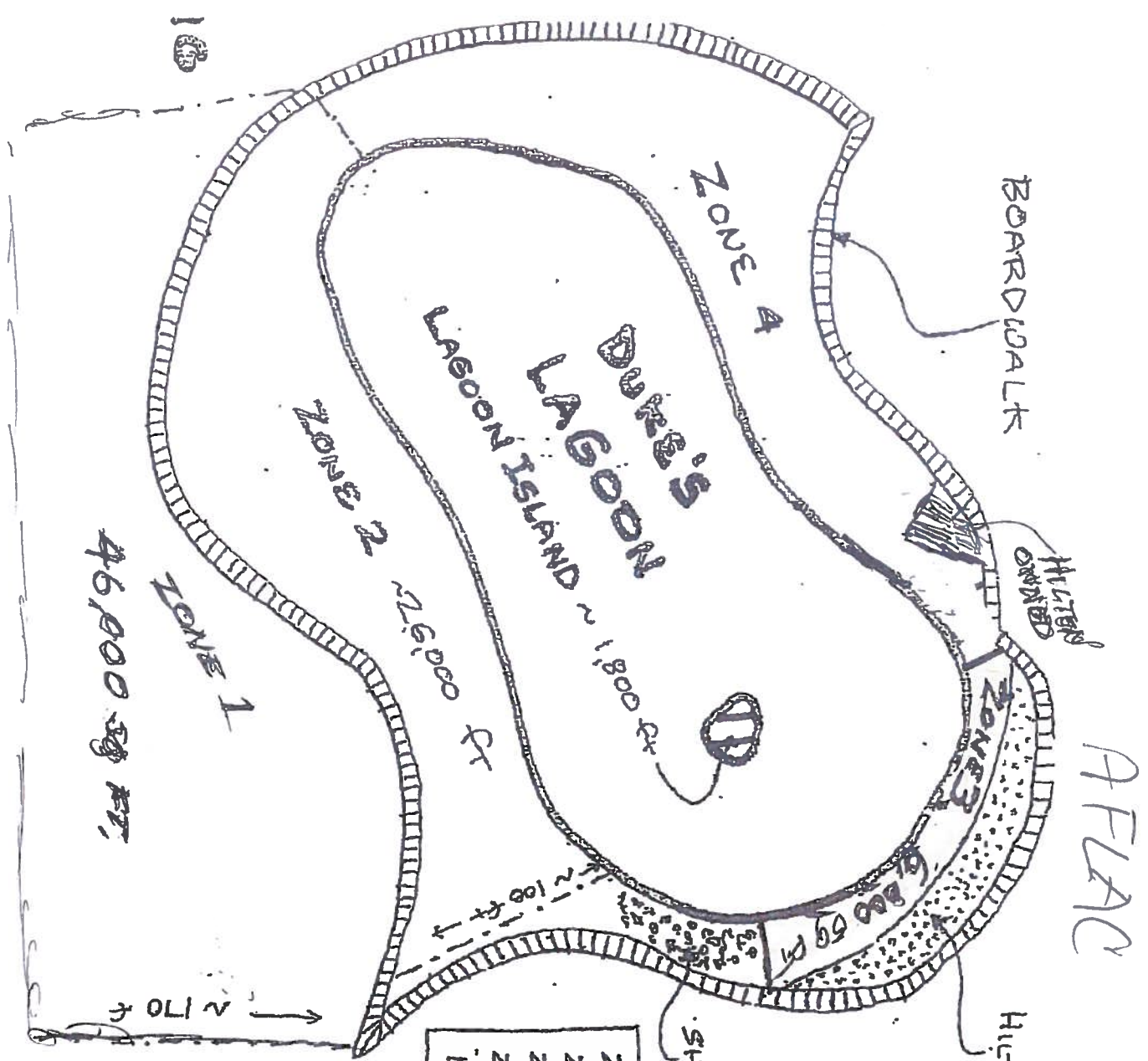


EXHIBIT A1



46,000 sq ft

ZONE 1

ZONE 2

~26,000 sq ft

ZONE 4

Queen's LAGOON ISLAND

~18,000 sq ft

BOARDWALK

HISTORIC OWNED

AFELAC

HISTORIC PRIVATE BEACH

STRUBS

Dunes

ZONE 1	~ 46,000
ZONE 2	~ 26,000
ZONE 3	~ 6,000
ZONE 4	~ 18,000
LAGOON ISLAND	1,800

EXHIBIT "A2"

EXEMPTION NOTIFICATION

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

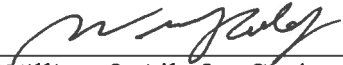
Project Title: Beach Activities Purposes on Duke Kahanamoku Beach
Project / Reference No.: PSF 14OD-163
Project Location: Waikiki, Honolulu, Oahu, TMK (1) 2-3-037:portion of 021.
Project Description: Beach activities purposes
Chap. 343 Trigger(s): Use of State Land

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: Not applicable

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 *WA*
Date *9/25/14*

EXHIBIT B