

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

April 12, 2019

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

PSF No.: 19OD-033

OAHU

Issuance of Right-of-Entry Permit to Hawaii Ag & Culinary Alliance, dba Hawaii Food & Wine Festival, for Food and Beverage Event on April 26, 2019 at the grass area fronting Kahala Hotel, Waialae, Honolulu, Oahu, Tax Map Key: (1) 3-5-023:041

APPLICANT:

Hawaii Ag & Culinary Alliance, dba Hawaii Food & Wine Festival.

LEGAL REFERENCE:

Section 171-55, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

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

AREA:

Tents:	1,000 square feet.
Stage:	160 square feet.
DJ booth:	100 square feet.
Airstream:	270 square feet.
<u>Airstar:</u>	<u>13 square feet.</u>
Total:	1,543 square feet, more or less.

ZONING:

State Land Use District:	Conservation
City and County of Honolulu LUO:	Resort (for abutting property)

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 by Revocable Permit 7915 to Resorttrust Hawaii LLC, Permittee, for recreational and maintenance purposes. By letter dated March 14, 2019, Resorttrust Hawaii, LLC gave approval for the event.

CHARACTER OF USE:

Set-up, break-down, and clean-up for food and beverage event.

TERM:

Between 8:00 a.m. to 11:00 p.m., Friday, April 26, 2019.

RENTAL:

Based on reciprocating financial benefits to the community, staff recommends gratis charge. See Remarks section.

COLLATERAL SECURITY DEPOSIT:

None.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Section 11-200-8, Hawaii Administrative Rules (HAR), and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 51, which states the “Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing”. See **Exhibit B**.

DCCA VERIFICATION:

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

REMARKS:

Around 1963, the developer of the abutting hotel parcel obtained approval from the State to

excavate the rock coastline and develop a beach and two small islets. The Board approved the agreement at its meeting on January 25, 1963. Subsequent to 1968, revocable permits were issued to the respective hotel owners over the subject location for recreational and maintenance purposes.

Hawaii Food & Wine Festival (HFWF) is requesting the issuance of a right-of-entry permit for the set-up, break-down, and clean-up of a food and beverage event in the grass area fronting the Kahala Hotel occurring on April 26, 2019 (see **Exhibit C**). HFWF is requesting the use of 1,543 square feet of State land to set-up a stage, tents, tables and other related items to host the event. The event duration will be from 8:00 a.m. to 11:00 p.m., Friday, April 26, 2019.

The event is a food and wine tasting occasion, which means alcoholic beverages (including beer) are planned on being served and consumed on State lands. Staff is requesting the Board remove the right-of-entry (ROE) permit condition, for this event, which states:

“No alcoholic beverages shall be served or permitted in the right-of-entry area or premises.”

At its meeting on November 9, 2018, item D-18, the Board requested that a public access pathway of at least 20 feet be placed between rented areas. Staff has informed the applicant to maintain a 20 feet space between non-connecting tents (see **Exhibit D**).

Also, due to the large reciprocating financial benefit to the community, staff is recommending that the charge be gratis to cover the exclusive use of the requested area. In 2018, almost \$385,000 was given to 23 non-profit community partners (see **Exhibit E**).

The applicant also requests the use of a truck to tow and place the Airstream into position, and to remove the Airstream after the event. The truck will not be attached to the Airstream during the event (see **Exhibit F**, Airstar also included).

The Applicant will provide a courtesy notice to the manager of the adjacent Kahala Beach Condominium, who will post the notice on the bulletin board within the condominium regarding the April 26, 2019 event.


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. OCCL has no comments on the subject request. Staff does not have any objection to this request. There are no pertinent issues or concerns.

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.

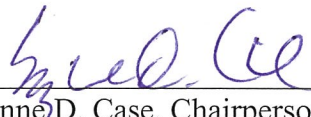
2. Authorize the issuance of a ROE permit to Hawaii Food & Wine Festival covering the subject area for food and beverage event purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time; and
 - B. Authorize the Applicant to serve alcoholic beverage at the subject event, subject to Applicant's obtaining the respective authorizations from the Liquor Commission; and
 - C. One (1) truck is allowed to position and remove the Airstream before and after the event; and
 - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Cal Miyahara
Shoreline Disposition Specialist

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson



TMK: (1) 3-5-023:041

EXHIBIT A-1

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 Hawaii Ag & Culinary Alliance, dba Hawaii Food & Wine Festival, for Food and Beverage Event on April 26, 2019 at the grass area fronting Kahala Hotel, Waialae, Honolulu, Oahu, Tax Map Key: (1) 3-5-023:041.

Reference No.: PSF 19OD-033

Project Locations: Waialae, Honolulu, Oahu, Tax Map Key: (1) 3-5-023:041.

Project Description: Food and Beverage Event at Kahala Hotel.

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

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources concurred with by the Environmental Council and dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 51, which states the “Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing”.

Cumulative Impact of Planned Successive Actions in Same Place Significant? No, similar events occur at the same location from time to time, but not on a routine or regular basis (e.g., daily or weekly). However, the based on the vendor’s clean-up conducted after the event, staff believes that there would be no significant cumulative impact.

Action May Have Significant Impact on Particularly Sensitive Environment? The requested area is a portion of State lands visited by tourists and residents, and is heavily impacted by human activity. Public access across the requested area is maintained by the Kahala Hotel staff. In addition, based on the analysis below, staff believes there would be no significant impact to sensitive environmental or ecological receptors.

Consulted Parties: Consulted with Office of Conservation and Coastal Lands who has no objections to the subject request and concurs with the exemption for an environmental assessment.

Analysis:

The proposed activity is of a similar type and scope of activities that periodically occurred and continues to occur on this and other State land 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. Staff also believes that the request would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

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.



March 15, 2019

Ms. Suzanne Case, Chair
Board of Land of Natural Resources
1151 Punchbowl Street, Room 220
Honolulu, HI 96813

Re: Permit Application – Request for Temporary Use of Land Fronting The Kahala Hotel & Resort on April 26, 2019

Aloha Chair Case:

The Hawai'i Ag & Culinary Alliance (dba Hawai'i Food & Wine Festival) is requesting a one-day temporary permit for use of land fronting The Kahala Hotel & Resort. The permit is requested for April 26, 2019 (from 8 a.m. –11 p.m.). The actual event will be held from 6 p.m. – 9 p.m.

The Hawai'i Ag & Culinary Alliance's mission is to put a spotlight on Hawai'i as the Center for purposeful cultural endeavor by producing world-class culinary experiences which support the farmers, students, chefs and people who call Hawai'i home. The organization has produced more than 100 world-class culinary events since 2011 and has been able to give back nearly \$2.5 million back to community organizations.

The event is the official launch of the 2019 Hawai'i Food & Wine Festival (HFWF) and provides a myriad of benefits for the people of Hawai'i:

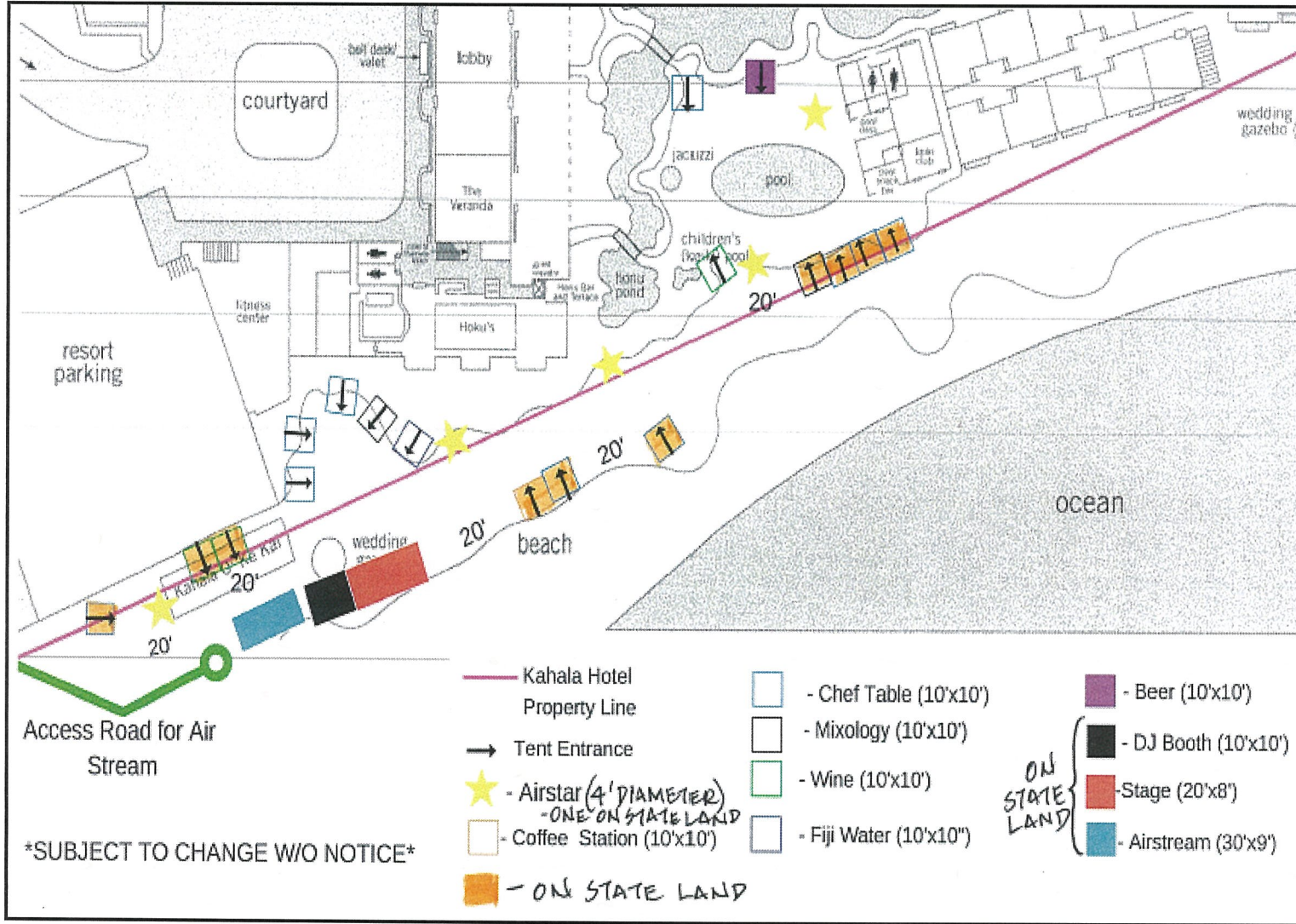
1. The Festival launch will include more than 10 of Hawai'i's top chefs that will garner national and international media attention to our islands as a premiere culinary destination, supporting our visitor industry;
2. The Festival supports our local agricultural industry and calls attention to our farmers, ranchers, fishermen, and the amazing bounty they produce;
3. All Festival proceeds go back to culinary, agricultural, and community organizations with \$384,750 donated to the community and nearly \$2.5 million contributed in the last eight years. (See attached press release).
4. Culinary Institute of the Pacific (CIP) at Diamond Head, as well as Kapi'olani Community College (KCC), sit within in the Kahala neighborhood. HFWF programs enrich the lives of our community college students by giving them an opportunity to work side-by-side world-class chefs;
5. A fireworks display at 8:30 p.m. will be visible by Kahala residents and visitors in the community.

Please find our application attached. Thank you for your consideration of our request.

Mahalo,

Denise Yamaguchi
Chief Executive Officer

EXHIBIT C



Note: Applicant will ensure 20 feet spacing between non-connecting tents.

EXHIBIT D

**Media Contact:**

Denise Yamaguchi
 Chief Executive Officer
 deniseyamaguchi@hawaiifoodandwinefestival.com
 808-386-2538

FOR IMMEDIATE RELEASE

**HAWAII FOOD & WINE FESTIVAL DONATES \$384,750
 TO COMMUNITY ORGANIZATIONS**
Total Giving Reaches Nearly \$2.5 Million

HONOLULU, HI (March 11, 2019)– Hawaii Food & Wine Festival announced yesterday that it donated \$384,750 to local culinary, agricultural, and community organizations statewide at a Mahalo Reception held at Neiman Marcus' Mariposa Restaurant. Proceeds from the eighth annual event went to 23 non-profits partners that contribute to the Festival through many different levels including student volunteers, agricultural educational activities, event concepts, fundraising, cultural enrichment, etc., as well as to its overall success.

More than 200 sponsors, volunteers, and contributors representing numerous international, national and local corporations, government agencies, as well as individual donors, were in attendance to help make the announcement. The \$384,750 donation brings total community giving to nearly \$2.5 million in eight years.

"We are fortunate to have so many people involved as sponsors, companies, government agencies, and individuals who are part of the greater HFWF organization," said Denise Yamaguchi, HFWF Chief Executive Officer. "It is through the efforts of thousands of people who work on the Festival that allows us to give back to so many organizations in our community."

2018 Hawaii Food & Wine Festival beneficiaries include:

- Culinary Institute of the Pacific - \$80,000
- KCC Culinary Arts Program - \$55,000
- KCC Hospitality and Tourism Program \$20,000
- Leeward Community College Culinary Program - \$25,000
- Hawaii Island Community College Culinary Program - \$10,000
- Maui Culinary Academy - \$10,000
- Hawaii Agricultural Foundation - \$70,000
- IMUA Family Services - \$50,000
- Maui County Farm Bureau - \$20,000
- Hawaii Seafood Council - \$5,000
- Hawaii Farm Bureau Federation - \$2,500
- Paepae o He'eia - \$7,500
- Papahana Kuaola - \$7,500
- Eight public high schools were awarded - \$21,750
 - Olomana School - \$7,500
 - Waipahu High School - \$3,500

- MORE -

EXHIBIT E

Farrington High School - \$3,000
Leilehua High School - \$3,000
Roosevelt High School - \$1,500
Kalani High School - \$1,500
Mililani High School - \$1,500
Radford High School - \$750

The reception featured tastings by HFWF Co-Founders Alan Wong and Roy Yamaguchi, Kevin Lee from PAI Honolulu, and Mariposa's Lawrence Nakamoto.

HFWF is a program of the Hawai'i Ag and Culinary Alliance. Its mission is to attract national and international attention to the extraordinary culinary talent, as well as the diversity of quality locally grown products to ensure Hawai'i maintains its competitive edge as a world-class, culinary destination. In eight years, HFWF has expanded from a 3-day festival with 30 chefs in Waikiki to more than 20 events spanning Island of Hawai'i, Maui, and O'ahu. HFWF18 welcomed 8,682 festival attendee, including 1,600 mainland and international visitors to 20 events featuring 120 top chefs, 30 wine makers, and 30 mixologists. HFWF18 garnered \$8.6 million in publicity value from media coverage including Universal Kids: Top Chef Junior, USA Today, Marin Magazine, Chicago Tribune, Forbes Travel Guide, Travel Channel, Eheu (Japan Airlines inflight magazine,) and Travel Weekly Australia/China.

For updates, visit www.HFWF.me and follow HFWF on Twitter/Instagram (@HIFoodWineFest) and Facebook (facebook.com/hawaiiifoodandwinefestival).

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Note: Airstream



Note: Airstar (light apparatus)

EXHIBIT F