

Keone Downing
Surfing Education Association
October 10, 2023

Subject: Formal Response to Right of Entry Request – PSF No. 23OD-079

Dear Board of Land and Natural Resources,

I would like the board to DENY the Right of Entry permit submittal D-10 for the sand placement project proposed by Hilton Hawaiian Village, LLC.

In this letter, I express my concerns and seek clarification regarding the Right of Entry request submitted by Hilton Hawaiian Village, LLC, under PSF No. 23OD-079. Upon careful review of the submitted materials, several points require clarification to ensure transparency and compliance with relevant regulations.

1. Rental Gratis and Income-Generating Activity:

1a. The submission states that the requested use is not an income-generating activity. However, it should be noted that the area already rents chairs, stand-up paddleboards, umbrellas, and towels, and has a firework show every Friday

- How does this align with the claim of not being income-generating?

2. Chapter 343 - Environmental Assessment:

2a. In the report issued by the Board of Land and Natural Resources, it says: “Specifically the subject request is exempt under Part 1, Item 44 permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing a de minimis action that will probably have minimal or no significant effect on the environment and should be declared exempt from the preparation of an environmental assessment and the requirements of section 11-200.1-17, HAR” (page 2).

- I don’t think this section in H.R.S. was meant for this application and given the scope of the project, it is more than just a right of entry, so why is an Environmental Assessment (EA) not required?

2b. The Hilton intends to place up to 2,200 cubic yards of beach-quality sand on 0.7 acres of State land, mauka of the shoreline and makai of the Hilton Hawaiian permitted boardwalk walkway. The dimensions of the area are approximately 850 feet in length, with a width ranging

from 25 to 40 feet, and a depth of 1 to 3 feet—equivalent to the size of three football fields. Adding to the complexity, the sand is sourced from a foreign location and introduced into the ocean during high tides.

- This departure from routine practices raises the question: When was the last instance of importing sand from an external source to this particular area?

3. Backshore Flooding:

3a. The staff submission claims backshore flooding but only provides pictures of high tide wash (see pictures).

- Could you provide additional documentation or studies supporting the claim of backshore flooding?

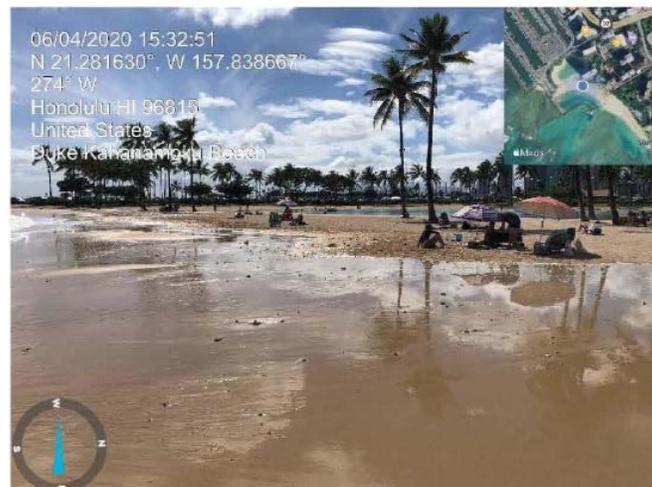


Figure 3. Photographs of backshore flooding resulting from high tides and south swell

The pictures depict high tide wash, not 'backshore flooding' as referred to in the submittal.

4. Transportation and Inspection:

- How many truckloads of sand are expected, and what measures will be in place to ensure the safe and regulated transportation of the sand?
- How many truckloads will be transported per day through the ONLY public and already congested parking area. How will the hundreds of daily users be affected by the unintended consequences with this movement of trucks?
- Why has the use of the road on the Diamond Head side of Hilton not been considered?
- Will there be an inspection process to verify the quality and quantity of the sand delivered?

5. Site Inspection by the Board of Land and Natural Resources:

- Has anyone from the Board of Land and Natural Resources conducted an on-site inspection to verify the origin of the sand and ensure compliance with relevant regulations?

6. Sand Source and Geological Considerations:

6a. Staff submittal shows a beautiful picture of this mountain of sand.

*Hilton Hawaiian Village (HHV), Job No. 25950
Appendix A – Project Figures*



Photograph of Pacific Aggregate's "Natural Inland" sand (Date: May 25, 2023)

6b. Yet the [Pacific Aggregate website](#) indicates that the “Natural Inland Sand” to be used is UNAVAILABLE (see the pictures and visit their [website](#)).

The screenshot shows the Pacific Aggregate website's product page. At the top, there is a navigation menu with 'Home', 'About', 'Products', and 'Contact'. Below the menu, there are three product categories, each with a 'Call for Availability' button. The first category is '3/4" to 1/8" Chips (#67 3fine)', the second is '3/4" to 3/8" Chips (Landscaping or Drainage - Call for Availability)', and the third is '3/8" to 1/8" Chips (Landscaping or Drainage)'. Below these, there are four more product categories: 'C33 Washed Sand', 'Natural Inland Sand (Unavailable)', 'Mason Sand', and 'Greenside Bunker Sand (Unavailable)'. At the bottom, there is a 'Request a Quote' button and a footer with the company name and contact information.

- Could you clarify the source of the sand for the project, and are there any alternative sources considered?

6c. Further, I am expressing concern in regards to the:

- Is the Pacific Aggregate location recognized as a geological site marked for Natural Inland Sand? If not, where is the sand for this project coming from and was it legally obtained?
- Has an assessment been conducted to determine whether there is enough sand to fill the proposed project area?

7. Hilton has not been good stewards of the land and for the community and their actions have raised concerns within the community. Therefore, I would like to express my concern about the motivation and unfulfilled promises made by Hilton. For instance, they have kept public bathrooms, which were required as part of a land transaction with the State, closed. Public parking stalls, also part of this agreement, were only added later due to pressure from the State. Hilton located them on the second level, making them challenging to find. Moreover, during the COVID-19 pandemic, they pumped sludge onto the beach from the lagoon and covered it up with sand (see right picture).



Picture of the dead Coconut tree next to leach field



Picture of the dried sludge 3/4" thick

8. The placement of sand on State Land in front of the Hilton Hotel area is intended to protect Hilton by armoring the shoreline and benefit Hilton's guests. Now, there are plans to neglect putting sand on the Ewa side of the beach, and the sand placement seems to end right after the fireworks launch site, rather than extending all the way to the groin in an area where the public use is most concentrated.



Preparation for the Friday's firework

These concerns reflect the need for additional information to ensure a comprehensive understanding of the project and its implications. I kindly request your assistance in providing clarification on these points.

I would appreciate an opportunity for a meeting or discussion to address these concerns and seek transparency on the details of the proposed project.

Surfing Education Association is against this submittal for reasons stated above and would hope the board will DENY submittal.

Sincerely,

Keone Downing
Spokesperson
Surfing Education Association