

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

November 30, 2012

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

PSF#12MD-160

Maui

Issuance of Right-of-Entry Permit to MC&A Inc. to Conduct a Kayak Race Beach Activity Event for the Brocade Company, at Wailea Beach, Maui, Hawaii: Tax Map Key:(2) 2-1-023: seaward of 007.

APPLICANT:

MC&A Inc. (Event Management Company) whose mailing address is 615 Piikoi Street, 10th Floor, Honolulu, Hawaii 96814.

LEGAL REFERENCE:

Sections 171-13 and -55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Wailea, Maui identified by Tax Map Key: (2) 2-1-023: seaward of 007, as shown on the attached GIS overview map labeled Exhibit (A).

AREA:

9,000 square feet, more or less.

ZONING:

State Land Use District: Conservation

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State constitution: YES NO

CURRENT USE STATUS:

Vacant and unencumbered.

CHARACTER OF USE:

Kayak races for team building event.

TERM:

This is a one-day event, commencing on February 7, 2013 at 7:30 a.m. with an estimated completion time of 12:30 p.m.

RENTAL:

Payment of \$900.00, rental fee. (Rental fee based on \$.10 per square foot per day; 9,000 square feet x \$.10 = \$900.00).

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

See Exemption Notification attached as 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:

Pursuant to the authority delegated by the Board on September 28, 2001 (D-4), right-of-entry permits were issued for these types of beach activities (Team Building Events) in the past.

After discussion about different types of commercial activities and any associated requirements, staff brings the request to the Board for disposition. The form of disposition should be in form of a Right-of-Entry permit.

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.

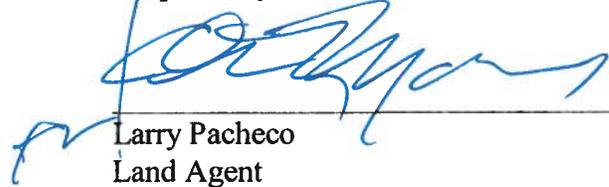
MC&A Inc. is requesting a right-of-entry permit for the Brocade Company, to utilize a portion of Wailea Beach for a one-day team-building kayak race event. The event is scheduled for February 7, 2013. Set up will start at approximately 7:30 a.m. The event will take place from 9:30 a.m. until 11:30 a.m., and cleanup will be completed by 12:30 p.m.

There are no other pertinent issues or concerns. Staff has no objections to this 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 MC&A Inc. (Event Manager) for a team building event for the Brocade Company, covering the subject area 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. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Larry Pacheco
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila Jr., Chairperson

An aerial photograph of a resort property. The image shows a large building complex with a white roof, surrounded by greenery and parking areas. To the left, there is a residential area with many small buildings with red roofs. A dark blue body of water is visible on the far left. A red rectangle is drawn on the ground near the water's edge. A yellow line points from the text 'Event Location 9,000 Sq. Ft.' to this rectangle. The text 'Four Seasons Resort' and '(2) 2-1-023:007' is overlaid in red. The word 'Text' is written in small yellow letters below 'Four Seasons Resort'. The text 'EXHIBIT A' is in the bottom right corner.

Event Location
9,000 Sq. Ft.

Text
Four Seasons Resort
(2) 2-1-023:007

EXHIBIT A



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

November 2, 2012

EXEMPTION NOTIFICATION

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

Project Title: MC&A Inc. – Brocade Company Beach Activity Event

Project / Reference No.: 12MD-160

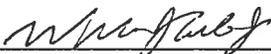
Project Location: Wailea Beach, Maui. TMK: (2) 2-1-023: Seaward of 007.

Project Description: Kayak race / team building event.

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

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

Recommendation: It is anticipated 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. Aifa Jr., Chairperson

11/9/12

Date

EXHIBIT B