

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96813

April 24, 2015

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

Maui

REQUEST APPROVAL TO ISSUE A REVOCABLE PERMIT TO DIAMOND
PARKING, LLC FOR THE PURPOSE OF OPERATING A PARKING CONCESSION
AT THE MAALAEA SMALL BOAT HARBOR, MAUI

LEGAL REFERENCES:

Sections 102-1, 102-2, 171-55, 200-2, 200-4, and other applicable sections of Chapter 102, Chapter 171, and Chapter 200, Hawaii Revised Statutes, as amended.

TRUST LAND STATUS:

Section 5(a) and 5(b) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

Chapter 343:

In accordance with the "Division of Boating and Ocean Recreation Environmental Impact Statement Exemption List", approved by the Environmental Council and dated March 22, 1995, the subject request qualifies under exempt Class of Action No.1, "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."

REMARKS:

The Maalaea Small Boat Harbor, Maui, has undergone substantial improvements that include, a new ferry building with attached Division of Boating and Ocean Recreation (DOBOR) District office, new piers, loading docks, and parking areas. The total cost of the new improvements was approximately \$15 million dollars. The repair and maintenance for the harbor is paid for through the Boating Special fund which consists of user fees generated from mooring fees, commercial vessel operations, and revenues from fast land leases. DOBOR does not receive any general fund money to help cover operating expenses. Since those with use permits issued by DOBOR are not the only people using the facility i.e. surfers, fisherman, neighboring commercial businesses, etc., DOBOR is seeking ways to make the generation of operating revenue more equitable for all user groups.

DOBOR is proposing to implement a parking concession similar to the parking concession located at the Ala Wai Small Boat Harbor, Oahu. Since its inception, the average monthly parking revenues generated at the Ala Wai Small Boat Harbor is \$62,500 which is used to support operating costs statewide. Another benefit of the parking concession is security at the facility during times when the harbor office is closed.

DOBOR has held several public meetings with harbor permittees and members of the general public to discuss the implementation of a parking plan and based on the comments received the proposed layout of the vehicle parking area is attached as Exhibit A.

Since the proposed parking plan is new and may need to be amended based on actual operations, DOBOR proposes to enter into a Revocable Permit on a month-to-month basis for up to one year in order to gather information that will be used to draft a concession agreement that will be placed out to bid according to Chapter 171 and Chapter 102, Hawaii Revised Statutes. DOBOR inquired with Diamond Parking, LLC if they would be interested in operating on a month-to-month basis during the fact finding period because they have experience with this type of operation as they are the current concessionaire at the Ala Wai Small Boat Harbor.

RECOMMENDATION:

That the Board:

- A. Approve the issuance of a Revocable Permit to Diamond Parking, LLC for the purpose of managing a parking concession at the Maalaea Small Boat Harbor, Maui, under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 1. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
 2. Review and approval by the Department of the Attorney General; and
 3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
- B. 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 have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment;

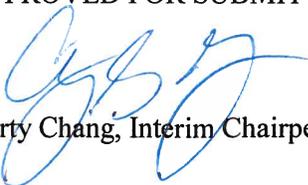
Respectfully Submitted,



Edward R. Underwood
Administrator

Attachment: Exhibit A

APPROVED FOR SUBMITTAL:



Carty Chang, Interim Chairperson



Exhibit A