

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

August 28, 2015

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

PSF#15MD-119

Maui

Issuance of a Right-of-Entry Permit to MC&A Inc. for Storage and Use of Recreational Equipment for a Beach Day Event for the Toyota Financial Group, at Maluaka Beach, Makena, Maui, Hawaii: Tax Map Key:(2) 2-1-005: seaward of 086.

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 Makena, Maui identified by Tax Map Key: (2) 2-1-005: seaward of 086, as shown on the attached overview photo labeled Exhibit (A).

AREA:

1600 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: NO

CURRENT USE STATUS:

Vacant and unencumbered.

CHARACTER OF USE:

Storage and use of beach activity equipment for group beach day event.

TERM:

The applicant has requested the use of the subject area from 10:00am to 3:00pm. Set up will begin at 7:00am with the actual event taking place from 10:00am to 3:00pm. Clean-up and area restoration will be completed by 6:00pm. The event will take place on November 9, 2015

RENTAL:

Total Payment of \$160.00. (Rental fee based on \$.10 per square foot per day; 1,600 square feet x \$.10 = \$160.00).

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:

MC&A Inc. is requesting a right-of-entry permit to utilize a portion (1,600 sq. ft.) of the shoreline / beach fronting the Makena Beach and Golf Resort at Maluaka Beach for a beach day event for the Toyota Financial Services group. The event is scheduled for November 9, 2015. The request is to utilize an area of the shoreline for the organized storage of miscellaneous beach activity equipment such as snorkel gear, air mattresses, kayaks and stand up paddle boards for group members to utilize.

Staff will require that the applicant provide an individual to monitor all equipment to assure that it is properly stored in an orderly manner within the permitted area while items are not in use.

Pursuant to the authority delegated by the Board on September 28, 2001 (D-4), right-of-entry permits have been issued for these types of beach activities (Team Building / Group Events) in the past. After discussions 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 a Right-of-Entry permit.

The 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.

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 Storage and Use of Recreational Equipment for a Beach Day Event for the Toyota Financial Group, 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,



Daniel Ornellas
District Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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HONOLULU, HAWAII 96809

August 28, 2015

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

EXEMPTION NOTIFICATION

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

Project Title: Issuance of a Right-of-Entry Permit to MC&A Inc. for Storage and Use of Recreational Equipment for a Beach Day Event for the Toyota Financial Group.

Project / Reference No.: 15MD-119

Project Location: Makena, Maui, Hawaii, TMK: (2) 2-1-005: Seaward of 086.

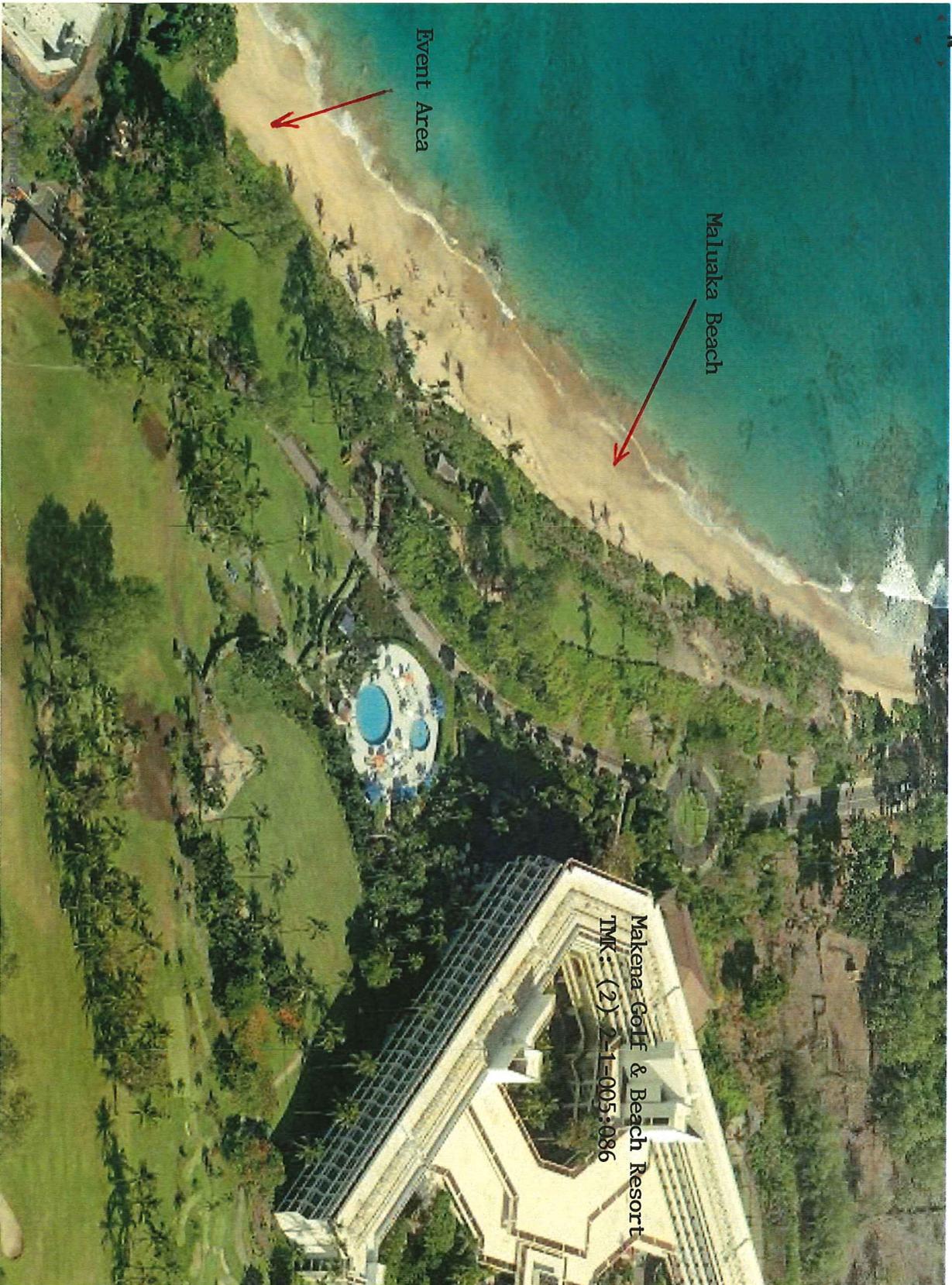
Project Description: Storage and Use of Recreational Equipment for a Beach Day Event.

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

Exemption Class No. and Description: In accordance with Hawaii Administrative Rule Section 11-200-8 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, 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 Item No. 51, that states "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing."

Recommendation: It is anticipated that the requested use will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.


Suzanne D. Case, Chairperson



Event Area

Maluaka Beach

Makana Golf & Beach Resort
TMK :: (2) 2-1-005-086