

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

January 13, 2012

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

PSF#11MD-197
Maui

Issuance of Revocable Permit to the ATC Makena Services LLC for a Sailing Canoe Blessing and Dedication Ceremony at Maluaka Beach, Honuaula, Makena, Maui, Tax Map Key: (2) 2-1-006: seaward of 059.

APPLICANT:

The ATC Makena Services LLC, whose business and mailing address is 5400 Makena Alanui, Makena, HI 96753.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Maluaka Beach, Honuaula, Makena, Maui, identified as seaward of tax map key: (2) 2-1-006: seaward of 059, as shown on the attached Exhibit A.

AREA:

2,500 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:

Sailing Canoe Blessing and Dedication Event

TERM:

From 3:00 pm to 11:00 pm on January 18, 2012.

RENTAL:

\$250.00 (Rental will be based on 10¢ per square feet per day.) Total area of requested use is 2,500 square feet.

COLLATERAL SECURITY DEPOSIT:

None.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

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."

DCCA VERIFICATION:

Place of business registration confirmed: YES NO
Registered business name confirmed: YES NO
Applicant in good standing confirmed: YES NO

REMARKS:

Pursuant to the authority delegated by the Board on September 28, 2001 (D-4), right-of-entry permits were issued for beach activities 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 could be in form of a revocable 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.

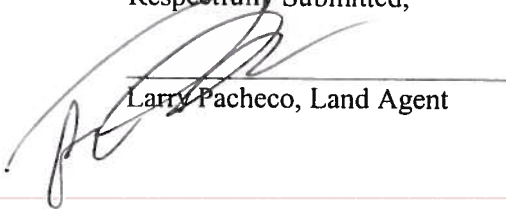
The ATC Makena Services LLC, is requesting a one-day permit for the blessing and dedication of a Hawaiian sailing canoe. The canoe was crafted in the town of Lahaina on the island of Maui and is being dedicated to the resort in appreciation of their contributions and support of the canoe building program. The ceremony is scheduled for January 18, 2012 from 5:30 pm to 9:30 pm. Set-up will be at 3:00 pm and break down by 11:00 pm.

The proposed activity is of a similar type and scope of beach activities that periodically occurred and continues to occur on this and other beach 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. As such staff believes that the proposed event/use would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

RECOMMENDATION: That the Board

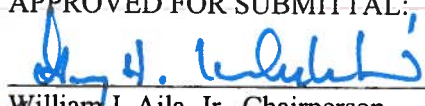
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a revocable permit to the ATC Makena Services LLC, covering the subject area for the blessing and dedication of a Hawaiian sailing canoe ceremony 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 revocable permit form, as may be amended from time to time;
 - B. No possession or consumption of alcohol within the shoreline area;
 - C. Review and approval by the Department of the Attorney General; and
 - D. 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

Fire



NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

November 25, 2011

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER SOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AGRICULTURE RESOURCES
BOATING AND PORTLAND REGULATION
BUREAU OF CONSTRUCTION
COMMISSION ON WATER SOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAIHOLOA, ISLAND PRESERVATION 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:

ATC Makena Services LLC

Project / Reference No.:

11MD-197

Project Location:

Makena Beach, Maui. TMK: (2) 2-1-008: Seaward of 059

Project Description:

Canoe blessing and dedication ceremony.

Chap. 343 Trigger(s):

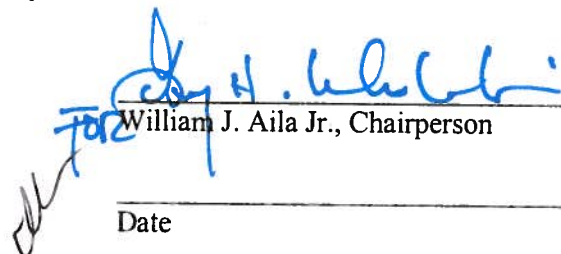
Use of State Land

Exemption Class No.
and Description:

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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. Aila Jr., Chairperson

Date

Maluaka Beach

Event Location
2,500 sq. ft.
Not to Scale



Makena Beach & Golf Resort
(2) 2-1-005-086

Exhibit (A)

