

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

April 27, 2012

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

PSF#12MD-049

Maui

Issuance of Right-of-Entry Permit to MC&A Inc. for a Beach Activity / Team-Building Event for Cadence Pharmaceuticals, at Wailea Beach, Maui, Hawaii: Tax Map Key:(2) 2-1-008: seaward of 109.

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) 2-1-008: seaward of 109, as shown on the attached GIS overview map labeled Exhibit (A).

AREA:

1,500 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: YES NO

CURRENT USE STATUS:

Vacant and unencumbered.

CHARACTER OF USE:

Erecting of canopy tents for storing of recreational equipment (snorkel sets, boogie boards, stand up paddle boards and kayaks) during a team-building event for Cadence Pharmaceuticals.

TERM:

This is a one-day event, commencing on June 25, 2012 at 8:00 a.m. with an estimated completion time of 5:00 p.m.

RENTAL:

Payment of \$150.00, rental fee. (Rental fee based on \$.10 per square foot per day; 1,500 square feet x \$.10 = \$150.00).

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4) the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 4, that exempts activities, which involve "Minor alteration in the conditions of land, water, or vegetation." Staff consulted the Office of Conservation and Coastal Lands and was advised that they had no objection to the proposed activities due to the temporary and minimally intrusive nature of the activities.

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.

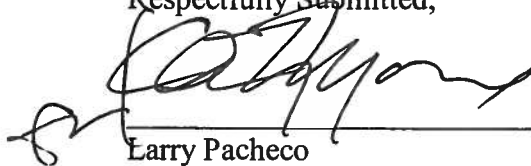
MC&A Inc. is requesting a right-of-entry permit for Cadence Pharmaceuticals, to utilize a portion of Wailea Beach for a one-day beach activity / team-building event. Two 20' x 20' tents will be set up for exclusive use on Wailea beach and used for storing of beach activity equipment such as snorkel sets, boogie boards, stand up paddle boards, and kayaks. The event is scheduled for June 25, 2012. Set up will start at approximately 8:00 a.m. The event will take place from 10:00 a.m. until 3:00 p.m., breakdown of the tents and clean up will be completed by 5:00 p.m.

There are no other pertinent issues or concerns. Staff has no objections to this request.

RECOMMENDATION: That the Board:

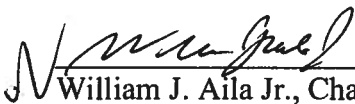
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a right-of-entry permit to MC&A Inc. (Event Manager) for a beach activity / team-building event for Cadence Pharmaceuticals, 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; and
 - b. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



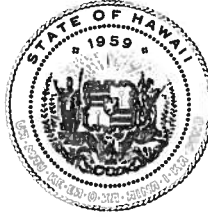
Larry Pacheco
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila Jr., Chairperson

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

April 3, 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. – Cadence Pharmaceuticals

Project / Reference No.: 12MD-049

Project Location: Wailea Beach, Maui. TMK: (2) 2-1-008: Seaward of 109

Project Description: Erection of two tents for storage and placement of beach activity equipment for a 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. Aila Jr., Chairperson

4/13/12

Date

Wailea Beach

Wailea Beach Villas
(2) 2-1-008:091

Grand Wailea Resort
(2) 2-1-008:109

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

Event Site

Blue: Coastline (State of Hawaii)
Red: Indicates Private Property

EXHIBIT A

