

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

May 10, 2013

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

PSF#13-073
Maui

Issuance of a Right-of-Entry Permit to Keith Dalton, on Behalf of the Young Presidents Organization, for a Sand Sculpting Event at Wailea Beach, Honuauula, Wailea, Maui, Tax Map Key: (2) 2-1-008: seaward of 109.

APPLICANT:

Keith Dalton, whose business and mailing address is
Columbia, V7T1C3 Canada.

LEGAL REFERENCE:

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

LOCATION:

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

AREA:

800 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:

Teambuilding Activities (Sand Sculpture Event)

TERM:

From 10:00 am to 6:00 pm on May 25, 2013.

RENTAL:

\$80.00 (Rental will be based on 10¢ per square feet per day.) Total area of requested use is 800 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."

REMARKS:

Keith Dalton is requesting a right-of-entry permit on behalf of the Young Presidents Organization for a sand sculpture event scheduled for May 25, 2013 from 11:00 am to 5:00 pm. at Wailea Beach, Maui. Set-up will be at 10:00 am and break down by 6:00 pm.

Staff is recommending the issuance of a Right of Entry permit for the event.

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.

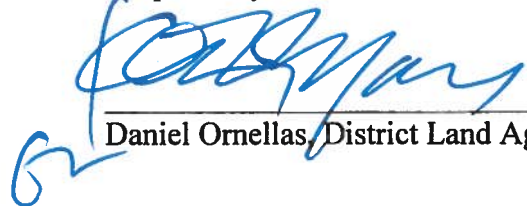
No comments were solicited from government or community agencies.

The 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.

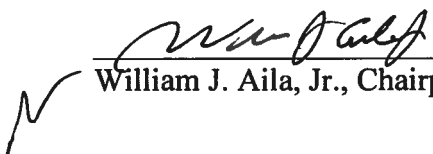
RECOMMENDATION: That the Board:

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 right-of-entry permit to Keith Dalton on behalf of the Young Presidents Organization, covering the subject area for teambuilding sand sculpture 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 right-of-entry permits, 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,


Daniel Ornellas, District Land Agent

APPROVED FOR SUBMITTAL:


William J. Aila, Jr., Chairperson



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

EXHIBIT A



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

April 22, 2013

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 Keith Dalton, on behalf of the Young Presidents Organization.

Project / Reference No.:

13MD-073

Project Location:

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

Project Description:

Teambuilding event, which will include sand sculpting activities.

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

5/1/13

Date