

State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii

February 14, 2014

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

REQUEST THE BOARD DELEGATE THE MAUI DISTRICT MANGER AS THE AUTHORIZED REPRESENTATIVE FOR THE PURPOSE OF ISSUING COMMERCIAL USE PERMITS FOR KAA NAPALI BEACH AND OCEAN WATERS, MAUI

BACKGROUND:

On September 26, 2008, the Board approved staff recommendations, Item J-1, regarding guidelines for the issuance of commercial use permits for Kaanapali beach and ocean waters. This was based on Hawaii Administrative Rule, Section 13-251-76(a), that states, "Commercial Activities, (a) No person shall engage in commercial activities of any kind in or on Waikiki or Kaanapali ocean waters and beach without a written permit from the board or its authorized representatives."

The Board designated the Administrator of the Division of Boating and Ocean Recreation as the authorized representative of the department for the purpose of authorizing commercial use permits for Kaanapali beach and ocean waters because of the numerous issues that were occurring with commercial operators at the time.


Since then, the majority of issues have been resolved and the Maui District Staff have been managing the commercial use permits for the area adequately. A new Maui District Manager has recently been hired and we feel that this is the appropriate time to return the responsibility of authorizing commercial use permits for Kaanapali beach and ocean waters to the Maui District Staff.

RECOMMENDATION:

That the Board:

1. Delegate the Maui District Manager as the authorized representative for the purpose of authorizing commercial use permits for Kaanapali beach and ocean waters, Maui.

Respectfully submitted,



Edward R. Underwood
Administrator

APPROVED FOR SUBMITTAL



William J. Atta, Jr.
Chairperson

Item J-1