

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

February 28, 2014

Board of Land and Natural Resources
PSF#14MD-024
State of Hawaii
Honolulu, Hawaii

Maui

Issuance of Right-of-Entry Permit to Jeanine Thomason (Event Manager) for The Maui Film Festival at Wailea, 2014 Event, at Wailea Beach, Maui, Hawaii: Tax Map Key:(2) 2-1-023: seaward of 007.

APPLICANT:

Ms. Jeanine Thomason (Event Manager)

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) 2-1-023: seaward of 007, as shown on the attached GIS overview map labeled Exhibit (A).

AREA:

1,400 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:

Film Projection and Viewing Tent

TERM:

This is a five-day event, commencing on June 4, 2014 at 8:00 a.m. through June 8, 2014 at 11:00 p.m.

RENTAL:

Payment of \$700.00 rental fee. (Rental fee based on \$.10 per square foot per day; 1,400 square feet x \$.10 = \$140.00 per day x 5 days = \$700.00).

Total: \$700.00

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 <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:

Ms. Jeanine Thomason is requesting a right-of-entry permit for The Maui Film Festival at Wailea, 2014, to utilize a portion of Wailea Beach for the five-day film-viewing event. A large viewing screen and a 15'x 15' projection tent will be set up within a 20' wide x 70' long (1,400 sq. ft) area for exclusive use on Wailea beach. There will be no seating or placement of chairs within the subject area. The film festival is scheduled for the dates of June 4, 2014, through June 8, 2014. The projection then will remain up for the duration of the permit, inclusive of the poles for the large viewing screen. Daily set up will start at approximately 4:00 p.m. The event will take place from 8:00 p.m. until 12:00 a.m. On June 4, 2014, the event including clean up, will be completed by approximately 11:00 p.m. This annual event has taken place at Wailea Beach for the past 14 years. It is open to the public, but admission is charged.

After discussion about different types of commercial activities and any associated requirements, staff brings the request to the Board for disposition.

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.

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 Jeanine Thomason (Event Manager) for the annual Maui Film Festival at Wailea, covering the subject area for film viewing 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 permit form, as may be amended from time to time;

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

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

EXHIBIT A





STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

February 28, 2014

EXEMPTION NOTIFICATION

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

Project Title: Jeanine Thomason – The Maui Film Festival at Wailea

Project / Reference No.: 14MD-024

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

Project Description: Erection of a Film Projection and Viewing Tent

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. Aifa Jr., Chairperson



Date

2/13/14

EXHIBIT B