

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

March 14, 2014

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

PSF No.: 14MD-032

Maui

Issuance of Right-of-Entry Permit to Nalu Kai Inc. dba. Naish Sails Hawaii, at Ukumehame Beach, Olowalu, Lahaina, Maui, Tax Map Key: (2) 4-8-002: Portion of 040.

APPLICANT:

Nalu Kai Inc. dba. Naish Sails Hawaii, a foreign profit corporation.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Ukumehame situated at Olowalu, Lahaina, identified by Tax Map Key: (2) 4-8-002: Portion of 040, as shown on the attached map labeled Exhibit A.

AREA:

1,000 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:

Unencumbered

CHARACTER OF USE:

Erecting two shade tents and temporary storage for equipment purposes.

TERM OF RIGHT-OF-ENTRY:

June 13, 2014
Set up time: 6:00am
Break down time: 11:00am

CONSIDERATION:

Amount due: \$100.00

1,000 sq. ft. x \$.10 per square feet = \$100.00

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. 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>

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Obtain written concurrence from the Division of Boating and Ocean Recreation for the water portion of this event (testing of 2015 demo boards & gear).

REMARKS:

Nalu Kai Inc. dba. Naish Sails Hawaii has requested the use of 1,000 square feet of State lands at Ukumehame Beach on Friday, June 13, 2014. They will be erecting two shade tents and storing miscellaneous equipment on site while personnel will be within the water testing their new line of 2015 stand up paddle surf boards and demo gear. Set up of the tents will be at 6:00am and the event will run until 11:00am. An early start has been requested to avoid crowds and possible unwanted strong wind conditions which frequently occur at this location.

Pursuant to the Board of Land and Natural Resources' amended right-of-entry policy of June 14, 2013, Item D-11, staff submits this request for right-of-entry permit to the Board for approval. Staff has no objection to the request.

No comments were solicited from government or community agencies.

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.

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 Nalu Kai Inc. dba. Naish Sails Hawaii 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;
 - 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





Honoapiilani Hwy.

Site for tents and storage.
1,000 sq. ft.

Ukumehame Beach Park

Ukumehame Beach

Nalu Kai Inc. Naish Sails Hawaii
Right of Entry Permit

TMK: (2) 4-8-002:040

EXHIBIT A



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

March 14, 2014

EXEMPTION NOTIFICATION

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

Project Title: Nalu Kai Inc. dba. Naish Sails Hawaii

Project / Reference No.: PSF# 14MD-032

Project Location: Ukumehame, Olowalu, Lahaina, Maui, Hawaii
TMK: (2) 4-8-002: Seaward of 040.

Project Description: Erecting of two shade tents and temporary equipment storage purposes.

Chap. 343 Trigger(s): Use of State Land

Exemption Class: 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. 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



Date

EXHIBIT B