

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

February 27, 2015

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

PSF No.: 15MD-015

Maui

Issuance of Right-of-Entry Permit to Maui Community Theater dba Maui Onstage at Waiohuli-Keokea Beach Homesteads, Kihei, Maui, Tax Map Key: (2) 3-9-009: Portion of 011.

APPLICANT:

Maui Community Theater dba Maui Onstage, a Domestic Nonprofit Corporation.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Waiohuli-Keokea Beach Homesteads, situated at Kihei, Maui, identified by Tax Map Key: (2) 3-9-009: Portion of 011, as shown on the attached map labeled Exhibit A.

AREA:

2,000 Sq. Ft., more or less.

ZONING:

State Land Use District: Urban
County of Maui CZO: Interim Park

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:

The requested area of use is currently unencumbered.

CHARACTER OF USE:

Private event for fundraising purposes.

TERM OF RIGHT-OF-ENTRY:

1 day.

Set up will begin at 12:00pm, the event shall be completed at 9:00pm and breakdown / clean up by 10:00pm.

CONSIDERATION:

- Payment of \$200.00 (Rental will be based on 10¢ per square feet per day.) Total area of requested use is 2,000 square feet.
- Total payment due: \$200.00

EXHIBITS:

- Exhibit A- Overview topographical photo of the subject property.
- Exhibit B- Shoreline map of the subject property with a sketch of the layout for the dinner event.
- Exhibit C- TMK map of the area.

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:

The Maui Community Theater dba Maui Onstage is requesting a right-of-entry permit for the use of 2,000 square feet of State Beach Reserve land, seaward of the abutting private property at TMK: (2) 3-9-009:008. The applicant will be hosting a fundraising dinner event for their non-profit organization and would like to utilize a portion of the grassy lawn area seaward of the host property. The requested area of use will be utilized to accommodate eight to ten tables with chairs, three food tables, and two musicians. Access, parking, restrooms, and electrical services will be provided by the private property owner at parcel 008.

The area of requested use is part of a large State Beach Reserve which runs from north to south along the seaward side of multiple private properties along Uluniu Road, Kapu Place and Halama Street. The host property for this event is located at the south end of Uluniu Road and is situated between a condominium complex to the north, and a flood control drainage basin to the south. The beach reserve area seaward of the host property consists of a grassy lawn which is currently maintained by the inland private property owners at no cost to the State.

No community comments were solicited for this one day event.

The proposed activity is of a similar type and scope that periodically occurred and continues to occur on unencumbered State lands 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 Maui Community Theater dba Maui Onstage 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.
 - C. No alcohol or liquor shall be consumed or served within the permit area.

Respectfully Submitted,



Daniel Ornellas
District Land Agent

APPROVED FOR SUBMITTAL:



Cary S. Chang, Interim Chairperson

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

February 27, 2015

CARTY S. CHANG
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DANIEL S. QUINN
INTERIM FIRST DEPUTY

W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

EXEMPTION NOTIFICATION

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

Project Title: Issuance of Right-of-Entry Permit to Maui Community Theater dba Maui Onstage.

Project / Reference No.: 15MD-015

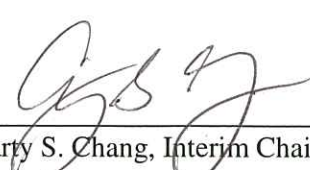
Project Location: Waiohuli-Keokea Beach Homesteads, Kihei, Maui.

Project Description: Fundraising dinner event for non-profit organization.

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

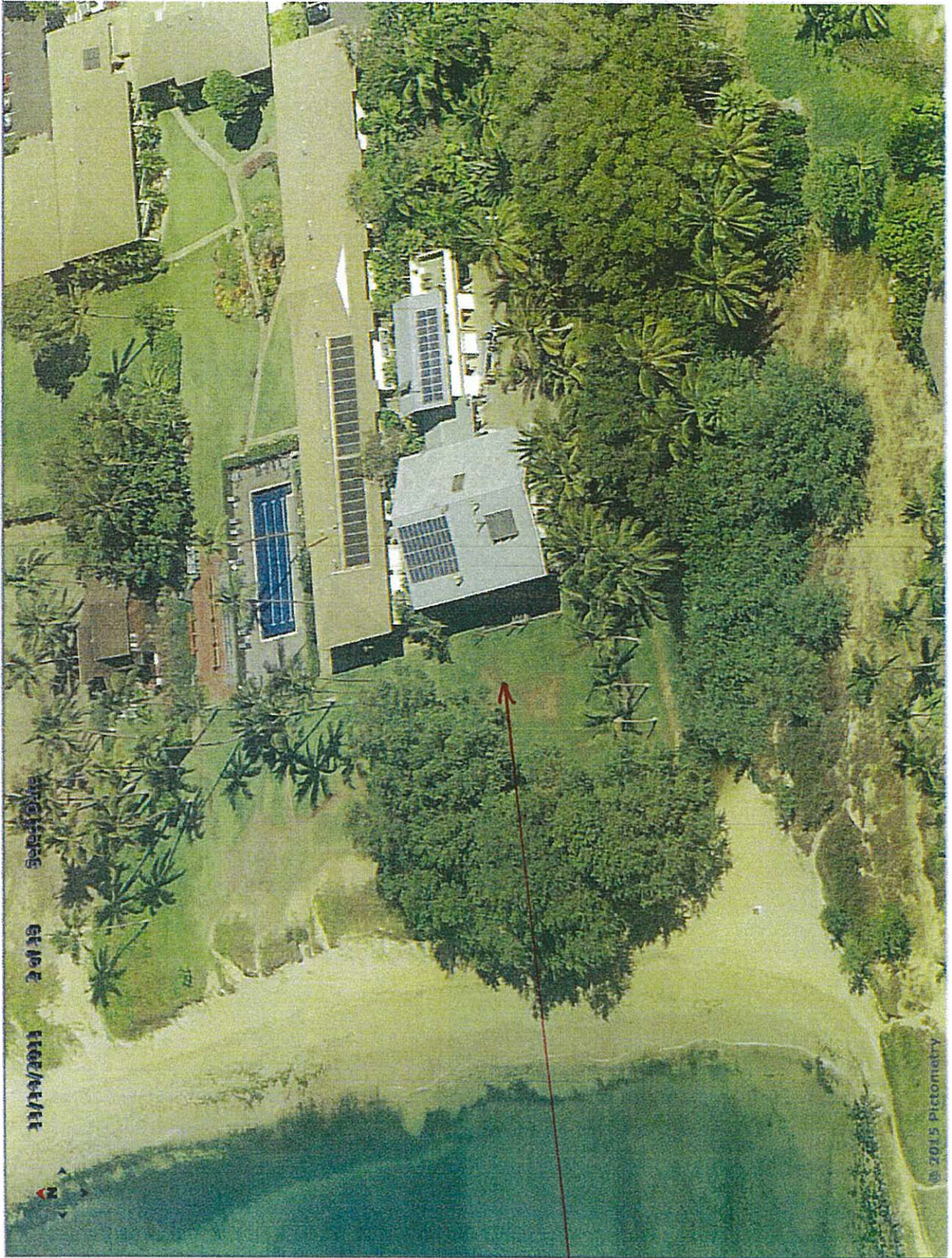
Exemption Class No. and Description: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of 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.


Carty S. Chang, Interim Chairperson


Date

2/13/15

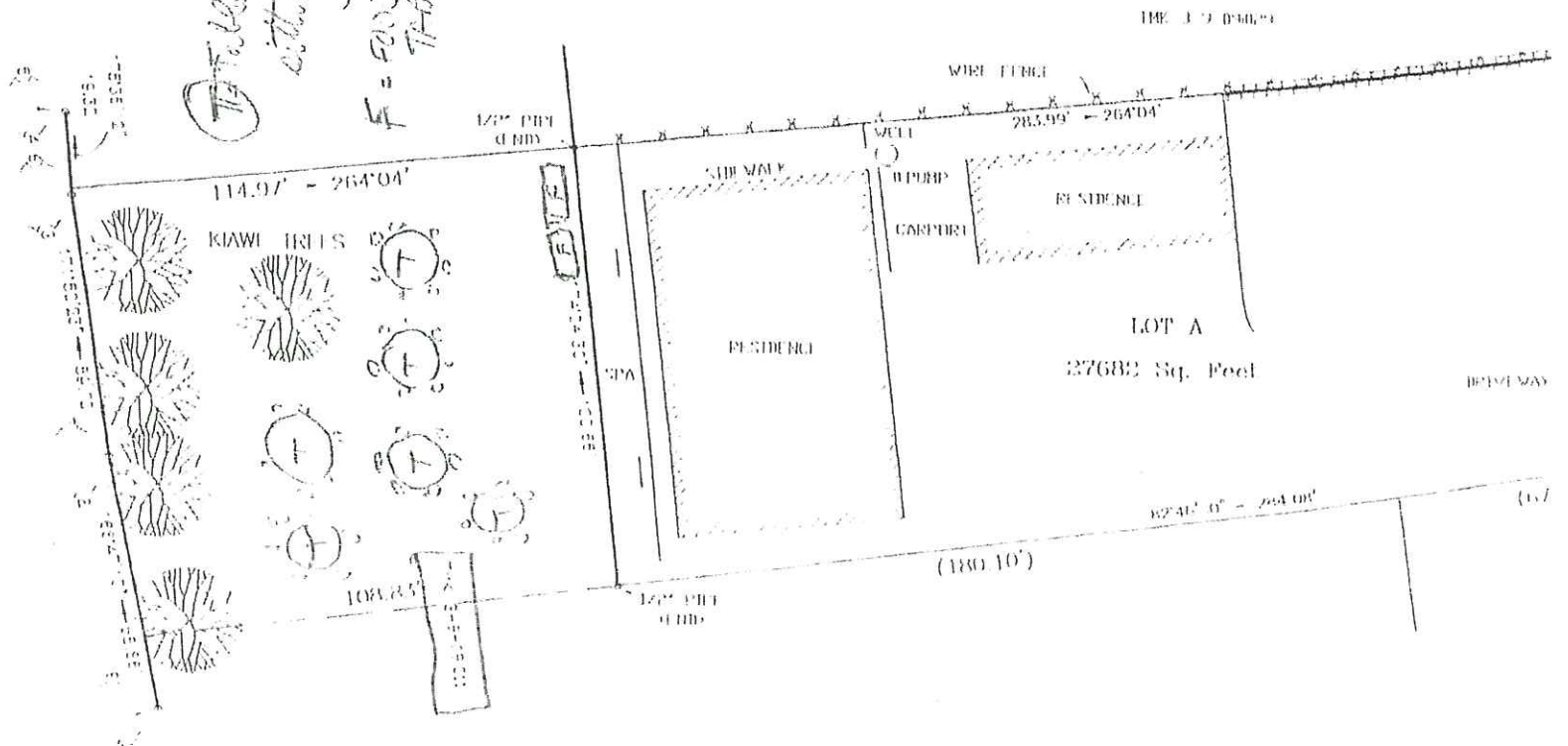


Requested Area of Use

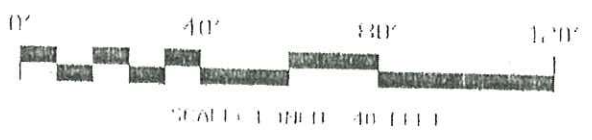
EXHIBIT " A "

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Table for sitting
F = 500 TABLE



SHORELINE MAP OF
 LOT A
 OF THE
 WAIOHULI-KEOKEA BEACHLOTS
 KIHEI, KULA, MAUI, HAWAII



Prepared For
 Gary Parson
 Kihei, HI 96755

This map was prepared by me or
 under my direct supervision.

[Signature]

Leslie K. Luu
 Licensed Professional Land Surveyor
 State of Hawaii Certificate Number 112973
 License Expiration Date April 30, 2012

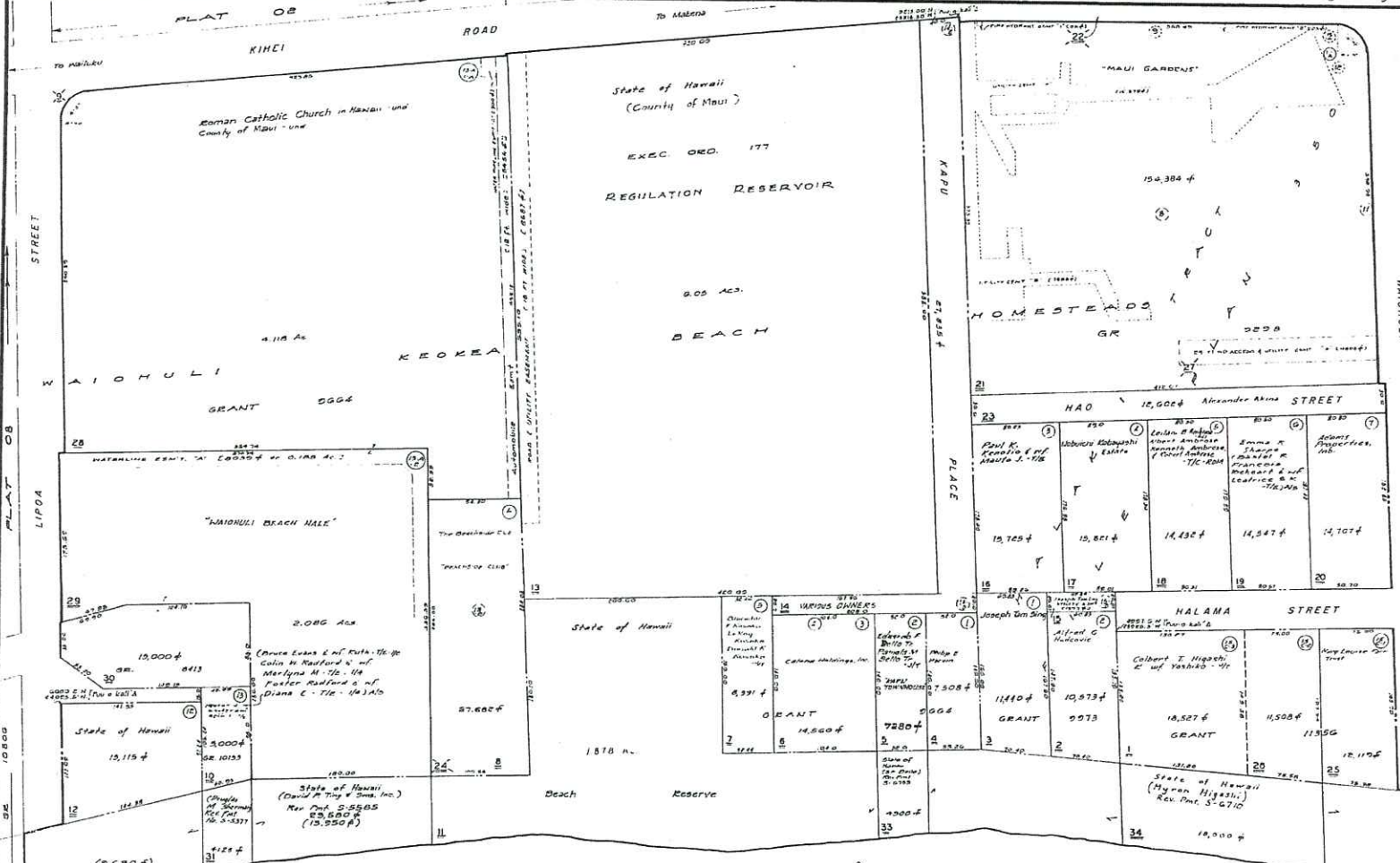


JOB NO. J11 19 PARSON

149 HUIHEHA WAI
 LAHAINA, HI 96761

LAHAINA SURVEYING

EXHIBIT "B"



FOR: WAIOHULI-KEOKEA BEACH HOMESTEADS, MAUI.

SUBJECT TO CHANGE

TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
TAX MAP		
SECOND DIVISION		
ZONE	SEC.	PLAT.
3	9	09
CONTAINING PARCELS		
SCALE: 1 IN. = 30 FT.		

EXHIBIT "C"

Div. No. 1150
 Revision 1150
 Source: 1150
 Date: 11/15/09