

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#15MD-020

Maui

Issuance of a Right-of-Entry Permit to MC&A Inc. for Team Building Sand Sculpting Beach Activity Event, at Kapalua, Lahaina, Maui, Hawaii: Tax Map Key:(2) 4-2-004: seaward of 015.

APPLICANT:

MC&A Inc. (Event Management Company) whose mailing address is 615 Piikoi Street, 10th Floor, Honolulu, Hawaii 96814.

LEGAL REFERENCE:

Sections 171-13 and -55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Kapalua, Lahaina, Maui identified by Tax Map Key: (2) 4-2-004: seaward of 015, as shown on the attached overview photo labeled Exhibit (A).

AREA:

900 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:

Sand sculpting event.

TERM:

The applicant has requested the use of the subject area for a total of four days. It is anticipated that each day will have approximately 25 to 30 participants. On the day of the event set up will begin at 10:00am. The actual sand sculpting will take place from 1:00pm to 3:00pm, and clean-up will be completed by 3:30pm. Event dates are scheduled for:

Day 1- April 30, 2015
Day 2- May 2, 2015
Day 3- May 5, 2015
Day 4- May 7, 2015

RENTAL:

Total Payment of \$360.00. (Rental fee based on \$.10 per square foot per day; 900 square feet x \$.10 = \$90.00 x 4 days = \$360.00).

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

See Exemption Notification attached as Exhibit B.

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:

MC&A Inc. is requesting a right-of-entry permit to utilize a portion of the shoreline / beach area fronting Fleming Beach Park for a sand sculpting / team-building event. The event will be held on four separate days to accommodate the participating Liberty Mutual employees. Each event will have between 25 and 30 participants. The event dates have been scheduled for April 30, 2015, May 2, 5, and 7, 2015. Set up will start at approximately 10:00 a.m. The

event will take place from 1:00 p.m. until 3:00 p.m., and cleanup will be completed by 3:30 p.m.

Pursuant to the authority delegated by the Board on September 28, 2001 (D-4), right-of-entry permits have been issued for these types of beach activities (Team Building Events) in the past. After discussion about different types of commercial activities and any associated requirements, staff brings the request to the Board for disposition. The form of disposition should be in form of a Right-of-Entry permit.

The 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.

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 MC&A Inc. (Event Manager) for a team building event for Liberty Mutual, 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:



Carty 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 a Right-of-Entry Permit to MC&A Inc. for Team Building Sand Sculpting Beach Activity Event

Project / Reference No.: 15MD-020

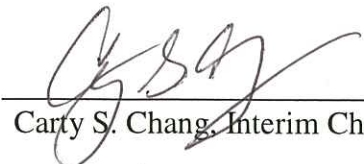
Project Location: Kapalua, Lahaina, Maui, Hawaii, TMK: (2) 4-2-004: seaward of 015.

Project Description: Team building event (sand sculpting).

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.


Cary S. Chang, Interim Chairperson


2/13/15
Date

