Cancellation of Revocable Permit Number S-5285 to Hana Ranch Inc. for Pasture Purposes, and Issuance of a New Revocable Permit to Hana Ranch Land, LLC, for Pasture Purposes at Hana Maui, Tax Map Key: (2) 1-4-003:007 and 008.

APPLICANT:

Hana Ranch Land, LLC, a Delaware limited liability company.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Hana, Maui, identified by Tax Map Key: (2) 1-4-003:007 and 008, as shown on the attached map labeled Exhibit A and overview photo labeled as Exhibit B and C.

AREA:

26.07 acres, more or less.

ZONING:

State Land Use District: Agriculture

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:

Encumbered by Revocable Permit No. S-5285, to Hana Ranch Inc., for pasture purposes

CHARACTER OF USE:

Pasture purposes.

COMMENCEMENT DATE:

The first day of the month to be determined by the Chairperson.

MONTHLY RENTAL:

Staff requesting minimum monthly rent of $40.00 in accordance with the Land Division’s rent policy, subject to review and approval by the Chairperson.

COLLATERAL SECURITY DEPOSIT:

Twice the monthly rental.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Sections 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 x NO 
Registered business name confirmed: YES x NO 
Applicant in good standing confirmed: YES x NO

REMARKS:

Pursuant to Board approval of August 13, 1976, under agenda item number F-11, Revocable Permit No. S-5285 covering the subject parcels was issued to Hana Ranch Company, Ltd. for pasture purposes. These two parcels were incorporated into the much larger adjacent private
parcels belonging to the ranch and used for cattle grazing purposes. No improvements or structures were ever made to the State parcels.

Hana Ranch Land, LLC has informed staff that it has partnered with Bio-Logical Capital and Grasslands LLC to manage the livestock at their Hana Ranch site. Per the applicant, Grasslands LLC is comprised of a strong team of livestock and pasture management experts and is currently managing properties in South Dakota, Montana, and New Zealand with a total management area of nearly 200,000 acres. The ranches that they manage all support large herds of livestock and are all managed for land health under Holistic Planned Grazing.

Hana Ranch Land, LLC has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

Due to the lack of legal access to these two parcels, there has been no other request for the use of these properties.

No community or agency comments were solicited for this request. There will be no change in use as this request is mainly to properly identify the new entity which is now managing existing ranch operations.

The proposed use has continued since 1976 and will continue. Such use has 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 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 revocable permit to Hana Ranch Land, LLC covering the subject area for pasture 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 revocable permit form, as may be amended from time to time;

   b. Review and approval by the Department of the Attorney General; and
c. 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
EXEMPTION NOTIFICATION
regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Cancellation of Revocable Permit Number S-5285 to Hana Ranch Inc. for Pasture Purposes, and Issuance of a New Revocable Permit to Hana Ranch Land, LLC

Project / Reference No.: 14MD-130

Project Location: Hana Maui, Tax Map Key: (2) 1-4-003:007 and 008.

Project Description: Pasture Purposes

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

Exemption Class No. and Description: In accordance with the Division of Land Management's Environmental Impact Statement Exemption List, approved by the Environmental Council and dated April 28, 1986, 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."

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
Maui County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

Maui: (2) 1-4-003: 007
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