

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

April 8, 2016

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

PSF No.: 16MD-031

Maui

Issuance of a Right-of-Entry Permit to Ms. Jeanine Thomason (Event Manager) for The Maui Film Festival at Wailea, 2016 Event, at Wailea Beach, Maui, Hawaii, Tax Map Key: (2) 2-1-023: seaward of 007.

APPLICANT:

Ms. Jeanine Thomason (Event Manager) whose mailing address is Vancouver, WA 98666.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Wailea Beach, fronting the Four Seasons Resorts at Wailea, Maui, identified by Tax Map Key: (2) 2-1-023: seaward of 007, as shown on the attached maps labeled Exhibits A1 and A2.

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: No

CURRENT USE STATUS:

Vacant and unencumbered

CHARACTER OF USE:

Film Projection and Viewing Tent

TERM OF RIGHT-OF-ENTRY:

This is a five-day event, commencing on June 15, 2016 at 8:00 a.m. through June 19, 2016 at 4:00 p.m.

RENTAL:

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

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated June 5, 2015, 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 Item No. 51, that states "Permits, licenses, registrations, and right-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing." (See 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:

Ms. Jeanine Thomason is requesting a right-of-entry permit for The Maui Film Festival at Wailea, 2016, 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' in length (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 15, 2016, through June 19, 2016. The projection tent 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 daily at 8:00 p.m. until approximately 12:00 a.m. This annual event has taken place at Wailea Beach for the past 15 years and has received positive responses from the Wailea community as well as the resorts along Wailea Beach.

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.

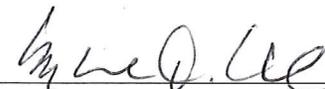
RECOMMENDATION: That the Board:

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 Ms. 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; and,
  - 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:

  
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Suzanne D. Case, Chairperson





TMK (2) 2-1-023:seaward of 007

**Exhibit A2**

March 14, 2016

**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.: PSF# 16MD-031

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

Project Description: Erection of a Film Projection and Viewing Tent

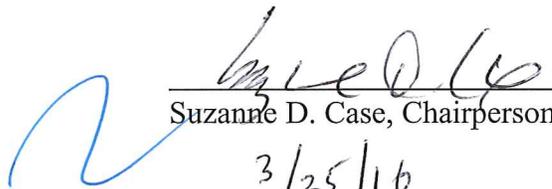
Use of State Land

Chap. 343 Trigger(s):  
Exemption Class No.  
and Description:

In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated June 5, 2015, 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 Item No. 51, that states "Permits, licenses, registrations, and right-of-entry issued by the Department that are routine in nature, involving negligible impacts 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.

  
Suzanne D. Case, Chairperson

3/25/16  
Date

**Exhibit B**