

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96819

January 11, 2019

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

Land Board Members:

REQUEST TO AMEND PRIOR BOARD ACTION OF JULY 13, 2018, (ITEM J-2).
REQUEST TO AMEND THE BOARD'S PRIOR APPROVAL TO ISSUE A FIVE-
YEAR CONCESSION CONTRACT WITH AN OPTION TO RENEW FOR ONE
ADDITIONAL FIVE-YEAR TERM FOR OPERATING A PARKING CONCESSION
SITUATED AT LAHAINA, ISLAND OF MAUI, HAWAII, TAX MAP KEY (2)4-6-
001:002. THE PURPOSE OF THIS AMENDMENT IS TO RESCIND THE BOARD'S
CONDITION WHICH REQUIRED THAT THE CONCESSIONAIRE HAVE A
MINIMUM OF SEVEN PAY STATIONS LOCATED THROUGHOUT THE FACILITY

AND

DECLARE PROJECT EXEMPT FROM REQUIREMENTS OF CHAPTER 343, HRS
AND TITLE 11, CHAPTER 200, HAWAII ADMINISTRATIVE RULES.

BACKGROUND:

On July 13, 2018, under agenda item J-2, the Board approved the issuance of concession contract ("Contract") for the Lahaina Small Boat Harbor ("LSBH"), and found the project to be exempt from requirement of Chapter 343, Hawaii Revised Statutes and Title 11, Chapter 200 Hawaii Administrative Rules. A copy of the approved Board submittal is attached as "**Exhibit A**".

One of the requirements for the contract was that a minimum of seven pay stations be located throughout the facility. As LSBH contains approximately 35 parking stalls, this requirement is excessive and could discourage potential concessionaires from bidding on the contract due to the high cost of installing and maintaining seven pay stations relative to the revenue generated at the site. Staff believes that one pay station is sufficient given the number of parking stalls at LSBH.

RECOMMENDATION:

That the Board of Land and Natural Resources:

1. Amend its prior Board action of July 27, 2018, agenda item J-2, by deleting item 3 under Remarks and approving a new item 3 to read as follows: 3. Have a minimum of one pay station located at the facility.
2. Except as amended hereby, all terms and conditions listed in its July 27, 2018 Board approval to remain the same.

Respectfully Submitted,



EDWARD R. UNDERWOOD, Administrator
Division of Boating & Ocean Recreation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE, Chairperson
Board of Land and Natural Resources

Attachment:

- A. Prior Board action dated July 13, 2018, Item J-2

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96819

July 13, 2018

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

Land Board Members:

SUBJECT: REQUEST APPROVAL TO ISSUE A FIVE-YEAR CONCESSION CONTRACT WITH AN OPTION TO RENEW FOR ONE ADDITIONAL FIVE-YEAR TERM FOR OPERATING A PARKING CONCESSION SITUATED AT LAHAINA, ISLAND OF MAUI, HAWAII, TAX MAP KEY (2) 4-6-001: (002)

AND

DECLARE PROJECT EXEMPT FROM REQUIREMENTS OF CHAPTER 343, HRS, AND TITLE 11, CHAPTER 200, HAWAII ADMINISTRATIVE RULES

REQUEST:

The Division of Boating and Ocean Recreation (DOBOR) is seeking approval from the Board of Land and Natural Resources (Board) to authorize DOBOR to issue invitations for bids for a five-year vehicle parking concession contract, with an option to renew for one additional five-year term, situated at Lahaina Small Boat Harbor, Island of Maui, Hawaii.

LOCATION:

Portion of Government lands situated on Lahaina, Island of Maui, Hawaii, Tax Map Key: (2) 4-6-001:002 as shown on the attached map labeled Exhibit A

AREA:

Approximately 18,000 square feet, (See Exhibit A).

ZONING:

State Land Use District: Urban, County of Maui
CZO: HD-1 Historic District

EXHIBIT A

APPROVED BY THE BOARD OF
LAND AND NATURAL RESOURCES
AT ITS MEETING HELD ON

JUL 13 2018 w/ Amendments

Item J-2

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act: YES

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO

CURRENT USE STATUS:

Encumbered by Revocable Permit 34 issued to Diamond Parking Services, LLC for parking concession purposes. Revocable Permit is set to expire on August 31, 2018.

CHARACTER OF USE:

Vehicle Parking Concession

MONTHLY RENTAL:

\$1,700 per month plus 30% of all revenues collected over \$3,000 per month

REMARKS:

The proposed parking concession contract will require, at a minimum, that the Concessionaire:

1. Have a minimum five years' experience operating a parking concession of 500 stalls or more;
2. Have the ability to accept cash or credit cards;
3. Have a minimum of seven pay stations to be located throughout the facility;
4. Manage the issuance of parking permits on behalf of the Division;
5. Be responsible for stripping and installing signage as well as maintaining both.

DOBOR is proposing to implement a parking concession similar to the parking concessions located at the Maalaea Small Boat Harbor and the Ala Wai Small Boat Harbor on the Island of Oahu. The subject location is currently under a RP with Diamond Parking Services LLC., and DOBOR is seeking to convert this RP to a concession agreement.

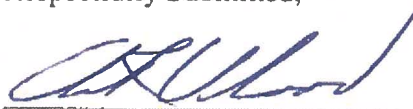
RECOMMENDATION:

That the Board of Land and Natural Resources:

Authorize the issuance of a five-year concession contract, with an option to renew for one additional five-year term, for the purpose of managing a vehicle parking concession at the Lahaina Small Boat Harbor, Island of Maui, under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

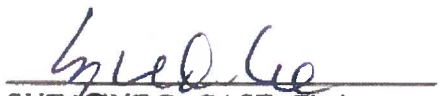
- a. The standard terms and conditions of the most current concession contract as may be amended from time to time;
- b. Review and approval by the Department of the Attorney General; and
- c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
- d. 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 have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

Respectfully Submitted,



EDWARD R. UNDERWOOD, Administrator
Division of Boating & Ocean Recreation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE, Chairperson
Board of Land and Natural Resources

Attachment:

- A. Aerial Map depicting Lahaina Parking Area
- B. Declaration of Exemption



LAHAINA SMALL BOAT HARBOR

EXHIBIT A

Google Earth

100 ft

DAVID Y. IGE
GOVERNOR OF
HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

July 27, 2018

EXEMPTION OF NOTIFICATION

Regarding the preparation of an environmental assessment under the authority of
Chapter 343, HRS and Section 11-200-8, HAR

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
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

Project Title:	Parking Concession
Project Number:	To be determined
Project Location:	Portion of Government lands of State of Hawaii situated on Lahaina, Island of Maui, Hawaii, Tax Map Key: (2) 4-6-001:002
Chapter 343 Trigger(s):	Use of State Lands
Project Description:	Encumbered by Revocable Permit 34 issued to Diamond Parking Services, LLC for parking concession purposes. Revocable Permit to expire on August 31, 2018. DOBOR is proposing to implement a parking concession similar to the parking concessions located at the Ala Wai Small Boat Harbor, Oahu and the Maalaea Small Boat Harbor, Maui.
Consulted Parties:	Office of Conservation and Coastal Lands; Land Division Both agencies concurred with the proposed exemption notification.
Exemption Class & Description:	Exemption Class 1: 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. Item 47: Leases of state land involving negligible or no expansion or change of use beyond that previously existing.
Determination:	It is declared that this project will likely have minimal or no significant impact on the environment and is therefore exempt from the preparation of an environmental assessment under the above exemption classes.

EXHIBIT B