

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

March 22, 2019

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

PSF No.: 19MD-022

Maui

Issuance of Right-of-Entry Permit to Maui's Original Hawaiian Corporate Games, Inc.,
for Team Building and Beach Game Event Purposes, Wailea Beach, Honuaula, Maui;
TMK (2) 2-1-023: seaward of 007

APPLICANT:

Maui's Original Hawaiian Corporate Games, Inc., a Domestic Profit Corporation.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands fronting The Four Seasons Wailea Resort at Wailea Beach
Honuaula, Maui, identified by Tax Map Key: (2) 2-1-023: seaward of 007, as shown on
the attached maps labeled Exhibit A.

AREA:

6,000 square feet

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:

Team Building and Beach Game Event Purposes

TERM OF RIGHT-OF-ENTRY:

This is a one-day event. Scheduled for April 4, 2019, from approximately 8:00 a.m. to 2:00 p.m.

CONSIDERATION:

Payment of \$600.00. Rent based on 10¢ per square foot per day.

Total area of requested use is 6,000 square feet for one day. (6,000 sf x \$0.10 ft./day = \$600.00).

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule (HAR) 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."

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>

APPLICANT REQUIREMENTS:

1. Pay consideration fee of \$600.00;
2. Obtain executed Right-of-Entry permit from the Maui District Land Office; and
3. Supply Certificate of Insurance naming the State of Hawaii as additional insured.

REMARKS:

Staff is requesting approval for a right-of-entry permit to Maui's Original Hawaiian Corporate Games, Inc., for team building and beach game events scheduled on April 4, 2019, from approximately 8:00 a.m. to 2:00 p.m. Set up to begin at 7:00 a.m. and clean

up and restoration of the area to be completed by sunset. Staff brings this request to the Board pursuant to the policy adopted at its meeting of June 14, 2013 under agenda Item D-11.

The proposed activity is similar in type and scope of beach activities that periodically occurred and continue to occur at this and other beach areas in south Maui. 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.

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.

Pursuant to consultation with the DLNR Office of Conservation and Coastal Lands, Division of Aquatic Resources and Division of Boating and Ocean Recreation, we understand that the consulted division have no objections to the proposed activity.

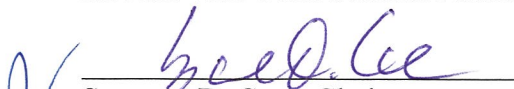
RECOMMENDATION: That the Board,

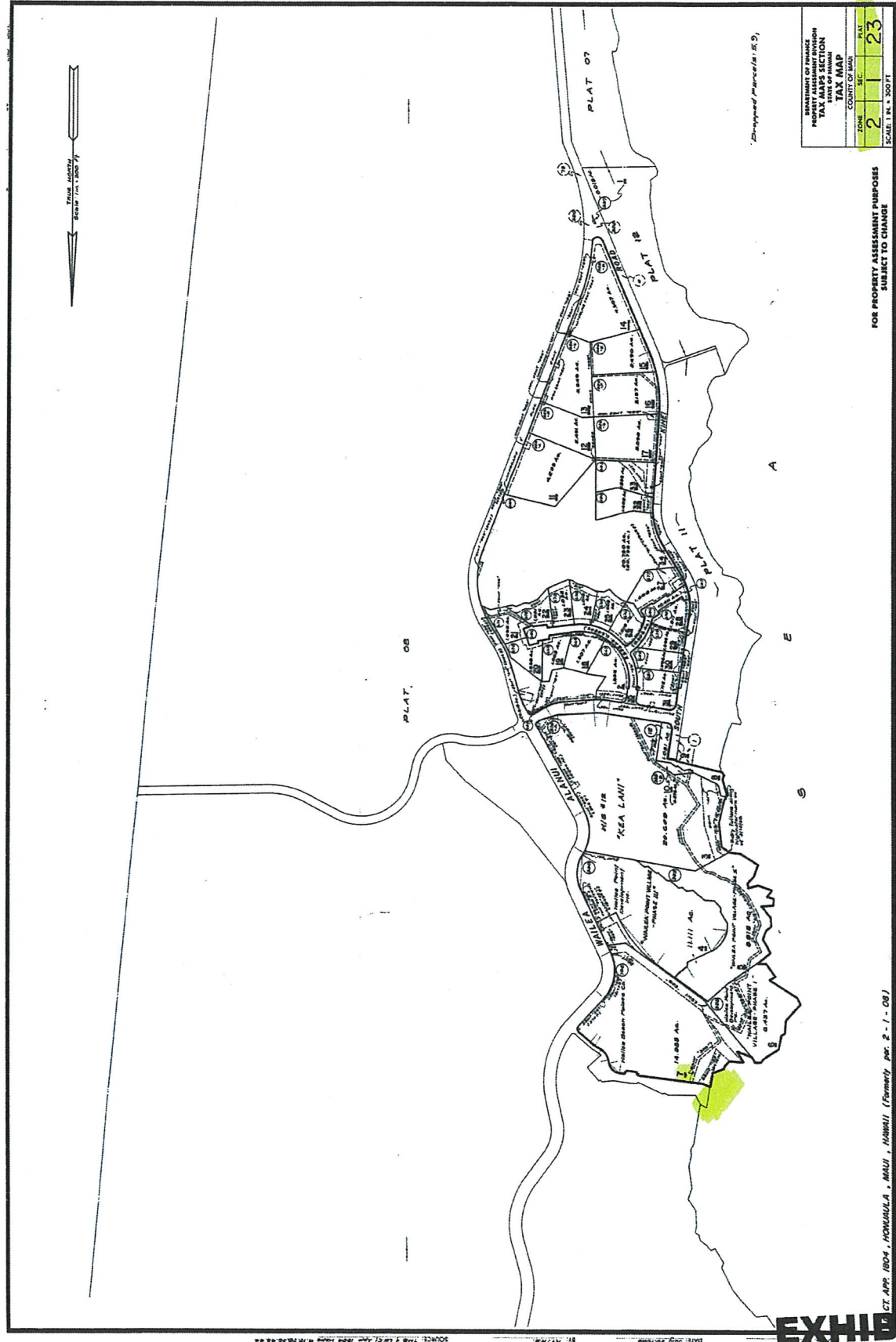
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a Right-of-Entry permit to Maui's Original Hawaiian Corporate Games, Inc. covering the subject area for team building and beach game event 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:


Suzanne D. Case, Chairperson



CT APP 1804, HONOLULU, MAUI, HAWAII (Form No. 2-1-08)

EXHIBIT A

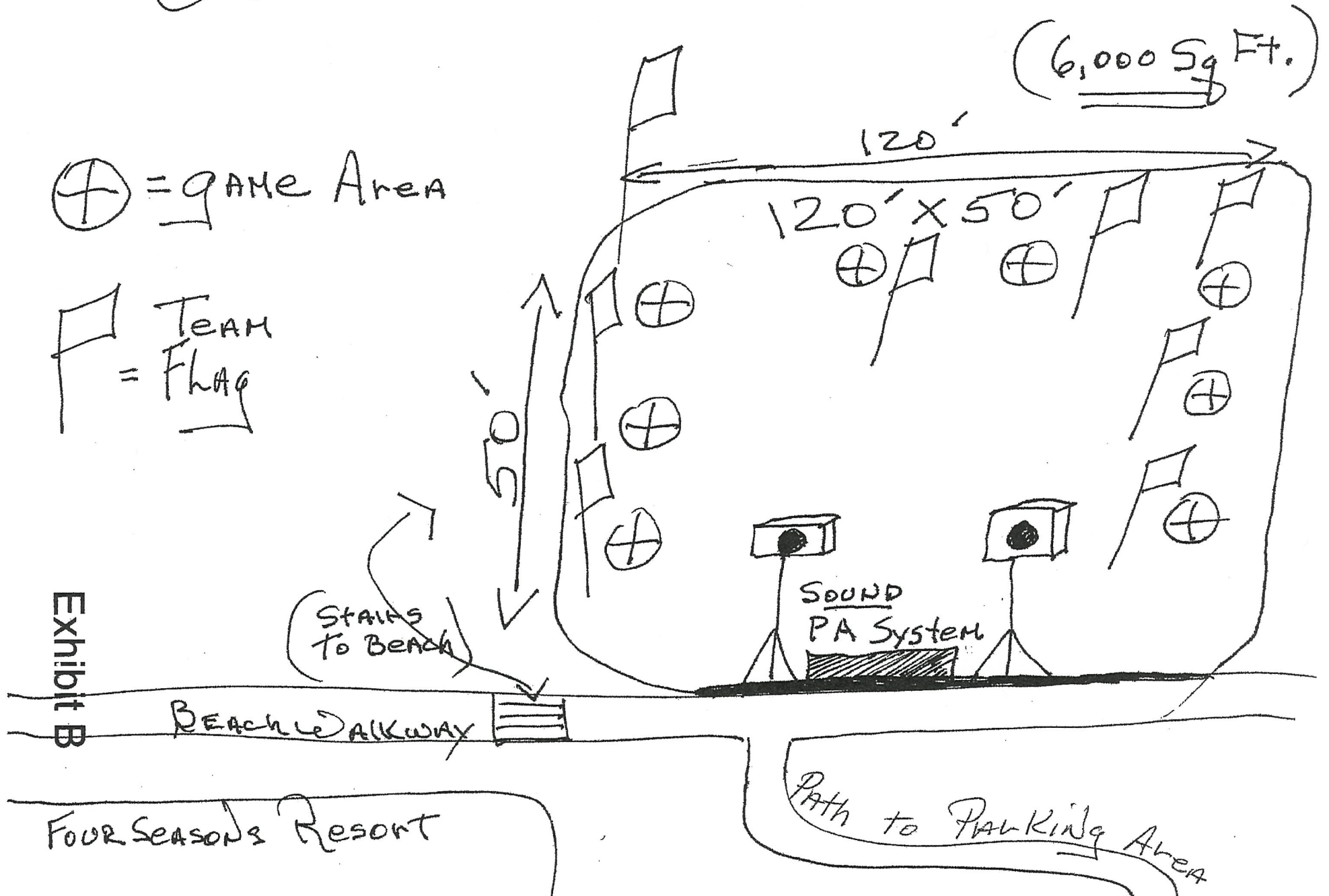
*APRIL 4, 2019

OCEAN

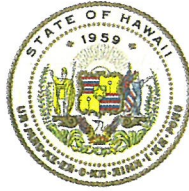
(6,000 Sq Ft.)

⊕ = game Area

▢ = TEAM
= Flag



DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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March 22, 2019

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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
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CONSERVATION AND RESOURCES ENFORCEMENT
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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's Original Hawaiian Corporate Games, Inc., for Team Building and Beach Game Event Purposes

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

Project Description: Use of 6,000 sq. ft. of beach area for one-day team building and beach game events. 8:00 am to 2:00 pm. Beach area to be cleared and restored to original condition or better by end of day.

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

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."

Cumulative Impact of Planned Successive Actions in Same Place Significant: Not applicable. Use of this area is not on a routine or regular basis.

Action May Have
Significant Impact on
Particularly Sensitive
Environment:

DLNR staff believes there is no significant impact to sensitive environmental or ecological receptors.

Agencies Consulted:

The DLNR Office of Conservation and Coastal Lands, Division of Boating and Ocean Recreation, and Division of Aquatic Resources were consulted with regard to the proposed activity at the subject area.

Analysis:

Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area.

Findings:

Staff believes that the request would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Recommendation:

It is anticipated that these periodic beach events will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.