

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

February 28, 2020

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

PSF No.: 20MD-005

Maui

Issuance of Right-of-Entry Permit to Maui's Original Hawaiian Corporate Games, Inc., for Beach Olympic Games Competition Purposes, Wailea, 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 (HRS), as amended.

LOCATION:

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

AREA:

3,200 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:

Unencumbered

CHARACTER OF USE:

Beach Olympic Games Competition Purposes.

TERM OF RIGHT-OF-ENTRY:

This is a one-day event scheduled for the afternoon of March 18, 2020.

CONSIDERATION:

Total Cost: \$320.00 (one-time payment based on 10¢ per square foot per day).

Total area of requested use: 3,200 sq. ft. x \$.10 = \$320.00

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rules (HAR) Section 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources (DLNR) 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 C.

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 \$320.00;
2. Obtain Right-of-Entry permit from the Maui District Land Office signed by Chairperson; 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 beach Olympic games competition event scheduled on March 18, 2020 in the afternoon. Cleanup 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.

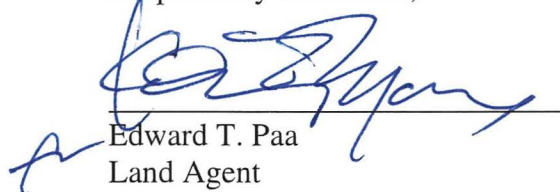
The proposed activity is similar in type and scope of beach activities that periodically occurred and continue to occur at this and other beach areas in south Maui. Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural 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.

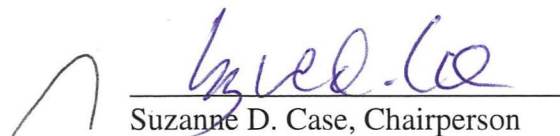
RECOMMENDATION: That the Board,

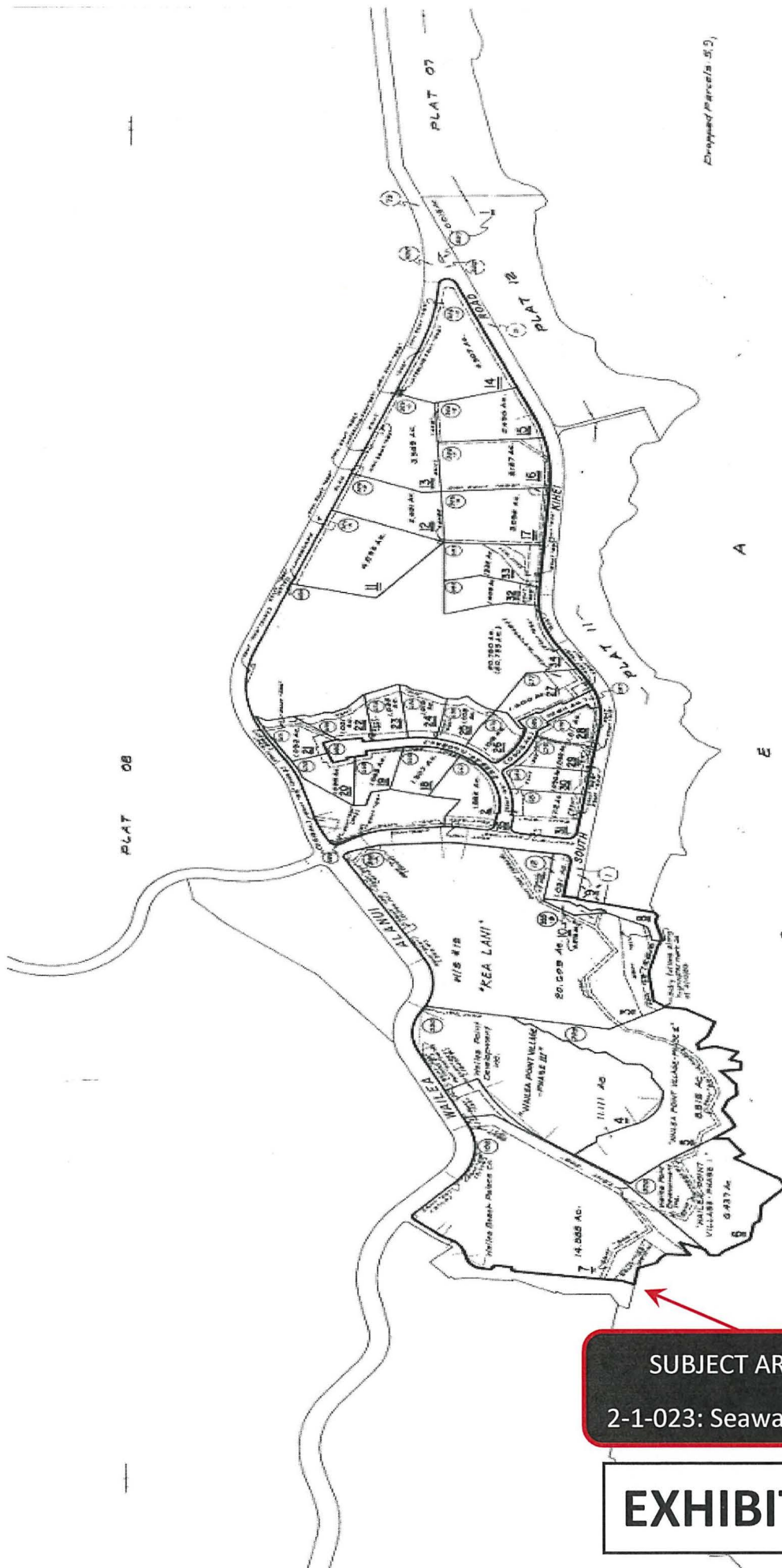
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a Right-of-Entry permit to Maui's Original Hawaiian Corporate Games, Inc. covering the subject area for beach Olympic games competition 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,


Edward T. Paa
Land Agent

APPROVED FOR SUBMITTAL:


Suzanne D. Case, Chairperson



Dropped Parcels (B, D)

DEPARTMENT OF FINANCE PROPERTY ASSESSMENT DIVISION TAX MAPS SECTION STATE OF HAWAII TAX MAP			
ZONE	SEC	PLAT	
2	1	23	
COUNTY OF MAUI			
SCALE: 1 IN. = 300 FT.			

FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE

SUBJECT AREA
2-1-023: Seaward 007

EXHIBIT A

OCEAN

EXHIBIT B

80'

Beach

Flags

MANGO
Toss

HULA
HOOPLA

Beach
BOM
GOLF

Coconut
Bowling

SOUND System

TABLE

Beach Pathway

Four Seasons Resort

To Beach

GRAND
Wailua
Resort

DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

February 28, 2020

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
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 11-200.1, HAR

Project Title:	Issuance of Right-of-Entry Permit to Maui's Original Hawaiian Corporate Games, Inc., for Beach Olympic Games Competition Purposes.
Project / Reference No.:	20MD-005
Project Location:	Wailea, Honuaula, Maui, TMK (2) 2-1-023: Seaward of 007.
Project Description:	Use of 3,200 sq. ft. of beach area for one day sand sculpting competition on March 18, 2020 in the afternoon. 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 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred on 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."

EXHIBIT C

Cumulative Impact of
Planned Successive
Actions in Same Place
Significant:

No, this event occurs at this location periodically,
not on a routine or regular basis (e.g., daily or
weekly).

Action May Have
Significant Impact on
Particularly Sensitive
Environment:

The requested area is a portion of unencumbered
State lands that is visited daily by tourists and
residents and is used extensively for recreational
activity. In addition, based on the analysis below,
staff believes there would be no significant impact
to sensitive environmental or ecological receptors.

Agencies Consulted:

The DLNR Office of Conservation and Coastal
Lands (OCCL) was consulted with regard to the
subject beach Olympic games competition and
MDLO staff's recommendation for an exemption
from an environmental assessment. OCCL staff
responded that they have no objections to the
subject beach Olympic games competition.

Analysis:

The Board has permitted similar events in the past.
The proposed activity is of a similar type and scope
of beach activities that periodically occurred and
continues to occur on this and other beach areas
across the State. Such activities have resulted in no
known significant impacts, whether immediate or
cumulative, to the natural, environmental and/or
cultural resources in the area. Staff also 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 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.

EXHIBIT C