

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
State Parks Division
Honolulu, Hawai'i 96813
October 9, 2020

Board of Land and Natural Resources
State of Hawai'i
Honolulu, Hawai'i

Maui

ISSUANCE OF A REVOCABLE PERMIT TO REPUBLIC PARKING FOR A RESERVATION SYSTEM FOR PARKING AND ENTRY MANAGEMENT AT WAI'ĀNAPANAPA STATE PARK, HONOKALANI, WAKIU AND KAWAIPAPA, HANA, MAUI, HAWAII, TAX MAP KEY: (2) 1-3-005:009 and (2) 1-3-006:009 (por.).

AND

REQUEST APPROVAL OF DECLARATION OF EXEMPTION FROM CHAPTER 343, HAWAII REVISED STATUTES, ENVIRONMENTAL COMPLIANCE REQUIREMENTS FOR THIS REVOCABLE PERMIT.

APPLICANT:

Republic Parking

LEGAL REFERENCE:

Hawai'i Revised Statutes (HRS) § 171-13 and 171.55, as amended and Hawai'i Administrative Rules (HAR) § 13-146-6, as amended.

LOCATION:

Portion of Government lands at Wai'ānapanapa State Park, Maui, Hawai'i, TMK: (2) 1-3-005:009 and (2) 1-3-006-009 (por.). **See Exhibits A1 and A2.**

AREA:

An approximate 1.2-acre portion of approximately 105.3 acres of improved and unimproved land, more or less.

ZONING:

State Land Use District:	Agriculture, Conservation
County of Maui Zoning:	Agriculture, Interim

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 Governor's Executive Order No. 4183 which supersedes Governor's Executive Order No. 2900 to be under the control and management of the Department of Land and Natural Resources, Division of State Parks as an addition to Wai'anapanapa State Park for park purposes.

CHARACTER OF USE:

For a reservation system for parking and entry management purposes.

COMMENCEMENT DATE:

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

MONTHLY RENTAL:

Ninety-nine (99%) percent of net operating income collected per month.

COLLATERAL SECURITY DEPOSIT:

Five thousand and no/100ths dollars (\$5,000.00)

CHAPTER 343 ENVIRONMENTAL ASSESSMENT:

In accordance with Hawai'i Administrative Rules ("HAR") Sections 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources concurred by the Environmental Council on March 3, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, "Operations, repairs, or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change or use beyond that previously existing." Part 1, item 41 that states, "Leases of state land involving negligible or no expansion or change of use beyond that previously existing." See **Exhibit B**.

DCCA VERIFICATION:

Place of business registration confirmed: Yes
Registered business name confirmed: Yes
Applicant in good standing confirmed: Yes

JUSTIFICATION FOR REVOCABLE PERMIT:

Testing the market and operational issues related to a new reservation system for parking and entry management at Wai'ānapanapa State Park.

REMARKS:

Wai'ānapanapa State Park is in the ahupua'a of Honokalani, Wākiu, and Kawaipapa in the district of Hāna on the island of Maui

The 105-acre park is about 0.6 mile east of the Hāna Airport and about 2 miles west of Hāna Town. The lands of Wai'ānapanapa SP on the coastline of northeast Maui were acquired in 1968 from Hāna Ranch to preserve the scenic values of this coastline. The park site corresponds to the former Honokalani Village, which was a sizable settlement in the 1930s. There are 3 small, privately owned cemeteries in the park from this earlier land use. Also found within the park are significant cultural features including Ohala Heiau and the Kihapi'ilani Trail, a steppingstone trail that follows the shoreline.

This scenic park along the Hāna coastline provides panoramic views of volcanic cliffs, the black sand beach of Pailoa Bay, and offshore islets with seabird colonies. Approximately 18 acres of the park have been developed for passive outdoor recreation, including rental cabins, tent camping, shoreline hiking, picnicking, and ocean activities at Pailoa Bay. Park facilities include a comfort station, parking lots, picnic tables, and a caretaker's residence. The single access to the park is on Honokalani Road which intersects the Hāna Highway. Visitor counts conducted in 2007 indicated annual visitation around 250,000 which has increased with the growth in tourism since this time. The park is popular with residents and out-of-state visitors who arrive by rental cars and commercial vehicles.

Per a 2018 Department of Transportation Highways count, the Hana Highway saw an approximate annual average daily traffic count of one thousand eight hundred and thirty-two (1,832) vehicles. The impact of unmanaged commercial and non-commercial visitation to both the park unit, its comfort station and sensitive cultural and natural resources and the adjacent rural community has been severe – especially due to tourism numbers in 2019. The need to change and improve upon the management, especially of commercial tour vehicles – is critical.

The onset of COVID-19 prompted the Division of State Parks to close Wai'ānapanapa State Park in an effort to help mitigate its spread and subsequent orders coupled with highway closures effectively limited access until August 13, 2020. While visitation remains low, the Division of State Parks looks to replicate the success at Hā'ena State Park and leverage the lull to explore the viability of a managed visitation model to enhance the experience for both resident and nonresident users alike.

Republic Parking will manage the reservation system for the parking areas at Wai'ānapanapa State Park which include three (3) formal parking lots and along the shoulder of the internal road within the park.

Staff recommends approval of the issuance of a revocable permit to Republic Parking to operate at Wai'ānapanapa for parking lot management purposes. This revocable permit will test the commercial viability and help establish an economic model when the opportunity is offered through a competitive bid process.

The applicant has not had a lease, permit, easement or other disposition of State lands terminated within the last five (5) years due to non-compliance with such terms and conditions and therefore, DSP recommends approval for the issuance of a revocable permit for the collection of parking and entry fees and further recommends the Board delegate to the Chairperson or her designee the authority to negotiate any other specific terms necessary to effectuate the revocable permit.

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1-15, 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 Republic Parking covering the subject area for reservation system for parking and entry management 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,

A handwritten signature in blue ink, appearing to read "C. Cottrell", is written over a horizontal line.

Curt A. Cottrell, Administrator
Division of State Parks

APPROVED FOR SUBMITTAL:

Suzanne D. Case

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

ATTACHMENTS:

Exhibit A1 and A2 – Description and Map

Exhibit B – Declaration of Exemption

Exhibit C1, C2 and C3 – Aerial view of parking lot

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STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES

HONOLULU

c.s.F. No. 24,120

October 11, 2005

(REVISED-OCTOBER 2005)
WAINAPANAPA STATE PARK

Honokalani, Wakiu and Kawaipapa, Hana, Maui, Hawaii

Comprising the following:

1. Portion of Grant 2641 to Kahuakailoa, et al. acquired by the State of Hawaii by FINAL ORDER OF CONDEMNATION, Civil No. 841 dated June 10, 1970 and recorded in Liber 7097, Page 146 (Land Office Deed S-25430).
2. Portions of the Government Lands of Wakiu and Kawaipapa.

Beginning at the northwesterly corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAPUKAULUA" being 914.81 feet South and 1368.67 feet West, thence running by azimuths measured clockwise from True South:-

1. $310^{\circ} 50'$ 800.00 feet along Government Land of Honokalani to highwater mark at seacoast;

Thence along highwater mark at seacoast for the next six (6) courses to Luahaloa Point, the direct azimuths and distances being:

2. 283° 00' 900.00 feet;
3. 347° 30' 40" 715.30 feet;
4. 287° 11' 30" 289.60 feet to a pile of stones;
5. 282° 10' 842.30 feet to a pile of stones at Kuaiwa Point;
6. 313° 24' 1567.70 feet to a pile of stones at Paina Point;
7. 317° 25' 30" 2622.90 feet to a pile of stones at top bluff at Luahaloa Point;
8. 115° 57' 20" 2540.75 feet along the remainder of the Government Lands of Kawaipapa and Wakiu;
9. 168° 30' 600.00 feet along the remainder of the Government Land of Wakiu;
10. 147° 20' 30" 584.85 feet along the remainder of the Government Land of Wakiu;
11. 79° 00' 900.00 feet along the remainder of the Government Land of Wakiu;
12. 126° 00' 1000.00 feet along the remainder of the Government Land of Wakiu;
13. 211° 00' 444.50 feet along Wainapanapa State Park, Governor's Executive Order 3579;
14. 129° 30' 445.78 feet along Wainapanapa State Park, Governor's Executive Order 3579;
15. 125° 30' 353.35 feet along Wainapanapa State Park, Governor's Executive Order 3579 and the remainder of Grant 2641 to Kahuakaloa, et al.;

- | | | | | |
|-----|------|-----|--------|--|
| 16. | 55° | 14' | 98.03 | feet along the remainder of Grant 2641 to Kahuakailoa, et al.; |
| 17. | 145° | 14' | 30.00 | feet along the northeasterly end of Waianapanapa; |
| 18. | 138° | 07' | 138.00 | feet along the remainder of Grant 2641 to Kahuakailoa, et al.; |
| 19. | 126° | 28' | 78.90 | feet along the remainder of Grant 2641 to Kahuakailoa, et al.; |
| 20. | 126° | 53' | 94.30 | feet along the remainder of Grant 2641 to Kahuakailoa, et al.; |
| 21. | 120° | 32' | 145.90 | feet along the remainder of Grant 2641 to Kahuakailoa, et al.; |
| 22. | 116° | 48' | 143.32 | feet along the remainder of Grant 2641 to Kahuakailoa, et al.; |
| 23. | 141° | 04' | 41.80 | feet along the remainder of Grant 2641 to Kahuakailoa, et al.; |
| 24. | 164° | 06' | 27.88 | feet along the remainder of Grant 2641 to Kahuakailoa, et al.; |
| 25. | 122° | 00' | 612.66 | feet along the remainder of Grant 2641 to Kahuakailoa, et al.; |
| 26. | 210° | 00' | 600.14 | feet along the Government Land of Honokalani to the point of beginning and containing a GROSS AREA OF 105.908 ACRES and a NET AREA OF 105.300 ACRES, MORE OR LESS, after excluding therefrom Cemetery Site A (0.146 Acre), Cemetery Site B (0.149 Acre) and Cemetery Site C (0.313 Acre) as shown on plan attached hereto and made a part hereof and more particularly described as follows: |

CEMETERY SITE A: Being a portion of Grant 2641 to Kahuakai Joa, et al.

Beginning at the north corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAPUKAULUA" being 1514.40 feet South and 764.98 feet West, thence running by azimuths measured clockwise from True South:-

1. 327° 49' 63.00 feet along Waianapanapa State Park;
2. 297° 30' 75.00 feet along Waianapanapa State Park;
3. 28° 33' 35.00 feet along Waianapanapa State Park;
4. 85° 44' 66.00 feet along Waianapanapa State Park,
5. 156° 20' 70.50 feet along Waianapanapa State Park;
6. 190° 20' 60.00 feet along Waianapanapa State Park to the point of beginning and containing an AREA OF 0.146 ACRE.

CEMETERY SITE B: Being a portion of Grant 2641 to Kahuakailoa, et al.

Beginning at the south corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAPUKAULUA" being 1849.38 feet South and 593.98 feet West, thence running by azimuths measured clockwise from True South:-

1. 123° 53' 97.60 feet along Waianapanapa State Park;
2. 216° 10' 69.00 feet along Waianapanapa State Park;

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3. 306° 36' 67.10 feet along Waianapanapa State Park;
4. 314° 27' 24.25 feet along Waianapanapa State Park;
5. 14° 07' 27.30 feet along Waianapanapa State Park;
6. 42° 16' 36.00 feet along Waianapanapa State Park to the
point of beginning and containing an AREA
OF 0.149 ACRE.

CEMETERY SITE C: Being a portion of Grant 2641 to Kahuakailoa, et al

Beginning at the east corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAPUKAULUA" being 1974.24 feet South and 130.15 feet West, thence running by azimuths measured clockwise from True South:-

1. 33° 05' 170.40 feet along Waianapanapa State Park,
2. 132° 16' 85.60 feet along Waianapanapa State Park;
3. 212° 32' 150.00 feet along Waianapanapa State Park;
4. 298° 36' 86.20 feet along Waianapanapa State Park to the
point of beginning and containing an AREA
OF 0.313 ACRE.

C.S.F. No. ____ 24,120 ____

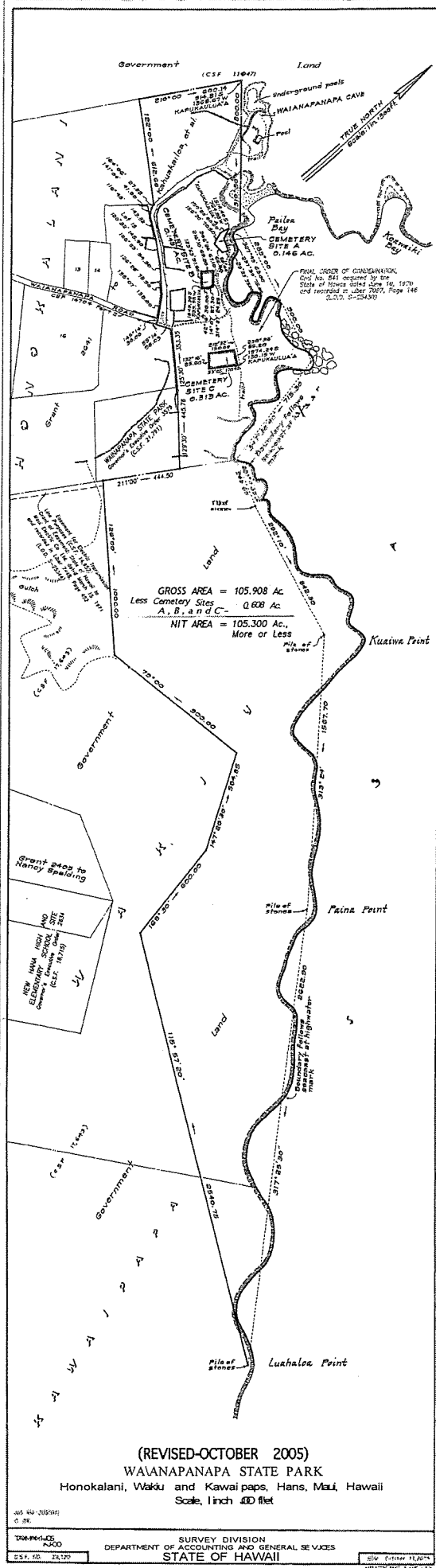
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TOGETHER WITH the above-described Waianapanapa State Park,
all of the submerged lands seaward of the highwater mark at seacoast to the lʻākan
Lower Low water mark at seashore.

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: ~~rt/c~~
Glenn J. Kodani
Land Surveyor gm

Compiled from CSF's 18178, 21791
and other Govt. Survey Records.



EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200.1, Hawai'i Administrative Rules.

Project Title:	Issuance of Revocable Permit to Republic Parking
Project / Reference No.:	SP0471
Project Location:	Portion of Government lands at Wai'ānapanapa State Park, Honokalani, Wakiu and Kawaipapa, Hana, Maui, Hawai'i, TMK: 1-3-005:009 and (2) 1-3-006:009 (portion) as shown on the attached Exhibit A.
Project Description:	Parking operation at Wai'ānapanapa State Park
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No(s).:	<p>In accordance with Hawai'i Administrative Rule Chapter 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred in by the Environmental Council on March 3, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 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."</p> <p>Part 1, item 41 that states, "Leases of state land involving negligible or no expansion or change of use beyond that previously existing."</p>
Cumulative Impact of Planned Successive Actions in Same Place, Over Time, Significant?	No. The proposed permitted area is already used for parking.
Action May Have Significant Impact on Particularly Sensitive Environment?	No. The proposed permitted area is currently used for parking.
Analysis:	The proposed permitted area was developed as a parking area with graded pads, with much of it paved. It is still used as such. The action in question merely permits the applicant to manage and collect revenue for parking and does not change the use beyond that previously existing and is the operation of an already existing facility.
Consulted Parties:	Division of Conservation and Resources Enforcement and the Office of Conservation and Coastal Lands
Declaration	The Board determines, through its judgment and experience, that the action will individually and cumulatively probably have minimal or no significant effects, and that the action is declared exempt from the preparation of an environmental assessment.

