

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

June 9, 2023

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

PSF No.: 23MD-043

Maui

Issuance of Right-of-Entry Permit to MC&A, Inc., for One-Day Team Building Event Purposes, Wailea, Honuaula, Maui; TMK (2) 2-1-023: Seaward of 007.

APPLICANT:

MC&A, Inc., a Hawaii profit corporation

LEGAL REFERENCE:

Section 171-55, Hawaii Revised Statutes, 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:

12,000 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:

One-Day Team Building Event Purposes.

TERM OF RIGHT-OF-ENTRY:

This is a one-day event scheduled for June 17, 2023 from 6 am to 2 pm.

CONSIDERATION:

Total Cost: \$1,200.00 (one-time payment based on 10¢ per square foot per day).

Total area of requested use: 12,000 sq. ft. x \$0.10 = \$1,200.00

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, approved by the Environmental Council and dated November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to General Exemption Type 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving minor expansion or minor change of use beyond that previously existing" and Part 1, Item No. 44, that states "Permits, licenses, registrations, and rights-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. Submit consideration of \$1,200.00 payable to the State of Hawaii;
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:

MC&A, Inc., on behalf of the Congress of Neurological Surgeons, is requesting approval for a right-of-entry permit for a one-day team building event scheduled for Saturday June 17, 2023. Event setup will begin at 6 am. Team building events will start at 8 am and conclude by 11 am. Cleanup will be completed by 2 pm. The proposed activity will include up to 120 guests staying at the Four Seasons resort. Event staff will set up a relay course and sound system to guide participants. Event staff shall ensure that east-to-west

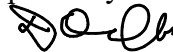
lateral transit along the shoreline is available to the public at all times during the event. Area of use shall be situated on the very south end of Wailea Beach in the location that Four Seasons Wailea Resort normally stages their beach chairs and umbrellas for guests upon request. The event organizers shall avoid use of the area fronting the wooden staircase that allows for public beach access leading from the abutting County owned parcel, identified as TMK (2) 2-1-008:089, located north of the subject area illustrated on Exhibit A, to reduce user conflict.

This proposed event 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 MC&A, Inc. covering the subject area for one-day beach games 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,



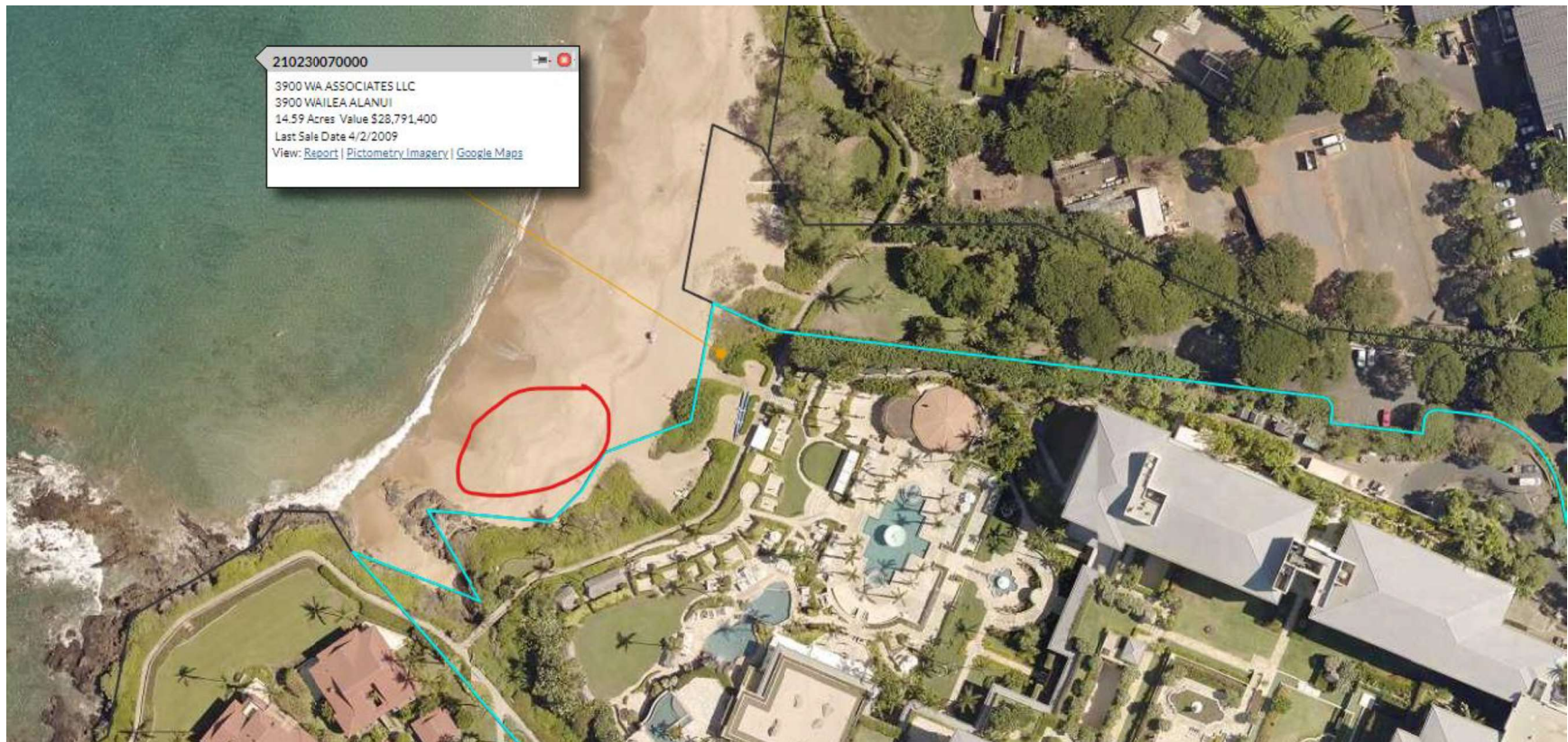
Daniel Ornellas
District Land Agent

APPROVED FOR SUBMITTAL:



Dawn N.S. Chang, Chairperson

fom *RT*



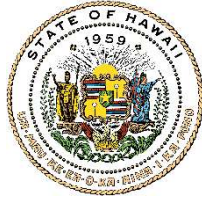
Location for One-day Team Building Event Fronting the Four Seasons Resort

June 17, 2023, 8 am to 2 pm

12,000 sq. ft. Seaward of TMK (2) 2-1-023:007, outlined in red.

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA**

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
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M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
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CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

June 9, 2023

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 MC&A, Inc., for One-Day Team Building Event Purposes, Wailea, Honuaula, Maui; TMK (2) 2-1-023: Seaward of 007.

Project / Reference No.: PSF 23MD-043

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

Project Description: Use of 12,000 sq. ft. of government lands for event operations and staging area related to a one-day team building event to be held Saturday, June 17, 2023 at Wailea Beach from 8 am to 2 pm.

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

Exemption Class No. and Description: In accordance with Hawaii Administrative Rules (HAR), Section 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources, approved by the Environmental Council and dated November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to General Exemption Type 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving minor expansion or minor change of use beyond that previously existing" and Part 1, Item No. 44, that states "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing."

Exhibit B

Cumulative Impact of Planned Successive Actions in Same Place Significant:

No. This beach games event is not held on a routine or regular basis (i.e., daily, or weekly). This event is a one-time annual activity.

Action May Have Significant Impact on Particularly Sensitive Environment:

The requested area is a portion of State coastal land visited 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:

DLNR: Office of Conservation and Coastal Lands and Division of Aquatic Resources have no objections to the subject beach games event.

Analysis:

The Board has permitted similar events in the past. The proposed activity is of a similar type and scope of coastal activities that periodically occurred and continue to occur on this and other coastal 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:

That the Board find 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.