

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

August 13, 2021

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

Land Board Members:

SUBJECT: Issuance of a Revocable Permit to Island Ice and Water Company LLC, for a Retail Operation of an Automated Ice Machine, Located at the Kahului Boat Ramp, Owa, Kahului, Hawaii, Tax Map Key: (2) 3-7-001:023 (por.)

And

Declare the Project Exempt from requirements of chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.

APPLICANT:

Island Ice and Water Company LLC, a Hawaii limited liability company

LEGAL REFERENCE:

HRS §171-13 and -55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Kahului Boat Ramp, Owa, Kahului, Hawaii, identified by Tax Map Key: (2) 3-7-001:023 (por.) hereinafter referred to as the "Premises" as shown on the map Exhibit A and attached hereto.

AREA:

200 square feet more or less.

ZONING:

State Land Use District: Conservation, Urban

County of Maui CZO: Not Zoned (Conservation), R-2 (Urban)

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:

Revocable Permit No. 12 issued to Island Ice Company L.L.C. through June 30, 2021.

CHARACTER OF USE:

Occupy and use the Premises for the following specified purposes only: Retail
Operation of an Automated Ice Machine.

COMMENCEMENT DATE:

The revocable permits will commence on July 1, 2021, and end on June 30, 2022.

MONTHLY RENTAL:

Two Hundred Seventy Four and 47/100 dollars (\$274.47) per month.

COLLATERAL SECURITY DEPOSIT:

Twice the monthly rental.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Section 11-200.1-15, Hawaii Administrative Rules (HAR) 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, 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
Registered business name confirmed:	YES <u>X</u>	NO
Applicant in good standing confirmed:	YES <u>X</u>	NO

JUSTIFICATION FOR REVOCABLE PERMIT:

The issuance of the revocable permit is temporary in nature, until staff is able to complete an IFB for a concession to sell ice at this location.

REMARKS:

Revocable Permit No.12 was issued to Island Ice Company L.L.C. ("Island Ice") in 2010 for the retail operation of an automated ice machine at the Kahului Boat Ramp. The permit ended June 30, 2021, and staff did not seek to renew it.

Island Ice's owner has formed a new LLC, Island Ice and Water Company LLC, and would like the permit issued in the new entity's name.

Staff requests the Board's approval to issue a revocable permit to Island Ice and Water Company LLC at the same monthly rental of the cancelled one.

RECOMMENDATION:

That the Board of Land and Natural Resources:

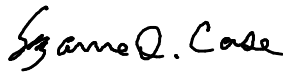
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a Revocable Permit to Island Ice and Water Company LLC, at Kahului Boat Ramp 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; and
 - b. Review and approval by the Department of the Attorney General.
 - 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 "Edward R. Underwood", is written over a horizontal line.

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

APPROVED FOR SUBMITTAL:

A handwritten signature in black ink, appearing to read "Suzanne D. Case", is written over a horizontal line.

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

Attachments:

Exhibit A-1, A-2: Site Map



Exhibit A-1



Exhibit A-2