

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

May 13, 2016

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

PSF No.: 16MD-048

Maui

Issuance of Right-of-Entry Permit to TS Aloha, Inc. for the Kimo's Mala
Longboard Surf Contest at Lahaina, Maui, Tax Map Key: (2) 4-5-004: Seaward of
012.

APPLICANT:

TS Aloha, Inc., a Domestic Profit Corporation.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Lahaina situated at Maui, Hawaii, identified by Tax Map
Key: (2) 4-5-004: Seaward of 012, as shown on the attached map labeled Exhibit A, and
overview photo labeled Exhibit B.

AREA:

500 square feet, more or less.

ZONING:

State Land Use District: Conservation
County of Maui CZO: Special Management Area

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:

Erection of three tents for shade purposes during surf event.

TERM OF RIGHT-OF-ENTRY:

One day event from 7:00am to 5:00pm

This Right-of-Entry permit will be in effect from May 15, 2016 through September 30, 2016 (holding period). This one day event will be contingent on surf conditions at the Mala surf break.

CONSIDERATION:

\$50.00

\$.10 per square feet per day (500 sq. ft. x \$.10 per sq. ft. = \$50.00)

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

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."

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:

Applicant shall be required to:

- 1) Obtain approval and all required permits for this event from the Department of Land & Natural Resources, Division of Boating and ocean Recreation.

REMARKS:

TS Aloha, Inc. is requesting the use of 500 square feet of unencumbered State land along the shoreline at the end of Alamoana Street at Lahaina, Maui. The area will accommodate three shade tents which will be used for judges, scoring and contestants, and for event announcements and sound. This is the 40th annual Kimo's Mala Longboard surf contest. The intent of the event is to provide for friendly competition for all involved.

The requested holding period for this one day event will begin on May 15, 2016, and run through September 30, 2016. The start of the event will be determined by desired surf and overall weather conditions.

The proposed activity is of a similar type and scope of beach activities that regularly 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. 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.

Staff is requesting that the Maui District Land Agent be authorized to sign off on the Right-of-Entry permit upon notification from event organizers of a start date. This will help to expedite the issuance of the permit and meet the needs of the applicant.

The applicant has been in contact with the Division of Boating and Ocean Recreation and is working with staff to obtain all required permits for the ocean portion of this event.

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 TS Aloha, Inc., covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

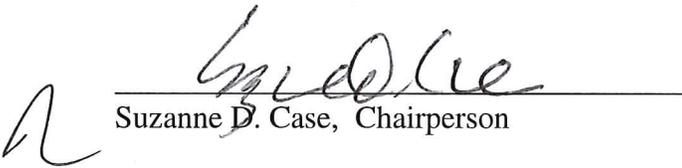
- A. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
- B. Upon notification of a start date by event organizers, authorize the Maui District Land Agent to sign off on the Right-of-Entry permit.
- C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Larry Pacheco
Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson

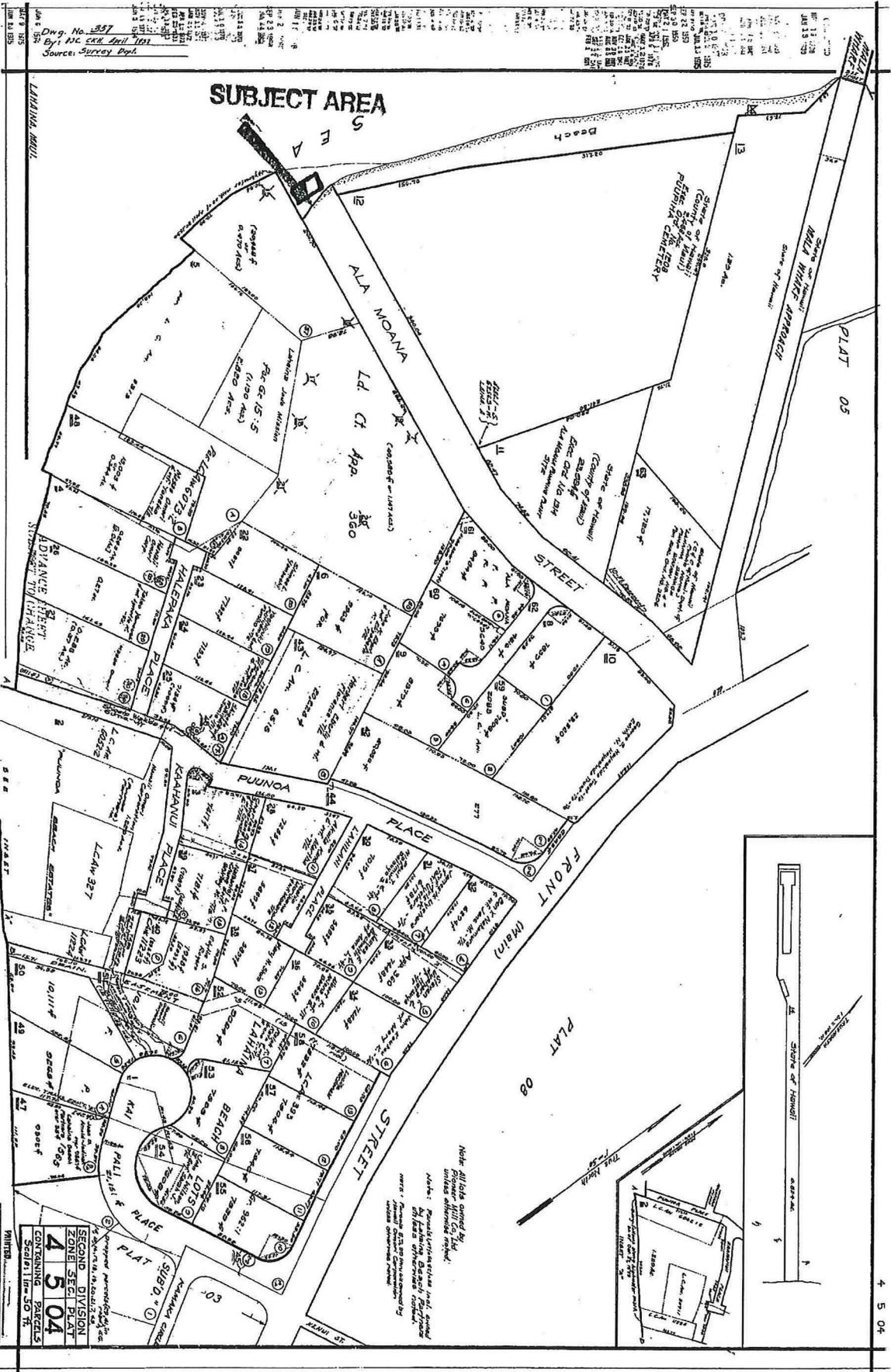


EXHIBIT " A "

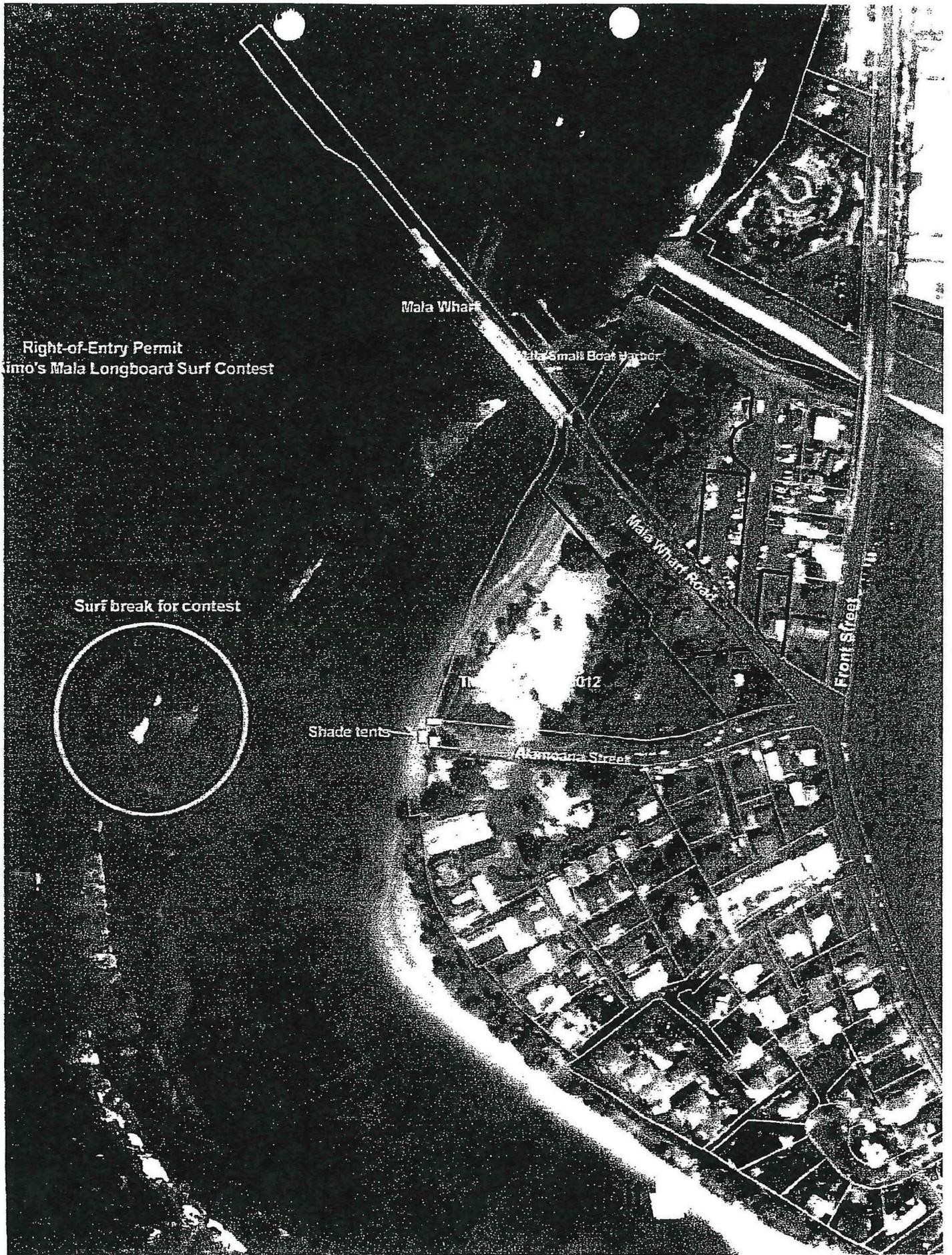
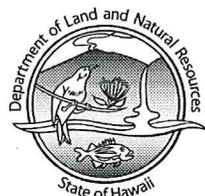


EXHIBIT " B "



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

May 13, 2016

EXEMPTION NOTIFICATION

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Jack Starr of TS Aloha, Inc. Kimo's Mala Longboard Contest
Project / Reference No.: 16MD-048

Project Location: Lahaina, Maui, Tax Map Key: (2) 4-5-004: Seaward of 012.

Project Description: Longboard Surf Event

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."

Consulted Agency: The Office of Conservation and Coastal Lands has been consulted with regards to the requested use of the area.

Recommendation: It is anticipated 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.

A handwritten signature in black ink, appearing to be a stylized 'A' or similar character.

A handwritten signature in black ink, appearing to be "Suzanne D. Case".

Suzanne D. Case, Chairperson

Date: 4/18/2016