

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

September 22, 2017

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

PSF No.: 17MD-119

Maui

Issuance of a Right-of-Entry Permit to TEAM Unlimited, LLC for the 2017 Xterra Off-Road Triathlon World Championship, Kapalua, Lahaina, Maui, Tax Map Key (2) 4-2-004: Seaward of 014, 015 and 016.

APPLICANT:

TEAM Unlimited, LLC.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Kapalua, Lahaina, Maui, Tax Map Key Numbers: (2) 4-2-004: Seaward of 014, 015 and 016, as shown on the attached map labeled Exhibit A.

AREA:

65,340 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:

Run and Swim portions of the off-road triathlon race purposes.

TERM OF RIGHT-OF-ENTRY:

Two-day event: October 28 and 29, 2017.

CONSIDERATION:

**\$13,068.00** total amount due for two days.

Rental based on \$.10 per square feet per day.  $65,340 \text{ sf} \times \$0.10 \times 2 \text{ days} = \$13,068$

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 all required permits for the ocean portion of the event scheduled for October 28 & 29, 2017 from the Department of Land and Natural Resources, Division of Boating and Ocean Recreation.

- 2) Obtain written concurrence from the County of Maui's Department of Parks and Recreation for the use of Fleming Beach Park, for the portions of the event which will transit through the park area on both days.

REMARKS:

The 21st Xterra Triathlon World Championship at Kapalua is the world's premier off-road triathlon, combining a 1.5 kilometer (1-mile) swim that starts at D.T. Fleming Beach (public lands), a bike ride and a 10.5 kilometer (6.5-mile) trail run that includes a stretch across D.T. Fleming Beach (public lands). See exhibits A, B, C and D for graphic illustration of portions of the race event that will encumber public lands. Pictures in Exhibit D depict the 2016 Xterra race.

The 2017 event includes a sold-out field of 800 racers representing 46 countries. This race is the last in a series of more than 100 off-road triathlon races held in 30 countries and 38 U.S. States. \$105,000 in prize money is at stake. The demand for the sport of Xterra has exploded since 1996 with now more than 50,000 competitors from all 50 states and more than 50 countries worldwide.

This two-day event will consist of the following: Day 1 starts with a one mile rough water swim at D.T. Fleming Beach which includes a short beach sprint, mid race, and "M" shaped water course to give spectators a chance to pick out their friends and family from the field. Public lands provide the entire venue for the swim stage of the event and a portion of the trail run event. The applicant has requested the use of 5,000 sf. However, based on staff's observations of Applicant's past races on Maui, staff has determined that the actual race event encumbers at least 65,340 sf (1.5 acres) of public lands for a significant duration of time with improvements that restricts active use of public lands to event participants. See attached photos of the 2016 Xterra (Exhibit D).

The State of Hawaii's Department of Land and Natural Resources, Division of Boating and Ocean Recreation has indicated that it has no objections to this event and will be processing a permit for the ocean portion of the competition. Staff is also requiring the applicant to obtain written concurrence from the County of Maui's Department of Parks and Recreation. This requirement is due to the fact that the event will impact public access and use of the park which is managed and maintained by the County of Maui. Staff is anticipating a large number of spectators to utilize the park and its facilities during the run and swim portion of the events. Therefore, it would be prudent that County Park officials be informed of the event and properly prepared for additional park users.

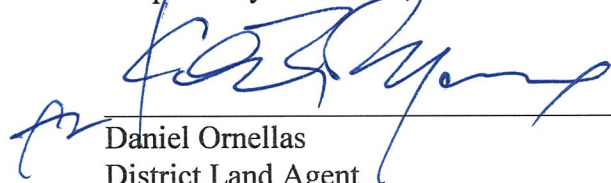
RECOMMENDATION: That the Board

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

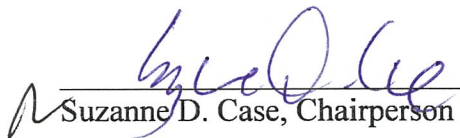
probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

2. Authorize the issuance of a right-of-entry permit to TEAM Unlimited, LLC 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. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

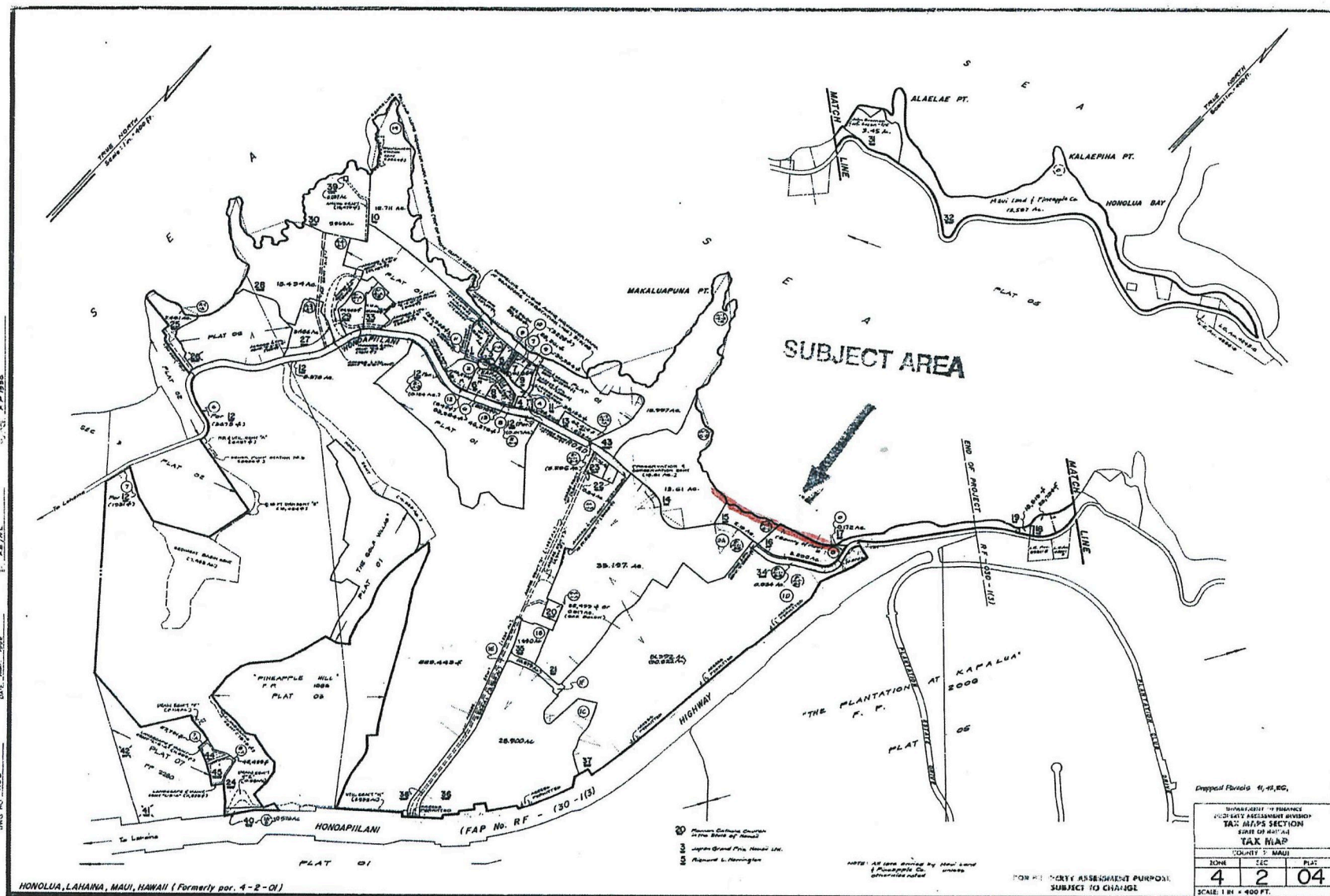
Respectfully Submitted,

  
\_\_\_\_\_  
Daniel Ornellas  
District Land Agent

APPROVED FOR SUBMITTAL:

  
\_\_\_\_\_  
Suzanne D. Case, Chairperson





TAX MAPS SECTION		
TAX MAP		
ZONE	SEC	PLAT
4	2	04





Maui County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change.



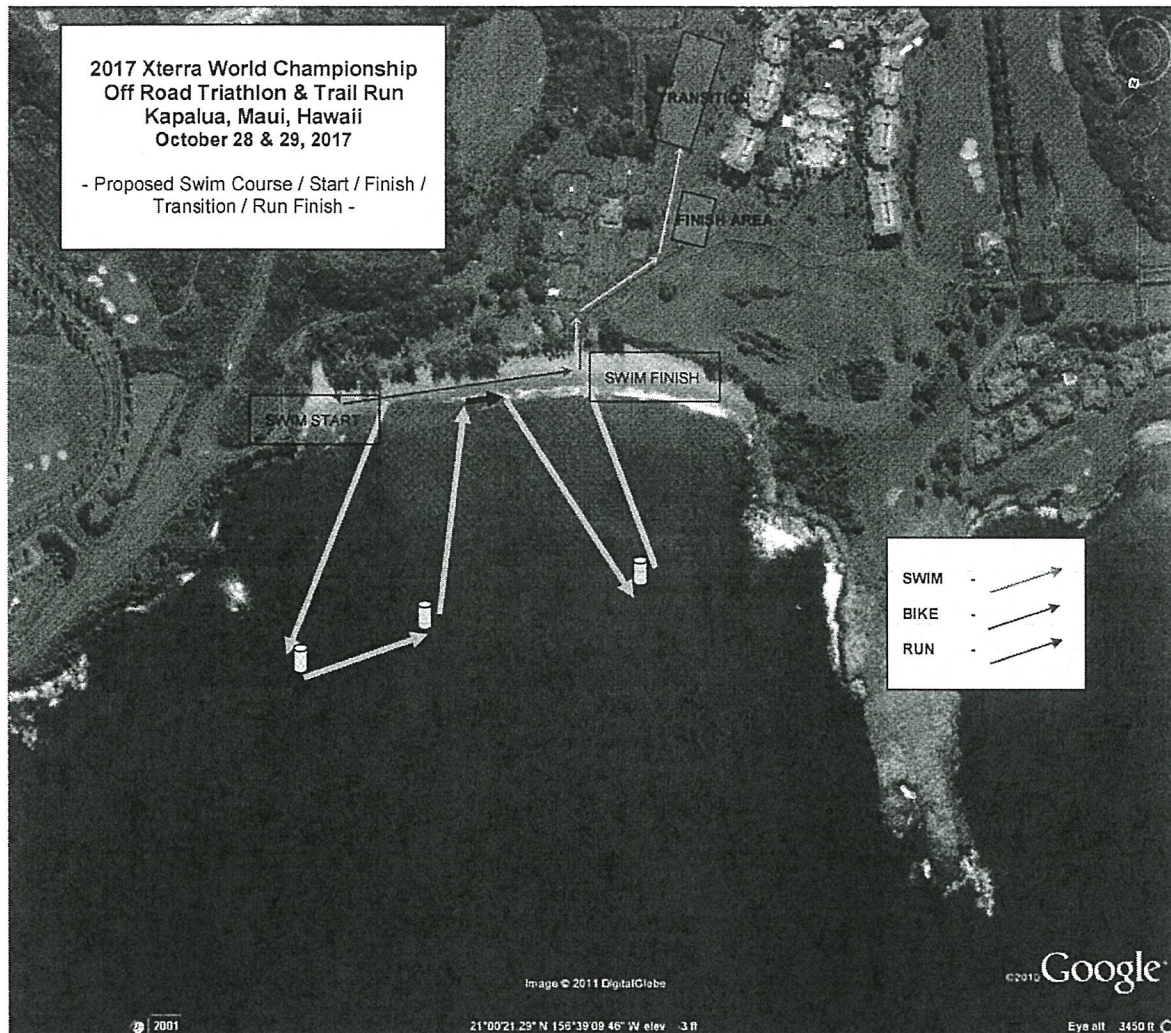
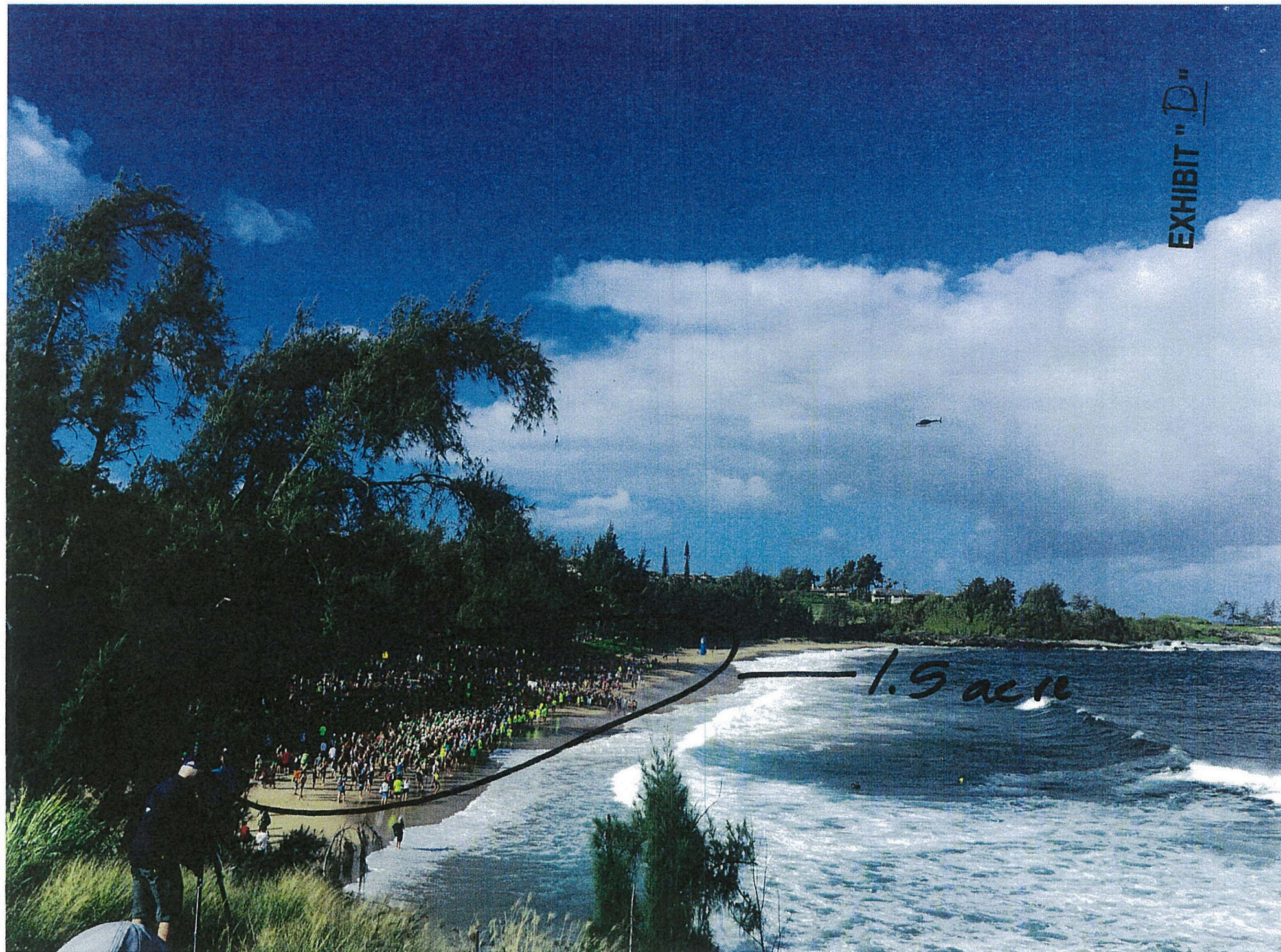


EXHIBIT "C"



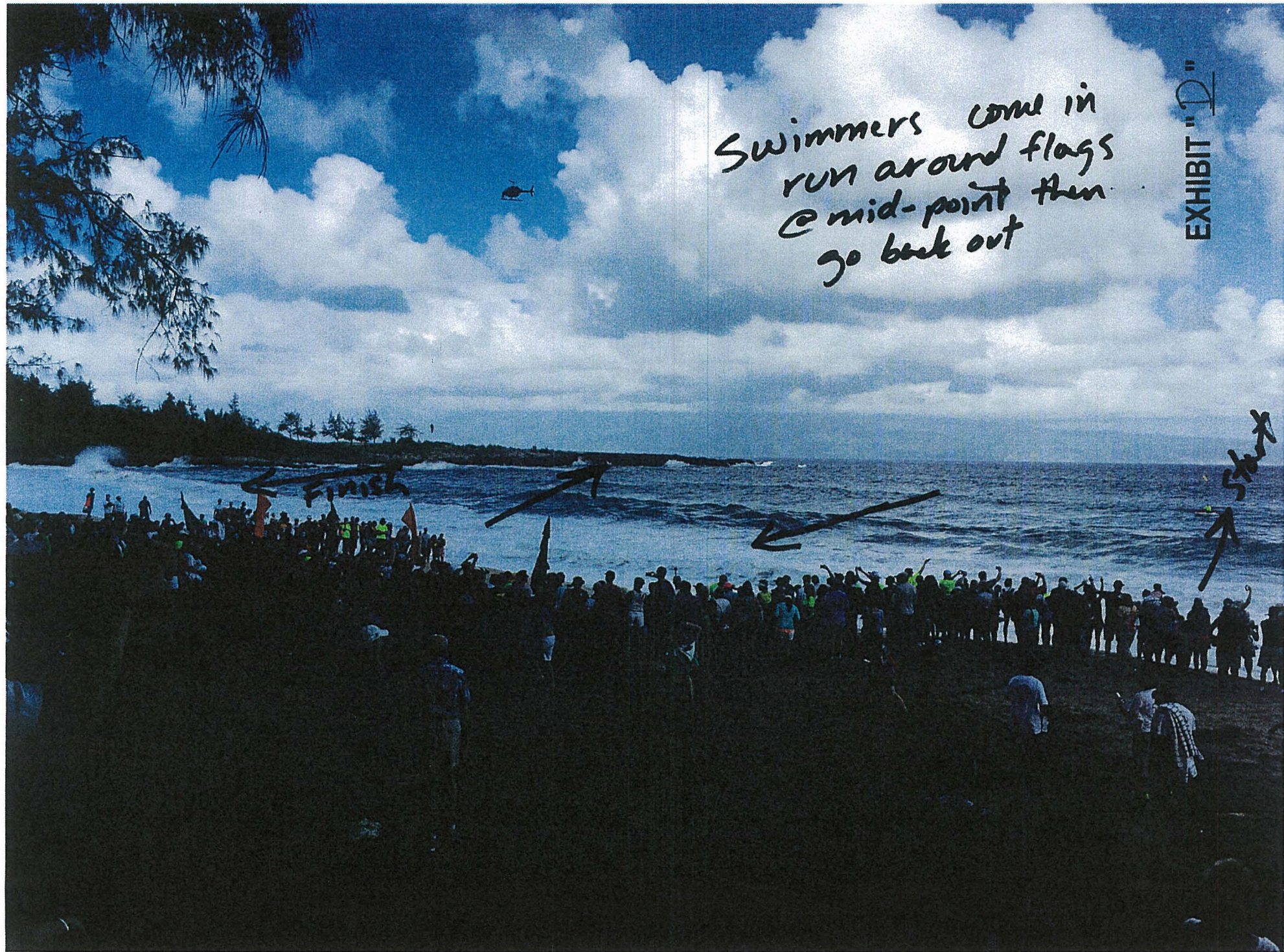
EXHIBIT "D"





Swimmers come in  
run around flags  
@ mid-point then  
go back out

EXHIBIT "D"







Swim event  
mid-point

EXHIBIT "D"

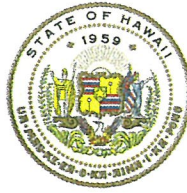


Swim event finish





DAVID Y. IGE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

September 22, 2017

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

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FIRST DEPUTY

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DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
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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, HAR

Project Title:	TEAM Unlimited, LLC. for the 2017, XTERRA Off – Road Triathlon World Championships.
Project / Reference No.:	17MD-119
Project Location:	Portion of Government lands of Honolua, Lahaina, Maui, Tax Map Key Numbers: (2) 4-2-004: Seaward of 014, 015 and 016.
Project Description:	Swim and Run portion of off-road triathlon race.
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."
Agencies Consulted:	DLNR: Office of Conservation and Coastal Lands, Division of Conservation and Resources Enforcement, Division of Aquatic Resources, and Division of Boating and Ocean Recreation
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.