

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

February 8, 2019

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

PSF No.: 19MD-002

Maui

Issuance of Right-of-Entry Permit to Maui Interscholastic League, for Event Operations Purposes Related to the 2019 Maui Interscholastic League Surf Meet, at Hamoa, Hana, Maui, Tax Map Key (2) 1-4-007: Portion of 009.

APPLICANT:

Maui Interscholastic League (MIL), a domestic non-profit corporation.

LEGAL REFERENCE:

Section 171-55, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government lands situated at Koki Beach, Hamoa, Hana, Maui, identified by Tax Map Key (2) 1-4-007:009 por., as shown on the attached map labeled Exhibit A.

AREA:

Total: 600 square feet, more or less

300 sq. ft. (three 10x10 judges' tents)

300 sq. ft. (areas adjacent to tents)

See Exhibit B.

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:

For setting up three event tents.

TERM OF RIGHT-OF-ENTRY:

One day event scheduled for Saturday, March 30, 2019 from 5:00 a.m. to 5:30 p.m.

CONSIDERATION:

The MIL is a non-profit organization that organizes interscholastic sports programs for thirteen high schools throughout the County of Maui. MDLO Staff recommends that the ROE permit fee be waived. A copy of MIL's Internal Revenue Service (IRS) tax exempt status letter is attached as Exhibit C.

EXHIBITS:

Exhibit A – Tax Map of the subject area
Exhibit B – Applicant's land use map identifying location of event activities
Exhibit C – IRS 501(c)(3) tax exempt status letter
Exhibit D – Exemption Notification for Beach Event

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule (HAR) 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." See Exhibit D.

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) Provide traffic control to assure that Haneoo Road remains clear and traffic through the area is unobstructed;
- 2) Contact the Hana Police Department to inform them of the date and time of the scheduled event along with a traffic control plan;
- 3) Obtain required permits from the DLNR Division of Boating and Ocean Recreation for the ocean water portions of this event; and
- 4) Upon completion of the event the area shall be cleaned and all temporary structures removed in their entirety.

REMARKS:

The Maui Interscholastic League has requested the use of 600 square feet of Koki Beach in Hamoa, Hana, Maui for the annual Maui Interscholastic League Surf Contest. This event has been held annually for over twenty years, and at Koki Beach for the past four years.

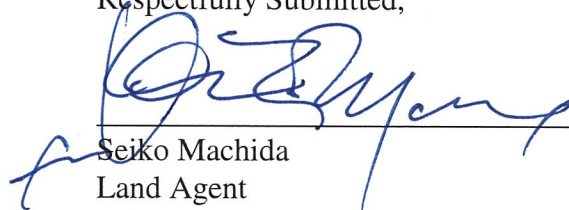
Applicant has requested the use of a total of 600 square feet of government lands for three 10'x10' pop-up tents for the judges and an additional 300 square feet adjacent to the tents for student athletes to check in and pick up their jerseys. The entire event, from set-up to clean-up, will take place on March 30, 2019, from 5:00 a.m. to 5:30 p.m.

RECOMMENDATION: That the Board

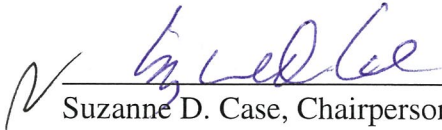
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

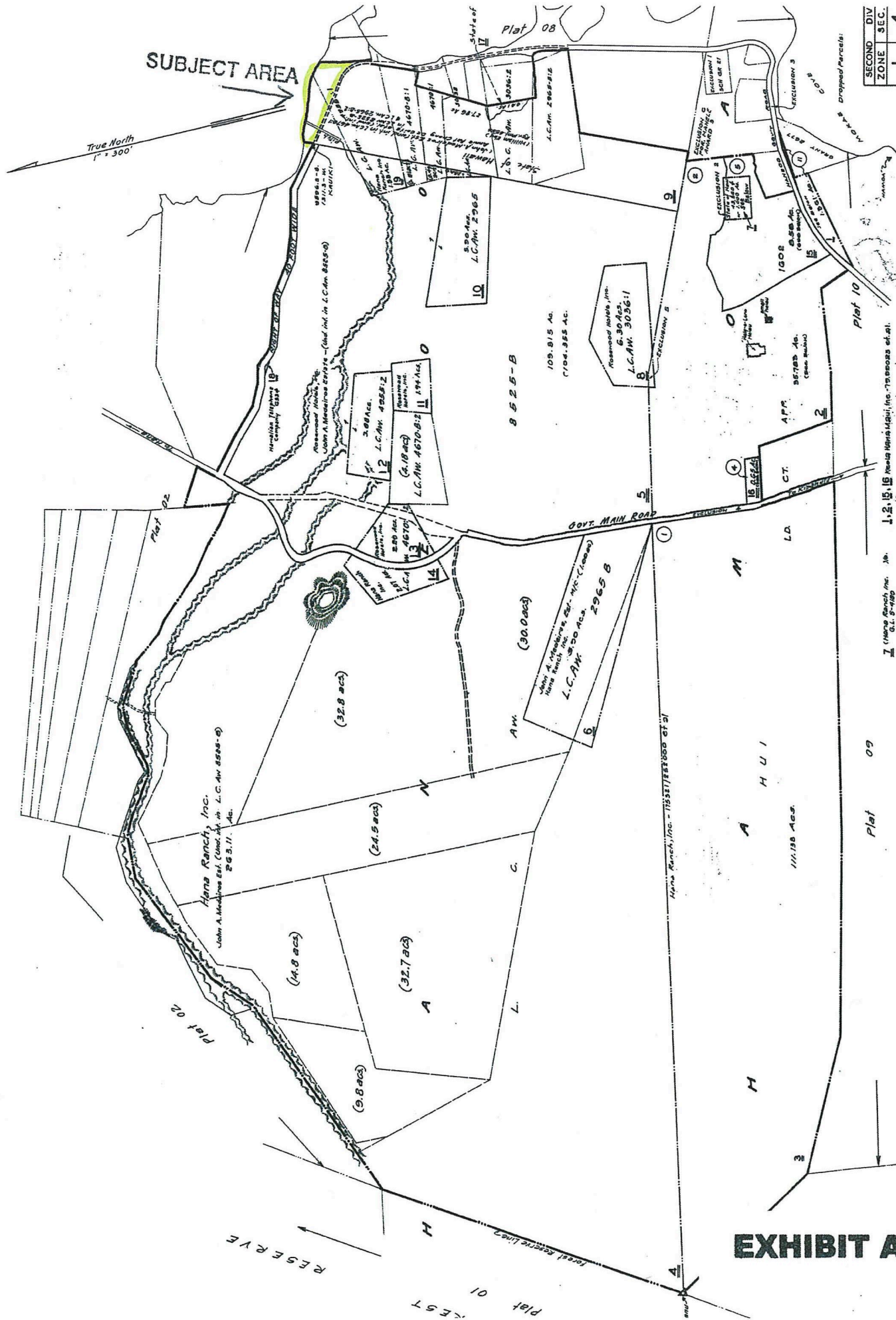
2. Authorize the issuance of a right-of-entry permit to Maui Interscholastic League for this year's surfing contest.
 - A. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time; and
 - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,


Seiko Machida
Land Agent

APPROVED FOR SUBMITTAL:


Suzanne D. Case, Chairperson



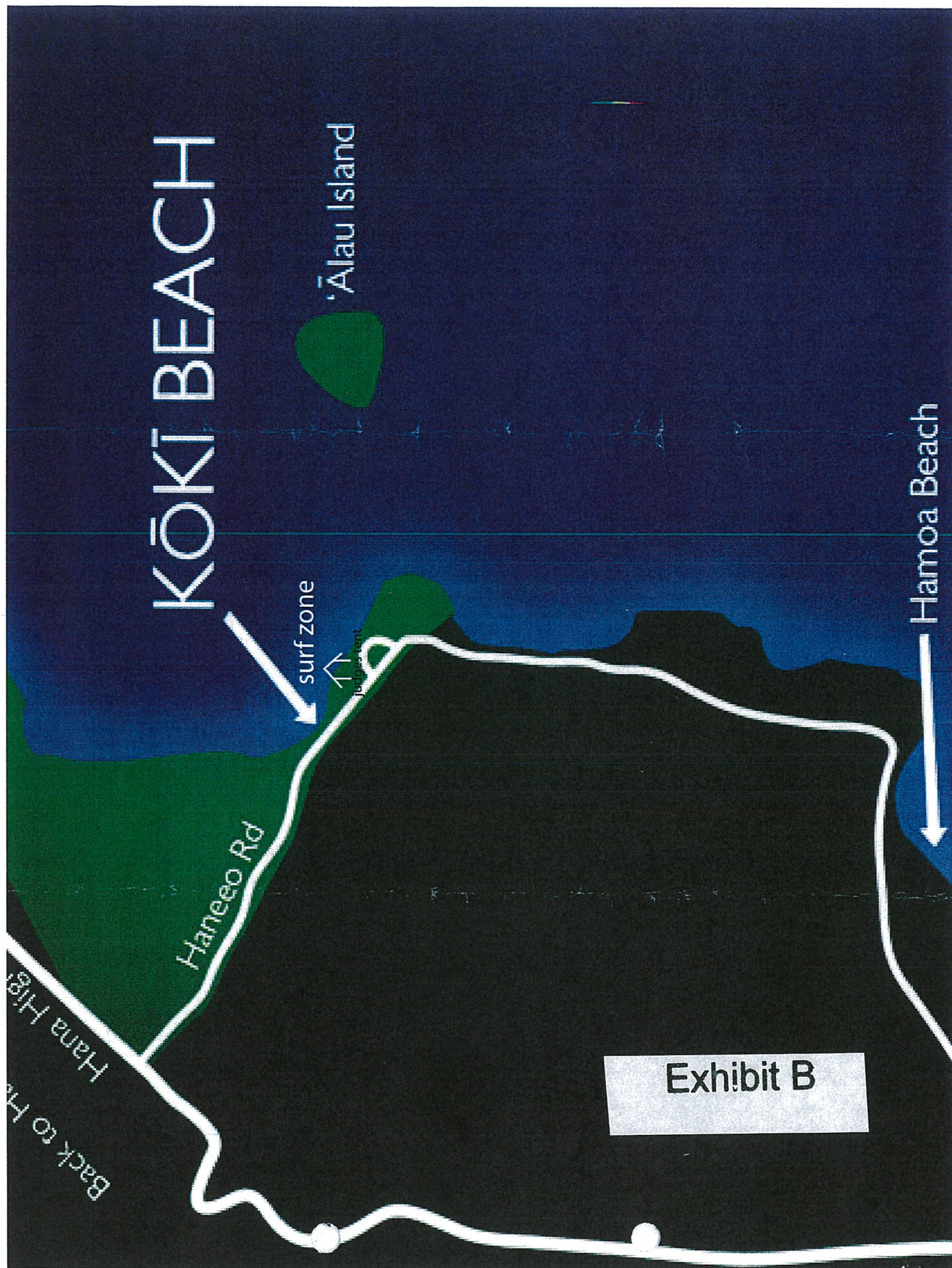
SECOND DIV	DIV
ZONE	SEC.
1	4
CONTAINING	SCALE 111.1

ADVANCE SHEET
SUBJECT TO CHANGE

PRINTED

EXHIBIT A

1004 HAMOA, HANA, MAUI



INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: APR 18 2015

MAUI INTERSCHOLASTIC LEAGUE
54 HIGH ST 4TH FL
WAILUKU, HI 96793

Employer Identification Number:

DLN:

Contact Person:

JERRY FIERRO

ID#

Contact Telephone Number:

Accounting Period Ending:

July 31

Public Charity Status:

509(a)(2)

Form 990 Required:

Yes

Effective Date of Exemption:

July 15, 2013

Contribution Deductibility:

Yes

Addendum Applies:

Yes

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

DEPT OF EDUCATION
OFFICE OF DISTRICT
SUPERINTENDENT
2015 APR 23 PM 2:47
WAILUKU, HAWAII 96793
RECEIVED

Letter 947

EXHIBIT C

MAUI INTERSCHOLASTIC LEAGUE

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

A handwritten signature in dark ink, appearing to read "Thomas Riggall", written in a cursive style.

Director, Exempt Organizations

Letter 947

EXHIBIT C



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

54 South High Street, Room 101
Wailuku, Hawaii 96793
PHONE: (808) 984-8103
FAX: (808) 984-8111

February 8, 2019

EXEMPTION NOTIFICATION

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

Project Title:	Issuance of Right-of-Entry Permit to Maui Interscholastic League (MIL) for Event Operations Purposes Related to the 2019 Maui Interscholastic League Surf Meet
Project / Reference No.:	PSF 19MD-002
Project Location;	Hamoia, Hana, Maui, Tax Map Key (2) 1-4-007: Portion of 009
Project Description:	For setting up three event tents for MIL surf meet for high school students
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."
Cumulative Impact of Planned Successive	No, this event occurs at this location annually, not on a routine or regular basis (e.g., daily or weekly).

EXHIBIT D

Actions in Same Place
Significant:

Not applicable.

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 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:

The DLNR Office of Conservation and Coastal Lands (OCCL) was consulted with regard to the subject surf competition and MDLO staff's recommendation for an exemption from an environmental assessment. OCCL staff responded that they have no objections to the subject surf competition.

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 continues 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:

It is anticipated that this surf meet will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.