

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

May 10, 2019

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

PSF No.: 19MD-041

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:

Jack Starr of TS Aloha, Inc., a Domestic Profit Corporation.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Mala situate at Lahaina, Maui 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

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:

Surf event staging and operations

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 11, 2019 through May 31, 2019 (holding period). This one-day event will be determined by surf conditions at the Mala surf break.

CONSIDERATION:

Payment of \$50.00. Rent based on 10¢ per square foot per day

Total area of requested use is 500 square feet for one day  
(500 sf x \$0.10 ft./day = \$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
Registered business name confirmed:	YES <u>x</u>	NO
Applicant in good standing confirmed:	YES <u>x</u>	NO

APPLICANT REQUIREMENTS:

Applicant shall be required to:

1. Pay consideration fee of \$50.00;
2. Obtain Right-of-Entry permit from the Maui District Land Office pursuant to Board approval;
3. Provide Certificate of Insurance naming the State of Hawaii as additional insured;
4. Obtain necessary permits for the ocean activity portions of this event from DLNR, 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 two shade tents which will be used for judges, scoring and contestants, and for event announcements and sound. This is the 43<sup>rd</sup> 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 Saturday May 11, 2019, and run through May 31, 2019. 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 continue 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.

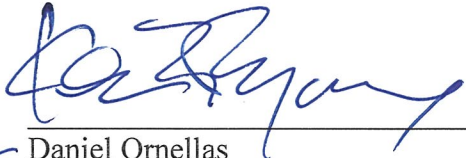
The applicant has been in contact with the Division of Boating and Ocean Recreation and is working with staff to obtain all required permits for the ocean portion of this event.

RECOMMENDATION: That the Board

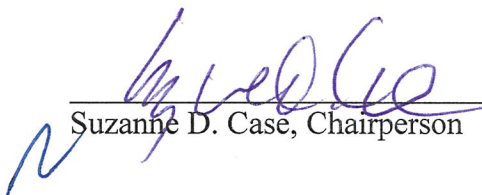
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.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

- B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

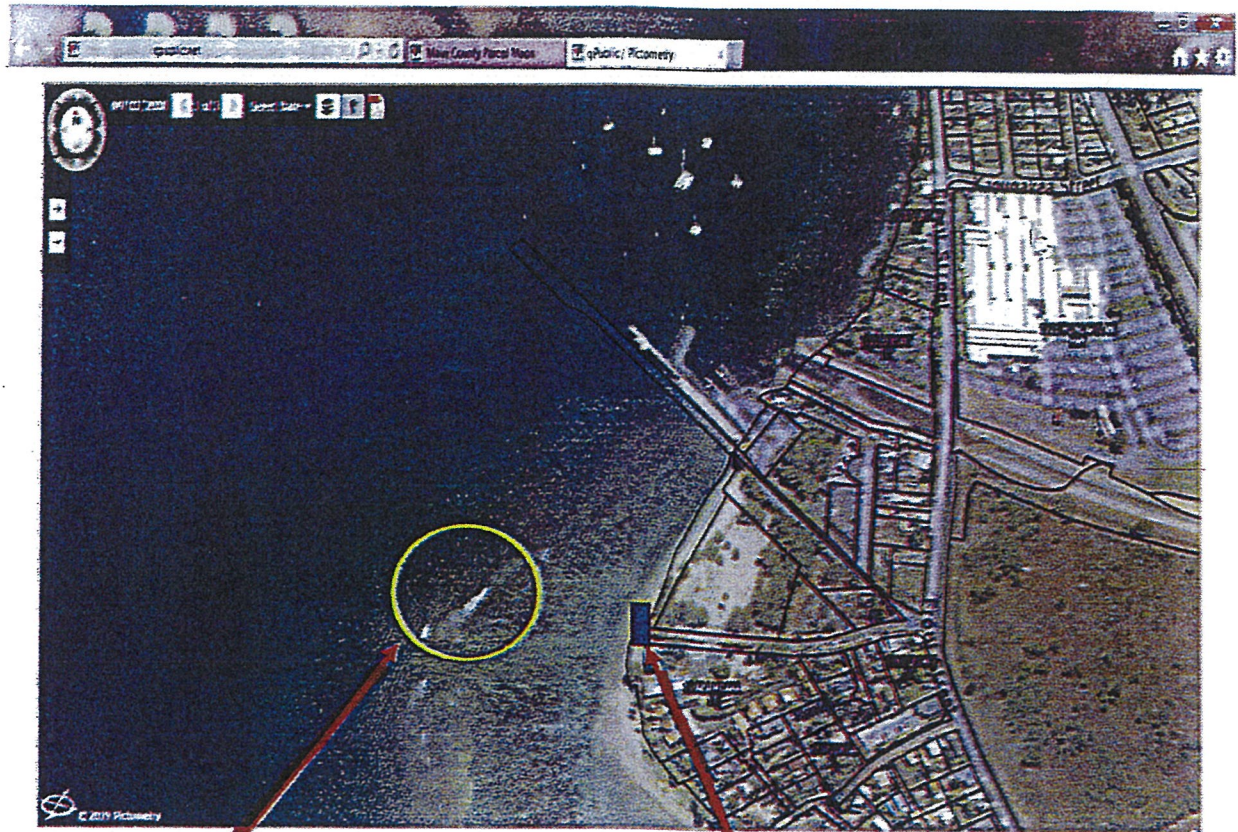
  
\_\_\_\_\_  
Daniel Ornellas  
District Land Agent

APPROVED FOR SUBMITTAL:

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







Surf contest area.

Event tents

PSF# 19MD-041

Jack Star

Kimo's Mala Longboard Surf Contest

TMK: (2) 4-5-004: Seaward of 012.

Exhibit B



SUN BATH OCEAN SUN BATH

BEACH

Judging area

Score  
AREA

BEACH

ANDY NICK  
&  
SOUND

Pedestrian  
ENTRANCE

GUARD RAIL

GUARD RAIL

\* Kristina for permit



ALAMOANA STREET

GRAVE YARD

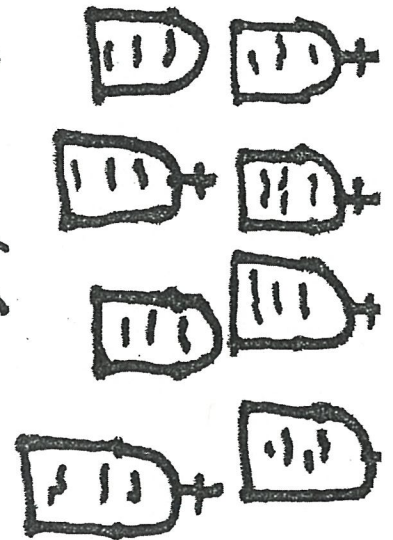
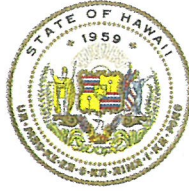


EXHIBIT C

DAVID Y. IGE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

May 10, 2019

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

ROBERT K. MASUDA  
FIRST DEPUTY

M. KALEO MANUEL  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
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:	Issuance of a Right-of-Entry Permit to TS Aloha, Inc. for Kimo's Mala Longboard Contest
Project Location;	Lahaina, Maui, Tax Map Key: (2) 4-5-004: Seaward of 012.
Project Description:	Use of 500 sq. ft. for surf contest tents, staging and operations. One day 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."
Cumulative Impact of Planned Successive Actions in Same Place Significant:	Not applicable. Use of this area is not on a routine or regular basis.
Action May Have Significant Impact on Particularly Sensitive Environment:	DLNR staff believes there is no significant impact to sensitive environmental or ecological receptors.



Agencies Consulted: The DLNR Office of Conservation and Coastal Lands, Division of Boating and Ocean Recreation, and Division of Aquatic Resources were consulted with regard to the proposed activity at the subject area.

Analysis: Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area.

Findings: Staff 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 these periodic beach events will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.