

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

September 27, 2019

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

PSF No.: 19MD-105

Maui

Issuance of Right-of-Entry Permit to ASP North America LLC, dba World Surf League, for a Women's Professional Surfing Competition at Lipoa Point, Honolua, Lahaina, Maui, Tax Map Key: (2) 4-1-001: Portion of 010.

APPLICANT:

ASP North America LLC, dba World Surf League

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands at Lipoa Point, Honolua, Lahaina, Maui, identified by Tax Map Key: (2) 4-1-001: Portion of 010, as shown on the attached map labeled Exhibit A.

AREA:

Total Area: 2.5 acres (Exhibits B and C)

CHARACTER OF USE:

Women's Professional Surf Competition purposes.

CONSIDERATION:

Total amount due: \$21,780 for 2 days of competition with up to 27 days of site use:
2.5 acres (108,900 sq. ft.) x \$0.10 per square foot per day = \$10,890 per day x 2
days = \$21,780 (Twenty-one thousand, seven hundred eighty dollars).

ZONING:

State Land Use District: Conservation and Agriculture

TRUST LAND STATUS:

Not applicable: Acquired after August 1959

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO

TERM OF RIGHT-OF-ENTRY:

The actual competition is a two-day event. Competition days will be determined by surf conditions during the holding period. The right of entry allows for up to 27 days of use:

- November 15 to 24, 2019: Production equipment loaded onsite.
- November 25, through December 6, 2019: Event holding period.
- December 7 to 11, 2019: Event clean up and restoration of subject area.

In the past weather conditions required the event to be extended for another day.
Applicable ROE user fee will be charged for each actual day of the surf competition event at a total cost of \$10,890 per day.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule (HAR) Section 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources (DLNR) 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 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 <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 permit approval for the ocean activities portion of this event from the DLNR, Division of Boating and Ocean Recreation.
- 2) Provide and implement a traffic management plan that clearly defines internal road access, circulation and means of site control to allow for free-flowing traffic in the interest of health and safety of event participants and spectators.
- 3) Obtain a Use and Occupancy Permit from the State Department of Transportation (DOT), Highways Division as needed for portions of Honoapiilani State Highway 30 that shall be impacted by the surf event.
- 4) Take and send to the DLNR Maui District Land Office aerial photographs of the event for all days of competition in order for the department to better determine the actual area of use and to estimate the amount of people in attendance.
- 5) Obtain State Film Permit as needed.

REMARKS:

ASP North America LLC, dba World Surf League (Applicant) is requesting the use of approximately two and a half (2.5) acres of unencumbered State land in the area overlooking Honolua Bay for the final stop of Applicant's Women's Professional Championship Tour.

Event organizers plan to start staging for the event on Friday, November 15, 2019. The holding period for the anticipated two (2) day surf event will begin on November 25, 2019 and run through December 6, 2019. The start and end dates for the event will be determined by desired surf and overall weather conditions. In the past weather conditions required the event to be extended for another 3rd day. Applicable ROE user fee will be charged for each actual day of the surf competition at a total cost of \$10,890 per day.

The 2.5-acre requested area of use will accommodate staff parking, public parking, office trailers to house administrative and media services, portable toilets, competitors' tent, tents for judges, officials, beach announcer, web announcers, event staff and their equipment; and a designated VIP area with controlled access. Pursuant to the amended Board approval of October 13, 2017 under agenda Item D-2, the Board has directed that the event organizers take aerial photos of each day of surf competition. Staff recommends that aerial photos capture all aspects of site use at its peak time of use in order to better determine the actual amount of area being used and to estimate the amount of people in attendance. If the actual

area of use exceeds the estimated area, then staff will notify the applicant of the discrepancy and applicant shall pay difference as may be needed for actual area of use for all days of surf competition.

Traffic Management Plan

Applicant has established a traffic management plan which limits access to the dirt access road on the days of competition. Key components of the traffic management plan are described in Exhibit D.

- Signage, traffic cones and barriers will be placed along State Highway 30 to prevent cars from parking along portions of the highway in order to maintain sight distance at turns in the road and to eliminate traffic congestion on the highway (Exhibit D).
- No vehicle access will be allowed onto the dirt access road on the two days of competition, except for support vehicles.
- Uniformed personnel will be stationed along Highway 30 to manage traffic flow in and out of the event area and to direct vehicles toward the onsite parking area.

Other Agency Permits Required

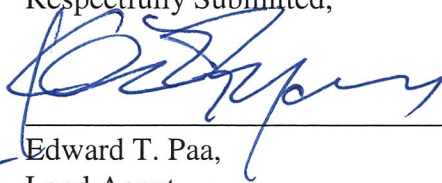
Applicant is required to obtain the following permits: 1. A Marine Ocean Water Event Permit from the State DLNR Division of Boating and Ocean Recreation pursuant to Hawaii Administrative Rules 13-244-19 which requires a permit for any and all “organized water events with a prearranged schedule of activity;” and 2. A Use and Occupancy Permit from the DOT Highways Division for any and all improvements to be placed within the Right-of-Way for State Highway 30 otherwise known as Honoapiilani Highway. Staff understands that Applicant plans to install traffic signage, traffic calming devices and other improvements along State Highway 30 for crowd control and safety of travelers along the highway.

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, 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 right-of-entry permit to ASP North America LLC, dba World Surf League 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

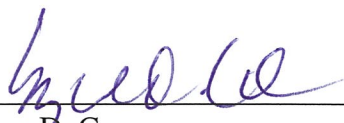
- B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
3. Authorize the use of the right-of-entry fee revenue for the management and maintenance of the subject parcel.

Respectfully Submitted,



Edward T. Paa,
Land Agent

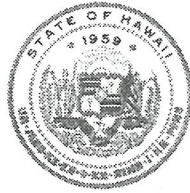
APPROVED FOR SUBMITTAL:



Suzanne D. Case,
Chairperson



DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

September 27, 2019

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

ROBERT K. MASUDA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
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 11-200.1, HAR

Project Title:	Issuance of Right-of-Entry Permit to ASP North America LLC, dba World Surf League, for a Women's Professional Surfing Competition
Project / Reference No.:	19MD-105
Project Location:	Lipoa Point, Honolua, Lahaina, Maui, TMK (2) 4-1-001: 010 por.
Project Description:	Event operations that include: competition site, athlete staging and transit areas, media tents, filming stands, VIP areas, equipment storage, event parking and traffic control related improvements. 2.5 acres over 27 days with an actual 2 to 3 day surf contest.
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No. and Description:	In accordance with Hawaii Administrative Rule Section 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred on 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:

No, this event occurs at this location annually, not on a routine or regular basis (e.g., daily or weekly).

Action May Have
Significant Impact on
Particularly Sensitive
Environment:

The requested area is a portion of unencumbered State lands that is visited daily by tourists and residents, and is used extensively 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:

DLNR: Office of Conservation and Coastal Lands, Division of Conservation and Resources Enforcement, Division of Aquatic Resources, and Division of Boating and Ocean Recreation

Analysis:

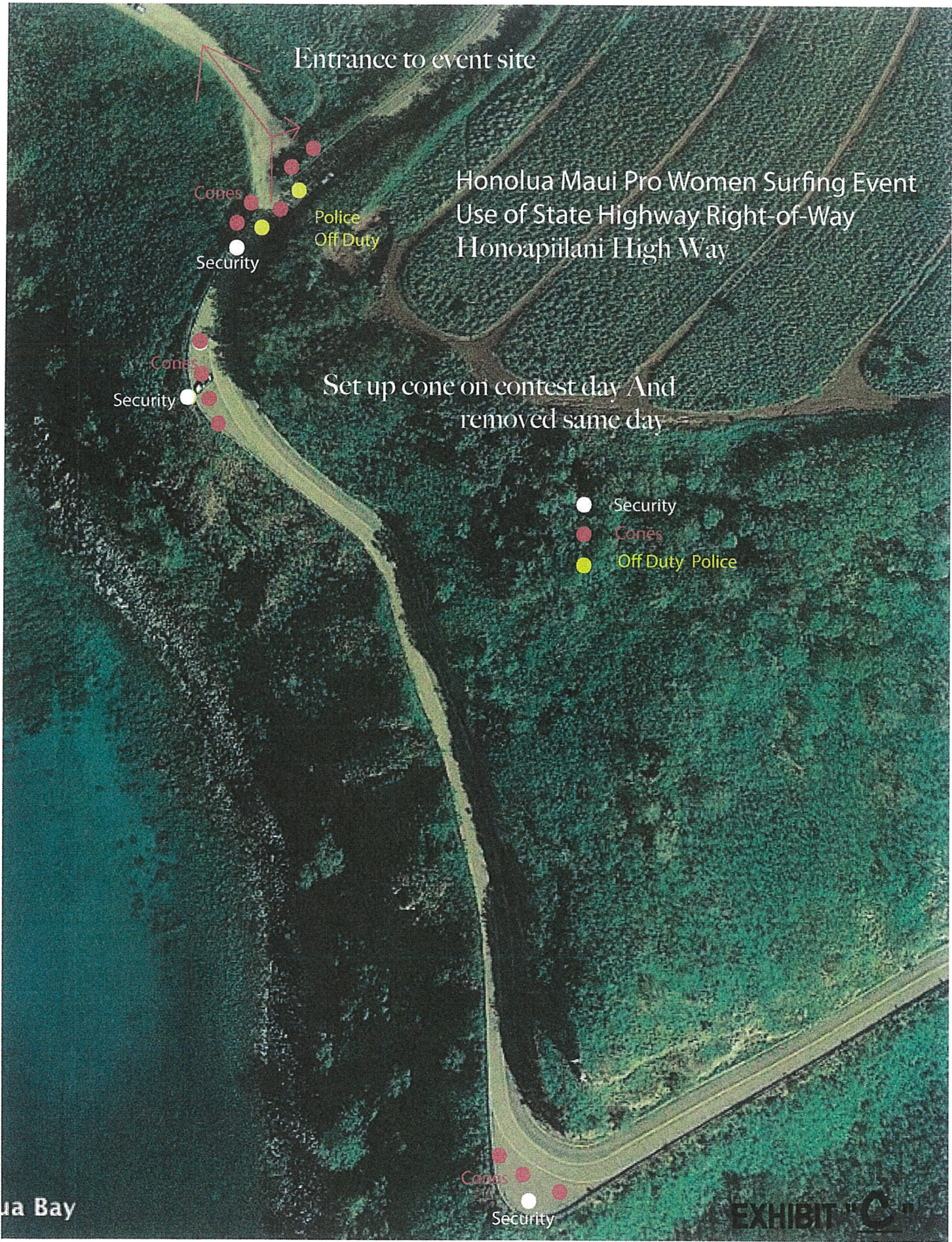
The Board has permitted similar events in the past. The proposed activity is of a similar type and scope of beach activities that periodically occurred and continues to occur on this and other beach areas across the State. Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. 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:

That the Board find 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.



Exhibit B



Entrance to event site

Honolulu Maui Pro Women Surfing Event
Use of State Highway Right-of-Way
Honoapiilani High Way

Cones

Police
Off Duty

Security

Cones

Security

Set up cone on contest day And
removed same day

- Security
- Cones
- Off Duty Police

ua Bay

EXHIBIT "C"

2019 Maui Women's Pro Proposed Traffic Management Plan

The goal of this traffic management plan is to reduce hazards to both pedestrians and vehicles in and around the Maui Pro event site. It plans to mitigate issues identified at the 2017 event to ensure a safe and accident free zone leading up to and within the event's geographical parameters.

Highway Controls

Highway Signs:

Event proposes the rental of 2 highway signs to be placed on both the North and South approaches to the event site on Honoapiilani Highway. The signs will carry the primary messaging that there is to be no parking along the highway, but will also be used to direct patrons to park within the designated parking areas onsite.

Police Bike Rack/Crowd Control Barricade/Cones:

Event will place barricade or cones at key locations along Honoapiilani Highway to prevent the public from parking or pulling off onto the shoulders. The primary focus will be at the turnout/lookout point as well as the east side of the highway leading up to the blind turn approaching the event site.

Uniformed Patrol:

Event will employ off duty Maui PD or DOCARE officials to manage traffic flow along the Honoapiilani Highway approach to the event on heavy traffic days. Event will work closely with the local PD and DOT for recommended key placement of said officers.

Event Site Controls

Onsite Parking within "Event Parking Lot":

All patrons will be encouraged to park within the designated "Event Parking" area located to the right immediately upon turn off into the site. Uniformed security will be positioned at the entrance to direct traffic into the lot. Event will work with local contractor to create as many spots as possible within the permitted space and will employ additional local security guards to monitor the lot to ensure maximum capacity.

Patrons that desire to drive into the event site will be allowed parking on the North (non-water) side of the roadway only, to keep 2 way traffic open at all times. Barricade will be utilized along the South (water) facing side to create a parking zone for athletes only. Event will employ additional guards to work the roadway past the event site to ensure smooth traffic flow and compliance with parking guidelines.

EXHIBIT "D"