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

PSF No.: 20MD-003  

Issuance of Right-of-Entry Permit to Maui Interscholastic League (MIL), for Event Operations Purposes Related to the 2020 Maui Interscholastic League Surf Meet, at Koki Beach, Haneoo, Hana, Maui, Tax Map Key (2) 1-4-007: Portion of 009.

APPLICANT:

Maui Interscholastic League (MIL) ("Applicant"), a domestic non-profit 501(c)(3) tax exempt corporation.

LEGAL REFERENCE:

Sections 171-55, -43.1, Hawaii Revised Statutes ("HRS"), as amended.

LOCATION:

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

AREA:

Total Area: 600 square feet, more or less

300 sq. ft. (10’ x 30’ judges’/officials’ 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 judges’/officials’ tents.

TERM OF RIGHT-OF-ENTRY:

One day event scheduled for Saturday, March 28, 2020 from 5:00 a.m. to 5:00 p.m.

CONSIDERATION:

Applicant 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 Applicant’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 Rules (“HAR”) Section 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources concurred with 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:**

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<tbody>
<tr>
<td>Place of business registration confirmed:</td>
<td>YES</td>
<td>NO</td>
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<tr>
<td>Registered business name confirmed:</td>
<td>YES</td>
<td>NO</td>
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<td>Applicant in good standing confirmed:</td>
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**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:**

Applicant has requested the use of 600 square feet of Koki Beach in Haneoo, 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 five years.

The 600 square feet Applicant is requesting to use includes 300 square feet for judges’/officials’ tents 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 28, 2020, from 5:00 a.m. to 5:00 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 11-200.1, 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 Maui Interscholastic League (MIL) 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,

Edward T. Paa
Land Agent

APPROVED FOR SUBMITTAL:

Suzanne D. Case
Chairperson
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.
MAUI INTERSCHOLASTIC LEAGUE

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

Sincerely,

[Signature]

Director, Exempt Organizations
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 Maui Interscholastic League (MIL) (“Applicant”) for Event Operations Purposes Related to the 2020 Maui Interscholastic League Surf Meet

Project / Reference No.: 20MD-003

Project Location: Koki Beach, Haneoo, Hana, Maui, Tax Map Key (2) 1-4-007: Portion of 009

Project Description: For setting up event tents for Maui Interscholastic League 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 11-200-1.15 and the Exemption List for the Department of Land and Natural Resources concurred with 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).

EXHIBIT D
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 continue 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.