

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

November 13, 2020

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

PSF No.: 20MD-088

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, a Delaware limited liability company, 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 and A-1**.

AREA:

Total Area: 2.5 acres (see **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 24 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 24 days of use:

- November 27 to December 3, 2020: Production equipment loaded onsite.
- December 4, through December 15, 2020: Event holding period.
- December 16 to 20, 2020: 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 March 3, 2020, 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 Part 1, Item No. 44, 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." Exemption Notification is attached as **Exhibit G**.

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. Pursuant to Mayor's proclamation dated October 6, 2020, applicant shall obtain approval from County of Maui to conduct outdoor organized sports during COVID-19.
2. Adhere to the World Surf League COVID safety plan and the most current County of Maui Public Health Emergency Rules (see **Exhibits E and F**).
3. Obtain permit approval for the ocean activities portion of this event from the DLNR, Division of Boating and Ocean Recreation.
4. 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.
5. 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.
6. 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.
7. 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 Honolulu 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 27, 2020. The holding period for the anticipated two (2) day surf event will begin on December 4, 2020 and run through December 15, 2020. 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, 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 a drone is used for capturing aerial images, Applicant shall use a Federal Aviation Administration certified drone operator and avoid direct overflight of participants, attendees and the public. 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 for the event. 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**).
- Vehicle access will be allowed onto the dirt access road during the entire event dates from December 4 – 15, 2020.
- 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.

Crowd control will be handled by licensed/bonded security personnel dedicated specifically to enforcing the limit on gatherings to “bubbles” of no more than ten (10) persons, each “bubble” distanced at least six (6) feet apart and requiring masks at all times, within the viewing area on competition days, as well as enforcing any other applicable County and State guidelines. Hand wash stations and hand sanitizers will be provided around the event site.

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

SUBJECT AREA

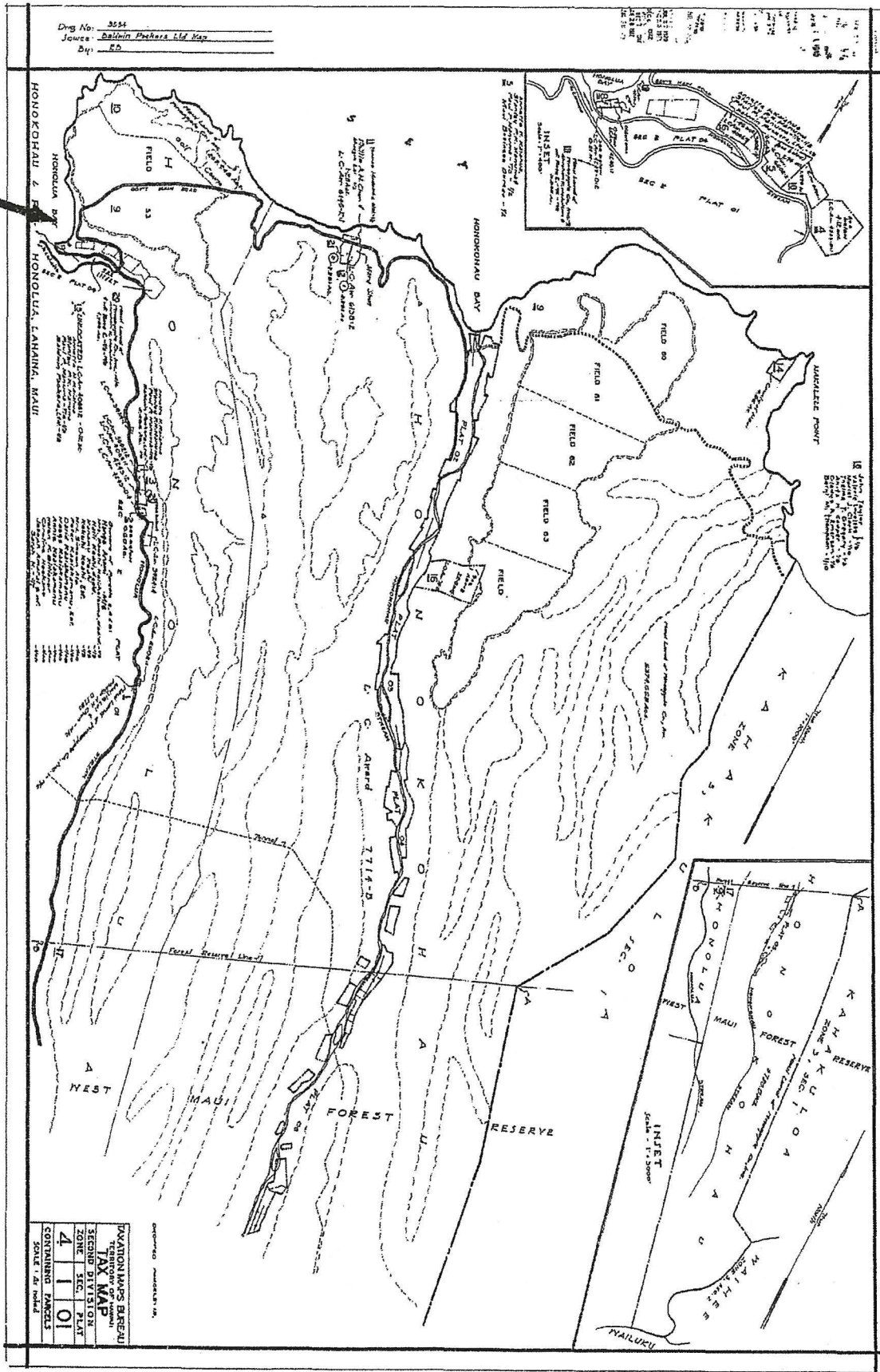


EXHIBIT A

SUBJECT AREA
TMK: (2) 4-1-001:
Por. 010



EXHIBIT A-1

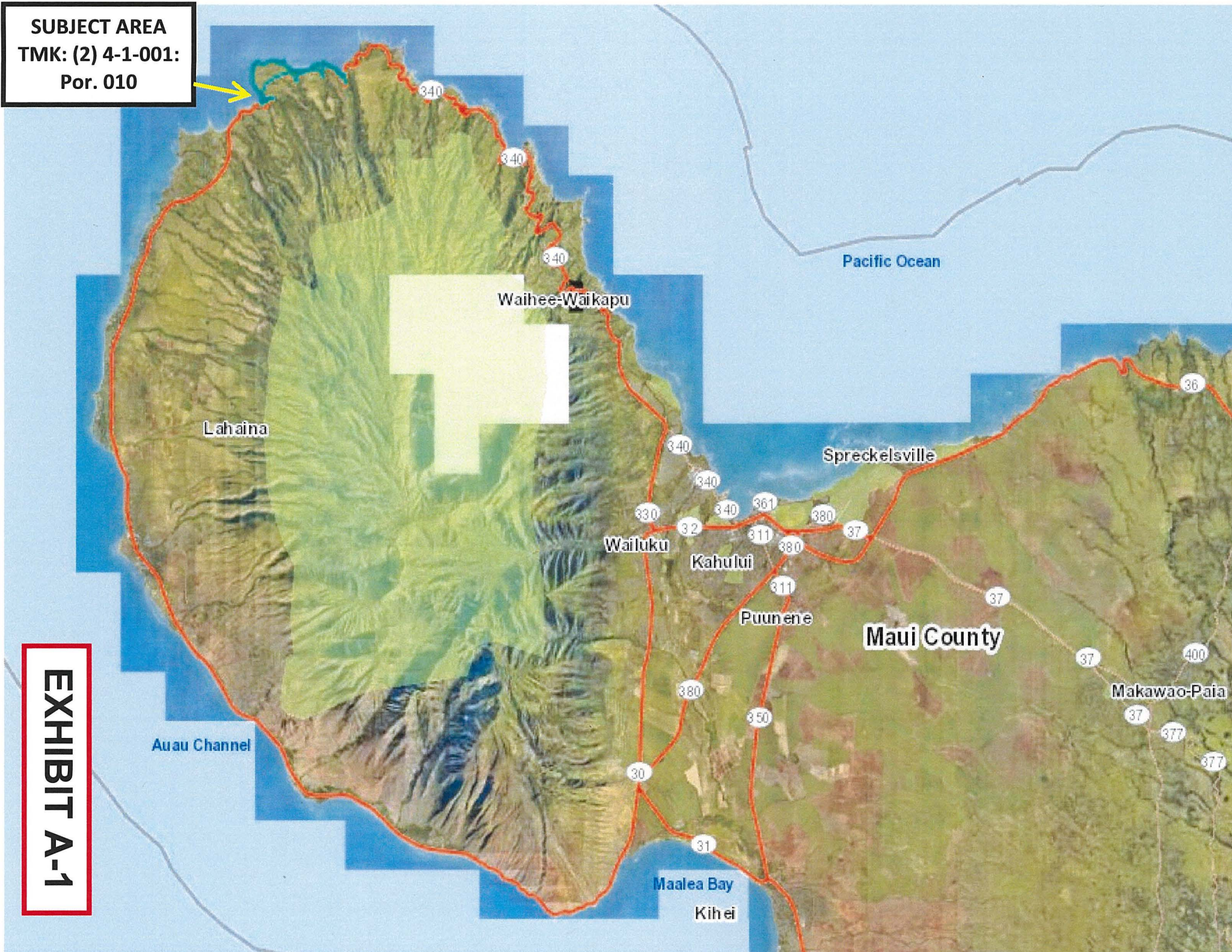


EXHIBIT B



Entrance to event site

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

Cones

Police
Off Duty

Security

Cone

Security

Set up cone on contest day And
removed same day

Security

Cones

Off Duty Police

ia Bay

Cones

Security

EXHIBIT C

2020 Maui Pro “WSL Women Surfing Event” by Roxy
Honolua Bay, Maui, Hawaii
(December 4 – 15, 2020)

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 50 highway cones 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.

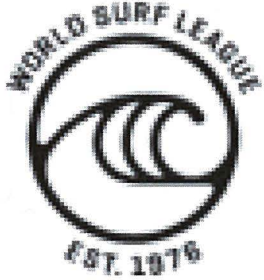
Event Site Controls

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. 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



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WORLD SURF LEAGUE COVID SAFETY PLAN

**2020 Maui Pro presented by Roxy
MAUI, HAWAII
December 4-15, 2020**

EXHIBIT E



COVID Safety Plan - 2020 Maui Pro, Maui

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PLAN OBJECTIVE

The World Surf League (“**WSL**”) believes that the health, safety and well-being of our athletes, employees, stakeholders and the communities within which we work and travel to, remains our highest priority, and the objective of this Plan is to provide a prudent, safe and responsible working environment for events in compliance with all applicable laws, regulations and guidelines that have been implemented to combat COVID-19.

This document sets forth a detailed, comprehensive COVID safety plan (the “**Plan**”) for the upcoming broadcast-only (i.e., no invited fans) WSL event scheduled to take place during the December 4-15 event window at Honolua Bay (the “**Event Site**”) in the Maui Pro (the “**2020 Maui Pro**”). Attached to this Plan as Appendix B are maps of the Event Site, which provide illustrative depictions of the Event, including the staging of event staff and athletes (the “**Event Maps**”). Additionally, attached hereto as Appendix E are maps of the provided hotel/s, [Name of Hotel - to be added once contracts have been signed], for the 2020 Maui Pro (the “**Provided Hotel Maps**”).

We sincerely appreciate the opportunity to present this Plan to you and welcome any questions and feedback.



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PLAN OVERVIEW & SUMMARY

Pursuant to this Plan, WSL is modifying its standard operating procedures to minimize to the greatest extent practicable any COVID-19 concerns relating to WSL Events. This Plan will be communicated to all WSL personnel, athletes and the event site crews, in advance of WSL events. All WSL personnel and the event site crews will be briefed on this Plan by an appropriate member of the WSL executive or event operations team and will have the opportunity to ask any questions or request any further details or information. If anyone does not comply with this Plan, they will not be permitted to enter or remain on the premises at WSL events (or related provided hotel accommodations where applicable).

A. Health and Safety Procedures

This section of this Plan outlines the health and safety procedures that WSL will implement for WSL events. The health and safety procedures were developed through consultation with public health officials, medical experts, local and state officials, WSL's medical specialist, Dr Allan McKillop, and the WSL Global Health and Security Manager, Bern Page, in collaboration with the WSL General Counsel, Bob Kane, and the rest of the WSL Leadership Team. In addition, these procedures have been informed by guidelines set by the Centers for Disease Control and Prevention (CDC), World Health Organization (WHO), and emerging best practices established by other sports leagues and broadcast-only live sports events.

B. Event Operations

This section of this Plan outlines the operational procedures that WSL will implement for the WSL Event. We have developed an operational plan that would permit us to stage and produce the WSL Event with the minimum number of WSL personnel and athlete team personnel required. WSL personnel who would typically be on-site for a standard WSL event but who are not critical to event operations will be prohibited from attending the WSL Event and instead will be instructed to complete their event-related tasks from their homes. Site Maps provide illustrative depictions of the event site, including the onsite placement of all WSL personnel. We note that certain third-party vendors of WSL, may be implementing their own independent health and safety protocols in coordination with WSL and its plans for the WSL event. Upon request, WSL will ask the third-party vendors to provide a copy of their health and safety protocols. Notwithstanding any independent protocols, to the extent that such vendors fall within the purview of this Plan based on their operational functions, such vendors will be subject to this Plan.

C. Key Safety Protocols

- **Broadcast only events - no fans are encouraged to attend (public only permitted on beach in accordance with state and local rules and guidelines)**
- **COVID-19 testing prior to arrival in Hawaii and multiple COVID-19 tests during event window**



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- Minimal personnel at the event site
- Daily temperature checks
- Masks and physical distancing strictly enforced

HEALTH & SAFETY PROCEDURES

A. Accommodation & Transportation

ACCOMMODATION

Accommodation selected by (1) WSL for WSL personnel (and athletes and their team personnel if applicable) and (2) athletes and their team personnel must comply with the following general principles and be recognized to be meeting current local COVID-19 related safety standards.

1. General Principles

- All persons will be accommodated in individual bedrooms. Exceptions permitted are:
 - Same shelter-in-place groups for 14 days prior to the pre-event COVID test, may share a bedroom.
 - Athletes and their coach may share a bedroom.
- For shared houses, the following is also required:
 - Only (1) shelter-in-place groups or (2) groups that have received negative COVID-19 tests (within 24 hours of taking occupation of the residence) will be accommodated in shared houses;
 - all occupants in the shared accommodation have signed the WSL COVID-19 Waiver before taking occupation of the residence;
 - the group will be prioritized by recent house share or transport history if possible;
 - occupants are to disinfect their hands regularly and before and after touching communal area surfaces or shared appliances such as kitchen equipment, by washing with soap and water or disinfecting with an alcohol-based hand sanitizer;
 - occupants are to frequently clean high touch surfaces such as kitchen counters and high touch items such as door handles;
 - occupants are to disinfect all shared bathroom and shared toilet areas before and after each use, if en-suite bedrooms are not available;
 - occupants are to minimize time spent in common areas to essential time only;
 - occupants are not to enter or use bedrooms or bathrooms not assigned to them;
 - the accommodation unit, especially the communal areas are always to be well ventilated ;



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- doors to all bedrooms, bathrooms and toilets are to remain closed and well ventilated; and
- all occupants are required to report illness to the event doctor, event manager or the Head of Tours & Competition immediately, if any COVID-19 like symptoms of illness present.

2. 14-Day Hotel/Event Bubble*

***WSL will implement the following 14-day hotel/event bubble if Hawaii's pre-arrivals testing program is not in effect at the time WSL's athletes and staff travel to Hawaii.**

The following principles apply to the following people: (1) all athletes, (2) athletes plus ones and (3) WSL essential staff, other than: (i) Hawaii residents; (ii) anyone who has entered Hawaii using the pre-arrivals testing program; and (iii) anyone who has entered Hawaii and quarantined for 14 days (collectively, the **"Hotel/Event Bubble Group"**). "Essential staff" means all staff who will have close contact with the athletes or for whom we are not able to effectively arrange for physical distancing at the event site.

- The Hotel/Event Bubble Group must check into the WSL designated hotel on November 29 (i.e., 5 days prior to the start of the event window (December 4)).
- After 14 days the Hotel/Event Bubble Group will be permitted to exit the hotel/bubble but will be required to comply with this Plan, and all state and local COVID regulations and guidelines.
- During the 14-day hotel/event bubble, the Hotel/Event Bubble Group will only be permitted to be at the hotel and the event site.
- Travel to and from the hotel and the event site.
- During the 14-day hotel/event bubble, athletes would be permitted to practice at Honolua Bay. WSL will use the enclosed event site at Honolua Bay to facilitate practice sessions and ensure the safety of the local community.
- The beach and the break at Honolua will be open to the public, and therefore, athletes who are part of the Hotel/Event Bubble Group must maintain physical distancing and wear face masks at all times other than when they are transiting to and from the water and practicing. These athletes will not be permitted to spend time on the beaches. When they are finished surfing, they must return to the private residence, until they are taken back to the hotel.

TRAVELLING TO HAWAII



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To reduce the risk of transmission of COVID-19 in Hawaii and avoid the strain on Hawaii's healthcare system, all athletes, athlete team personnel and staff travelling to Hawaii will comply with the following:

- All athletes, athlete team personnel and staff travelling to Hawaii will complete the new online Safe Travels program, which collects required health and travel information.
 - Once the health information is entered within 24 hours of departure, travelers will receive a QR code via email. The QR code on their mobile device or printed on paper will be scanned by the airport screener upon arrival.
- All athletes, athlete team personnel and staff travelling to Hawaii will obtain a NAAT (nucleic acid amplification test) COVID test from a CLIA registered laboratory within 72 hrs. of arrival in Hawaii, and if required will show proof of a negative test result upon arrival in Hawaii.
 - The Centers for Medicare & Medicaid Services (CMS) regulates all laboratory testing (except research) performed on humans in the U.S. through the Clinical Laboratory Improvement Amendments (CLIA). In total, CLIA covers approximately 260,000 laboratory entities.
 - All athletes, athlete team personnel and staff travelling to Hawaii from California will obtain the test within 72 hrs. of arrival in Hawaii.
 - **All athletes, athlete team personnel and staff travelling to Hawaii from outside of California will need to transit through LAX and obtain the test prior to continuing to Hawaii. WSL will coordinate the testing of all such persons. [Testing location - TBD]**

TRANSPORTATION

Transportation solutions such as airlines and car rental agencies selected by WSL for WSL personnel (and athletes and their team personnel if applicable) will demonstrate safe operating practices and be recognized to be meeting current local COVID-19 related safety standards.

Domestic public transportation (other than airlines operating appropriate physical distancing and hygiene measures) should not be utilized.

Vehicle pooling between airports, hotels, the event site, are at all times to be between the same shelter-in-place groups only. If transportation circumstances are challenged by these guidelines, resulting in traveling in a vehicle with others from outside the same shelter-in-place group/s, the following is requested at all times:

1. the driver and all passengers should wear a cloth face covering or mask or meet local and state laws and guidelines;
2. the vehicle is well ventilated with windows open; and
3. passengers should disinfect their hands using an alcohol-based hand sanitizer after completing their journey.



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TRAVEL EXEMPTIONS FOR FOREIGN ATHLETES

In May 2020, in support of the Trump Administration's reopening of the economy, Acting Secretary of Homeland Security Chad F. Wolf signed an order that exempts certain foreign professional athletes who compete in professional sporting events organized by certain leagues, including their essential staff and their dependents, from proclamations barring their entry into the U.S. At the time, Mr. Wolf noted that "professional sporting events provide much needed economic benefits, but equally important, they provide community pride and national unity." The Department has been working closely with the professional sporting groups to identify the specific athletes, essential staff, team and league leadership, spouses, and dependents covered by this exemption, including Major League Baseball, the National Basketball Association, the Women's National Basketball Association, the Professional Golfers' Association Tour, the Ladies Professional Golf Association Tour, the National Hockey League, the Association of Tennis Professionals, the Women's Tennis Association and the World Surf League. We will be coordinating directly with Andrew Giuliani, Special Assistant to the President to obtain any required travel exemptions for our foreign athletes and essential staff to enter the United States.

B. Event Site - Physical Distancing

The event site will be set up entirely on DLN&R land that will be closed off to the public.

- A solid high fenced perimeter will secure the event site for event personnel, to create the event site "bubble", for the duration of the event.
 - Only athletes and essential event personnel who have been subject to the event's advanced screening procedures, will be allowed to enter the event site "bubble".
 - The perimeter will be monitored 24/7 (or alarmed).
 - All entry points to the event site "bubble" will be manned 24/7.
 - All WSL personnel, athletes and athlete team personnel will be required to remain on premises at the event site "bubble" for the duration of the event.
- The WSL will promote home viewing solutions for fans to watch the event at home for free.
- **Only athletes, the athlete's plus one and essential staff will be permitted to access the event site.**
- All WSL personnel are required to comply with all physical distancing guidelines in effect at all times at WSL Events. Only limited exceptions will be made where required for critical operations – such as in the case of water taxi of athletes during heats, in the case of an emergency, or during medical treatment. Physical distancing guidelines will be implemented throughout the event site, as further detailed in the Event Operations section, including but not limited to:



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- The movement of personnel will be purposefully designed through an accreditation process to limit personnel to essential areas of work only, to address physical distancing protocols.
- Physical distancing markers will be present throughout the event site.
- Spaces will be arranged within the event site to further WSL's physical distancing plans.
- Handshakes and other contact-based greetings, such as "high-fives", will be prohibited.
- A capacity for each enclosed area with controlled entry will be determined, to operate the physical distancing plans, and the determined capacity will be clearly marked at the entry to each enclosed area.
- Site has been redesigned to minimize enclosed areas.
- WSL appointed security teams and staff will be present to enforce the physical distancing guidelines and enclosed area capacities.
- Longer set up times for the event site on private property will be planned to further accommodate physical distancing measures.
- Regular beach commentary announcements will be made to encourage any public who are present at the Honolua Bay area to adhere to all local and state physical distancing guidelines and to wear masks at all times in public places.
- All other applicable state and city physical distancing guidelines will be enforced at all times on the event site.

C. Advanced Screening Procedures

All WSL personnel, athletes and athlete team personnel involved with WSL events will be subject to the following screening procedures and guidelines. The screening procedures and guidelines will be implemented by WSL event management, WSL appointed security teams and WSL appointed medical teams.

1. COVID Testing

- COVID Testing will be conducted by Drug Free Sport, which conducts COVID testing for major US sports, including the PGA and NHL.
- Test kits will be provided by a lab in Burbank, California and this lab will process all tests.
- Drug Free Sport's staff will be available to conduct COVID testing starting November 29 (i.e., five days prior to the first day of the event window (December 4) through the last day of the event window (December 15)).
- Testing will be for those with access to the secured event site area, to include all athletes, the athletes' plus ones and essential staff.
- Athletes, athlete plus ones and essential staff working within the athlete areas will be COVID tested.



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- The first test will be conducted on November 29 (e.g., five days prior to the first day of the event window).
- A second test will be performed on December 4.
- A third test will be performed on December 9.
- Testing will be also available throughout the event, for any athletes, athletes' plus ones and essential staff showing COVID-like symptoms.
- All athletes and personnel who attended the event will be contacted in writing by the event management 14 days after the completion of the event. Attendees will be asked to report any COVID-like symptoms if experienced since the event, as per each persons' signed WSL COVID-19 Waiver.

2. WSL COVID-19 Waiver

All WSL personnel, athletes and athlete's plus ones are required to complete a WSL COVID-19 Waiver document prior to being allowed to enter an event site. The WSL COVID-19 Waiver confirms the following:

- the person will not enter a WSL event site or other worksite within 14 days of having experienced any of the listed official COVID-19 symptoms (WHO, CDC: runny nose, sore throat, headache, chills or repeated shaking with chills, pneumonia, muscle pain, cough, fever +100.4F / 38C, anosmia, shortage of breath) or having knowingly been exposed to COVID-19;
- the person will adhere to a temperature check each time when entering a WSL event site, or when feeling unwell when at a WSL event site;
- the person will inform the WSL event management and follow all WSL procedures relating to symptoms, exposure, diagnosis and contact tracing, if feeling unwell;
- the person will inform the WSL event management immediately if they develop any of the listed official COVID-19 symptoms within 14 days of attending the WSL event site;
- the person understands the risks of contracting COVID-19 and the consequences of transmitting COVID-19; and
- the person agrees to follow all COVID-19 procedures and self-care guidelines at a WSL event site.

3. Temperature Screening

All persons including event personnel, athletes and athlete teams will have their temperature taken on each arrival at the WSL event site. If a reading of 100.4F / 38C or above is recorded:

- A second temperature reading will be recorded; and



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- If a 2nd temperature reading of 100.4F / 38C or above is recorded, the person will not be permitted to enter the event site or stay on the premises. The event manager will be called to attend, and the event manager will follow the relevant WSL Isolation & Contact Tracing Procedure (a separate internal document).

Site Perimeter control to enforce temperature screening

- A solid high fenced perimeter will secure the event site.
- The first entry each day to the event site for all persons must be via the temperature check post, without exception, **irrespective of the tier of the event or annual laminate credential one may possess.**
- A daily temperature clearance credential will be issued to each person clearing the temperature check, before advancing to the accreditation booth.
- The daily temperature check credential and an official photo ID is required to collect an event credential.
- Additional secured entry points to the event site will be kept to a minimum while meeting all emergency exit requirements.

D. Protective Guidelines and Self Reporting Procedures

1. Protective Guidelines

WSL personnel, athletes and athlete teams should review the [World Health Organization \(WHO\)](#) and [United States Centers for Disease Control and Prevention \(CDC\)](#) information and guidelines in advance of attending WSL events. The guidelines include the following:

The guidelines include the following:

- COVID-19 symptoms.
- COVID-19 Transmission
- Self-Care, protection and hygiene
- Respiratory etiquette
- Physical distancing
- Cleaning & disinfection
- Keeping updated with COVID-19 hotspots
- What to do if you develop symptoms.

Signage referencing the most recent CDC / WHO guidelines must be posted in strategic locations throughout the event site in both restricted and public attendance areas if applicable.

2. Protective Guidelines – Cloth Face Coverings / Masks - **Masks with valves may not be used.**



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All personnel at WSL events are required to wear a cloth face covering or mask at all times, to exclude athletes only:

- while warming up in the athlete warm up area,
- in transit to or from the start or end of a heat,
- while surfing in a heat,
- in pre- or post-heat interviews where the interviewer is either (i) wearing a mask or (ii) appropriately socially distant, and
- At the awards ceremony where all participants maintain physical distancing,

Additionally, personal protective equipment is required to be used by WSL personnel, athletes and athlete teams, in connection with their travel to the event per applicable policies of various airlines.

Personal protective equipment is required to be used by local transportation vendors as applicable by local and state guidelines, in addition to other health and safety protocols, such as physical distancing, and limitations on group travel, to move personnel back and forth between airports, accommodations and the event site. Where applicable, WSL personnel, athletes and athlete teams will be assigned to transportation vehicles in advance, in order to limit interaction among different groups.

Cloth face coverings should **not** be placed on:

- anyone who has trouble breathing,
- young children under age 2,
- anyone who is unconscious, or
- anyone who is incapacitated or unable to remove the mask without assistance.

3. Self-Reporting Procedures

All WSL personnel, including WSL athletes and athlete teams, are required to comply with the following self-reporting procedures:

If you are exhibiting any symptoms, or have been in contact with anyone exhibiting any symptoms, of COVID-19:

- You must immediately report your symptoms to a licensed physician and adhere to all advice provided by such licensed physician, including testing, physician visits or self-quarantine;
- You must immediately notify a member of the WSL event management team or, if you are an athlete or an athlete's representative, such as a coach, you must immediately notify the Head of Tours and Competition;



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- WSL Personnel are encouraged not to post news of illness or COVID-19 related matters on social media.
- WSL will have the full discretion to prohibit your attendance at a WSL event or require you to leave the location of the event immediately if WSL determines that you pose a risk to yourself or others.

E. Cleaning Procedures

WSL will coordinate closely with the event site management to consult on a cleaning and sanitization procedure.

- For disinfection, [EPA-registered household disinfectants for use against SARS-CoV-2 \(COVID-19\)](#) or equivalent locally regulated household disinfectants for use against SARS-CoV-2 (COVID-19) must be used.
- The event site must be cleaned and sanitized prior to commencing the WSL Event, and regularly throughout the event.
- All surfaces requiring sanitization must be sanitized with disinfectants against viruses.
- Floors must be cleaned thoroughly like all other surfaces, to include the floors in offices, bathrooms and with special attention to indoor floor spaces.
- Disinfection disposable wipes must be provided and strategically placed throughout the event site so that high touch surfaces such as door handles and work surfaces can be sanitized regularly or between each use.
- Scheduled hourly cleaning of high touch surfaces such as door handles, light switches and work surfaces must be carried out.
- Adequate time must be allowed for proper disinfection, whilst following cleaning product instructions.
- Cleaning personnel must wear cloth face coverings or masks and gloves during cleaning.
- Hand sanitizer stations must be placed in various locations throughout the event site.
- Frequency of routine cleaning procedures must be increased as compared to standard operating procedures.
- Personal equipment such as site radios must not be shared between users, unless disinfected between each user's use.
- Other equipment easily contaminated by a user, such as athlete warm up area equipment, beach commentary or broadcast microphones must be disinfected thoroughly between each user's use.
- The [CDC guidelines for cleaning and disinfecting](#) must be followed at all times.

F. Medical Procedures

WSL will continue to implement its medical procedures, with appropriate modifications to address physical distancing measures while maintaining an appropriate level of care for athletes



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and personnel that participate in or work at WSL events.

These modifications will include limiting access to the medical treatment room and ensuring that the medical room is always well ventilated. Further details on the operational procedures of the WSL medical staff are provided in the Event Operations section below.

WSL has secured hospital arrangements with Maui Memorial Medical Center (Address: 221 Mahalani St, Wailuku HI 96793; Phone: (808) 244-9056) to provide care to WSL athletes and personnel and has confirmed with the hospital that it will not be overburdened by the potential transport of WSL athletes thereto in the event of major injuries.

The WSL medical team will adhere to COVID-19 special protective measures during all contact while treating patients.

G. Food and Beverage Procedures

Catering at the event site will consist of cafeteria-style prepared meals, with no communal bowls of snacks or “buffet style” foods. All packaging and utensils must be disposable (and environmentally friendly).

Personnel lunch breaks will be staggered.

Water Dispensers, if provided on the event site, should be “contact free”, or hand and water bottle sanitization must be required with a sanitizing solution provided, before and after use of dispensers, with clear event signage in place at each water dispenser to indicate this.

Drinks Fridges / Coolers - all fridges or coolers providing individual refreshments will be open style units wherever possible to avoid presenting high touch handles.

H. Site Layout & Ventilation Procedures

Enclosed areas such as the athlete deck, judges tower, etc., will be structured to facilitate the natural ventilation, with no doors at entry points, removing the possibility of high touch door handles.

Where doors are essential, hourly cleaning of high touch door handles will be carried out.

Hand and mobile phone sanitization will be mandatory at all entry points to the event site, with hand sanitizer provided. Clear signage will be in place to indicate this.



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Hand sanitizer will also be provided at the entry to enclosed spaces such as the broadcast truck, judge's area, broadcast area and lockers.

I. Event COVID Safety Manager

A COVID Safety Manager will be present on site at the event and will be responsible for monitoring and ensuring compliance with this Plan throughout the event. The COVID Safety Manager will be working closely with a hired professional security team to ensure protocols for staff, athletes and any fans attending the event are adhering to State and County of Maui COVID safety protocols.

J. Crowd Control: Public

Dedicated Security Personnel: We will hire and utilize licensed/bonded security personnel, as well as MPD dedicated specifically to enforcing the limit on gatherings to "bubbles" of no more than ten (10) persons, each "bubble" distanced at least six (6) feet apart and requiring masks at all times, within the Viewing Area on competition days, as well as enforcing any other applicable City and State guidelines.

K. Educational Signage: Public

Beach Right-of-Way Signage: If approved, we will post educational signage in the beach access right-of-way, informing the public about County of Maui's current gathering limitations and how to be a responsible beachgoer. This right-of-way would be at the entrance to the Honolua Bay road at Hwy 30. This signage will be in addition to the MPD Special Duty officers stationed at this right-of-way and will remind beachgoers that the best place to view the event is online or via the Spectrum SURF Channel, from the safety and comfort of their own homes.

Digital Roadside Signage: As discussed previously, we will invest in digital roadside signage, with MPD's awareness, to deter physical attendance. We will defer to MPD for best location of roadside signage. This signage would state "MAUI PRO ATTENDANCE LIMITED PER STATE GUIDELINES" or similar pre-approved messaging to reduce traffic and crowds.

EVENT OPERATIONS

This section of this Plan outlines the operational details and procedures that will be in place for the event.

A. Event Personnel & Access

The *maximum* number of WSL personnel required to produce the event will be 60.

The maximum number of athletes required to produce the event will be 18.

The maximum number of athlete team personnel to produce the event will be 18.



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Athlete team personnel can consist of 1 coach OR 1 guest OR 1 photographer per athlete.

If a Photographer is appointed, the “WSL Filming Content Agreement” must be signed.

All WSL personnel, athletes and athlete teams will receive an event credential for entry to their area/s of work and competition only. The event credential will be issued once:

- The person has signed (electronically - touch free) a WSL COVID-19 Waiver;
- The person has cleared a temperature check, and
- The person produces an official photo ID at the accreditation booth.

All WSL personnel, athletes and athlete teams are required to wear their credential at all times while onsite, to be granted access to restricted areas for which they are authorized to access.

Athletes and their coach only, will have access to the athlete area up to 2 hours before and up to 2 hours after their heats, to maintain physical distancing in these restricted areas.

Athletes and their “+1” (coach OR guest OR photographer) will have priority access to the athlete deck and warm up area up to 2 hours before and up to 2 hours after their heats, to facilitate physical distancing and maintain the area capacity.

B. Other Enhancements to Standard WSL Operating Protocols

Below is a list of other significant enhancements that WSL event management will implement in connection with WSL events to further the objective of this Plan and to create a safer working environment:

INTERVIEWS

Interviews will be conducted while maintaining safe physical distancing.

DESKS

Desks will be at least 6 feet apart, and / or where practicable will have plexiglass partitions installed.

COMMUNAL PRODUCTS

There will be no communal products such as sun creams provided anywhere at the event site.

SPA BATHS, ICE BATHS and SAUNAS

Will not be used at event sites until further notice.

HAND WASH STATIONS

Will be provided around the event site.



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ENCLOSED AREA MANAGEMENT - CONDITIONS OF ENTRY (e.g.: Athlete Deck, Broadcast Truck)

- **Hand & Mobile Phone Sanitization** - the security agent or other personnel assigned at the entry to enclosed areas must ensure that every person sanitizes their hands and mobile phone before entering, using an alcohol-based hand sanitizer which must be provided.
- **Cloth Face Coverings / Masks** - must be worn by all persons at the entry to enclosed areas and while inside enclosed areas (excluding athletes in transit to or from a heat). Any person not wearing a cloth face covering or mask must be ejected or refused entry, regardless of whether they are in possession of an event credential to be in the restricted area.
- **Maximum Capacity** - The capacity of all enclosed areas must be clearly marked at the access points.
- **Credentials** - All persons entering an enclosed area must be wearing the required event credential as well as the day specific temperature check credential to do so.

MEDICAL PROCEDURES

- Onsite medical treatments will be conducted for injured persons only.
- The medical treatment room will be well ventilated.
- The medical treatment room door will be open as far as is practicable to avoid presenting a high touch handle.
- An isolation holding area will be included in the site plan, to be positioned as close as possible to the medical treatment room. This room is to be used to quarantine anyone identified as a possible COVID-19 patient, while the appropriate next steps are arranged.

ANTI-DOPING PROGRAM

- The standard operations of the WSL Anti-Doping program will be modified to comply with the health and safety protocols implemented by this Plan.
- There will be a designated space within the event site for its critical operations.
- Drug collection officers are required to complete their critical functions in compliance with physical distancing rules throughout the entire sample collection process and are required to be utilizing the appropriate personal protective equipment at all times.

C. Isolation & Contact Tracing Procedure

A detailed procedure is in place for WSL event management to follow, in the event of anyone presenting COVID-19-like symptoms, or a COVID-19 exposure or diagnosis occurs.

D. Insurance

WSL event management will maintain in full force and effect the following insurance policies and must provide proof of such insurance policies upon request: Commercial General Liability



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Insurance, Workers Compensation Insurance, Automobile Liability Insurance, Excess Umbrella Insurance, and Property Insurance.



E. WSL Contacts

Attached as Appendix A are the names and contact information of the designated WSL personnel that will be responsible for the following departments in connection with WSL Events: Employees, Health & Safety, and Legal & Regulatory. These contacts may be reached at any time.



COVID Safety Plan - 2020 Maui Pro, Maui

APPENDIX A WSL Contacts

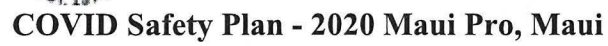
<u>NAME</u>	<u>POSITION</u>		
Matt Nuzum	Event Manager	[REDACTED]	[REDACTED]
Rodney Kilborn	Event Project Consultant	[REDACTED]	[REDACTED]
Bob Kane	Event COVID Safety Manager	[REDACTED]	[REDACTED]
Graham Stapelberg	WSL, EVP/ GM North. America & Hawaii	[REDACTED]	[REDACTED]
Bern Page	WSL, Global Health & Security Manager	[REDACTED]	[REDACTED]
Bob Kane	WSL, General Counsel	[REDACTED]	[REDACTED]
Emily Hofer	WSL, Chief People Officer	[REDACTED]	[REDACTED]



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APPENDIX B Site Plans







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APPENDIX D Area Map - Backup Site

Not applicable.



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APPENDIX E Hotel and Accommodation Map

TBC



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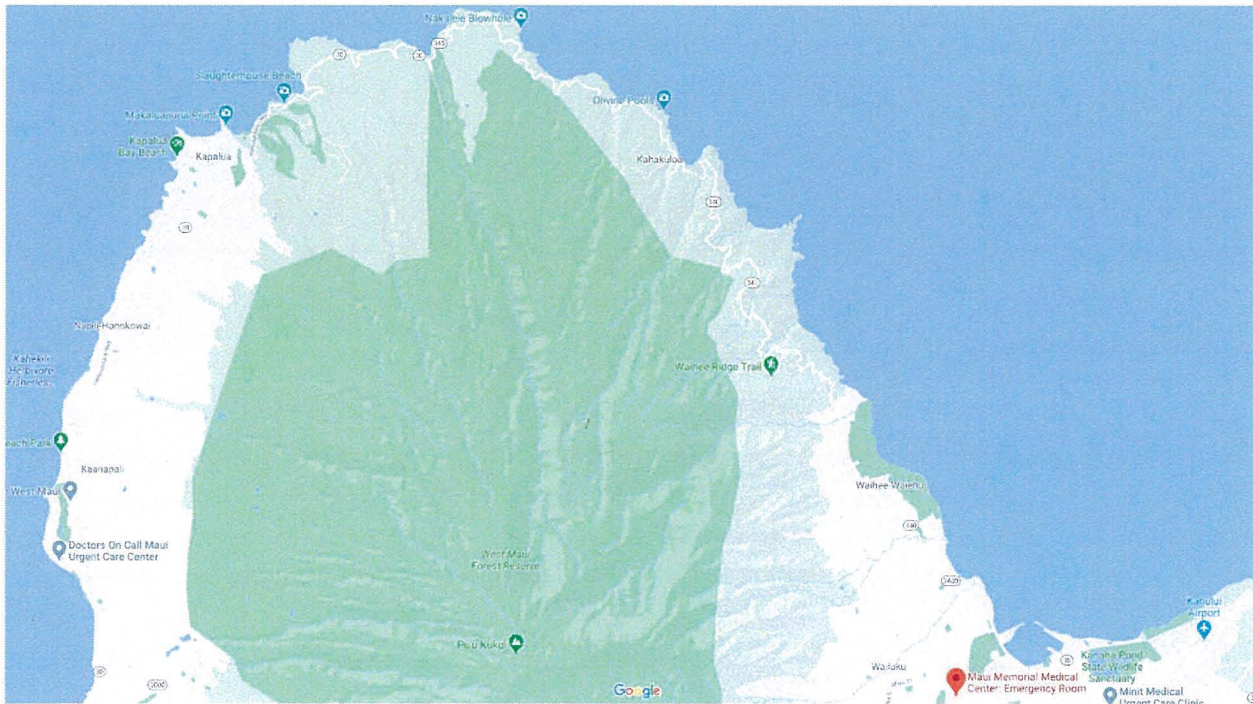
APPENDIX F

Regional Hospital and Medical Facility Map

Maui Memorial Medical Center (emergency room):

Address: 221 Mahalani St, Wailuku HI 96793

Phone: (808) 244-9056





COVID Safety Plan - 2020 Maui Pro, Maui

APPENDIX G Event Attendees

LOCAL ATHLETES		LOCAL STAFF	
NAME	NAME	NAME	NAME
Carissa Moore			
Tatiana Weston-Webb			
Malia Manuel			
TOTAL LOCAL ATHLETES: 3			
TOTAL LOCAL STAFF:* <input type="text"/>			

* Max staff (including International and Local): 60



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INTERNATIONAL ATHLETES*		INTERNATIONAL STAFF*	
NAME	NAME	NAME	NAME
Caroline Marks			
Lakey Peterson			
Stephanie Gilmore			
Sally Fitzgibbons			
Courtney Conlogue			
Johanne Defay			
Nikki Van Dijk			
Isabella Nichols			
Bronte Macaulay			
Sage Erickson			
Brisa Hennessy			
Macy Callaghan			
Keely Andrew			
Tyler Wright			
Amuro Tsuzuki			
TOTAL INTERNATIONAL ATHLETES: 15			
TOTAL INTERNATIONAL STAFF:* []			

* Max staff (including International and Local): 60



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APPENDIX H

Successful WSL Events Completed under the WSL's COVID Protocols

Rumble at the Ranch

The WSL brought live competitive surfing back with a one-day, winners-take-all surf showdown in the perfect waves at the Surf Ranch in Lemoore, California on Sunday, August 9, 2020. The Michelob ULTRA Pure Gold Rumble At The Ranch saw 16 of the world's best surfers pair up for the first-ever mixed tag team event, live on WorldSurfLeague.com, YouTube, Facebook, Apple TV and broadcast partners around the world. Competitors included 11-time WSL Champion Kelly Slater, Olympic qualifiers Caroline Marks, Kolohe Andino, Kanoa Igarashi, Tatiana Weston-Webb and reigning four-time WSL Champion Carissa Moore, alongside Championship Tour stars Filipe Toledo, Sage Erickson, Conner Coffin and Lakey Peterson. WSL officials have collaborated extensively with public health officials, medical experts, as well as local and state officials, to create a thorough plan to ensure the health and safety of participants, staff, and the surrounding community. This event was strictly executed to follow the WSL's health and safety procedures, which were developed based on guidelines set by the Centers for Disease Control and Prevention, World Health Organization, and emerging best practices established by other sports leagues and broadcast-only live sports events. These procedures included testing for athletes and essential staff, strict physical distancing measures, temperature checks, no fans, minimal personnel on-site and a soft event bubble. For the soft event bubble, all athletes, athletes plus ones and essential staff were tested at a local hotel. Upon receipt of negative test results, all participants were allowed to enter Surf Ranch. During the event window, participants were either in the hotel or at Surf Ranch. The event was incredibly successful and ran with no COVID-19 issues.

The Ultimate Surfer - Television Program

WSL Studio and Lionsgate's Pilgrim Media Group are producing a competition-style reality series called Ultimate Surfer that features up-and-coming surfers training and living together at Surf Ranch in Lemoore. Each episode features competitions and eliminations, and after the final episode, the remaining male and female athletes will each win \$100,000 and be given the opportunity to compete on the WSL Championship Tour. 11-time World Champion, Kelly Slater, serves as the series' on-air host and special correspondent. The series is expected to air on ABC. The series was filmed at WSL's Surf Ranch in July and August, with production wrapping in early August. This production was the first program to start production under California's production guidelines.

WSL and Pilgrim officials have collaborated extensively with public health officials, medical experts, as well as local and state officials, to create a thorough plan to ensure the health and safety of participants, the production crew, and the surrounding community. The procedures for this production included a hard production bubble with all participants and production crew being tested before entering Surf Ranch and remaining on the property until the completion of production. This was a very successful production with no COVID-19 issues.



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Australian Grand Slam of Surfing - Tweed Coast Pro

The World Surf League brought live professional surfing back to Australia with the Tweed Coast Pro on September 12 and 13. The event saw 24 of Australia's best surfers (12 men and 12 women) go head to head in their respective divisions, some competing for the first time in 2020. The remaining spots in each field were allocated to the highest ranked 2019 non-qualifying Australian surfers or selected wildcard surfers. "Surfing is in our DNA. It's wonderful that despite COVID-19 we are still able to host an event with some of the biggest names in surfing," said Gold Coast Mayor Tom Tate "South Straddie is the perfect venue and any events held here can only boost the economy. This innovation by the WSL to hold the event like this is exactly the kind of thinking we need to get us through these times." WSL officials have collaborated extensively with Australian public health officials and medical experts to create a thorough plan to ensure the health and safety of athletes, staff, and the surrounding community. This event was strictly executed to follow the WSL's health and safety procedures, which were developed based on guidelines set by the Centers for Disease Control and Prevention, World Health Organization, and emerging best practices established by other sports leagues and broadcast-only live sports events. These procedures included testing for athletes and essential staff, strict physical distancing measures, temperature checks, no fans and minimal personnel on-site. The event was incredibly successful and ran with no COVID-19 issues.

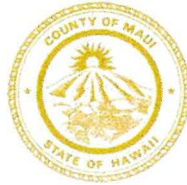
Onda do Bem - Brazil

The World Surf League brought live surfing back to Brazil on Friday, September 18. The entire Onda do Bem contest was broadcast LIVE on all WSL platforms including WorldSurfLeague.com, the WSL YouTube and Facebook channels as well as support from Rede Globo with a live broadcast on SporTV in Brazil. This was a one-night event in which 15 of the world's best surfers -- including some of the biggest names in the sport -- joined 10 Brazilian celebrities for a neon-themed competition comprised of multiple surfing challenges, including a big air contest, heats where athletes matched up against athletes and celebrities, a paddle battle and a tag team challenge. WSL officials have collaborated extensively with Brazil public health officials and medical experts to create a thorough plan to ensure the health and safety of athletes, staff, and the surrounding community. This event was strictly executed to follow the WSL's health and safety procedures. These procedures included testing for athletes and essential staff, strict physical distancing measures, temperature checks, no fans and minimal personnel on-site. The event was incredibly successful and ran with no COVID-19 issues.

EXHIBIT E

MICHAEL P. VICTORINO
Mayor

SANDY K. BAZ
Managing Director



OFFICE OF THE MAYOR
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov

PUBLIC HEALTH EMERGENCY RULES, AMENDED OCTOBER 6, 2020

The virus that causes Coronavirus 2019 Disease ("COVID-19") is a novel severe acute respiratory illness with no known cure, no effective treatment, and no vaccine. The virus is easily transmitted, including by individuals who are infected but showing no symptoms. As of October 6, 2020, there were more than 35 million cases and 1,039,446 deaths globally (<https://covid19.who.int/>). The United States has more than 7.4 million cases and 209,560 deaths (<https://cdc.gov/coronavirus/2019-ncov/cases-updates/cases-in-us.html>). To date, there are 12,937 cases and 160 deaths in the State of Hawaii, with 397 cases in Maui County (<https://health.hawaii.gov/coronavirusdisease2019>).

On September 22, 2020, Governor David Y. Ige issued the Thirteenth Proclamation related to COVID-19, which extended the mandatory 14-day self-quarantine for all persons entering the State of Hawaii. Transpacific travelers who, as of October 15, 2020, provide written confirmation of a State-approved negative COVID-19 test are excepted from self-quarantine. The Thirteenth Proclamation also extended the interisland quarantine for travelers to the counties of Maui, Kauai, Hawaii, and Kalawao. These Rules are based on evidence of COVID-19 within the County and State of Hawaii, as reported by the

EXHIBIT F

Centers for Disease Control and Prevention (CDC), the State Department of Health (DOH), scientific evidence, and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically.

By the authority vested in me as Mayor of the County of Maui, by the Revised Charter of the County of Maui (1983), as amended (“Charter”), the Constitution and laws of the State of Hawaii, I, MICHAEL P. VICTORINO, Mayor of the County of Maui of the State of Hawaii, hereby amend, adopt and promulgate the following rules, pursuant to Section 127A-25, Hawaii Revised Statutes (“HRS”), which have the force and effect of law. Violation of any of the following rules is punishable as a misdemeanor, with fines of up to \$5,000, a maximum of one year in jail, or both.

I. Definitions

A. Essential Activities include:

1. Tasks essential to maintain health and safety, such as obtaining medicine or seeing a doctor.
2. Getting necessary services or supplies for an individual, or that individual’s family or household members, such as getting food, pet food, and supplies necessary for staying at home.
3. Engaging in outdoor activity, such as walking, hiking, running, ocean sports (surfing, stand-up paddle boarding, kayaking, or fishing).
4. Performing work related to operation of an essential business or essential government functions (defined below).
5. Caring for a family member in another household.
6. Caring for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.

B. Operation of an Essential Business includes:

1. Healthcare operations, including home health workers.

2. Essential infrastructure, including operation of public transportation and utilities.
3. Grocery stores, food banks, convenience stores, and farmer's markets.
4. Businesses that provide necessities of life for economically disadvantaged individuals and shelter facilities.
5. Pharmacies, health care supply stores, and health care facilities.
6. Gas stations, auto repair facilities, and auto supply stores.
7. Financial institutions.
8. Refuse collection.
9. Hardware, lumber, and other building material stores.
10. Maintenance service providers, such as plumbers, electricians, exterminators, yard or ground maintenance, and other service providers necessary to maintain the safety, sanitation, and essential operation of residences and businesses.
11. Laundromats and laundry service providers.
12. Businesses that primarily ship or deliver groceries, food, and goods.
13. Preschool facilities (daycare, summer camp, etc.) operating in compliance with state laws, administrative rules, and restrictions, provided that children do not switch groups; groups are located in separate rooms and not commingled; caregivers are assigned and remain with one group of children.
14. Newspapers, television, radio, and other media.
15. Construction and maintenance, public and private, provided it is conducted in workplaces in a manner that ensures worker safety, including physical distancing requirements.
16. Agricultural operations, including delivery and shipment of flowers, provided measures are implemented to ensure worker safety, including physical distancing requirements.
17. Businesses that supply other essential businesses with the support or supplies necessary to operate, e.g., chemical supply companies.
18. Businesses conducting legally mandated activities.
19. Businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, kennels, and adoption facilities.
20. Funeral, mortuary, cremation, burial, cemetery, and related services.
21. Educational institutions, including Kindergarten-12 grade, colleges, and universities. Private educational institutions shall comply to the extent feasible with the State of Hawaii Department of Education's practices and policies related to the COVID-19 health emergency.

22. Hotels and motels, to the extent used for lodging, in compliance with the State of Hawaii restrictions.

C. **Designated Businesses and Operations, as described in Exhibit A.**

- D. **Government Functions:** Includes all services needed to ensure the continuing operation of the government agencies that provide for the health, safety, and welfare of the public.

II. RULES

Rule 1: All individuals currently within the County are encouraged to stay at their residence or place of lodging, except as provided in these Rules. With respect to persons residing in hotels, condominiums, townhomes, apartments, or other multi-unit dwellings, “place of residence” means the person’s individual hotel room or unit. To the extent persons use shared or outdoor spaces (e.g., condominium common areas, pools, barbecue areas) when outside their residence, they must comply with Rule 5, as ordered by the State of Hawaii, or as instructed by the CDC, whichever is more stringent.

Rule 2: County meetings or hearings, including contested case hearings, are suspended, provided that meetings or hearings may be held to the extent such meetings or hearings are conducted by telephone or video conference as determined solely by the County department providing administrative assistance to the board or commission. In addition to all County boards and commissions, this Rule applies to all proceedings that involve live testimony by government employees or members of the public (i.e. arbitrations, depositions, hearings, etc.).

Rule 3: Any County deadline or automatic approval of any permit application, unless specifically provided for by Mayor's directive, or contested case matter under the Maui County Code or the administrative rule of any County department, board, or commission that is currently pending, is hereby continued to the latter of the following: 60 days after the date of the County's Proclamation of Emergency of Disaster, effective August 30, 2020, as may be extended; the Declaration of Termination of Emergency issued by the undersigned; or 60 days from the date of the current deadline or automatic approval as of the date of the adoption of these Rules. This Rule applies only to deadlines for action imposed by ordinance or administrative rule on any County department, board, and commission. This Rule does not extend any permit condition of any existing permit that has already been approved. This Rule does not extend the time for filing of an appeal for matters that have already been decided.

Rule 4: Indoor or outdoor social gatherings of up to 10 persons are permitted. Face coverings are required and physical distancing of at least 6 feet between separate social gatherings must be maintained. Gatherings of members of a single residential or family unit sharing the same address are not restricted. Rule 4 does not apply to essential or designated businesses and operations, pursuant to Sections I(B), I(C), and Exhibit A, that have supervision, monitoring, and other enforcement protocols in place or are otherwise subject to specific rules or restrictions, e.g., the state and federal court systems, state and federal

offices and functions, Department of Education, daycares, preschools, private schools, universities, and similar institutions.

Rule 5: Persons shall comply with the following physical distancing and sanitation requirements:

- a. **Face covering.** Persons over the age of 5 years old must wear a face mask or covering while outside their place of residence (as defined in Rule 1). The face mask or cloth must be worn while in all public spaces, including on public or shared transportation, unless specifically provided for otherwise in these rules.

Unless otherwise provided by specific rule, employees must wear face masks or coverings when walking to and from common areas (hallways, bathrooms, stairwells, elevators), but may temporarily remove the face covering when at their desks or work station and not actively engaged with other employees, customers, or visitors, provided that the employee's desk or workstation is not located in a common or shared area and physical distancing is maintained.

A mask or other facial covering must cover the nose and mouth and must comply with the recommendations of the CDC, as such recommendations may change from time to time. The current CDC guidelines recommend wearing a mask or facial covering which snugly covers the face and mouth, whether store bought or homemade, which is secured with ties or ear loops, include multiple layers of fabric, allow for breathing without restriction, and which is able to be laundered and machine dried without damage or losing shape. Examples of compliant homemade masks and other facial coverings may be found at: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>. Persons should not utilize N95 rated masks, as those are critical supplies for health care workers, police, fire, emergency management, or other persons engaged in certain construction-related or life/safety activities. Persons wearing facial coverings should review the CDC and Hawaii Department of Health guidelines regarding safely applying, removing, and cleaning such coverings, which are found at: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-to-wear-cloth-face-coverings.html>.

Masks and other facial coverings shall not be required:

1. at or inside a private residence;
2. inside a private automobile, provided the only occupants are members of the same household or residence;

3. inside a hotel, motel, or commercial lodging establishment guest room, or inside any apartment;
4. of persons who cannot wear a mask or facial covering due to an existing medical condition;
5. of an individual who is hearing impaired or an individual who is communicating with an individual who is hearing impaired;
6. where federal or state safety or health regulations prohibit the wearing of facial coverings;
7. of persons actively engaged in strenuous outdoor physical activity, provided adequate social distancing is both possible and practiced;
8. of persons swimming or engaged in other activities that may cause the facial covering to become wet;
9. while persons are actively eating, drinking, or smoking; and
10. while a person is receiving services that require access to that person's nose or mouth.

Businesses or designated operations shall refuse to allow entry to persons not wearing face coverings, unless an exception applies under this section. Businesses not enforcing this rule may be subject to enforcement, including fines and mandatory closure.

- b. **High risk populations.** Elderly and others at high risk for Covid-19 are urged to stay in their residences to the extent possible, except to seek medical care.
- c. **Persons who are sick.** Persons who are sick, have a fever, cough, or who are exhibiting symptoms such as shortness of breath, difficulty breathing, chills, repeated shaking with chills, muscle pain, headache, sore throat, or new loss of taste or smell, are urged to stay in their residences to the extent possible, except to seek medical care.
- d. **Six-foot distances.** All persons shall maintain a minimum of six-feet of physical separation from all other persons to the fullest extent possible. Essential and designated businesses or operations shall designate with signage, tape, or other means, six-foot spacing for employees and customers waiting in line. Essential and designated businesses or operations shall monitor and enforce the six-foot distancing requirement, whether with outside waiting lines or as customers move about inside a facility. Stores with aisles shall use signage to indicate one-way access to the extent feasible. Checkout operations shall be modified, to the extent reasonably feasible, to provide this separation or to provide a transparent shield or barrier between customers and checkout clerks.

- e. **Limited occupancy.** Each essential or designated business or operation shall determine and enforce the maximum number of persons that may be accommodated while maintaining the specified physical distance and limiting the number of individuals within a facility.
- f. **Sanitation measures.** Essential and designated businesses or operations shall make hand sanitizer and sanitizing products readily available for employees and customers. Employees handling items from customers, such as cash or credit cards, shall frequently utilize hand sanitizers.
- g. **Disinfection.** Essential and designated businesses or operations shall regularly disinfect all high-touch surfaces. A list of disinfectants that meet the U.S. Environmental Protection Agency's criteria for use against Covid-19 is available at <https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2-covid-19>.
- h. **Safeguards for high-risk populations.** Essential businesses shall implement processes to safeguard elderly and high-risk customers, such as exclusive shopping hours, which shall be conspicuously posted and enforced.
- i. **Pickup at store or delivery.** To the extent feasible, essential and designated businesses or operations shall provide for online ordering and purchase of goods, delivery, and customer pickup of orders outside the facility.
- j. **Signage.** Essential and designated businesses or operations shall post a sign at the entrance of the facility informing employees and customers that they shall, at a minimum: wear CDC recommended face coverings while in the business or operation; avoid entering the business if they have a cough or fever or otherwise do not feel well; maintain a six-foot distance from one another; do not shake hands.

Rule 6: Exhibit A details specific requirements for certain businesses and activities, e.g., restaurants, bars, cafes, and other food establishments; salons, estheticians, massage, and body work; and sports.

Rule 7: Nightclubs and concert halls are ordered closed until notified otherwise, provided that such businesses may conduct “minimum basic operations.” Minimum basic operations do not include in-person public/customer interactions and are limited to the minimum activities necessary to maintain the value of the business’s inventory, ensure security, and process payroll and employee benefits.

Rule 8: Beaches and County parks are open; however, the County may close parks for maintenance or repairs, to address safety concerns, or for COVID-related response. Waiale Park shall remain closed to accommodate the provision of temporary emergency shelters. County parks and beach parks will be open from 7:00 a.m. through 7:00 p.m., except that outdoor County courts (e.g., tennis, basketball, etc.) may remain open until 8:00 p.m. Only permitted commercial activities are allowed. No tents or beach umbrellas that measure more than six feet across the canopy, party bouncers (bouncing castles, etc.), water or other slides will be allowed at any beaches or County parks. Grills may not be used at any beach or County park. Persons at any County park must comply with Rule 5.

Rule 9: Repealed.

Rule 10: Liquor Control Officers (“LCOs”) shall have the authority to enforce emergency rules at any establishment licensed to sell alcohol pursuant to Hawaii Revised Statutes Chapter 281. An establishment that is not in compliance with these rules, including those listed in Exhibit “A”, attached hereto, shall be subject to immediate closure for a twenty-four hour (24) period effected by the Maui Police Department and/or LCO. Liquor licensees not in

compliance with the requirements of these rules shall also be subject to penalties enforceable pursuant to the Liquor Laws of Hawaii, Hawaii Revised Statutes Chapter 281, which may include a reprimand, fine, suspension, and/or revocation of the liquor license.

Rule 11: Mandatory quarantine and quarantine lodging.

- a. **Health Screening and Quarantine.** Unless excepted under Rule 12, all persons traveling to the County of Maui, whether interisland or from out of state, shall be subject to health screening pursuant to Exhibit B of Governor Ige's Thirteenth Proclamation and mandatory self-quarantine. The period of self-quarantine shall begin on the date of entry into the County of Maui and shall last 14 days or the duration of the person's presence in the County, whichever is shorter. A person subject to quarantine may only break quarantine to seek medical attention, or as otherwise allowed under a limited quarantine exemption approved by the State or County.
- b. **Quarantine Lodging.** Pursuant to Governor Ige's Thirteenth Emergency Proclamation, persons who have not been approved for limited quarantine by the State or County and who require paid or commercial lodging while subject to the mandatory 14-day quarantine shall designate a hotel or motel on the County's approved list as their quarantine location. Short-term rental homes (STRH), bed and breakfast (B&B) homes, or other types of transient vacation rentals (TVR), as defined in the Maui County Code may be designated as a quarantine location for a new or "intended" Hawaii resident, provided that the full 14-day quarantine is served and not stopped early. No STRH, B&B, or TVR may be designated as a quarantine location for a new or "intended" Hawaii resident more than once in any six-month period.

STRH, B&B, and TRV may provide lodging for persons performing critical infrastructure ("CISA") functions, as described in Exhibit B to

the Twelfth Proclamation and Section III.A of the Thirteenth Proclamation, who have been issued a limited quarantine exemption by the State or County, provided quarantine restrictions are followed. The property owner, manager, agent, landlord, tenant, and guest shall each be responsible for ensuring, and documenting, compliance with this Rule. Documentation shall be provided to the County, at the County's request. Failure to provide such documentation within the time specified in the request shall be deemed a violation of this rule.

Rule 12: Requests for Limited Quarantine and Quarantine Exemptions.

- a. **Requests for Limited Quarantine.** A quarantine exemption request must be made at www.mauicounty.gov. Requestors must timely supply all required documentation.
- b. **CISA Limited Quarantine Exemption.** Persons who travel into Maui County solely to conduct critical infrastructure ("CISA") functions, as identified in Exhibit B to the Governor's Twelfth Proclamation and Section III.A of the Governor's Thirteenth Proclamation, may be approved for a limited "home-to-work" quarantine exemption. If a limited exemption is granted by the County, such person may go to and from work only and shall be subject to all quarantine restrictions when not performing their critical infrastructure work or engaging in the activity expressly exempted.
- c. **Maui County Travel.** Persons not subject to any quarantine who travel solely within the islands of Maui County will not be subject to quarantine or pre-travel COVID-19 testing when traveling within Maui County. This exemption does not apply if any portion of the travel is outside Maui County, including connecting flights through Oahu.
- d. **Negative COVID-19 Test – Pre-arrival.** Interisland and transpacific travelers age five and older who provide written confirmation of a negative test result from an approved COVID-19 test administered to

the traveler within 72 hours from the last leg of departure prior to arrival into Maui County, are exempt from quarantine. Children under the age of five traveling with parents or guardians who have negative COVID-19 test results are exempt from quarantine.

“Approved COVID-19 test” means a test to determine the presence of active COVID-19 infection that has been approved for use by the DOH. Currently approved is the processing by laboratories that are licensed or certified by Clinical Laboratories Improvement Amendments (CLIA) of specimens for nucleic acid amplification testing approved or authorized by the United States Food and Drug Administration, pursuant to an Emergency Use Authorization or other authorization for COVID-19 testing. For information on COVID-19 testing, visit <https://www.fda.gov/consumers/consumer-updates/coronavirus-testing-basics>.

Interisland and transpacific travelers who can provide proof of submission but whose negative test results for COVID-19 are not available at the time of arrival, must quarantine pursuant to Rule 11 at their place of lodging, but may thereafter submit their negative test result to the State by uploading such verification to www.travel.hawaii.gov.

Only upon receipt of written acceptance of the negative test result will the traveler no longer be subject to the mandatory self-quarantine. Persons who require paid or commercial lodging while awaiting the negative test result, upon providing proof of such testing uploaded to www.travel.hawaii.gov, may designate a hotel, motel, STRH, B&B, or TVR as their place of quarantine. The host of any person subject to mandatory self-quarantine are subject to all provisions of these Rules and the Governor’s proclamation. In the event a positive test result is received, the traveler must immediately report such result to the Maui District Health Office of the DOH and may need to remain at the quarantine property or as otherwise directed by the DOH.

- e. **Costs.** Persons shall bear all costs related to their pre-travel testing, and any subsequent costs related to their COVID-19 status, including, but not limited to, monitoring, lodging, potential isolation, and any associated care.

These rules shall take effect on October 15, 2020 at 12:01 a.m., unless otherwise specified, and repeal the Emergency Rules promulgated October 1, 2020. With the exception of Rule 3, these Rules shall be repealed upon the earlier of: 1) subsequent promulgation or 2) termination of the Proclamation of Emergency for Maui County.

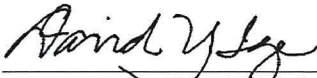


MICHAEL P. VICTORINO
Mayor
County of Maui
October 6, 2020



M. LUTEY
Cor or, tion Counsel
County of Maui

REVIEWED ON BEHALF OF GOVERNOR DAVID Y. IGE BY:



Print Name: David Y. Ige
Title: Governor
Date:

EXHIBIT "A"

RULES FOR
DESIGNATED BUSINESSES AND OPERATIONS

1. Businesses may request reconfiguration of the customer usage area, such as expansion of table seating or merchandise display into a business's parking lot, in order to provide for adequate physical distancing, by letter to the Mayor's Office. Such reconfiguration shall not exceed the scope of the use pre-Covid.
2. Golf courses, provided they follow restrictions/guidance by the PGA.
3. Bowling alleys, provided they follow restrictions/guidance by the United States Bowling Congress or similar entity.
4. Safety inspection stations.
5. Auto dealerships, including showrooms.
6. Retail and repair services that do not involve physical contact.
7. Photographers and photo studios.
8. Food courts. See Restaurants, below, for operating restrictions that shall also apply to food courts.
9. Condominium or apartment common areas.
10. Automated service providers that do not require human interaction between the service provider and the customer, including, but not limited to, fully automated car washes.
11. Mobile service providers that provide services on a mobile basis in which no human interaction between the service provider and the customer, including, but not limited to, mobile pet grooming and car washing/detailing businesses.
12. Music instruction should follow the National Federation of State High School Associations and National Association of Music Education's Fall 2020 Guidance for Music Education, available at https://www.nfhs.org/media/3812373/nafme_nfhs-guidance-for-fall-2020-review-june-19-2020-final.pdf, to the extent feasible.
13. Choirs with musicians are permitted to rehearse and perform, on condition that each member is spaced a minimum of 10 feet away from each other and in compliance with proper sanitation of all equipment, chairs, and high touch areas. Masks will not be required of singers during rehearsal or performance.
14. Musical performances. No more than 10 musicians on stage, six-foot distance between musicians, and a minimum of ten feet between the stage and audience. No dance floor or other area where audience members may congregate shall be allowed. Seating should follow restaurant guidelines, or for stadium type seating, physical distancing described in Rule 5 is required (maximum number of occupants, distancing between groups).
15. In-person spiritual services may be conducted provided all of the following are implemented:

- a. All persons present at the service must maintain six (6) feet of physical distance between others, except members of the same household or living unit. Organizers are should limit the number of persons attending in-person spiritual services to ensure this physical distancing requirement is met.
 - b. Organizers and employees are strongly encouraged to develop and implement appropriate COVID-19 mitigation plans and procedures for their respective in-person services, which must include, but are not limited to, addressing the following issues:
 - i. Usage of face coverings as detailed in Rule 5(A).
 - ii. Safeguards for higher risk populations consistent with CDC guidance, available at <https://www.cdc.gov/coronavirus/2019-ncov/faq.html#Higher-Risk>.
 - iii. Persons who are sick.
 - iv. Personal hygiene.
 - v. Usage of hand sanitizer and sanitizing products.
 - vi. Cleaning and disinfection.
 - vii. Online and remote access and/or drive-in services.
 - viii. Signage.
 - ix. Limiting community sharing of worship materials and other frequently touched items.
 - x. Projection of hymns and verses, when possible.
 - c. Organizers and employees of in-person spiritual services must follow to the greatest extent possible current COVID-19 related County guidelines, State of Hawaii guidelines, CDC guidelines (available at <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/index.html>).
16. Drive-in spiritual, and non-spiritual, services or events (such as drive-in movies) provided:
 - a. Persons attending services must drive up in an enclosed vehicle and remain in that same vehicle during the entire event. Sitting in the bed of an open-air pickup truck is allowed.
 - b. Vehicle windows, sunroofs, and convertible tops must remain closed during the entire service, unless the vehicle is parked more than six (6) feet away from any other vehicle.
 - c. Persons within the same vehicle must wear face coverings as provided in Rule 5, unless the vehicle is occupied only by members of the same household or living unit.
 - d. Organizers and all participants must follow current County Rules, State, and CDC guidelines.
 - e. Organizers, observing physical distancing, should be present to ensure proper spacing between vehicles and the orderly compliance

- of all guidelines. Organizers should not interact with vehicle occupants beyond requesting their compliance with all guidelines.
- f. Organizers should use cashless or other non-contact methods for monetary transactions, including collections.
 - g. Presentations may be conducted by radio transmitters, or streamed over the internet.
17. Restaurants, bars, food courts, commercial events such as luau and weddings, and other food establishments in the County shall comply with the following requirements:
- a. General.
 - i. Compliance with Physical Distancing Requirements in Rule 5.
 - ii. Compliance with all regulatory guidelines.
 - iii. Development, posting, and implementation of written protocols ("COVID-19 Mitigation Plan") consistent with County, State, industry-specific associations or organizations, and CDC guidance to mitigate the spread of COVID-19 including, but not limited to the following:
 - 1. <https://www.cdc.gov/coronavirus/2019-ncov/downloads/community/restaurants-and-bars-decision-tree.pdf>
 - 2. <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/business-employers/bars-restaurants.html>
 - 3. <https://www.oneoahu.org/business-guidance>
 - b. Operations.
 - i. Face coverings (as defined in Rule 5).
 - 1. Employees must wear face coverings.
 - 2. Customers - Customers must wear face coverings when entering and leaving the restaurant facility, but may remove the face coverings while seated.
 - ii. Seating is arranged so that six (6) feet of separation is maintained between tables.
 - iii. Condiments shall be by request in single-use disposable packets, or reusable condiment containers that are sanitized between parties.
 - iv. Condiments, silverware, flatware, glasses, or other traditional table top items must not be left on an unoccupied table.
 - v. Tables and chairs must be fully sanitized after each group (or individual customer) leaves the restaurant.
 - vi. Disposable foodware and utensils should be used when available. When non-disposable foodware or utensils are used, they must be sanitized after each use consistent with DOH

guidance and regulations, and “best practices” of the FDA (available here: <https://www.fda.gov/food/food-safety-during-emergencies/best-practices-re-opening-retail-food-establishments-during-covid-19-pandemic>), as updated or superseded.

- vii. Provide disposable menus or menu board, or sanitize reusable menus after each use.
- viii. Hourly touch-point sanitization (workstations, equipment, screens, door knobs, restrooms, etc.) required.
- ix. Valet services are prohibited, except for vehicles with placards or plates for disabled parking.
- x. Buffets, salad bars, and other types of self-service of food or beverages are not allowed.
- xi. For restaurants that accept reservations, entry into the restaurant is on a reservation only basis, and parties must wait in their vehicle until called into the restaurant.
- xii. No dancing or singing by customers (no karaoke).
- xiii. Music performance allowed (see No. 13, above).

c. Hygiene.

- i. Employer must provide hand washing capability or sanitizer for employees and customers.
- ii. An adequate supply of soap, disinfectant, hand sanitizer, and paper towels must be available at all times.
- iii. Frequent hand washing by employees, especially between interactions with customers.

d. Staffing.

- i. Provide training for employees regarding these requirements.
- ii. Conduct pre-shift screening, and maintain a staff screening log.
- iii. No employee displaying symptoms of COVID-19 should provide services to customers. Symptomatic or ill employees should not report to work.
- iv. No person should work within 72 hours of exhibiting a fever or other COVID-19 symptoms, and follow the CDC’s “What To Do If You Are Sick” guidance, available at <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>.
- v. Employer must establish a plan for employees getting ill and a return-to-work plan following CDC guidance, which can be found online at: <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>.

- e. Cleaning and Disinfecting.
 - i. Cleaning and disinfecting must be conducted in compliance with CDC guidance.
 - ii. When an active employee is identified as being COVID-19 positive by testing, cleaning, and disinfecting must be performed as soon after the confirmation of a positive test as practical consistent with CDC guidance.
 - iii. CDC guidance can be found online at: <https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>
- f. Specific requirements for bars:
 - i. Limit occupancy to no more than fifty percent (50%) of the maximum occupant load of the bar.
 - ii. Limit groups within the bar to a maximum of ten (10) individuals per group.
 - iii. Ensure groups within the bar maintain at least six (6) feet of separation from other groups.
 - iv. Prohibit groups within the bar from intermingling.
 - v. Designate areas to separate groups at least six (6) feet apart from each other. (E.g., through ropes or other physical separation for standing areas, or the seating of guests at separate tables, or both).
 - vi. Ensure individuals in different groups maintain a minimum of six (6) feet of physical distance from each other to the greatest extent possible.
 - vii. Require all employees to wear face coverings.
 - viii. Ensure all customers wear face coverings when entering and leaving the bar, but allow customers to remove the face covering while in the bar.
- g. Encouraged practices:
 - i. Have customers enter and exit through different entries using one-way traffic, where possible.
 - ii. Start or continue entryway, curbside, and home delivery.
 - iii. Encourage making reservations, preordering for dine-in service, and ordering for contactless pickup and delivery either by telephone or other remote means.
 - iv. If meals are provided to employees, employers are recommended to have the meal individually packaged for each employee.
 - v. Implement cashless and receiptless transactions.
- h. Any exceptions to these provisions for special events must be approved by the County of Maui.

18. Close-contact personal services, such as hair and nail salons, tattoo parlors, estheticians, and massage, may conduct business, provided operators are in compliance with State law and administrative rules.

a. Hygiene

- i. Employees are required to wash hands immediately, upon entry, and prior to and following each service and break.
- ii. All employees will be required to wear a CDC-recommended face mask whether servicing clients or not. Technicians may utilize plexiglass shields between employee and client.
- iii. Patrons must come alone without guests, except where the patron requires the assistance of another adult; minors receiving services are allowed one accompanying adult.
- iv. All patrons must wear a mask or cloth face covering pursuant to Rule 5, unless receiving treatment that specifically involves the face or head (e.g., facials, shaving, trimming around the ears).
- v. Patrons must wait outside for appointments, either in cars, or in lines allowing for 6 feet of separation.
- vi. Patrons will be asked to remain seated in designated workstation/chair until otherwise necessary or for an emergency.
- vii. Patrons must use hand sanitizer and or wash hands immediately upon entry.

b. Monitoring and screening workers and clients

- i. Employees who are sick must stay home.
- ii. Shop owner/managers must provide training, educational materials, and enforcement of proper sanitation and all applicable rules.
- iii. Businesses must keep detailed daily logs of their daily business, including who came in, on what day and time, contact information, and service provider.
- iv. Employees must be temperature screened upon arrival. Any employee with a temperature of 99 degrees or higher must be immediately sent home.
- v. Each employee and client must be asked the following intake questions daily/at scheduling of the appointment, and upon check-in for appointments (via cell phone, prior to physical entry into the salon). If any of the answers to the below is "yes," the employee is not allowed to work and customers may not receive services.
 1. Do you now, or have you had in the past 14 days:
 - a. a cough or sore throat?
 - b. fever or do you feel feverish?

- c. shortness of breath?
 - d. loss of taste or smell?
 - 2. Have you been around anyone with these symptoms in the last 14 days
 - 3. Have you been out of state in the last 14 days?
 - c. Environment
 - i. Service providers to client ratio will be 1:1.
 - ii. Services on appointment basis only; no walk-ins. Appointment scheduling must allow for adequate sanitation between appointments.
 - iii. Prior to opening and at the end of each day (at a minimum), the facility, including break room and bathroom, must be thoroughly cleaned and sanitized to CDC workplace guidance.
 - iv. Frequent daily cleaning of all high-touch surfaces.
 - v. No magazines, toys, coffee machines, or other common area offerings allowed.
 - vi. Workstations must be spaced to enforce physical distancing practices of 6 feet between clients. Businesses should consider divider shields and alternative work schedules. Workstations must be disinfected at the start and end of each shift, and in between each client.
 - vii. Capes/smocks and towels must be single-use, either disposable or washed/dried and use for only one customer. Used items must be kept in an airtight container and laundered in hot, soapy water and dried at high temperature.
 - viii. Contactless payment should be used whenever possible; credit card terminals must be wiped after each use. Customers must remain seated until called for checkout; one customer at a time. No cash payments; no tip jars.
 - ix. EPA-approved disinfectant or disinfecting techniques must be used for technical implements and work areas.
 - d. Nail salons/services
 - i. Pedicure bowls must be disassembled and disinfected daily; for bowls with jets, they must run a minimum of 10 minutes with disinfection.
 - ii. Manicurists are encouraged have plexiglass or similar shields between technician and client.
19. Canoe paddling. Six-person (single hull/OC-6) or 12-person (double hull/OC-12) canoe paddling will be allowed with the following conditions:
- a. Only official members of a canoe club shall participate in OC-6 or OC-12 practices, in compliance with the restrictions on Outdoor Sports, Phase 1, as reasonably practicable, and these paddling-

- specific restrictions. Recreational practices for non-members, guests, visitors, or drop-ins shall not be allowed.
- b. To the extent possible, members of a canoe club wishing to paddle should register with their respective club for each paddling session for contact tracing purposes. Canoe clubs shall maintain the record of each paddling session for at least one month from the date of activity.
 - c. Canoe clubs are encouraged to create “crew bubbles,” such that when crews are established, paddlers stay within their assigned crew to limit potential exposure to other club members.
 - d. Participation is voluntary. Individuals who are sick, exhibiting any symptoms, or have been exposed to anyone who is ill, COVID-19 positive, shall not be allowed to participate for 14 days from the date of exposure or the cessation of symptoms, or as otherwise approved by a healthcare professional. Persons subject to quarantine, and persons residing within the same household as a person subject to quarantine, shall not participate.
 - e. To the extent possible, paddlers should continue paddling with the same crew members and not switch crews.
 - f. Water or shoreline changes between crew members during a paddling session should not be allowed (must stay in the same seat assigned), unless done so for safety or health purposes.
 - g. Coaches must follow the restrictions in Outdoor Sports, Phase 1. Workouts or plans for paddling sessions should be shared with participants electronically or on bulletin boards prior to the activity. Coaching should be limited to one crew at a time.
 - h. To the extent possible, paddling activities should be time staggered between crews to avoid large gatherings, and crews must remain physically separated.
 - i. To the extent possible, club paddles should be assigned to individuals during this period, or individuals should bring their own ancillary equipment and supplies. Sharing of personal paddles, seat cushions, gloves, personal care products, water bottles / hydration systems and other similar items are prohibited.
 - j. Canoe club facilities or hales may be used for non-essential events or other social gatherings, in compliance with limitations on groups in Rule 4.
 - k. Paddlers should follow proper hygiene protocols, including washing hands or using hand sanitizer before and after participating. Gloves and masks are encouraged, but not required. Canoe clubs shall make soap and/or hand sanitizer available for participants.
 - l. All touch points should be disinfected before each use, including iakos, manus, seats, gunnels, bailers, and other similar items. Canoes and other equipment are recommended, but not required, to be left out in the sun and ambient temperature in between uses.

- m. To the extent possible, when launching or concluding activities, canoe clubs should utilize wheels or other mechanical assistance to move the canoes, and avoid contact between paddlers.
 - n. To the extent possible, wheels should be left under the canoes when not in use, and when concluding activities wheels should be placed under the canoe while still in the water.
- 19. Commercial and recreational boating will be allowed, subject to all County or State regulations, including any specific operational restrictions imposed by the State of Hawaii Department of Land and Natural Resources, and the following conditions:
 - a. Larger boats with a Coast Guard-rated capacity of more than 10, may allow not more than 50% of the rated capacity individuals allowed on the boat, including the boat crew.
 - b. Sanitation rules detailed in Rule 5 are followed.
- 20. Outdoor organized sports (phase 1). This section applies to outdoor organized sports such as baseball, soccer, outdoor volleyball, surfing, swimming, and similar outdoor sports ("Sports Program(s)"). Starting June 15, 2020, Sports Programs may reopen for skill-building drills and team-based practice, but not competitive play ("Phase 1") under the following requirements and conditions:
 - a. Activities are limited to skill-building drills and team-based practice in which physical distancing of six (6) feet or more between participants may generally be maintained.
 - b. No close contact activities, including, but not limited to, huddles, high fives, and handshakes.
 - c. Groups are limited to a single Sports Program team, or a maximum of 30 participants, including players and coaches, whichever is less. (This is an exception to the general rule restricting groups to 10 or less contained in Rule 4). Where multiple groups are present at a facility or field, Sports Program operators must implement measures to ensure that groups maintain six (6) feet of physical distance between each other at all times (i.e., no mingling between groups).
 - d. To the greatest extent reasonably practicable, physical distancing of at least six (6) feet between members of different households/living units should be maintained; and face coverings should be worn at all times unless engaged in active practice.
 - e. Sports Program operators must implement measures to ensure that:

- i. To the extent consistent with this section, and to the extent reasonably practicable: (1) the Sports Program operators and participants shall follow applicable guidance from the CDC (available at <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/businesses-employers.html>); and (2) established and reputable COVID-19-related guidelines for the facility and the activity at issue.
 - ii. Physical distancing protocols and procedures exist for staff, athletes and non-program participants (including parents/guardians), with special consideration for the type of athletic activities engaged in, entrances and exits, queues, bottlenecks, facility layouts, and safe capacity limits.
 - iii. Staff and athletes are screened (via self-screening or otherwise) regularly for illness or exposure to COVID-19.
 - iv. Staff, athletes, and non-program participants (including parents/guardians) always wear face coverings when spectating, arriving, and leaving. The presence of non-participants should be discouraged during Phase 1.
 - v. There is no socializing in groups before or after (unless otherwise authorized by these Rules).
 - vi. Individuals from outside the Sports Program are limited in their interactions with staff and participants during drop off/pick up.
 - vii. Athletes who are sick from COVID-19 may not attend a practice or training until they are cleared for release from isolation according to CDC guidelines and cleared to return by a healthcare provider.
 - viii. Any staff or athlete exposed to a person with a confirmed or probable case of COVID-19 may not attend the program until they have completed quarantine following CDC guidelines.
 - ix. All program activities are evaluated to identify and mitigate “high-risk” activities (shared equipment, incidental close contact, etc.) to reduce or prevent COVID-19 transmission.
 - f. Individuals must comply with any requirements imposed by the Department of Parks and Recreation.
 - g. Nothing in this section requires a public or private Sports Program to open.
21. Competitive play for outdoor Sports Programs. Excluded from this section are outdoor sports and similar activities that require sustained close contact, such as outdoor wrestling, boxing, and mixed martial arts. These close contact sports may continue under Phase 1 (above). Sports

Programs may conduct competitive play under the following requirements and conditions:

- a. Activities may include competitive team play (e.g., one baseball team against another, or one soccer team against another), ocean-related competitions, or training. (This is an exception to the general rule on groups of 10 persons or less contained in Rule 4).
- b. When not engaged in competitive team play or training that requires close contact, close contact should be reduced or eliminated to the extent possible (e.g., sitting close to teammates on a bench, standing close to teammates or opponents during downtime).
- c. No close contact activities outside of those necessary to carry out the competitive team play or training, including, but not limited to, huddles, high fives, and handshakes.
- d. No more than two Sports Program teams may compete against each other on an outdoor field, court, etc. at a time. Each Sports Program team is limited to a maximum of 30 participants, including players and coaches. Where other competitive play/games are scheduled on the same field, court, etc., Sports Program operators must implement measures to ensure that teams waiting to play maintain six (6) feet of physical distance from the other teams playing at all times (i.e., no mingling between groups).
- e. To the greatest extent reasonably practicable, physical distancing of at least six (6) feet between members of different households/living units should be maintained; and face coverings should be worn at all times unless engaged in active play.
- f. No more than 100 people should be present at any competitive play event allowed under this section, including any participants and coaches from sports program teams.
- g. Sports Program Operators must work with the Department of Parks and Recreation and implement measures to ensure that:
 - i. To the extent consistent with this section, and to the extent reasonably practicable: (1) the Sports Program operators and participants shall follow applicable guidance from the CDC ([available at https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/businesses-employers.html](https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/businesses-employers.html)); and (2) established and reputable COVID-19-related guidelines for the facility and the activity at issue.

- ii. Physical distancing protocols and procedures exist for staff, athletes and non-program participants (including parents/guardians), with special consideration for the type of athletic activities engaged in, entrances and exits, queues, bottlenecks, facility layouts, and safe capacity limits.
 - iii. Staff and athletes are screened (via self-screening or otherwise) regularly for illness or exposure to COVID-19.
 - iv. Staff, athletes, and non-program participants (including parents/guardians) always wear face coverings when spectating, arriving, and leaving.
 - v. Socializing in groups before or after the activity is subject to Rule 4.
 - vi. Individuals from outside the Sports Program are limited in their interactions with staff and participants during drop off/pick up.
 - vii. Athletes who are sick from COVID-19 may not attend the activity until they are cleared for release from isolation according to CDC guidelines and cleared to return by a healthcare provider.
- 22. Film Production. Provided written authorization is obtained in advance by the Mayor's office, local, national, and international film production, television production, streaming production, and similar production may operate in the County based on the guidelines and recommendations for production cast and crew members available at https://www.honolulu.gov/rep/site/oed/oed_docs/Guidelines_and_Best_Practices_for_filming_on_the_Island_of_Oahu_during_the_time_of_COVID_060320.pdf.
- 23. Commercial event operators. Under the supervision of professional event planners or venues, commercial events (such as luau or weddings) may be conducted with the following restrictions:
 - a. Outdoor venues only.
 - b. Maximum 100 persons, including staff.
 - c. Table seating required. Maximum of 10 persons per table. Each table should be reserved for members of the same household only (no intermixing of parties).
 - d. Food and beverage service must comply with the requirements for Restaurants/Bars in Paragraph 17.
 - e. Musicians must comply with the requirements in Paragraph 14.
 - f. Karaoke or other guest singing is not allowed.
 - g. Dancing by guests are not allowed, except for customary dances such as between a bride/groom or parent/child at a wedding.

- h. Any requests for variation from these rules (e.g. for larger events such as luau) must be approved by the County of Maui.
- 24. Movie theaters provided written authorization is obtained in advance by the Mayor's office.

EXHIBIT F

DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

November 13, 2020

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 11-200.1, 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.:	20MD-088
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 24 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 March 3, 2020, 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 Part 1, Item No. 44, that states "Permits, licenses, registrations, and right-of-entry issued by the Department that are

EXHIBIT G

Cumulative Impact of
Planned Successive
Actions in Same Place
Significant:

routine in nature, involving negligible impacts beyond that previously existing.”

Action May Have
Significant Impact on
Particularly Sensitive
Environment:

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

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.