

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

June 9, 2022

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

PSF No.: 22MD-033

Maui

Issuance of Right-of-Entry Permit to TS Aloha, Inc. for Event Operations Purposes Related to the 2022 Kimo's Longboard Contest, a One-Day Event, with a Holding Period of June 10 through July 24, 2022, at Lahaina, Maui, Tax Map Key (2) 4-5-004: Seaward of 012.

APPLICANT:

TS Aloha, Inc., a Hawaii profit corporation.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situate at Lahaina, Maui, identified by Tax Map Key (2) 4-5-004: Seaward of 012, as shown on the attached map labeled Exhibit A, and overview photo labeled Exhibit B.

AREA:

Total: 900 square feet, more or less

200 sq. ft. judging tent

200 sq. ft. scoring tent

100 sq. ft. announcer and sound tent

Total area takes into consideration the entire area being used and not just the footprint of the tents.

CONSIDERATION:

Total Cost: \$90.00 (one-time payment based on \$.10 per square foot per day).
Area of requested use 900 square feet for one day.
(900 SF x \$.10/day = \$90.00)

ZONING:

State Land Use District: Conservation

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

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

CURRENT USE STATUS:

Unencumbered

CHARACTER OF USE:

For setting up three event tents

TERM OF RIGHT-OF-ENTRY:

One day event from 7:00am to 5:00pm

This Right-of-Entry permit will be in effect from June 10, 2022 through July 24, 2022 (holding period). This one-day event will be determined by surf conditions at the Mala surf break.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to General Exemption Type 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Item No. 44, that states "Permits, licenses, registrations, and right-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing." The Exemption Notification is attached as Exhibit C.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>x</u>	NO <u> </u>
Registered business name confirmed:	YES <u>x</u>	NO <u> </u>
Applicant in good standing confirmed:	YES <u>x</u>	NO <u> </u>

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Obtain required permits from the DLNR Division of Boating and Ocean Recreation for the ocean water portions of this event; and
- 2) Upon completion of the event the area shall be cleaned and all temporary structures removed in their entirety.

REMARKS:

TS Aloha, Inc. is requesting the use of 900 square feet of unencumbered State land along the shoreline at the end of Ala Moana Street at Lahaina, Maui. The area will accommodate three shade tents which will be used for judges, scoring and contestants, and for event announcements and sound. Applicant's diagram identifying location of event activities is attached as Exhibit D. This will be for the 45th annual Kimo's Longboard surf contest. The intent of the event is to provide for friendly competition for all involved.

The requested holding period for this one-day event will begin on Friday, June 10, 2022, and run through Sunday, July 24, 2022. The start of the event will be determined by desired surf and overall weather conditions.

The proposed activity is of a similar type and scope of beach activities that regularly occurred and continue to occur on this and other beach areas across the State. Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. As such staff believes that the proposed event/use would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

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

The DLNR Office of Conservation and Coastal Lands (OCCL), Division of Boating and Ocean Recreation (DOBOR), and Division of Aquatic Resources (DAR), Office of Hawaiian Affairs (OHA), and the County of Maui Department of Parks and Recreation (County Parks) were consulted with regard to the proposed activity at the subject area. DAR had no objections, and County Parks recommended that Applicant provide a parking plan for the

event as well as notify them if any County Parks are expected to be impacted. Staff reached out to Applicant who stated that parking will be on both sides of Ala Moana Street and at the Jodo Mission, with permission of the Mission. OCCL, DOBOR, and OHA did not respond by the suspense date.

RECOMMENDATION: That the Board

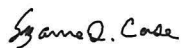
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a right-of-entry permit to TS Aloha, Inc., covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time; and
 - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



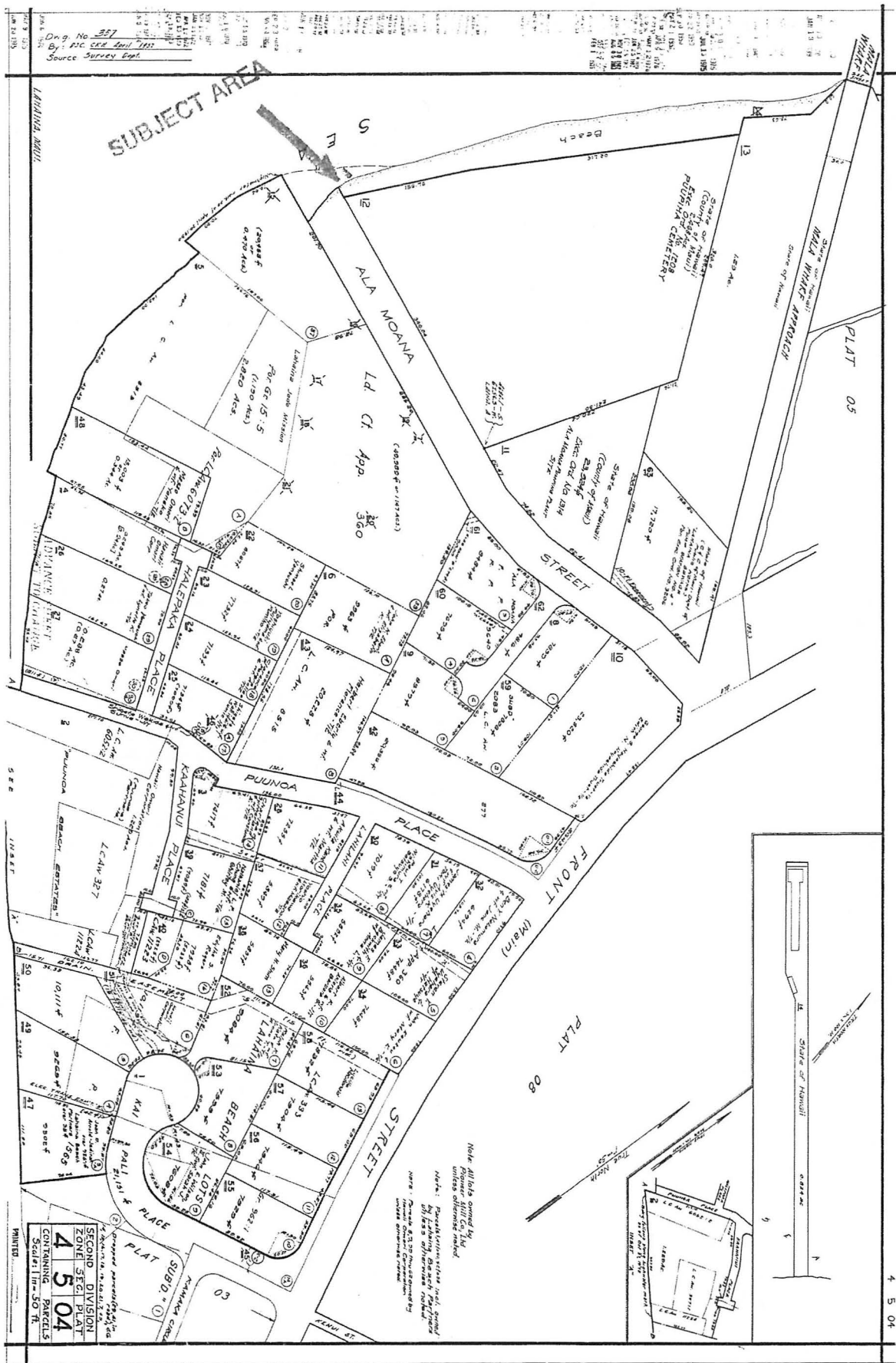
Seiko Machida
Land Agent

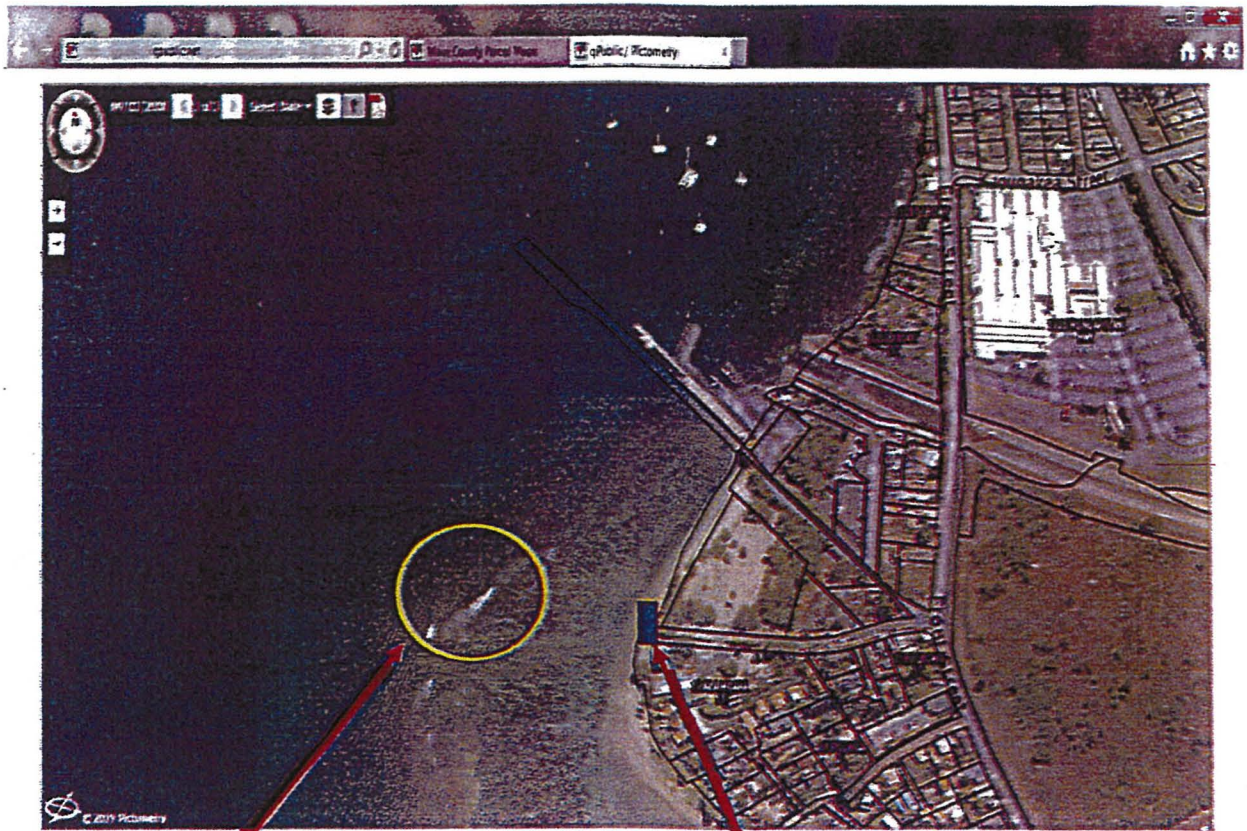
APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson







Surf contest area.

Event tents

PSF# 19MD-041

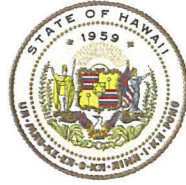
Jack Star

Kimo's Mala Longboard Surf Contest

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

Exhibit B

DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

June 9, 2022

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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

EXEMPTION NOTIFICATION

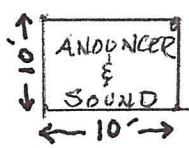
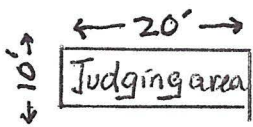
Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title:	Issuance of a Right-of-Entry Permit to TS Aloha, Inc. for Kimo's Mala Longboard Contest
Project Location;	Lahaina, Maui, Tax Map Key: (2) 4-5-004: Seaward of 012.
Project Description:	Use of 500 sq. ft. for surf contest tents, staging and operations. One day event.
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No. and Description:	In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Item No. 51, that states "Permits, licenses, registrations, and right-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing."
Cumulative Impact of Planned Successive Actions in Same Place Significant:	Not applicable. Use of this area is not on a routine or regular basis.
Action May Have Significant Impact on Particularly Sensitive Environment:	DLNR staff believes there is no significant impact to sensitive environmental or ecological receptors.

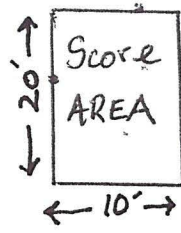
Agencies Consulted:	The DLNR Office of Conservation and Coastal Lands (OCCL), Division of Boating and Ocean Recreation (DOBOR), and Division of Aquatic Resources (DAR), Office of Hawaiian Affairs (OHA), and the County of Maui Department of Parks and Recreation (County Parks) were consulted with regard to the proposed activity at the subject area. DAR had no objections, and County Parks recommended that Applicant provide a parking plan for the event as well as notify them if any County Parks are expected to be impacted. Staff reached out to Applicant who stated that parking will be on both sides of Ala Moana Street and at the Jodo Mission, with permission of the Mission. OCCL, DOBOR, and OHA did not respond by the suspense date.
Analysis:	Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area.
Findings:	Staff believes that the request would involve negligible or no expansion or change in use of the subject area beyond that previously existing.
Recommendation:	It is anticipated that these periodic beach events will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

SURF BREAK OCEAN SURF BREAK

BEACH



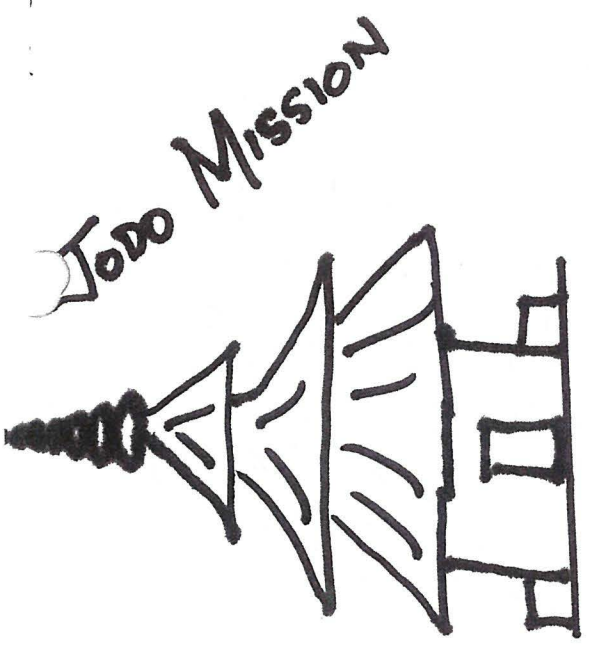
BEACH



GUARD RAIL

Pedestrian
ENTRANCE

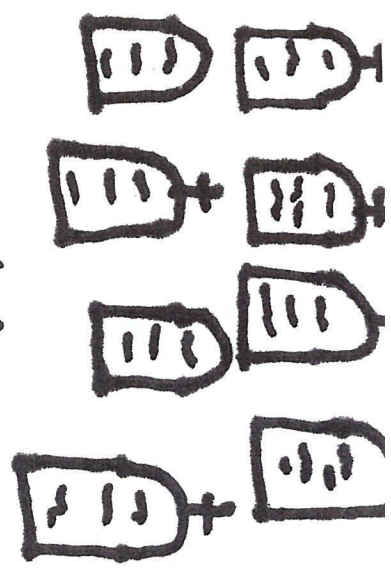
GUARD RAIL



Iodo Mission

ALAMOANA STREET

GRAVE YARD



PUUPUHA
CEMETERY