

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

April 24, 2015

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

PSF No.: 15MD-060

Maui

Issuance of Right-of-Entry Permit to Jack Starr of TS Aloha, Inc. for the Kimo's  
Mala Longboard Surf Contest at Lahaina, Maui, Tax Map Key: (2) 4-5-004:  
Seaward of 012.

APPLICANT:

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

LEGAL REFERENCE:

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

LOCATION:

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

AREA:

500 square feet, more or less.

ZONING:

State Land Use District: Conservation  
County of Maui CZO: Special Management Area

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:

Erection of three tents for shade purposes during surf event.

TERM OF RIGHT-OF-ENTRY:

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

This Right-of-Entry permit will be in effect from May 1, 2015 through September 30, 2015. This one day event will be contingent on surf conditions at the Mala surf break.

CONSIDERATION:

\$50.00

\$.10 per square feet per day (500 sq. ft. x \$.10 per sq. ft. = \$50.00)

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Sections 11-200-8(a)(1) & (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, 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 Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

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 approval and all required permits for this event from the Department of Land & Natural Resources, Division of Boating and ocean Recreation.

REMARKS:

Mr. Jack Starr of TS Aloha, Inc., is requesting the use of 500 square feet of unencumbered State land along the shoreline at the end of Alamoana Street at Lahaina, Maui. The area will accommodate three shade tents which will be used for judges, scoring and contestants, and for event announcements and sound. This is the 39<sup>th</sup> annual Kimo's Mala Longboard surf contest. The intent of the event is to provide for friendly competition for all involved. This year's event will once again be in support of the Thera Surf Foundation. The Thera Surf Foundation helps children with special needs by introducing them to surfing and other forms of ocean activities.

The requested holding period for this one day event will begin on May 1, 2015, and run through September 30, 2015. 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 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. 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.

Staff is requesting that the Maui District Land Agent be authorized to sign off on the Right-of-Entry permit upon notification from event organizers of a start date. This will help to expedite the issuance of the permit and meet the needs of the applicant.

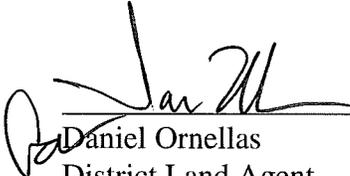
Mr. Starr has been in contact with the Division of Boating and Ocean Recreation and is working with staff to obtain all required permits for the ocean portion of this event.

RECOMMENDATION: That the Board

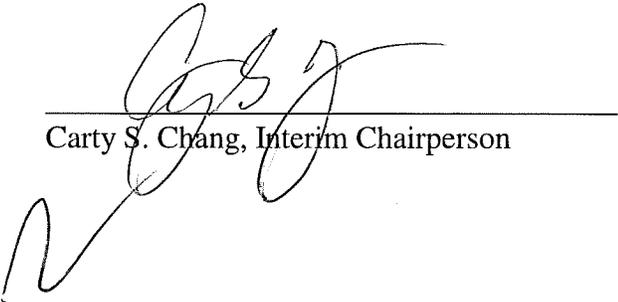
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

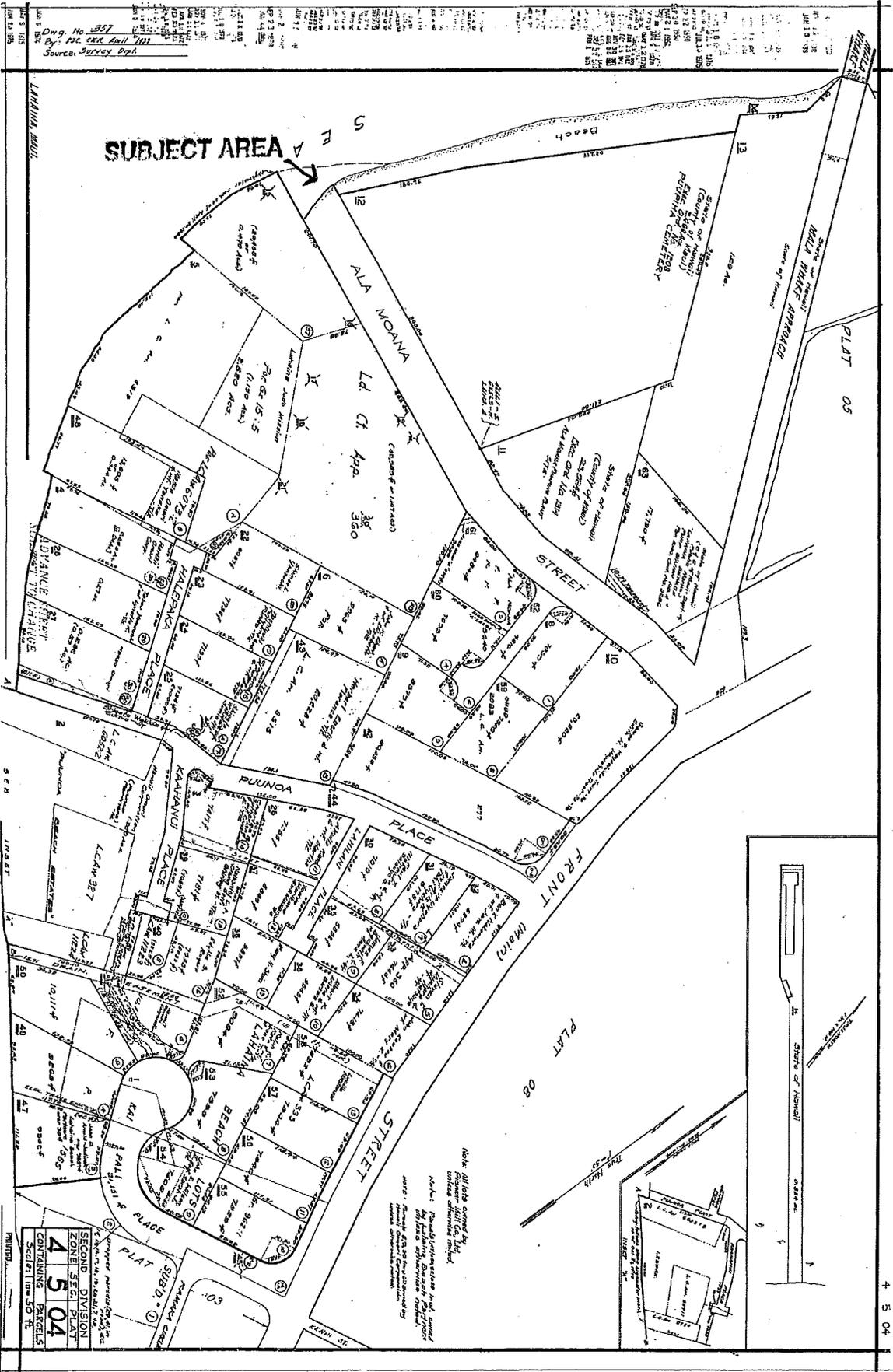
2. Authorize the issuance of a right-of-entry permit to Jack Starr of TS Aloha, Inc., covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
  - A. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
  - B. Upon notification of a start date by event organizers, authorize the Maui District Land Agent to sign off on the Right-of-Entry permit.
  - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

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

APPROVED FOR SUBMITTAL:

  
\_\_\_\_\_  
Carty S. Chang, Interim Chairperson



**EXHIBIT A**

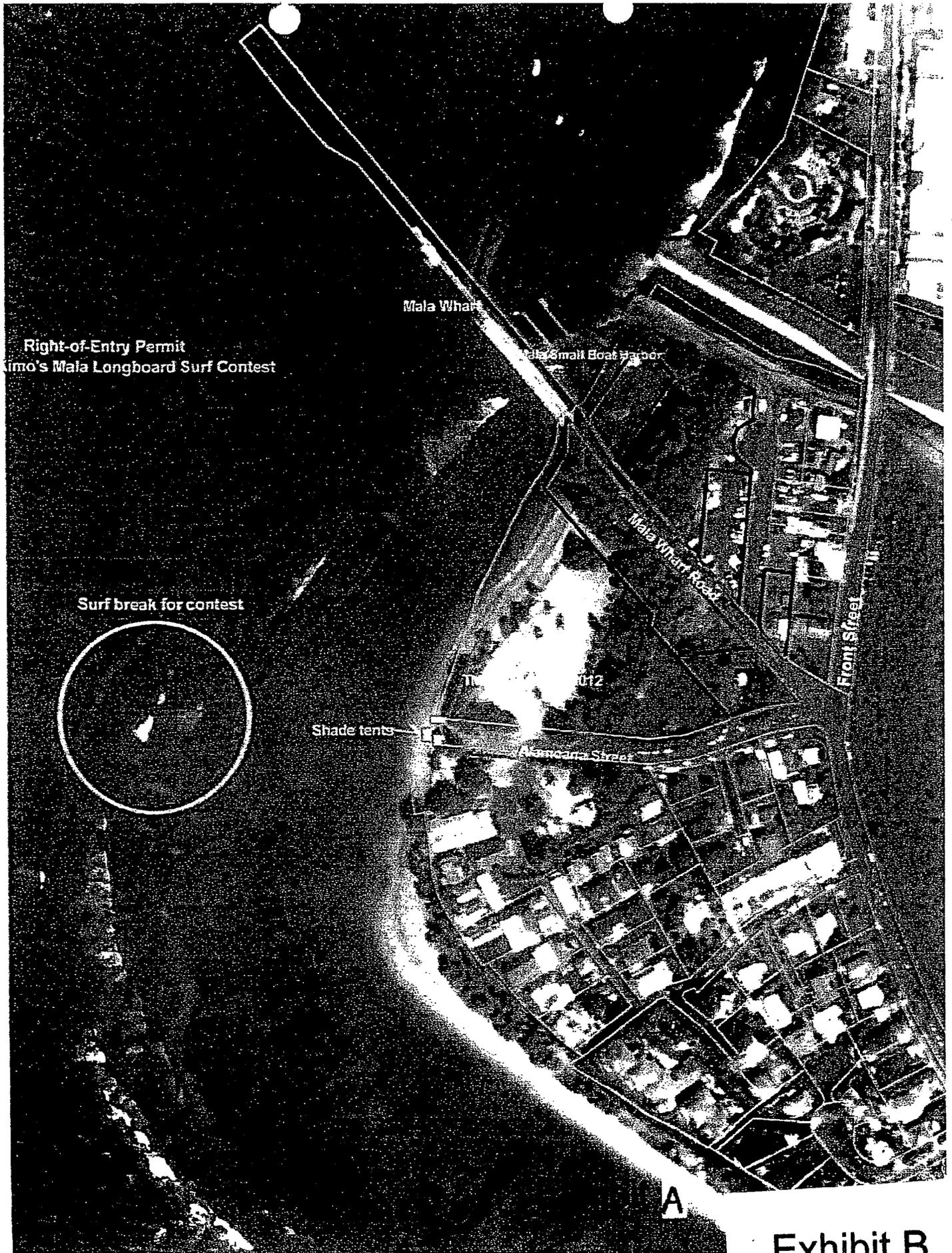


Exhibit B

DAVID Y. IGE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

April 24, 2015

CARTY S. CHANG  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

DANIEL S. QUINN  
INTERIM FIRST DEPUTY

W. ROY HARDY  
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
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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: Jack Starr of TS Aloha, Inc. Kimo's Mala Longboard Contest

Project / Reference No.: 15MD-060

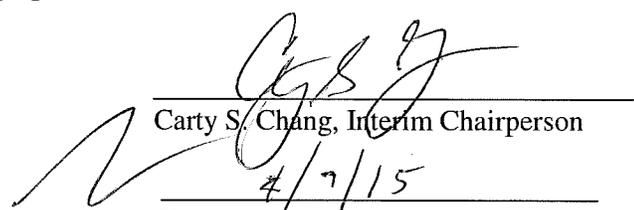
Project Location: Lahaina, Maui, Tax Map Key: (2) 4-5-004: Seaward of of 012.

Project Description: Longboard Surf Event

Chap. 343 Trigger(s): Use of State Land

Exemption Class No. and Description: In accordance with Hawaii Administrative Rule Sections 11-200-8(a)(1) & (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, 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 Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

Recommendation: It is anticipated 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.

  
Carty S. Chang, Interim Chairperson

Date 4/7/15