

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii

September 12, 2014

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

HAWAII

Issuance of Right-of-Entry Permit to World Triathlon Corporation, dba Ironman, For a Three Day Event Located on the Kailua-Kona Pier Facility, Lanihau, North Kona, Hawaii, Tax Map Key: 7-5-006:039

APPLICANT:

World Triathlon Corporation, dba Ironman, a foreign profit corporation, whose business and mailing address is 74-5599 Alapa Street, #1, Kailua-Kona, Hawaii 96740

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, and HAR 13-234 as amended.

LOCATION:

Portion of Government lands of Kailua-Kona Pier situated at Lanihau, North Kona, Hawaii, identified by Tax Map Key: 7-5-006:039, as shown on the attached map labeled Exhibit A.

AREA:

60,000 Sq. Ft. or 1.38 acres, more or less.

TRUST LAND STATUS:

Section 5(B) lands of the Hawaii Admission Act

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

Item J-1

CURRENT USE STATUS:

Presently used as an active wharf for mooring, parking, fueling, boat trailer parking, commercial activity, restrooms, boat ramp, loading/unloading passengers, cruise ship port of call, and various marine related sporting events and activities.

CHARACTER OF USE:

Conducting the Ironman Triathlon Race. The pier will be used as a transition zone during phases of the race, staging of the officials, and medical tent(s).

TERM OF RIGHT-OF-ENTRY:

The event is set to run for four (4) Days, beginning October 8, 2014 and ending October 12, 2014.

CONSIDERATION:

Rental for days requiring exclusive use of the pier
Based on HAR 13-234
 $60,000 \text{ per sq. ft.} \times .25 = \$15,000 \times .5 \text{ (less than one month)} = \$7,500.00$
 $\$7,500.00 \times 4 = \$30,000.00$

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Comprehensive Exemption List for the Division of Boating and Ocean Recreation, Department of Land and Natural Resources, State of Hawaii, as concurred in by the Environmental Council, State of Hawaii", dated March, 1995, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1 that states in pertinent part, "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." The subject support areas will have negligible or no expansion or change of use beyond that previously existing and exempt from the preparation of an Environmental Assessment.

REMARKS:

The pier is an integral and important component with this event, as it is used as the Ironman world championship's transition area. All athlete bikes are staged here. Over 2,000 athletes enter the swim course at the foot of the pier, transition to the bike leg, return bikes to this point, and transition into the run leg. The bike and run legs of the race extend out and past the surrounding Kailua-Kona Town.

The event is phased over a period of seventeen (17) days, with the pier remaining open to the general public during this time, although beginning October 8, 2014 at 6:00 PM, the pier will be shut down to the general public and the event will require exclusive use by those coordinating the event and those participating. The actual competition portion of this event commences at 12 midnight, Saturday, October 11, 2014, and ends on October 12, 2014. Please see attached Time line(s) as Exhibit B.

APPLICANT REQUIREMENTS:

The Applicant shall be required to:

1. Work closely with DLNR/DOBOR staff throughout the entire event.
2. Shall at all times, with respect to the premises, use due care for public safety and shall defend, hold harmless, and indemnify the State of Hawaii, its officers, employees, agents, and representatives.
3. The event shall have at minimum insurance covering personal injury/property liability for \$1,000,000 for each occurrence, and \$2,000,000 aggregate coverage, naming State of Hawaii as an additional insured. Proof of the insurance shall be provided to the Harbor Master prior to the event for approval by the State.
4. Apply for a Marine Ocean Event Permit, and complete the process prior to the event, with concurrence of the US Coast Guard.
5. Any necessary temporary mooring and marker buoys must be approved and coordinated with DLNR/DOBOR Harbor Master.
6. The applicant shall be responsible for all utility charges, cleaning of the restroom, and any garbage collection during the event.

RECOMMENDATION:

That the Board, subject to the Applicant fulfilling the Applicant Requirements above authorize the issuance of a right-of-entry permit covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

1. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
2. Review and approval by the Department of the Attorney General; and

3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

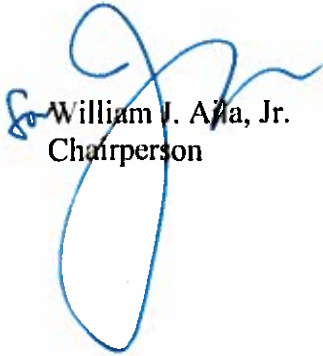
Respectfully Submitted,



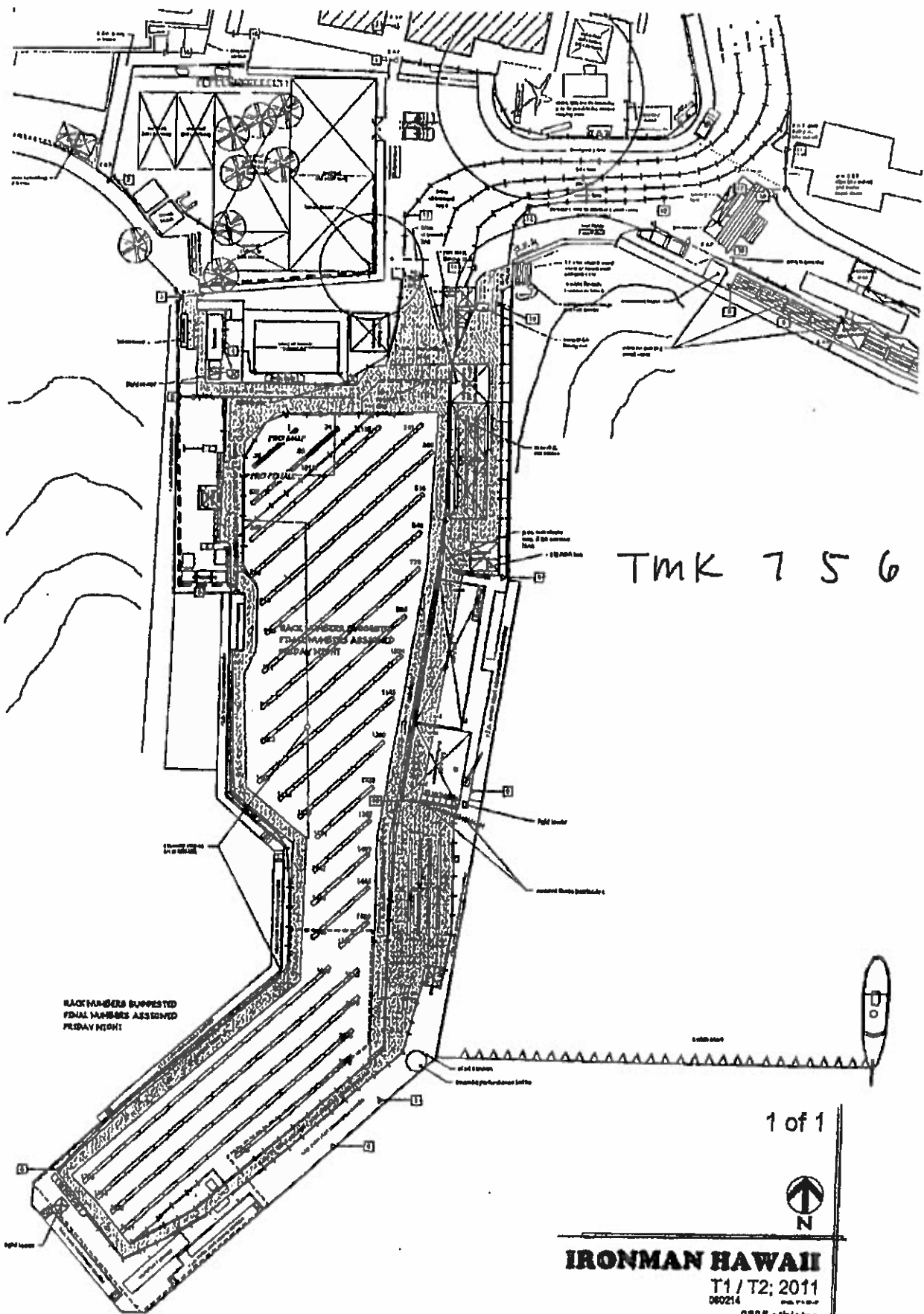
Edward R. Underwood
Administrator

Attachment: Exhibit A
Exhibit B

APPROVED FOR SUBMITTAL:



William J. Aza, Jr.
Chairperson



TMK 7 5 6 39

RACK NUMBERS SUGGESTED
FDIAL NUMBERS ASSIGNED
FRIDAY NIGHT

1 of 1



IRONMAN HAWAII
T1 / T2; 2011
060214
2326 athletes

EXHIBIT A



2014 - Timeline for Pier Uses

Date	Time	Activity
Friday, Sept. 26, 2014	9:00 am – 12:00 pm	Set-up 4 swim buoys in Kailua Bay – A total of 20 kayaks, 6-8 per day, each morning will patrol waters to keep swimmers clear of boating areas & to provide aid.
Friday, Oct. 3, 2014 – Sunday October 5, 2014	6:30 am – 10:00 am	IRON Info Booth 10 x 10 tent set up near pier entrance. Q & A about IRONMAN Event.
Saturday, Oct. 4, 2014	7:00 am – 10:00 am	IRONMAN® Swim Training Enter at Kailua Pier, swim 2.4 miles and exit at Kamakahonu Bay. Starts at 7:00 am.
Monday, Oct. 6 – Thursday Oct. 9, 2014	6:30 am – 11:00 am	IRON Info Booth 10 x 10 tent set up near pier entrance. Q & A about IRONMAN Event.
USE OF COMPLETE PIER FROM WEDNESDAY (10/8/14) 6:00 PM – SUNDAY (10/12/14) 12 NOON		
Wednesday, Oct. 8, 2014	All Day	Delivery of set-up materials will be coordinated with DLNR. See attached timeline proposed for this year.
Wednesday, Oct. 8, 2014	6:00 pm	Security starts; set-up begins in designated areas; Tent set-up; Barricade removal
Thursday, Oct. 9, 2014	All Day	Delivery of set-up materials; set-up of pier; begin set-up of swim course buoys in bay
Friday, Oct. 10, 2014	All Day	Set-up of Pier; set-up of swim course buoys in Bay, camera install on pier restrooms
Friday, Oct 10, 2014	12:00 noon – 5:30 pm	Athlete Bike & Gear check in
Saturday, Oct. 11, 2014	All Day	RACE DAY
Sunday, Oct. 12, 2014	2:00 pm	Tear down of all materials; removal of swim course buoys; clean up site