

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

November 14, 2014

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

PSF No: 13MD-182
Maui

Amend Prior Board Action of December 13, 2013, under Item D-21, for the Approval in Principle for the Issuance of a Right-of-Entry Permit to Rodney Kilborn dba Handsome Buggah Productions for a Professional Women’s Surf Event. The Purpose of the Amendment is to Change the Event’s Duration, and Increase the Cost for the Additional Day of Use at Lipoa Point, Honokohau, Honolua, Lahaina, Maui, Tax Map Key: (2) 4-1-001: Portion of 010.

BACKGROUND:

On December 13, 2013, under Item D-21 the Board of Land & Natural Resources granted an approval in principle for the issuance of a right-of-entry permit to Rodney Kilborn of Handsome Buggah Productions for a one day professional women’s surf event. This event is the last stop for the Association of Surfing Professional Women’s World Championship Tour.

The approval in principle was due to earlier discussions of the State of Hawaii’s purchase of Lipoa Point from property owner Maui Land & Pineapple Company Inc. At the time of the request there was no set date or confirmation of when and if any land purchase would be executed. Therefore, organizers of the surf event were unsure if they would be working with Maui Land & Pineapple Company Inc. or the State of Hawaii for the use of the area. On October 9, 2014, the State’s purchase of Lipoa Point, (parcel 010) was executed and finalized. As the State is the new land owner, event organizers have re-contacted staff with a request for the issuance of a right-of-entry permit inclusive of the following changes:

- Event Duration: Two (2) days (pending surf conditions)
- Holding Period: November 22, 2014 through December 6, 2014
- Site Preparation: November 19, 20, & 21, 2014 (clean-up and staging of area)
- Site Breakdown: December 7, 8, & 9, 2014. (clean-up and restoring of site to original condition)

CONSIDERATION:

Two day rent total: \$1,360.00 (actual exclusive use of the area for event).

Area: 6,800 sq. ft. per day @ \$.10 per sq. ft. = \$680.00 x 2 days = \$1,360.00

REMARKS:

Now that the State of Hawaii is the property owner of Lipoa Point (parcel 010) inclusive of the State unencumbered lands overlooking Honolulu Bay where this surf competition will take place, the issuance of a right-of-entry permit is required. The applicant has submitted an updated request for the use of 6,800 square feet of parcel 010 for this two-day event.

Staff is in support of the requested changes as it will help to support this world class event and further expose one of Hawaii’s world renowned surf breaks at Honolulu Bay to an international audience.

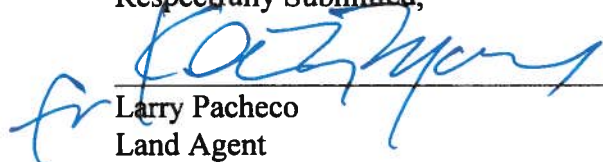
EXHIBIT:

Exhibit #1 - Previously approved Board submittal dated December 13, 2013, Item D-21.

RECOMMENDATION: That the Board:


1. Amend its prior Board action of December 13, 2013, under agenda item D- 21 by changing the following:
 - a. Duration of event from one (1) day to two (2) days. Start date to be determined by surf and weather conditions.
 - b. Total Consideration: change from \$680.00 to \$1,360.00.
2. All terms and conditions listed in its December 13, 2013 approval to remain the same.

Respectfully Submitted,



Larry Pacheco
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson

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

December 13, 2013

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

PSF No.: 13MD-182

Maui

Approval in Principle for the Issuance of Right-of-Entry Permit to Rodney Kilborn dba Handsome Bugga Productions for a Professional Women's Surf Event at Lipoa Point, Honokohau, Honolua, Lahaina, Maui, Tax Map Key: (2) 4-1-001: Portion of 010.

APPLICANT:

Rodney Kilborn dba Handsome Bugga Productions, a sole proprietorship.

LEGAL REFERENCE:

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

LOCATION:

Currently the subject area is privately owned by Maui Land & Pineapple Company, Inc. It is anticipated that the subject parcel of 269.95 acres will be acquired by the State of Hawaii pursuant to Governor approved Act 241, Session Laws of Hawaii 2013. Act 241 was approved on June 28, 2013.

Portion of Government lands at Lipoa Point, Honokohau, Honolua, Lahaina, Maui, identified by Tax Map Key: (2) 4-1-001: Portion of 010, as shown on the attached map labeled Exhibit A.

AREA:

Total Area: 6,800 square feet, more or less.

Trailer Area will include: Three trailers (Office, Media, & ASP) & portable toilets.
5,000 sq. ft.

Competitors and Officials Tent Area: 40'x40'
1,600 sq. ft.

Judges Tent: 10'x20'

APPROVED BY THE BOARD OF
LAND AND NATURAL RESOURCES
AT ITS MEETING HELD ON

December 13, 2013 10.

D-21

EXHIBIT " 1 "

200 sq. ft.

CONSIDERATION:

One day total: \$680.00

6,800 sq. ft. per day @ \$.10 per sq. ft. = \$680.00

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:

Women's Professional Surf Competition purposes.

TERM OF RIGHT-OF-ENTRY:

The holding period for this event will begin on November 25, 2014, and run through December 6, 2014. This will be a one day event. The start date will be determined by desired surf conditions during the designated holding period.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the Division of Land Management's Environmental Impact Statement Exemption List, approved by the Environmental Council and dated April 28, 1986, 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."

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.
- 2) Provide traffic control to assure that the dirt access road and Honoapiilani Highway remains clear and unobstructed.
- 3) Provide a traffic control plan for review and approval by the Maui Police Department's, Lahaina District Commander.

REMARKS:

This request is being submitted for approval in principle only at this time. The subject property is currently privately owned by Maui Land & Pineapple Company, Inc. It is anticipated that the subject parcel consisting of 269.95 acres will be acquired by the State of Hawaii via Governor approved Act 241, Session Laws of Hawaii 2013, which received approval on June 28, 2013. In the event that the transfer of lands is not completed by the requested date of the surf contest, the State shall not require a right of entry permit from the Department for the use of the requested area.

Mr. Rodney Kilborn, dba Handsome Bugga Productions is requesting the use of 6,800 square feet of what may someday become unencumbered State land in the area overlooking Honolua Bay. The area will accommodate necessary media, contestants, judges, event staff and equipment for one phase of the Association of Surfing Professional Women World Championships. The holding period for this one day event will begin on November 25, 2014 and run through December 6, 2014. The start of the event will be determined by desired surf and overall weather conditions.

Mr. Kilborn 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 Rodney Kilborn dba Handsome Bugga Productions 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. 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:



William J. Aila, Jr., Chairperson

Not to Scale
for Illustration Purposes Only

Competitors & Officials
Tent - 1600 sq. ft.

Judges Tent
200 sq. ft.

Restrooms

Trailer Area (3)
5000 sq. ft.

Public Parking Area

Dirt Access Road

Honoapiʻilani Hwy.

Honolua Bay

Mokuleia Bay

EXHIBIT A



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

December 13, 2013

EXEMPTION NOTIFICATION

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

Project Title: Rodney Kilborn dba Handsome Bugga Productions

Project / Reference No.: 13MD-182

Project Location: Lipoa Point, Honokohau, Honolulu, Lahaina, Maui, Tax Map Key: (2) 4-1-001: Portion of 010.

Project Description: Professional Women's Surf Event


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

Exemption Class No. and Description: In accordance with the Division of Land Management's Environmental Impact Statement Exemption List, approved by the Environmental Council and dated April 28, 1986, 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."

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.



William J. Aila Jr., Chairperson



Date