

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

October 23, 2015

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

PSF No.: 15MD-159

Maui

Issuance of a Two Day Right-of-Entry Permit to TEAM Unlimited, LLC. for a Trail Run Competition, and the 2015 XTERRA Off – Road Triathlon World Championship, Kapalua, Lahaina, Maui, Tax Map Key Numbers: (2) 4-2-004: Seaward of 014, 015 and 016.

APPLICANT:

TEAM Unlimited, LLC.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Kapalua, Lahaina, Maui, Tax Map Key Numbers: (2) 4-2-004: Seaward of 014, 015 and 016, as shown on the attached map labeled Exhibit A.

AREA:

Day #1 - 5,000 square feet, more or less.

Day #2 – 5,000 square feet, more or less.

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:

Run and Swim portions of the trail run competition, and off road triathlon race purposes.

TERM OF RIGHT-OF-ENTRY:

Two day event.

Day 1 - October 31, 2015, from 8:00am to 12:00am (5,000 sq. ft.).

Day 2 – November 1, 2015, from 6:00am to 2:00pm (5,000 sq. ft.).

CONSIDERATION:

\$500.00 – Day one

\$500.00 – Day two

\$1,000.00 total amount due for two days.

- Day 1 - Area of requested use is 5,000 square feet for run event (Rental based on \$.10 per square feet per day = \$500.00)
- Day 2 – Area of requested use is 5,000 square feet for start/finish staging area of swim event (Rental based on \$.10 per square feet per day = \$500.00)

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(b) 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 Class No. 51, 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."

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 all required permits for the ocean portion of the event scheduled for October 27, 2015, from the Department of Land and Natural Resources, Division of Boating and Ocean Recreation.
- 2) Obtain written concurrence from the County of Maui's, Department of Parks and Recreation for the use of Fleming Beach Park, for the portions of the event which will transit through the park area on both days.

REMARKS:

The XTERRA World Championship at Kapalua is the season ending finale of a series of more than 200 hundred events which are held in 20 countries. This is an off road triathlon / multisport event consisting of an ocean swim, off-road mountain bike riding, and a trail run. Approximately 500 of the world's best professional and amateur triathletes travel to the island of Maui to compete in this annual event. The XTERRA representative claims that the event continues to generate substantial promotions for the State of Hawaii via television, internet and print media. The economic impact of the event on the islands economy is estimated in the millions of dollars.

This two day event will consist of the following:

Day 1 - Off road running races of five and ten kilometers which will take place on adjacent private lands and a portion of the sand shoreline at Fleming Beach.

Day 2 - The main triathlon competition will take place on day two. The race consists of a 1.5 kilometer ocean swim, a 30.4 kilometer off-road mountain bike ride, and a 9.5 kilometer trail run.

The State of Hawaii's Department of Land and Natural Resources, Division of Boating and Ocean Recreation has indicated that they have no objections to this event and will be processing a permit for the ocean portion of the competition.

Staff is also requiring the applicant to obtain written concurrence from the County of Maui's Department of Parks and Recreation. This requirement is due to the fact that the actual run portion will take place directly in front of Fleming's Beach Park, which is managed and maintained by the County of Maui. Staff is anticipating a large number of spectators to utilize the park and its facilities during the run and swim portion of the events. Therefore, it would be prudent that County Park's officials be informed of the event and properly prepared for additional park users.

RECOMMENDATION: That the Board

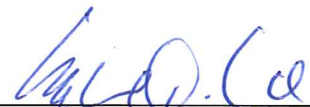
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.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

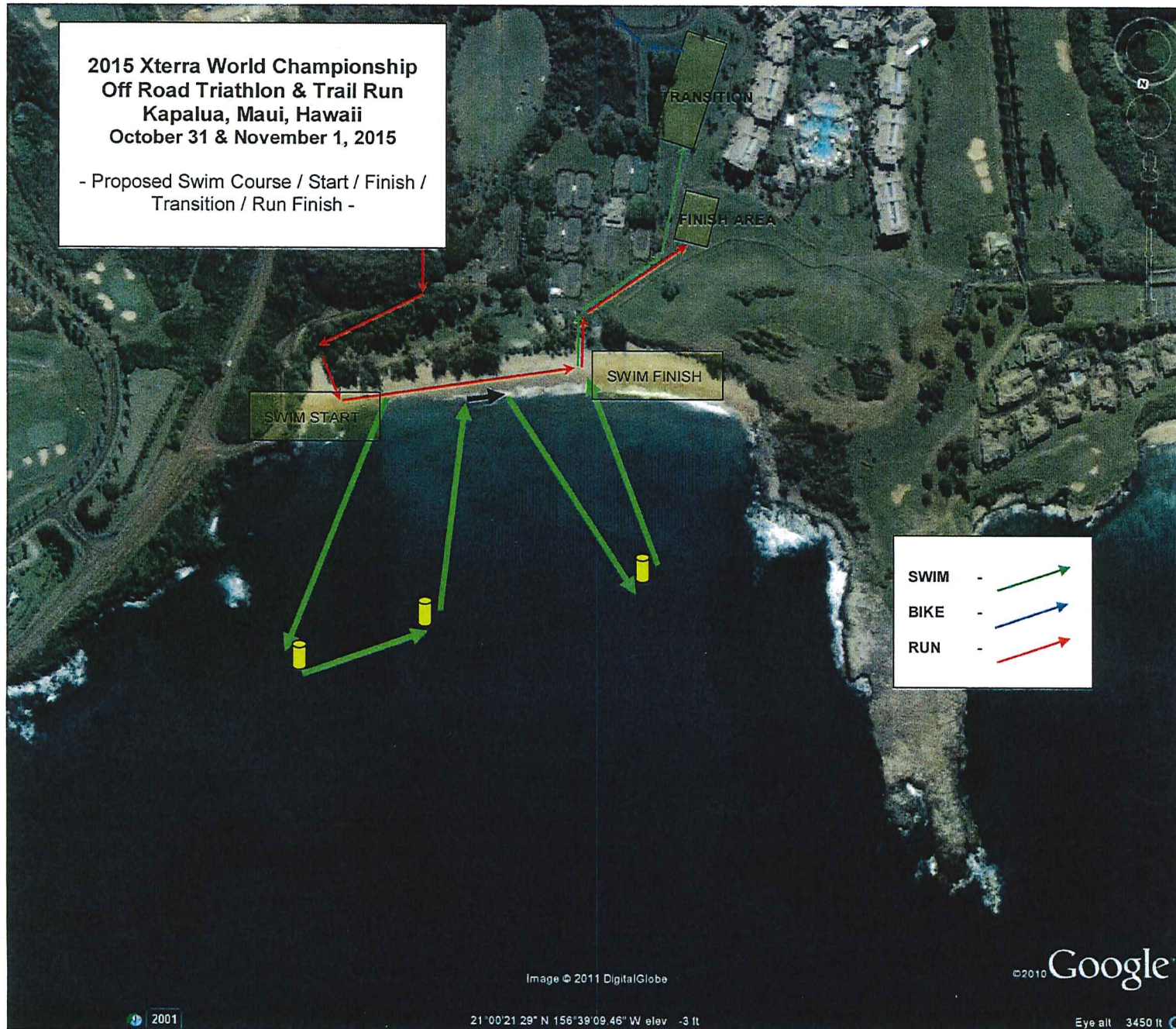
APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson 

2015 Xterra World Championship
Off Road Triathlon & Trail Run
Kapalua, Maui, Hawaii
October 31 & November 1, 2015

- Proposed Swim Course / Start / Finish /
Transition / Run Finish -



DAVID Y. IGE
GOVERNOR OF
HAWAII



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

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
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HISTORIC PRESERVATION
KAIHOOLAWA ISLAND RESERVE COMMISSION
LAND
STATE PARKS

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

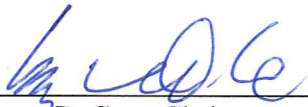
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

October 23, 2015

EXEMPTION NOTIFICATION

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

Project Title:	TEAM Unlimited, LLC. for the 2015, XTERRA Off – Road Triathlon World Championships.
Project / Reference No.:	15MD-159
Project Location:	Portion of Government lands of Honolua, Lahaina, Maui, Tax Map Key Numbers: (2) 4-2-004: Seaward of 014, 015 and 016.
Project Description:	Run portion of off-road triathlon race.
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No. and Description:	In accordance with Hawaii Administrative Rule Section 11-200-8(b) 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 Class No. 51, 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."
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.


Suzanne D. Case, Chairperson