

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

May 13, 2016

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

PSF No. 16OD-041

Oahu

Issuance of a Right-of-Entry Permit to Oahu Hawaiian Canoe Racing Association Hawaii for the Duke Kahanamoku Long Distance Canoe Race Event to be held on August 21, 2016, at Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of 021.

APPLICANT:

Oahu Hawaiian Canoe Racing Association Hawaii, a domestic nonprofit corporation

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Waikiki, Honolulu, Oahu, identified as tax map key: (1) 2-3-037: portion of 021, as shown on the attached **Exhibit 1**.

AREA:

- 1. VIP & Awards Tent Area: 1,200 square feet
- 2. Canoe Exit/ "De-rigging" Area: 2,400 square feet
- Total Area: 3,600 square feet

ZONING:

State Land Use District: Urban

TRUST LAND STATUS:

Section 5(a) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Requested area is unencumbered

CHARACTER OF USE:

Duke Kahanamoku Long Distance Canoe Race Event

TERM:

From 6 a.m. to 6 p.m. on Sunday, August 21, 2016

RENTAL:

\$360.00 (One-time payment based on 10¢ per square foot per day¹)

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources concurred with 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. 4, that states "Minor alteration in the conditions of land, water, or vegetation." as included in **Exhibit 2**.

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>

REMARKS:

The Oahu Hawaiian Canoe Racing Association Hawaii (OHCRAH) is requesting to conduct beach activities on State owned lands to finalize a canoe race event.

The Duke Kahanamoku Long Distance Canoe Race Event consists of approximately twenty-eight (28) nautical miles. The race is scheduled for Sunday, August 21, 2016, starting at Kailua Beach at approximately 9 a.m. and will finish offshore from the Duke

¹ Right-of-entry policy adopted by the Board at its meeting on September 28, 2001, item D-4.

Kahanamoku Beach (Waikiki) between three to five hours later. Once the canoe race is concluded, specific areas of the beach will then be utilized by the Applicant for closing purposes of the race day's event.

Set-up for the event on Duke Kahanamoku Beach is scheduled to begin at 6 a.m. and teardown is scheduled for 6 p.m. later that day. The Applicant requests that the Board approve a right-of-entry permit for its use of two (2) specific areas of the subject beach. The right-of-entry permit request includes Beach Areas: 1 and 2, only. See **Exhibit 3**.

Beach Area 1 will be a tented area located nearby to the Ala Wai Boat Harbor. This area will be utilized for the awards presentation, hospitality purposes, and to house materials for the event.

Beach Area 2 is the canoe exit area fronting the parking lot of the Ala Wai Boat Harbor. This area is also located adjacent to the shoreline where the canoes will land onto the beach. The canoes will be "de-rigged" within this area in preparation for their removal and exit onto trailers located in the nearby parking lot.

According to the Applicant, a request has been made for access to the Hilton Hawaiian Village Pier (currently encumbered under Revocable Permit No. 7566), located adjacent to where the finish line of the canoe race event will be designated. Revocable Permit No. 7566 requires a \$1.50 toll fee per paying customer. However, it is the staffs understanding that the Hilton Hawaiian Village (HHV) will not be charging a fee to any of the canoe race officials nor to its participants for the use of the subject pier. Therefore, staff is of the opinion that HHV will not be required to pay the State for the said toll fee.

The Office of Conservation and Coastal Lands and Division of Boating and Ocean Recreation have no comment on the subject request.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions.

There are no other pertinent issues and concerns regarding the subject request.

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 activity 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 Oahu Hawaiian Canoe Racing Association Hawaii covering the subject area for the Duke Kahanamoku Long Distance Canoe Race Event 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 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,



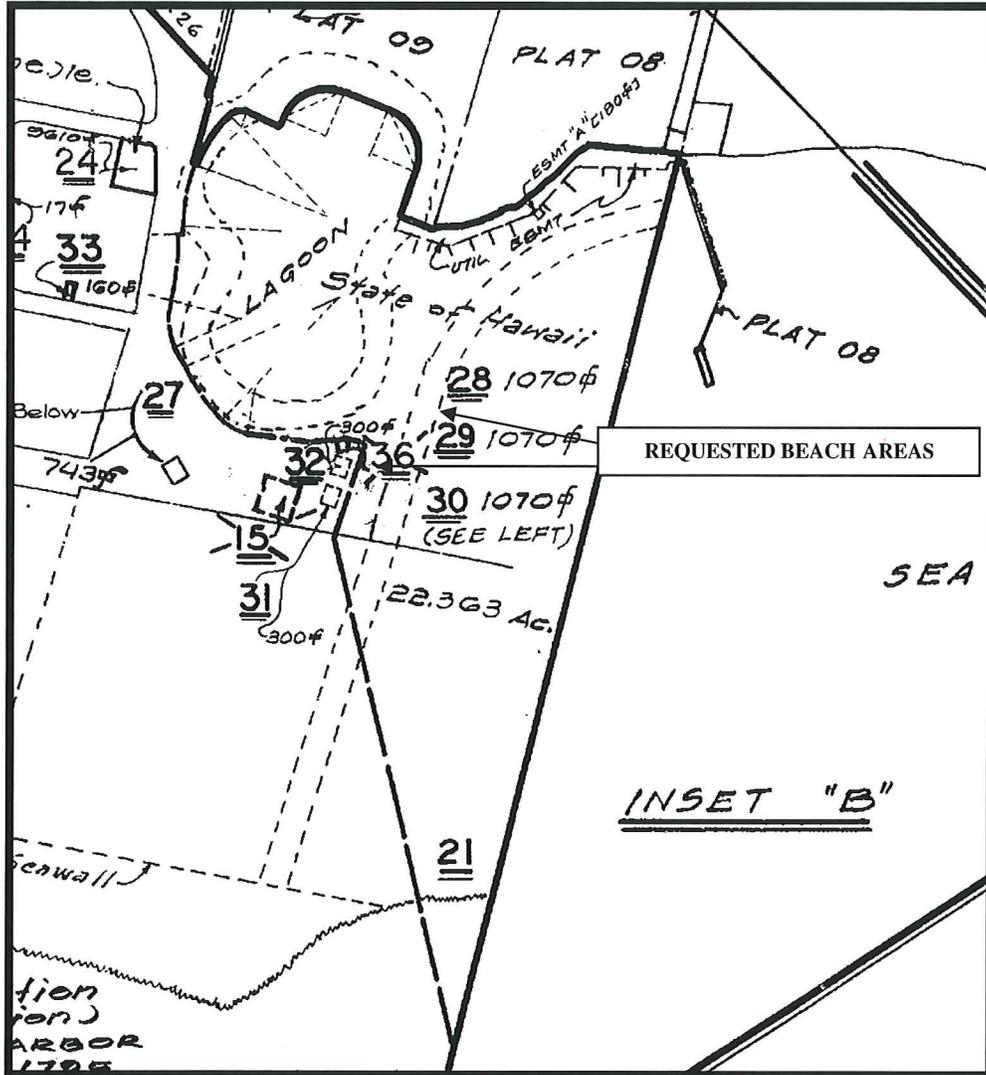
Cal Miyahara
Shoreline Disposition Specialist

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson





TAX MAP KEY: (1) 2-3-037: PORTIONS OF 21

EXHIBIT 1

EXEMPTION NOTIFICATION

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

Project Title: Canoe Race Event
Project / Reference No.: PSF 16OD-041
Project Location: Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of: 021.
Project Description: Issuance of a Right-of-Entry Permit to Oahu Hawaiian Canoe Racing Association Hawaii for the Duke Kahanamoku Canoe Race Event
Chap. 343 Trigger(s): Use of State Land.
Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources concurred with 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. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

This Board has permitted similar events in the past. The proposed activity is of a similar type and scope of beach activities that periodically 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 activity would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Consulted Parties: Office of Conservation and Coastal Lands and Division of Boating and Ocean Recreation.

Recommendation: That the Board finds this activity will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

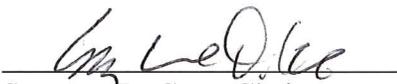

Suzanne D. Case, Chairperson
Date 4/8/16

EXHIBIT 2

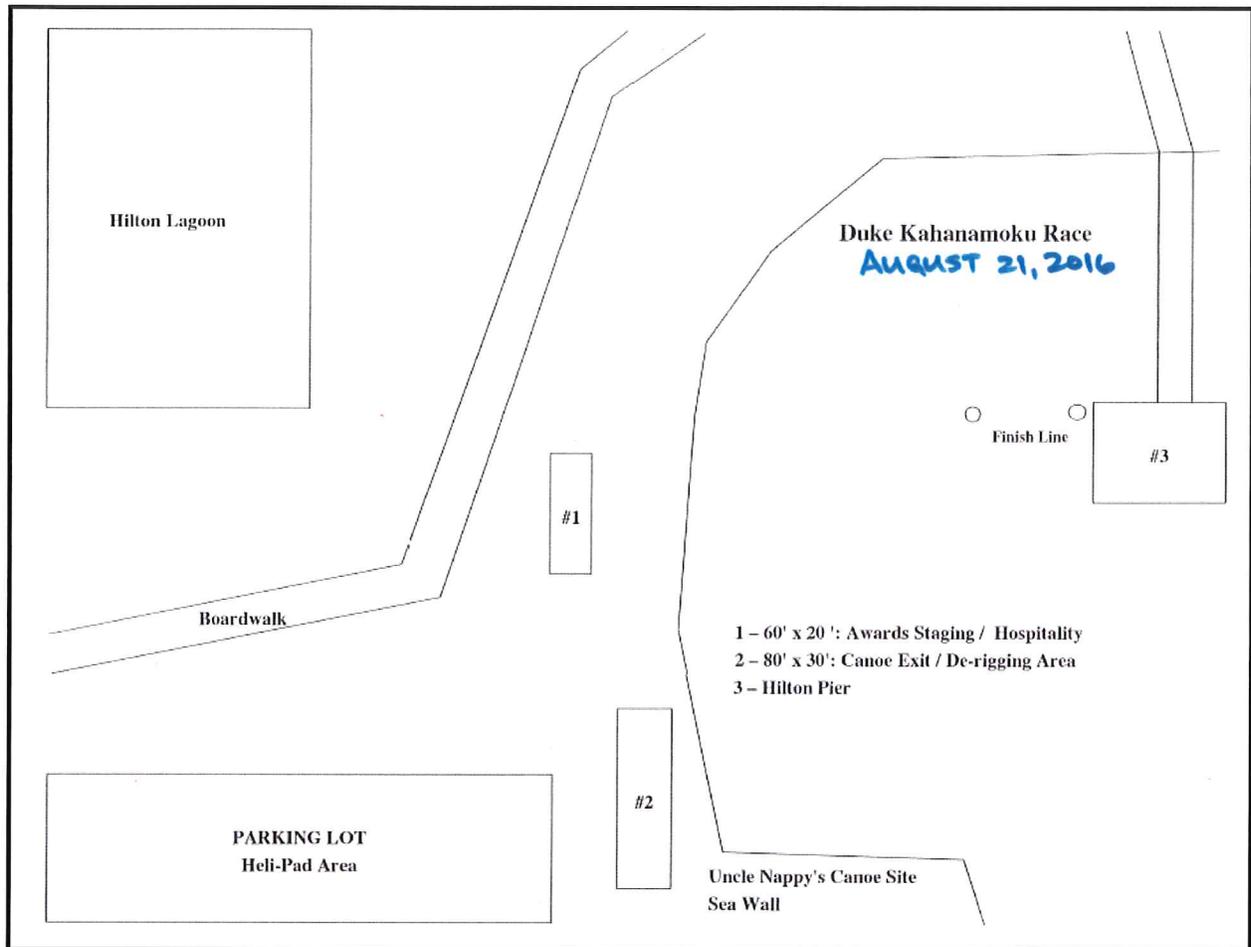


EXHIBIT 3