

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

September 23, 2016

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

16MD-075

Maui

Issuance of a Right-of-Entry Permit to the Oahu Hawaiian Canoe Racing Association for the 2016 Molokai Hoe Outrigger Canoe Race Event Operations and Staging Purposes; Tax Map Key: (2) 5-1-002:012, Hale-o-Lono, Kaluakoi, Molokai.

APPLICANT:

Oahu Hawaiian Canoe Racing Association (OHCRA), a domestic non-profit corporation.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Kaluakoi located on Molokai further identified by Tax Map Key: (2) 5-1-002:012, as shown on the attached map labeled Exhibit A.

AREA:

Total: 6,700 square feet, more or less

4,500 sq. ft. (canoe staging area)

1,500 sq. ft. (portable toilet area)

100 sq. ft. (event stage)

600 sq. ft. (shoreline area at the east side of the harbor facility)

CONSIDERATION:

Total Cost: \$2,010.00 (one-time payment based on \$.10 per square foot per day).

Area of requested use 6,700 sq. ft. x \$.10 = \$670.00 per day for 3 days

\$670.00 x 3 days of use = \$2,010.00

ZONING:

State Land Use District: Conservation (G)

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:

Vacant and Unencumbered

CHARACTER OF USE:

Inter-island outrigger canoe storage / staging, event amenities and support services.

TERM OF RIGHT-OF-ENTRY:

Three (3) days: October 07, 08 & 09, 2016 to allow for setup, storage and clean-up of event operations. Race events start at 8:00 AM on Sunday, October 9.

EXHIBITS:

- Exhibit A - Tax Map of the subject area
- Exhibit B - Aerial photo showing areas to be marked off and access restricted
- Exhibit C - Applicant's land use map identifying location of event activities
- Exhibit D - OHCRA Hawaii letter of request to the State of Hawaii

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 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 Item No. 51, that states "Permits, licenses, registrations, and right-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 X NO ___
Registered business name confirmed: YES X NO ___
Applicant in good standing confirmed: YES X NO ___

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Obtain a Right-of-Entry permit from the DLNR Land Division for this years' race and for future races as may be authorized by the Board;
- 2) Obtain required permits from the DLNR Division of Boating and Ocean Recreation for the ocean water portions of this event;
- 3) Upon completion of the event the area shall be cleaned and all temporary structures removed in its entirety;
- 4) Identify and mark off restricted areas to prohibit use of derelict concrete piers and pilings as well as identify areas necessary for loading and off-loading purposes. A map of both the prohibited and authorized use areas to be marked off by event organizers shall be provided to the DLNR Land Division, DOBOR and DOCARE no less than 7 days before the event; and
- 5) Provide 24 hour security during event to enforce compliance within restricted areas.

REMARKS:

Oahu Hawaiian Canoe Racing Association (OHCRA) Hawaii, the event organizers have again requested the use of Hale o Lono for the annual Molokai Hoe inter-island outrigger canoe race, across the Kaiwi channel, from Molokai to Oahu. This event has been held consecutively for the past 64 years. Applicant has requested use of 6,700 square feet of government lands for storage, staging and related event support services. Event organizers will begin setting up on Friday and Saturday, October 7 and 8 with the race taking place on the Sunday morning the 9th of October, 2016.

Pursuant to a letter from OHCRA, dated December 4, 2015, event organizers are asking the Board to preapprove races that are already planned for future events. This race has been occurring over the past 60 years and has maintained a consistent format and venue throughout this time expect for the fact that this race has grown in size due to its world-wide popularity. As a result staff is recommending that the Board grant approval for right of entry to OHCRA till the year 2020 at which time staff will reevaluate race terms and conditions as it may change over time. Future race events are scheduled as follows: October 8, 2017; October 7, 2018; October 13, 2019; October 1, 2020 (Exhibit D).

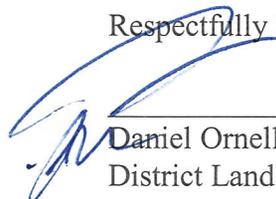
In past years, permitting for this event was done through the DLNR Division of Boating and Ocean Recreation (DOBOR). However, a review of our files indicates that the transfer of jurisdiction over Hale O Lono harbor from the State DOT, to DLNR Land Division and then to DLNR DOBOR was never completed. Therefore the subject lands are unencumbered and

remain under the jurisdiction of the DLNR Land Division. Hale o Lono is not a functioning small board harbor and was not designed to accommodate vessels for recreational purposes. There are no slips, parking or reserved areas and it is not a designated mooring area for vessels. Furthermore, as a result of no ongoing maintenance, many of the structures within Hale o Lono are derelict, in disrepair, and not suitable for use. Therefore in the interest of safety, the applicant shall mark off dangerous areas to prohibit access. For areas the applicant identifies for essential event purposes such as loading and off-loading of escort boats, the applicant shall clearly mark off these areas and provide sufficient personnel to oversee and ensure the safety of all users. To prevent use of closed areas of the harbor, staff recommends that twenty four (24) hour security be provided by the applicant throughout the term of the right-of-entry permit. A map of areas to be marked off for use and non-use shall be provided to the DLNR Land Division, DOBOR and DOCARE no less than one week prior to the event. Finally, OHCRA shall coordinate with DOBOR and obtain any and all necessary permits related to any portion of this event which shall be occurring within ocean waters.

RECOMMENDATION: That the Board

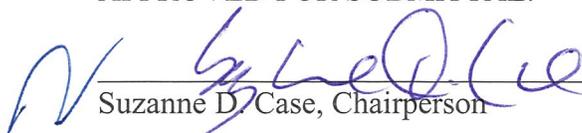
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a right-of-entry permit to OHCRA, for this years' race and for future races scheduled to the year 2020, covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to:
 - a. The standard terms and conditions of the most current right-of-entry permit 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,

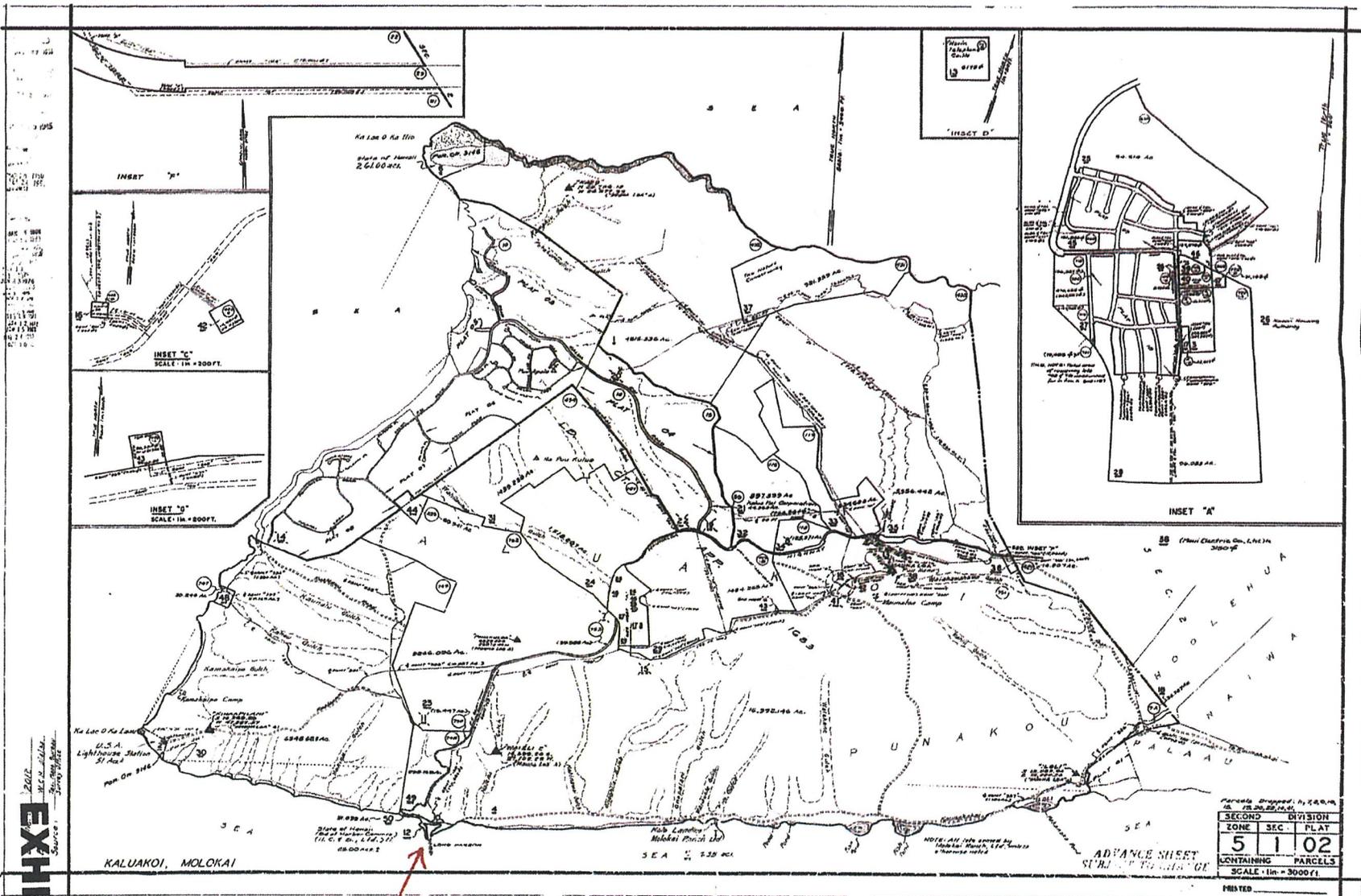


Daniel Ornellas
District Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson



SUBJECT AREA

EXHIBIT A

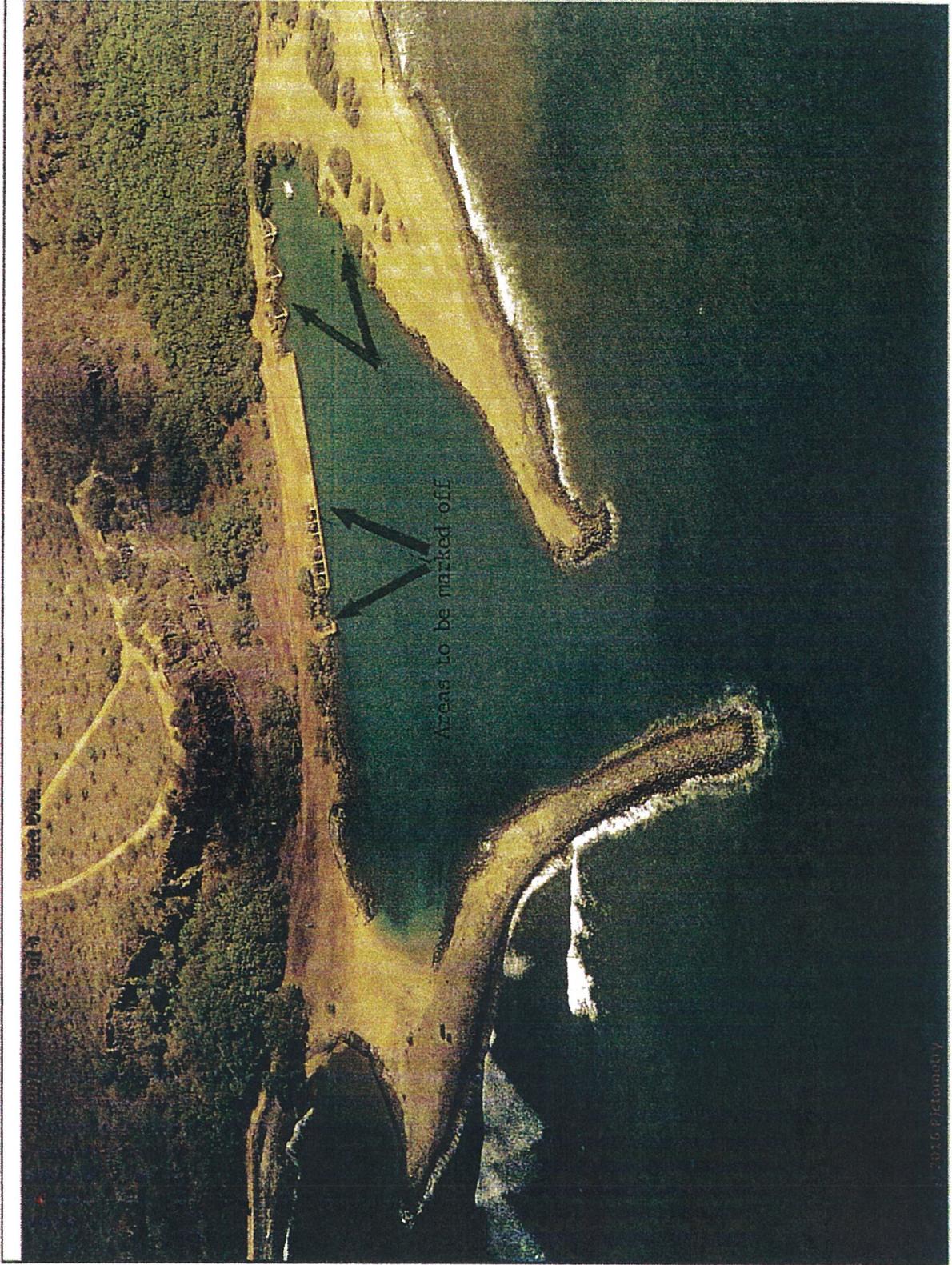
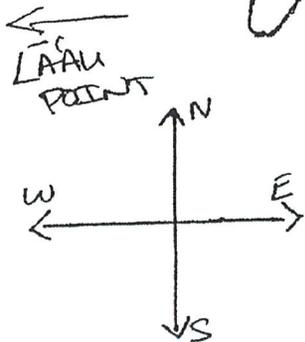
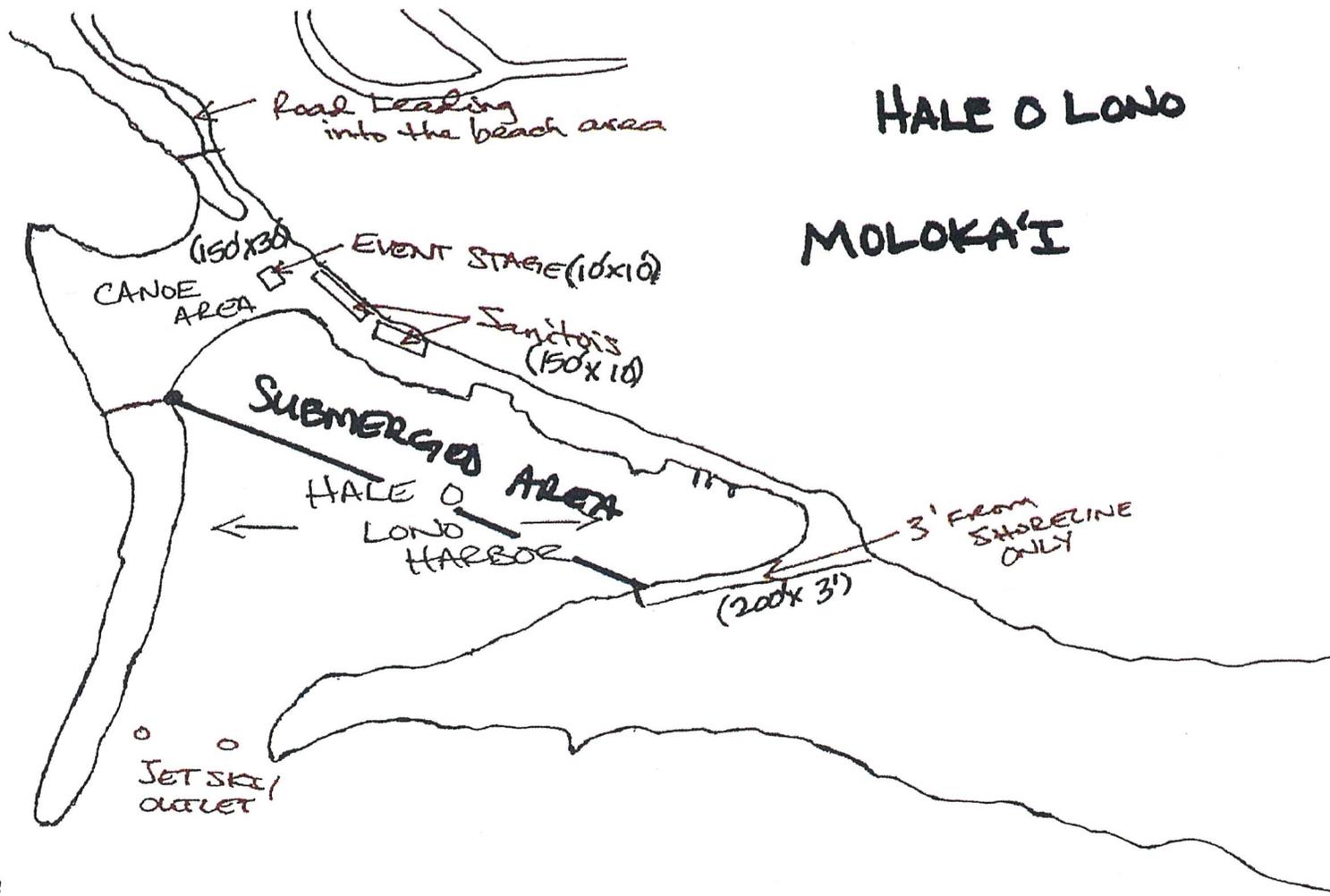


Exhibit B



KAUNAKAKAE →

EXHIBIT "C"

December 4, 2015

To the Department of Land and Natural Resources
Attention: To Whom It May Concern

Aloha from the 2016 Hawaiian Airlines Molokai Hoe Committee!!! This letter is to continue communication between the Hawaiian Airlines Molokai Hoe Committee and the Department of Land and Natural Resources concerning the upcoming Hawaiian Airlines Molokai Hoe to be held on Sunday, October 9, 2016. The Sponsoring Organization of this event is the Oahu Hawaiian Canoe Racing Association Hawaii (OHCRA Hawaii) – a local Non-Profit Organization in Good Standing. OHCRA Hawaii is asking for the permission and to set up a permit from Friday, at 12pm, October 7, until 10am on Race Day, October 9, 2016 for the use of Hale O Lono Harbor. This is needed so that we can get the necessary logistics set up and event items situated ahead of time so we can focus on the other event tasks that take up a lot of time on Race Day. Please advise us on how we can proceed with this request. Your cooperation with this matter is greatly appreciated. I understand that there is a lot of work that needs to be done to secure the proper permits and paperwork to hold an event of this magnitude and I appreciate everything that you do to help the cause.

At Hale O Lono Harbor, our event will have the racing canoe situated on the West end of the harbor for easy access on Race Day. We will also have approximately 35 Sanitois for the public to use on the ma uka side of the harbor. There will be a stage set up for announcements on Race Day with a sound system for communication purposes just above the canoe line close to the water so that people on the water can hear as well. In order for protection and safety of all of the equipment at the site, we do have security that is hired and a group of people who help with the disposal of trash that we also coordinate with the local trash company for removal and to return the site to how it was prior to the event. Included also is the site map of how our committee has worked things out in previous years with the DLNR for the use of Hale O Lono and please refer to the map that accompanies this letter for clarification.

This year the race expects to have approximately the same amount of entries as last year which was 100 crews. The Hawaiian Airlines Molokai Hoe Committee anticipates another successful race this year and is always willing to work with others in ensuring that everything is completely fulfilled in doing so. We have enjoyed a very good relationship working with the people of Maui County and Molokai Island to ensure that this event perpetuates our culture through the sport of canoe paddling and racing. We look forward to many more years of successful racing and challenging the Kaiwi Channel as we have for the last 63 years. If at any time you have any questions, comments or concerns, please let me, Lapule Schultz, know at your earliest convenience and I will take it to the Hawaiian Airlines Molokai Hoe Committee as soon as possible.

Also, our Event Committee has been asked by the DLNR Land Board at our last hearing appearance to submit a request for the next 10 years for this event. The dates for this event will be as follows over the next 10 years: October 8, 2017, October 7, 2018, October 13, 2019, October 11, 2020, October 10, 2021, October 9, 2022, October 8, 2023, October 13, 2024, October 12, 2025 and October 11, 2026. Each year the set up space will be very similar to what it is now. Our event has had no prior incidents on this beach or area that has negatively affected the environment or personnel at the local surrounding locations. We look forward to continuing this event as successfully as it has been over the last 63 years.

If you have any further questions, comments or concerns, please let me know at your earliest convenience. My information is located in the closing remarks of this request.

Mahalo for your assistance, cooperation and consideration.

Mahalo Piha,
Lapule Schultz – Hawaiian Airlines Molokai Hoe Permit Representative
lapule_schultz@notes.k12.hi.us
(808) 220-8251 c/o 2528 10th Avenue Honolulu, Hawaii 96816

EXHIBIT "D"

PSF #7LMO-075

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

September 23, 2016

EXEMPTION NOTIFICATION

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

Project Title: Issuance of Right-of-Entry to the Oahu Hawaiian Canoe Racing Association (OHCRA), for the 2016 Molokai Hoe Inter-island Outrigger Canoe Race from Molokai to Oahu.

Project / Reference No.: 16MD-075

Project Location: Hale O Lono Harbor, Kaluakoi, Molokai, TMK: (2) 5-1-002: Por. of 012.

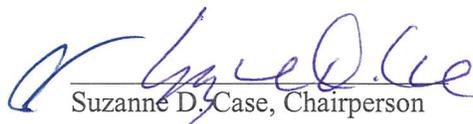
Project Description: Event operations, canoe storage and related support services

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

Exemption Class No. and Description: In accordance with Hawaii Administrative Rule Section 11-200-8 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 Item 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."

Consulted Parties: Office of Conservation and Coastal Lands, Division of Boating and Ocean Recreation, County of Maui

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

9/12/16
Date

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

KEKO A KALUHIWA
FIRST DEPUTY

W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS