

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

September 8, 2017

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

PSF No.: 17MD-107

Maui

Issuance of Right-of-Entry Permit to Na Wahine O Ke Kai, for 4 Annual Canoe Race Events to be held September 2017 through September 2020; Hale O Lono, Kaluakoi, Molokai, Tax Map Key (2) 5-1-002: 012 por.

APPLICANT:

Na Wahine O Ke Kai, a domestic non-profit corporation.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Kaluakoi situated at Hale O Lono, Molokai, identified by Tax Map Key (2) 5-1-002: 012 por., 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 for 2017 event: \$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

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

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

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:

Unencumbered

CHARACTER OF USE:

Canoe storage / staging, event amenities and support services.

TERM OF RIGHT-OF-ENTRY:

Three (3) days, September 22 - 24, 2017. The 2017 race will be held on Sunday, September 24, 2017.

Furthermore, this submittal recommends authorization for issuance of a right-of-entry permit to Na Wahine O Ke Kai, for this year's race and for future races scheduled through the year 2020 subject to the terms and conditions cited herein.

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 <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 required permits from the DLNR Division of Boating and Ocean Recreation for the ocean water portions of this event;
- 2) Upon completion of the event the area shall be cleaned and all temporary structures removed in their entirety;
- 3) Identify and mark off restricted areas to prohibit use of derelict concrete piers and pilings as well as to identify areas necessary for loading and off-loading purposes; and
- 4) Provide 24 hour security during event to enforce compliance within restricted areas.

REMARKS:

The Na Wahine O Ke Kai (event organizers) have again requested the use of Hale o Lono for the annual Na Wahine O Ke Kai canoe race, across the Kaiwi channel, from Molokai to Oahu. This event has been held consecutively for the past 65 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, September 22 and 23 with the race taking place on the morning of the 24th of September, 2017.


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, Na Wahine O Ke Kai 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.

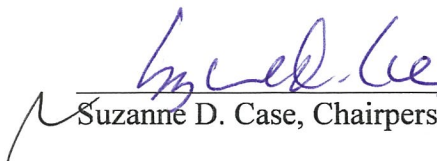
RECOMMENDATION: That the Board

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 Na Wahine O Ke Kai, for this year's race and for future races scheduled through 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

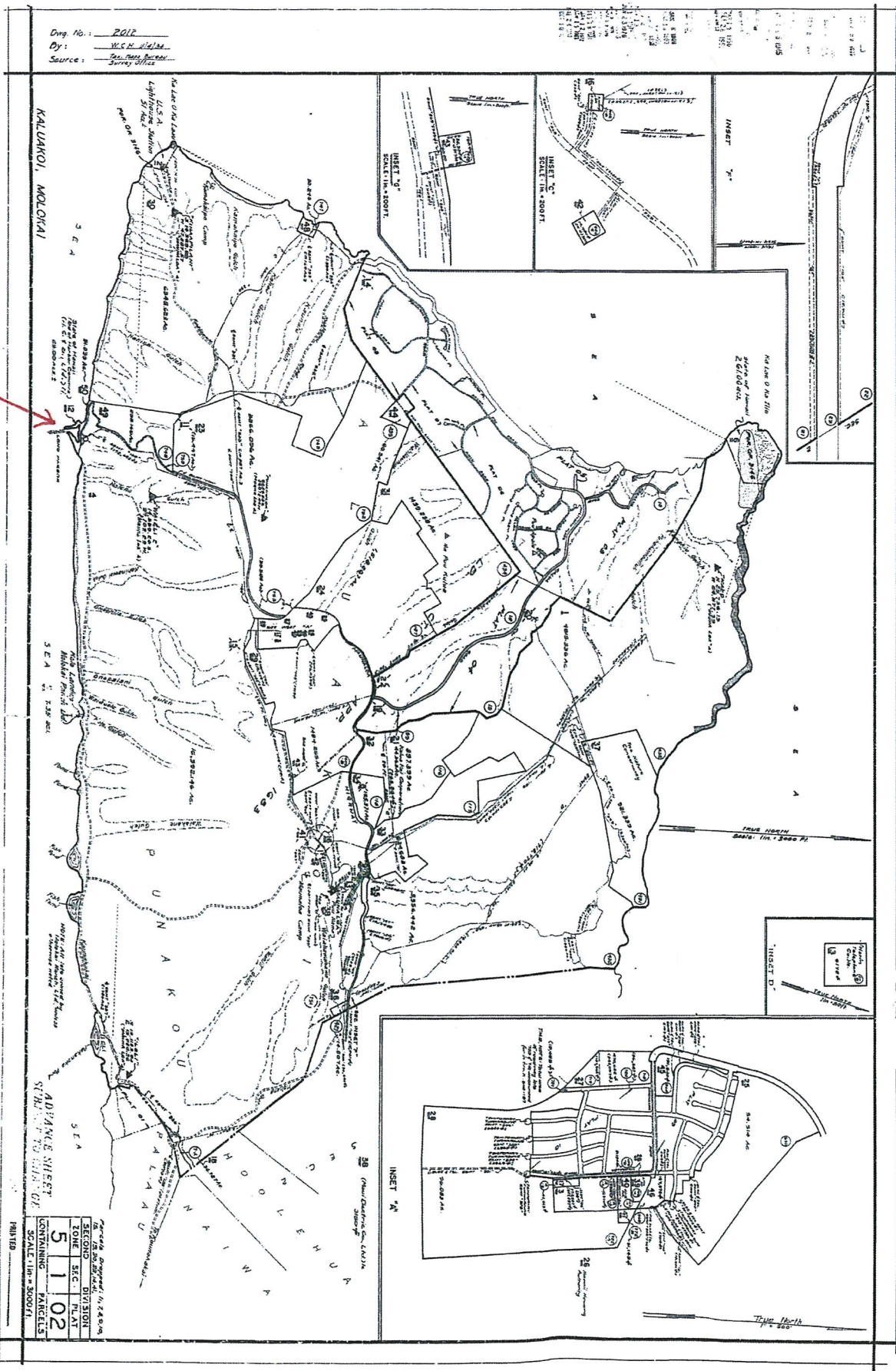
APPROVED FOR SUBMITTAL:


Suzanne D. Case, Chairperson

Orig. No.: 2012
 By: W. K. K. K.
 Source: The Navy Bureau
 Survey Office

KALIAKOL, MOLOKAI

SUBJECT AREA



SECTION	5102
PLAT	02
CONTAINING	PARCELS
SCALE	1 in = 300 ft

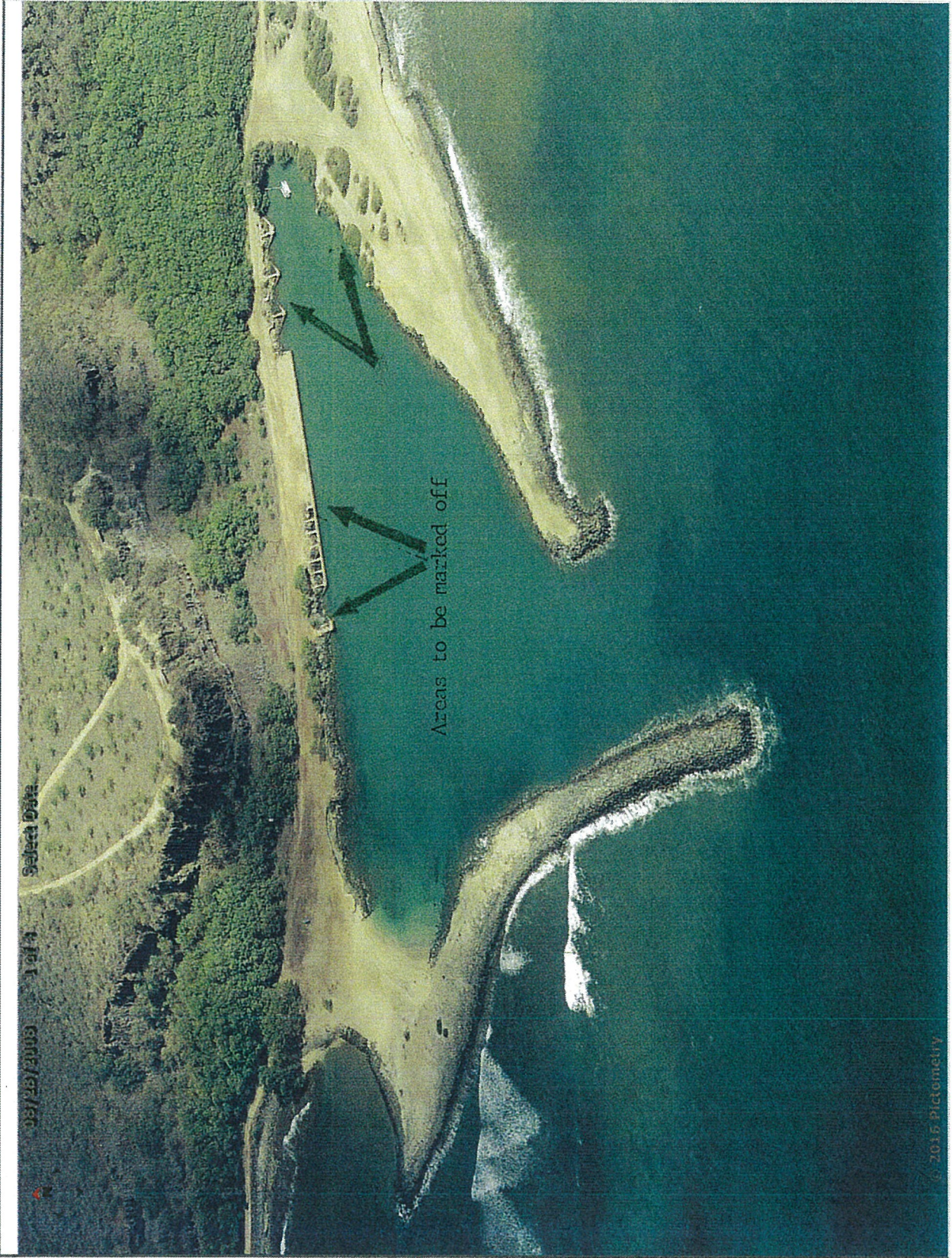
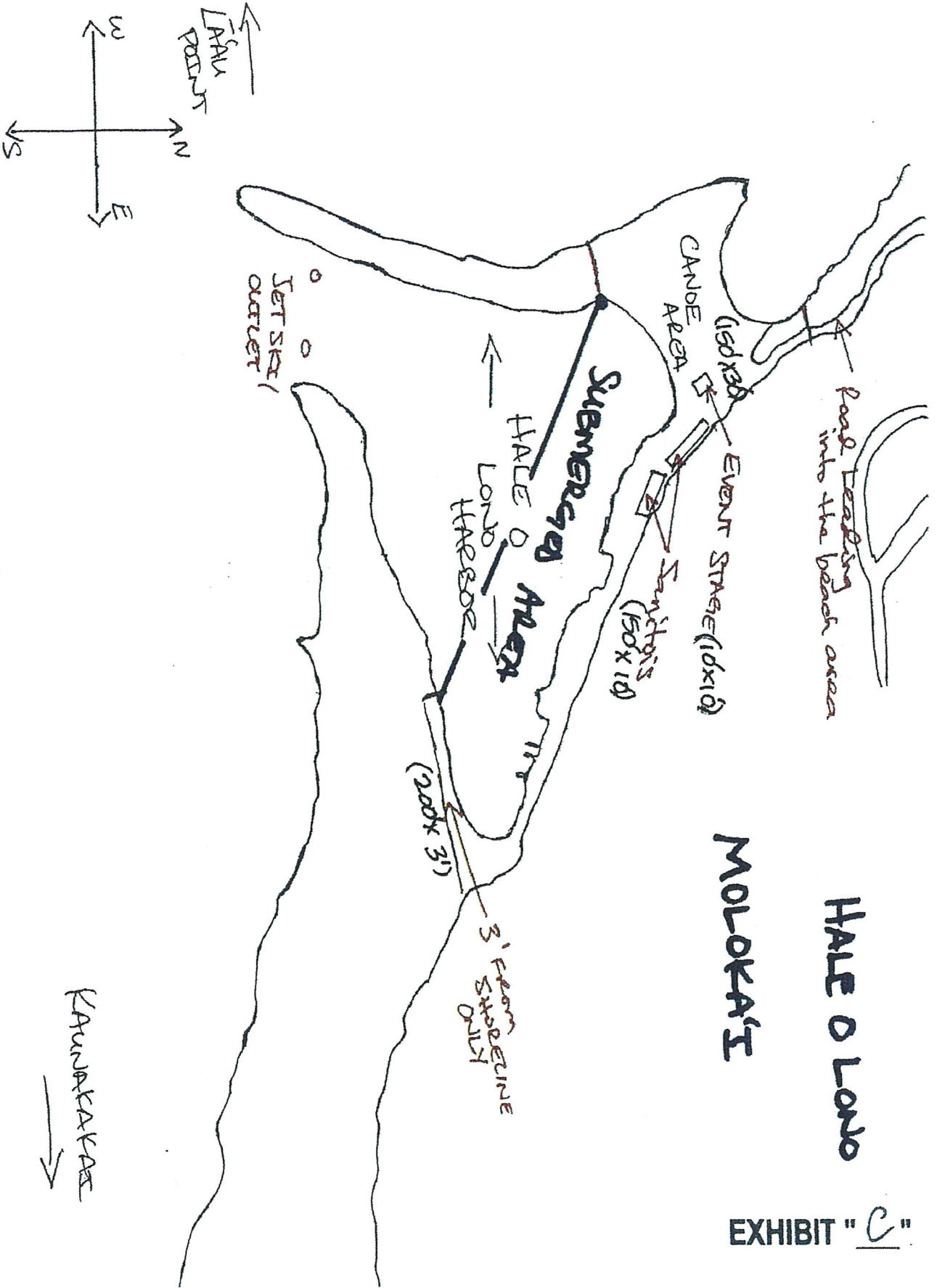


Exhibit B

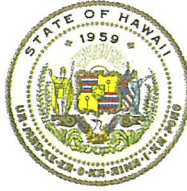
HALE O LONO

MOLOKA'I

EXHIBIT "C"



DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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

ROBERT K. MASUDA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

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

September 8, 2017

EXEMPTION NOTIFICATION

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

Project Title: Issuance of Right-of-Entry Permit to Na Wahine O Ke Kai, for Event Staging, Operations and Storage Purposes Related to the 2017, Hawaiian Airlines, Na Wahine O Ke Kai Canoe Race; Hale O Lono, Kaluakoi, Molokai, Tax Map Key (2) 5-1-002: 012 por.

Project / Ref. No.: 17MD-107

Project Location: Hale o Lono, Kaluakoi, Molokai, TMK: (2) 5-1-002: 012 por.

Project Description: Canoe storage / staging, event amenities and support services

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 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."

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

Recommendation: That the Board finds 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.