

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96819

April 28, 2023

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

Land Board Members:

SUBJECT: Issuance of a Right-Of-Entry Permit to University of Hawaii Sea Level Center, for Sea Level Monitoring Purposes at Lahaina Small Boat Harbor, Maui, TMK (2) 4-6-001:017 (por.), Manele Small Boat Harbor, Lanai, TMK (2) 4-9-017:006 (por.), Kaunakakai Small Boat Harbor, Molokai, TMK (2) 5-3-001:011 (por.), Hanalei Wharf, Kauai, TMK (4) 5-5-001:008 (por.), Port Allen, Kauai, TMK (4) 2-1-003:010 (por.), Miloli'i Landing, Hawaii Island, TMK (3) 8-9-004:019 (por.), and Honokohau Small Boat Harbor, Hawaii island, TMK (3) 7-4-008:003 (por.)

And

Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.

APPLICANT:

University of Hawaii Sea Level Center ("UHSLC") whose mailing address is, 1000 Pope Road, MSB 317, Honolulu, Hawaii 96822.

LEGAL REFERENCE:

Sections 171-13, -55 and -95 Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Lahaina Small Boat Harbor ("Lahaina SBH") on Maui, Manele Small Boat Harbor ("Manele SBH") on Lanai, Kaunakakai Small Boat Harbor ("Kaunakakai SBH") on Molokai, Hanalei Launch Ramp on Kauai, Port Allen on Kauai, Miloli'i Landing on Hawaii Island, and Honokohau Small Boat Harbor ("Honokohau

SBH”) on Hawaii Island, hereinafter referred to as the “Premises” as shown on the maps labeled **Exhibits A-1 through A-7** and attached hereto.

AREA

Location	Area
Lahaina SBH	4 square feet
Manele SBH	4 square feet
Kaunakakai SBH	4 square feet
Hanalei Launch Ramp	4 square feet
Port Allen	4 square feet
Miloli'i Landing	4 square feet
Honokohau SBH	4 square feet

ZONING:

Island	Location	State Land Use District	County Zoning
Maui	Lahaina SBH	Urban	HD-1 Historic District 1
Lanai	Manele SBH	Conservation, Urban	PD Project District
Molokai	Kaunakakai SBH	Urban	Interim
Kauai	Hanalei Launch Ramp	Urban	Unknown
Kauai	Port Allen	Urban	Unknown
Hawaii Island	Miloli'i Landing	Conservation	Open
Hawaii Island	Honokohau SBH	Conservation, Urban	Open

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act
 DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES NO

CURRENT USE STATUS:

Unencumbered

CHARACTER OF USE:

To collect data regarding tides, wave action, and sea level rise.

TERM OF RIGHT OF ENTRY

One (1) Year

RENTAL:

Gratis (Government Agency)

SECURITY DEPOSIT:

Waived

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with Section 11-200.1-15, Hawaii Administrative Rules (HAR) and the Exemption List for the Department of Land and Natural Resources, reviewed and concurred by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to General Exemption Type 1, “Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving minor expansion or minor change of use beyond that previously existing,” Part 1, Item No. 44, which states, “Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing.”

REMARKS:

UHSLC is focused on understanding the physical processes that drive changes in water level at the coast. The proposed UHSLC sea level monitoring systems will help to gather data to help understand the expansion of the ocean, from ice melt, due to climate change, and its potential effect on infrastructure, ecosystems, and the lives of people worldwide.

The UHSLC serves multiple roles in support of real-time oceanographic operations as well as climate and oceanographic research. The UHSLC collaborates with agencies within host countries to install and maintain a global network of tide gauge stations that range in utility from tsunami warning to global sea level rise. The growing UHSLC network consists of more than 80 stations. The data are routinely processed, analyzed, and distributed at varying levels of temporal resolution and quality control that fill multiple end-user needs.

Currently, UHSLC is in the process of installing sea level monitors (as shown in **Exhibit B**) on Oahu at various small boat harbors, which includes Ala Wai, Keehi, Waianae, Haleiwa, and He’eia Kea. UHSLC believes that sea level activity data would be more accurate if it were collected from different locations statewide. UHSLC is proposing to install sea level monitors at various locations on Maui, Lanai, Molokai, Kauai, and Hawaii Island.

Staff recommends the Board approve the issuance of a right-of-entry permit to UHSLC for the use of State lands for the installation of sea level monitors to collect data regarding tides, wave action, and sea level rise. The applicant has not had a lease, permit, easement, or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

RECOMMENDATION:

That the Board of Land and Natural Resources:

1. Declare that, after considering the potential effects of the proposed project as provided by Chapter 343, HRS, and Chapter 11-200.1, 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 (1) year right-of-entry to University of Hawaii Sea Level Center, covering the subject areas 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; and
 - b. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
3. Authorize the Chairperson to issue the Right of Entry Permit for good reason.

Respectfully Submitted,



EDWARD R. UNDERWOOD, Administrator
Division of Boating and Ocean Recreation

APPROVED FOR SUBMITTAL:



DAWN N. S. CHANG, Chairperson
Board of Land and Natural Resources

Attachments:

- A-1 Lahaina Small Boat Harbor Location
- A-2 Manele Small Boat Harbor Location
- A-3 Kaunakakai Small Boat Harbor Location
- A-4 Hanalei Location
- A-5 Port Allen Location
- A-6 Miloli'i Landing Location
- A-7 Honokohau Small Boat Harbor Location
- B Sea Level Monitoring Equipment

Exhibit A-1

UH Sea Level Center Tide Gauge Proposed Location
Lahaina Small Boat Harbor, Maui
TMK (2) 4-6-001:017

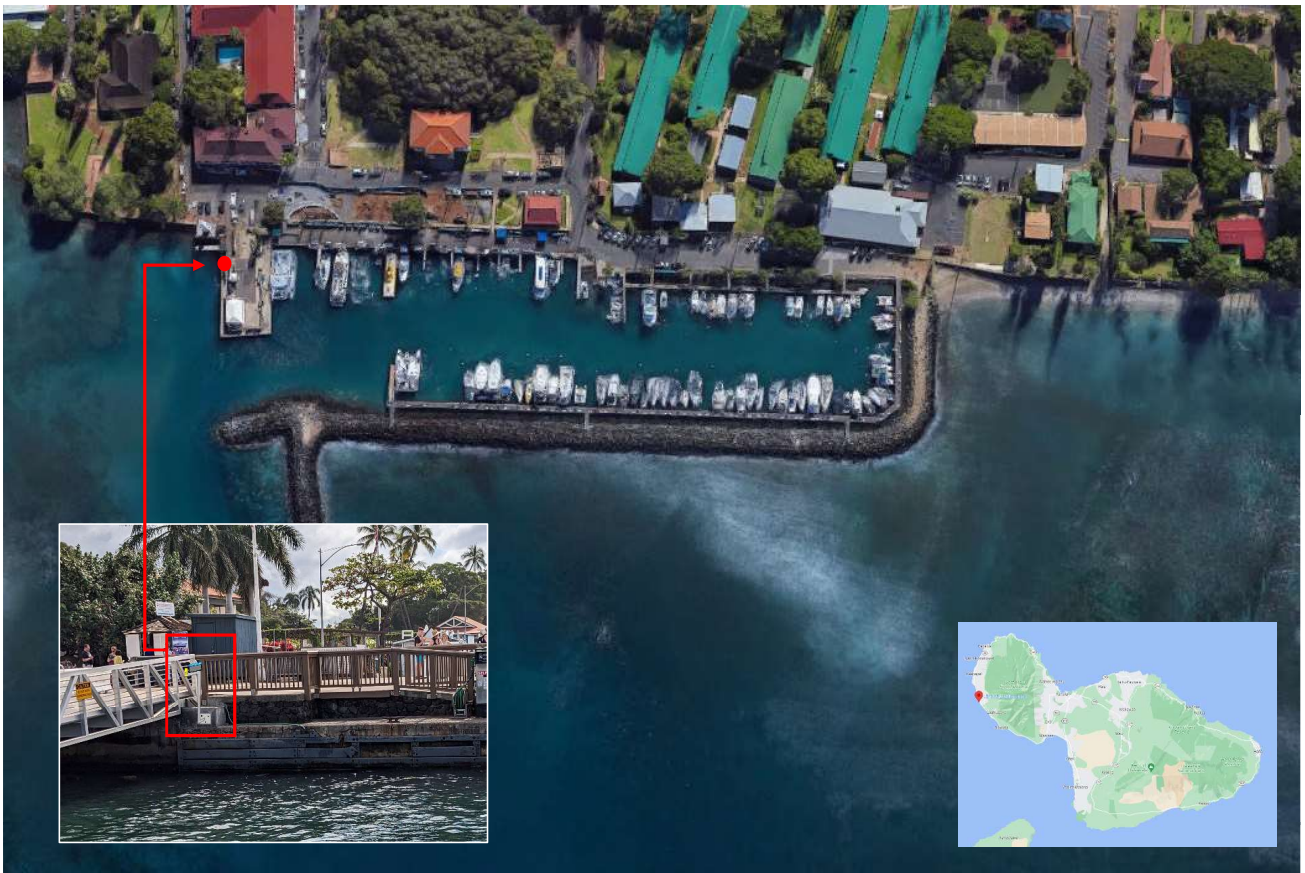


Exhibit A-2

UH Sea Level Center Tide Gauge Proposed Location
Manele Small Boat Harbor, Lanai
TMK (2) 4-9-017:006



Exhibit A-3

UH Sea Level Center Tide Gauge Proposed Location
Kaunakakai Small Boat Harbor, Molokai
TMK (2) 5-3-001:011



Exhibit A-4

UH Sea Level Center Tide Gauge Proposed Location
Hanalei, Kauai
TMK (4) 5-5-001:008 (por.)

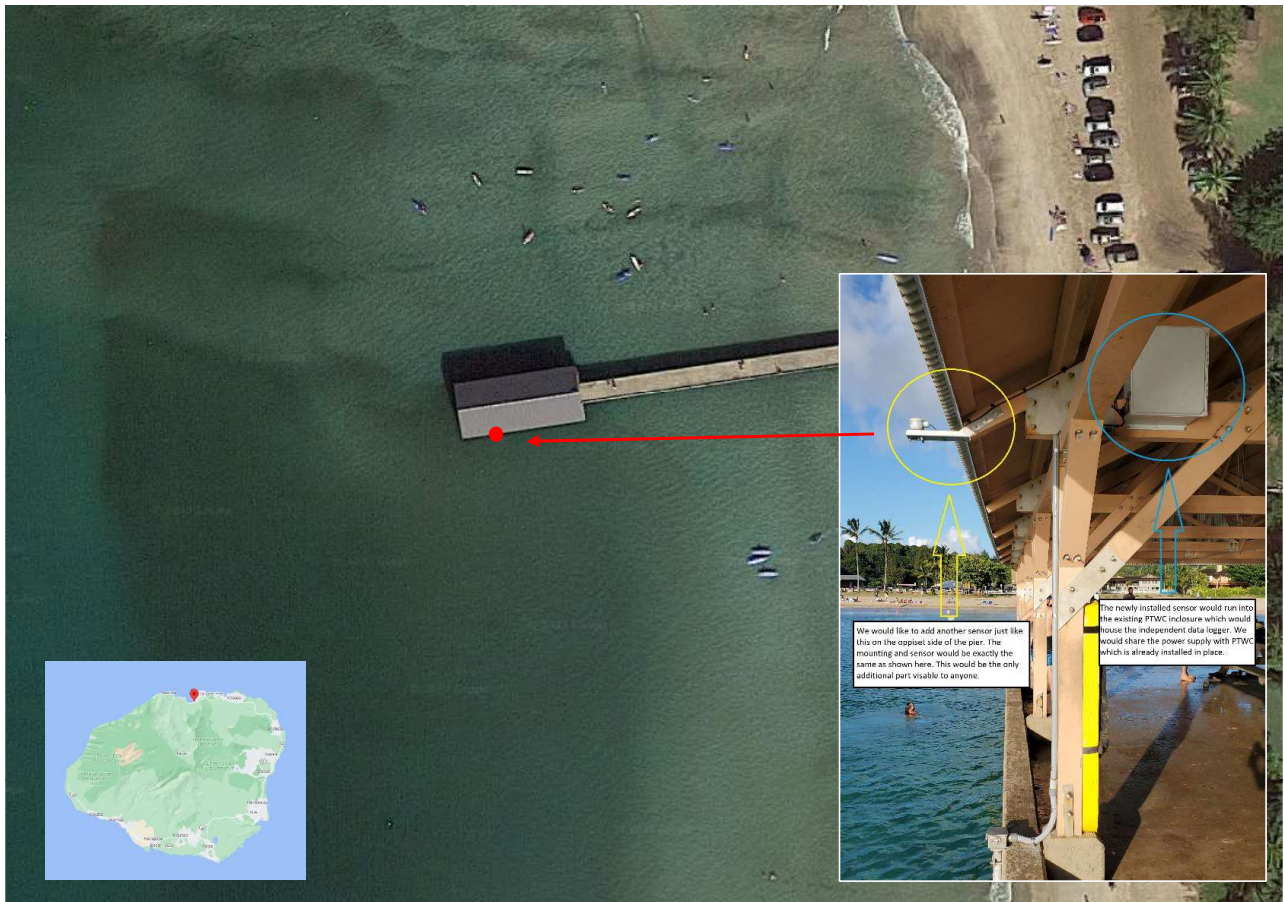


Exhibit A-5

UH Sea Level Center Tide Gauge Proposed Location
Port Allen, Kauai
TMK (4) 2-1-003:010 (por.)

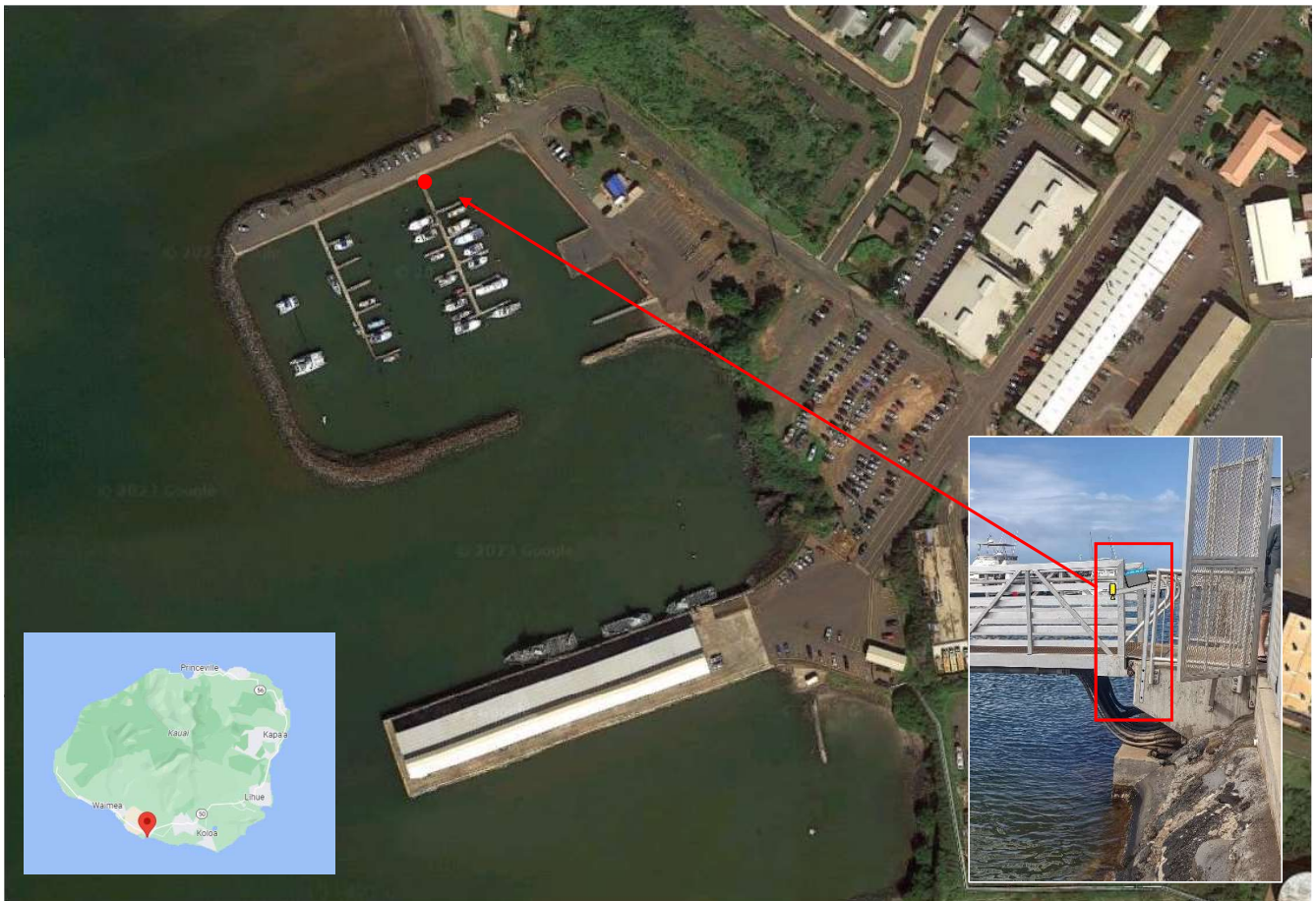


Exhibit A-6

UH Sea Level Center Tide Gauge Proposed Location
Miloli'i Landing, Hawaii Island
TMK (3) 8-9-004:019 (por.)



Exhibit A-7

UH Sea Level Center Tide Gauge Proposed Location
Honokohau Small Boat Harbor, Hawaii Island
TMK (3) 7-4-008:003 (por.)

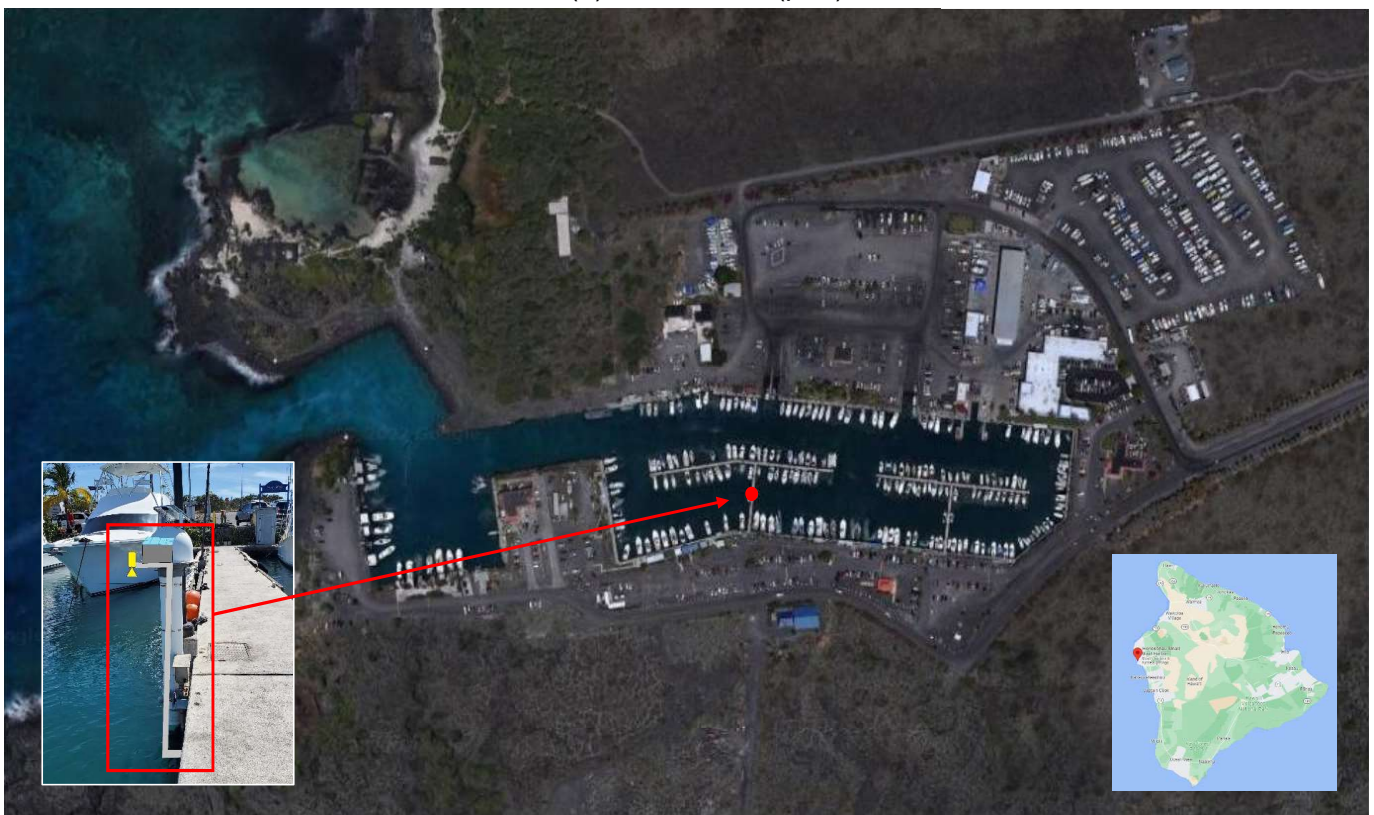


Exhibit B

UH Sea Level Center
Monitoring Equipment



Exhibit B