

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

June 9, 2023

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

PSF No. 23OD-028

Oahu

Issuance of Right-of-Entry Permit for One (1) Day to Oahu Pentathlon, LLC for the Oahu Pentathlon Swim, Run, Paddle, Bike, Ruck, and Bike Race Event to Take Place On August 26, 2023 at Castles Beach, Kailua, Oahu, Tax Map Key: (1) 4-3-083: seaward of 016 and Laniloa/ Clissold’s Beach, Laie, Oahu, Tax Map Key (1) 5-5-002: seaward of 061.

APPLICANT:

Oahu Pentathlon, LLC, a Hawaii for-profit, limited liability corporation.

LEGAL REFERENCE:

Section 171-55, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government lands in Kailua, Oahu, identified as tax map key (1) 4-3-083: seaward of 016, as shown on the attached **Exhibits A-1** and **A-2** and portion of Government lands in Laie, Oahu, identified as tax map key (1) 5-5-002: seaward of 061 as shown on the attached **Exhibits B-1** and **B-2**.

AREA:

- 1. Castles Beach Checkpoint 2:  
30’ x 30’ Area Containing One 10’ x 10’ Athlete Support Tent with Table for Food, Drinks, and First Aid; Two 3’ x 3’ Changing Tents; and One 15’ tall Flag 900 square feet
- 2. Laniloa/ Clissold’s Beach Checkpoint 4:  
20’ x 20’ Area Containing One 10’ x 10’ Athlete Support Tent with Table for Food, Drinks, and First Aid; One 3’ x 3’ Changing Tent; Staging Area for Paddled Watercraft; and One 15’ tall Flag 400 square feet
- Total Area:** **1,300 square feet**

ZONING:

State Land Use District: Conservation

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 areas are unencumbered.

CHARACTER OF USE:

Oahu Pentathlon swim, run, paddle, bike, ruck, and bike race event.

TERM:

From 7:00 AM to 11:00 AM on August 26, 2023 at Castles Beach and from 11:00 AM to 7:00 PM on August 26, 2023 at Laniloa/ Clissold's Beach.

RENTAL:

\$130.00 (based on 10¢ per square foot)

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rules ("HAR") §§11-200.1-15 and -16 and the Exemption List for the Department of Land and Natural Resources, reviewed and concurred on 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 for "[o]perations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing." Specifically, the subject request is exempt under Item 44, which exempts "[p]ermits, licenses, registrations, and rights-of entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing." It is expected that the subject request will have minimal or no significant effect on the environment and therefore should be declared exempt from the preparation of an environmental assessment and the requirements of §11-200.1-17, HAR (**Exhibit C**).

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:

Oahu Pentathlon, LLC is requesting a right-of-entry permit to conduct beach activities on State-owned lands in conjunction with a long-distance, multi-modal race event.

The Oahu Pentathlon is a multi-modal race that traverses the Windward, North Shore, and Leeward sides of Oahu. It includes six sections as follows: a swim course from Kailua Beach Park to Castles Beach in Kailua, a running course from Castles Beach to Waiahole Beach Park in Waikane, an ocean paddle course from Waiahole Beach Park to Laniloa/ Clissold's Beach in Laie, a bike course from Laniloa/ Clissold's Beach to Kaena State Park, a ruck course (hiking with weighted pack) on Kaena Point Trail to Makaha Beach Park, and a final bike course from Makaha Beach Park returning to Kailua Beach Park. Athletes may participate in the race as solo participants or as part of a five-to-seven-member team where athletes divide the various segments among themselves and complete the course relay-style. The event is open to athletes of varying skill levels and age and registration is capped at 150 total individual athletes.

Participants must finish the full racecourse within twenty-four hours, returning to Kailua Beach Park no later than 6:15 AM on August 27, 2023.

The Applicant requests that the Board approve two right-of-entry permits for its use of specified areas at Castles Beach in Kailua (**Exhibit D**) and Laniloa/ Clissold's Beach in Laie (**Exhibit E**). The Applicant is pursuing permits for the Kailua Beach Park, Waiahole Beach Park, and Makaha Beach Park sites through the City and County of Honolulu Department of Parks and Recreation. The Applicant is pursuing permits for Kaena State Park and Kaena Point Trail through the State Parks Division of the Department of Land and Natural Resources. The Applicant is also pursuing permits for the ocean-based portions of the swim course and paddling course from the Division of Boating and Ocean Recreation. Both the Honolulu Department of Parks and Recreation and the State Parks Division have confirmed to staff that all activities at those sites will take place within the boundaries of each agency's respective jurisdiction and will not require a shoreline permit from Land Division.

The Castles Beach site is a checkpoint and exchange site for transition from the initial swimming section of the race to the running portion. This site will be located on the sandy beach near a public access route that connects the beach to Kalaheo Avenue. The Applicant is requesting a permit for a 30' x 30' area at this site. Located within the 30' x 30' permitted area will be a 10' x 10' pop-up tent with a table for athlete support (food, drinks, and first

aid), two 3' x 3' changing tents, and a 15' tall event flag positioned so that it is visible to the participating athletes from the water near the final swim buoy in Kailua Bay. Since there will be no equipment changes at this checkpoint, there is no equipment staging area included at this location.

The Laniloa/ Clissold's Beach site is a checkpoint and exchange site for the transition from the paddling section of the race to the first biking portion. This site will be located on the sandy beach near a public access route that connects the beach to Kamehameha Highway. The Applicant is requesting a permit for a total area of 20' x 20' at this site. Located within the 20' x 20' permitted area will be one 10' x 10' pop-up tent with a table for athlete support (food, drinks, and first aid), one 3' x 3' changing tent, one 15' tall event flag positioned so it is visible to the athletes from the water, and a staging area for paddled watercraft (e.g. kayaks, paddle boards) for athletes emerging from the water. The Applicant expects that no more than two watercraft will be in the area at one time. The Applicant reports that they are working with the owner of abutting private property to locate a staging area for athletes' bicycles and do not anticipate bringing bicycles onto State land at this checkpoint.

The Applicant will not conduct any sales or other commercial activity under this right-of-entry permit.

The Office of Conservation and Coastal Lands (OCCL) commented that, because the Castles Beach and Laniloa/ Clissold's Beach checkpoint sites are in the Conservation District, the Applicant must assure that lateral public access across the beach is preserved for the entire period of the right-of-entry permit. OCCL had no objection to the proposed Environmental Assessment exemption. The Division of Boating and Ocean Recreation had no objection to the issuance of the right-of-entry permit and did not comment on the proposed Environmental Assessment exemption. The City & County of Honolulu Department of Parks and Recreation had no objection to the issuance of the right-of-entry permit and noted that it is requesting feedback from the relevant Neighborhood Board for its own issuance of a County permit for use of Kailua Beach Park overnight and in the very early morning. The City & County did not comment on the proposed Environmental Assessment exemption.

The 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 or 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 11-200.1, HAR, this activity will likely 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 Pentathlon, LLC covering the subject areas for the Oahu Pentathlon race under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
  - a. Payment of the rental amount stated above;
  - b. The standard terms and conditions of the most current right-of-entry form, as may be amended from time to time;
  - c. No commercial activity shall be conducted on State land pursuant to this permit;
  - d. The Applicant shall maintain public lateral access across both shoreline sites for the entire duration of the right-of-entry permit; and
  - e. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



---

Rebecca L. Anderson  
Shoreline Specialist

APPROVED FOR SUBMITTAL:



---

Dawn N. S. Chang, Chairperson

*KEM*

*ET*



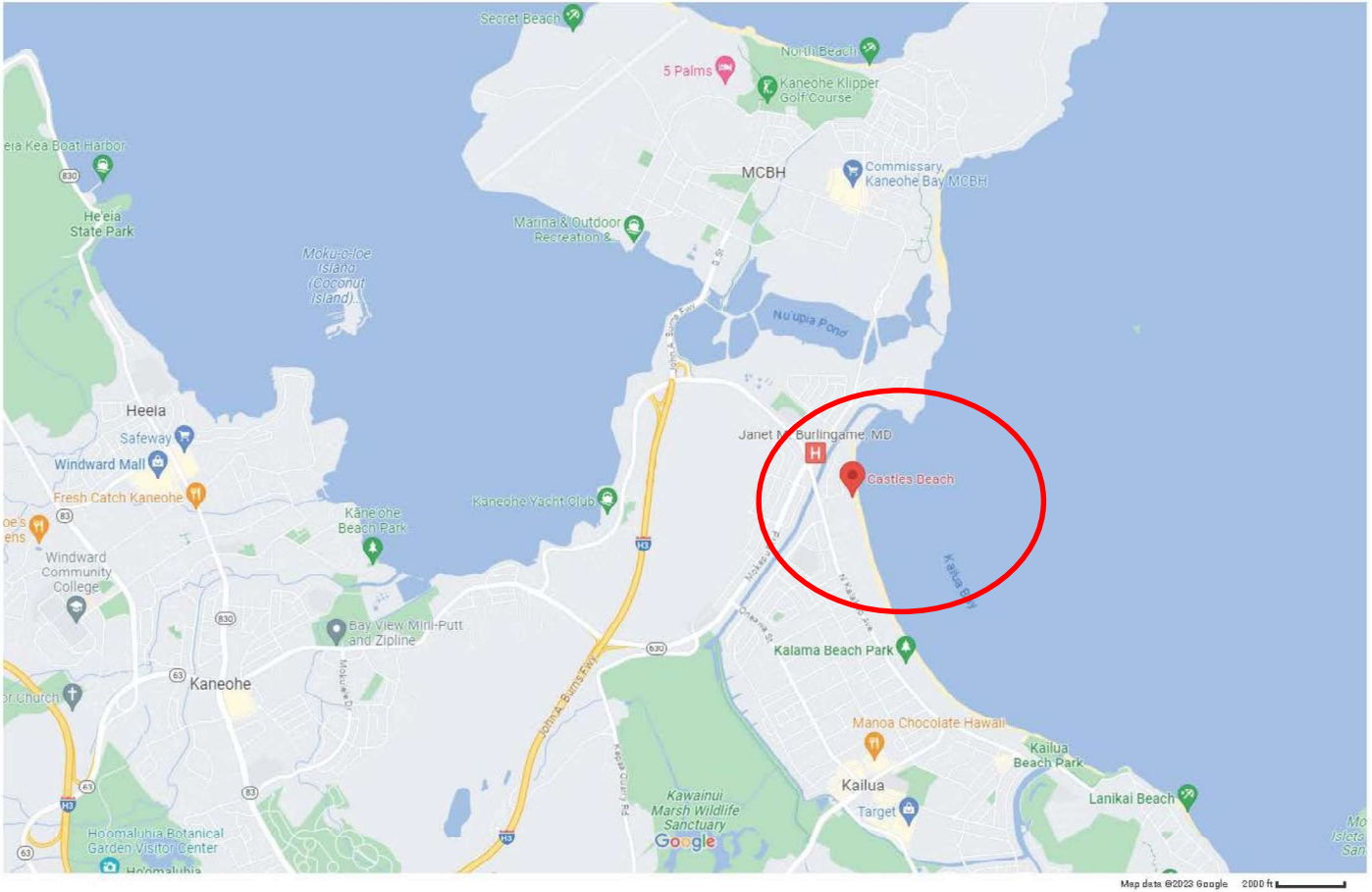
**Castles Beach Checkpoint 2**  
**TMK: (1) 4-3-083:016**

**EXHIBIT A-1**

4/19/23, 4:43 PM

Castles Beach - Google Maps

Google Maps Castles Beach



<https://www.google.com/maps/place/Castles+Beach/@21.4230443,-157.7590238,14z/data=!4m!3m5!1s!1x7r!1015fcb9feda89!1x!13f53ae3488ea47!1m2!13d21.4183411!1d-157.7444107!1rs%2F0%2F> 1/1

**Castles Beach Checkpoint 2**  
**TMK: (1) 4-3-083:016**

**EXHIBIT A-2**

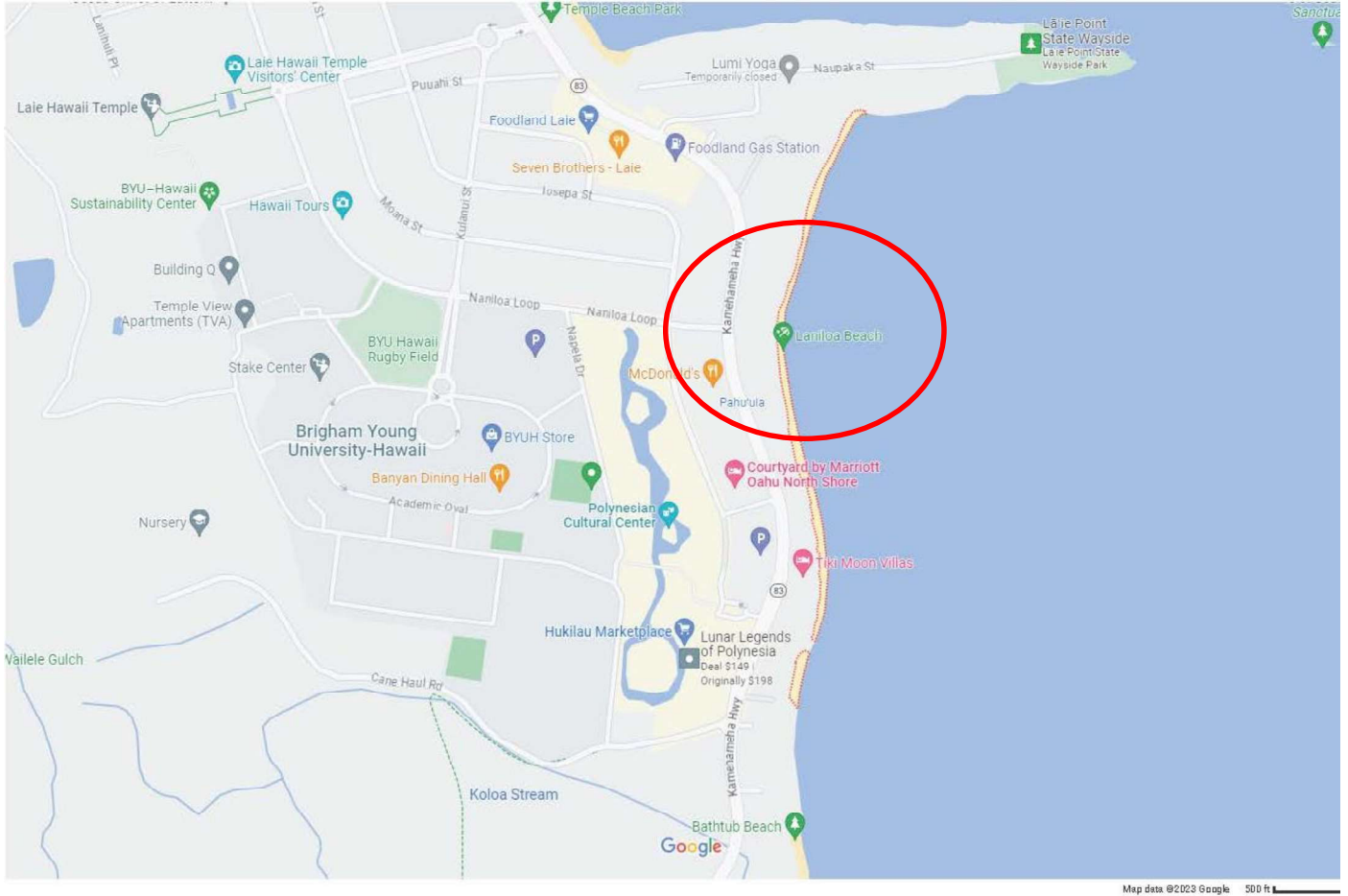


**Laniloa/ Clissold's Beach – Checkpoint 4  
TMK (1) 5-5-002:061**

**EXHIBIT B-1**



Laniloa Beach



<https://www.google.com/maps/place/Laniloa+Beach/@21.6418679,-157.9206438,16.25z/data=!4m6!3m5!1s0x7c004564fd728457:0xd0e65e20ffb479b18m2!3d21.643423!4d-157.9189687!16s%2Fg%2F...>

**Laniloa/ Clissold's Beach – Checkpoint 4  
TMK (1) 5-5-002:061**

**EXHIBIT B-2**

## EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200.1-15, HAR

Project Title: Oahu Pentathlon

Project / Reference No.: PSF 23OD-028

Project Location: Castles Beach, Kailua, Oahu, Tax Map Key: (1) 4-3-083: seaward of 016, and Laniloa/ Clissold's Beach, Laie, Oahu, Tax Map Key (1) 5-5-002: seaward of 061.

Project Description: Issuance of Right-of-Entry Permits to The Oahu Pentathlon for the Oahu Pentathlon Race Event

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

Exemption Class No: In accordance with Hawaii Administrative Rules ("HAR") Sections 11-200.1-15 and -16 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred on 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 for "[o]perations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing." Specifically, the subject request is exempt under Item 44, which applies to "[p]ermits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing." It is expected that the subject request will have minimal or no significant effect on the environment and should be declared exempt from the preparation of an environmental assessment and the requirements of Section 11-200.1-17, HAR.

Cumulative Impact of Planned Successive Actions in Same Place Significant? No. The Oahu Pentathlon occurs annually at a variety of sites across Oahu and the Applicant does not contemplate increasing the frequency of this event. As such, staff believes that there would be no significant cumulative impact as a result of the event.

**EXHIBIT C**

Action May Have  
Significant Impact on  
Particularly Sensitive  
Environment?

The requested areas are portions of State submerged land that have long been available for public access and are located in close proximity to public shoreline access routes. Race organizers have capped the number of participants at 150, most of whom are members of teams that will divide the segments of the race among members, which will reduce the number of participants actively on the racecourse at any one time. In addition, based on the analysis below, staff believes there would be no significant impact to sensitive environmental or ecological receptors.

Consulted Parties:

Agencies as noted in the submittal.

Analysis:

The Board has permitted similar events in the past including paddling, swimming, biking, and running race events. The proposed activity is of a similar type and scope of beach activities that have periodically occurred and continue 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. Staff also finds that the request will involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Recommendation:

It is recommended that the Board find that this event is likely to have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

## OAHU PENTATHLON | CASTLES BEACH (CHECKPOINT #2)



**EXHIBIT D**

# OAHU PENTATHLON | LANILOA/CLISSOLD'S BEACH (CHECKPOINT #4)

