

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

June 9, 2023

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

Land Board Members:

SUBJECT: Issuance of Right-of-Entry Permit to Hawaiian International Billfish Association for the Inaugural 4 Flags 30 Pound Billfish Tournament and the 61st Annual Hawaiian International Billfish Tournament, Situated at Kailua-Kona Pier, Lanihau, North Kona, Island of Hawaii, Hawaii, Tax Map Key: (3) 7-5-006:039 (por).

And

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

APPLICANT:

Hawaiian International Billfish Association, a Domestic Nonprofit Corporation, whose mailing address is P.O. Box 29638, Honolulu, HI 96820.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Kailua-Kona Pier, Lanihau, North Kona Island of Hawaii, Hawaii, Tax Map Key: (3) 7-5-006:039 (por), hereinafter referred to as the "Premises" as shown on the map labeled **Exhibit A** and attached hereto.

AREA:

Approximately 4,208 square feet, more or less. The area for alcohol consumption will be limited to a 4,000 square foot tent.

Item J-1

ZONING:

State Land Use District: Urban

County of Hawaii: CZO: Open

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act: YES X NO __

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES __ NO X

CURRENT USE STATUS:

Unencumbered.

CHARACTER OF USE:

Hosting the Inaugural 4 Flags 30 Pound Billfish Tournament and the 61st Annual Hawaiian International Billfish Tournament.

TERM:

August 1, 2023, to August 13, 2023.

CONSIDERATION:

One-time payment of \$13,676.00.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO
Registered business name confirmed:	YES <u>X</u>	NO
Applicant in good standing confirmed:	YES <u>X</u>	NO

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.”

APPLICANT REQUIREMENTS:

1. Pay consideration.
2. Obtain right-of-entry permit.
3. Provide the Division of Boating and Ocean Recreation (“DOBOR”) with a certificate of insurance for a policy or policies of comprehensive public liability insurance or its equivalent, in an amount of at least \$1,000,000 for each occurrence and \$2,000,000 aggregate and naming the State of Hawaii as additional insured.
4. The Hawaiian International Billfish Association, its consultants, contractors, and/or persons acting for on its behalf should obtain and provide to DOBOR with the necessary permits from the Department of Health to cook and serve food on the premises.

REMARKS:

The Hawaiian International Billfish Association will be holding their Inaugural 4 Flags 30 Pound Billfish Tournament from August 2 to 4, 2023, and their 61st Annual Hawaiian International Billfish Tournament (“HIBT”) from August 5 to 12, 2023, at the Kailua-Kona Pier on Hawaii Island. The annual tournament is the second oldest big game sportfishing event in the world and welcomes teams from all over the world to compete.

In addition to requesting a right-of-entry (“ROE”) permit, the Hawaiian International Billfish Association has also requested permission to serve food and alcohol to the HIBT participants during their daily events. The alcohol will be served to participants free of charge at designated times during the day.

Sale and consumption of alcoholic beverages is prohibited on or within State small boat harbors and boat launching facilities, as stated in HAR 13-232-60. Notwithstanding the foregoing, consumption of alcoholic beverages shall be permitted in a designated roped off area on the pier in an approved area by DOBOR, and only during designated times of the event with a proper disposition. Alcohol may only be permitted during the following days and times.

Saturday, August 5, 2023	5:00 PM – 8:00 PM
Sunday, August 6, 2023	5:30 PM – 9:00 PM
Monday, August 7, 2023	4:00 PM – 6:30 PM
Tuesday, August 8, 2023	4:00 PM – 6:30 PM
Wednesday, August 9, 2023	3:00 PM – 5:30 PM
Thursday, August 10, 2023	4:00 PM – 6:30 PM
Friday, August 11, 2023	4:00 PM – 9:30 PM

According to the County of Hawaii, Department of Liquor Control, the Hawaiian International Billfish Association does not need a special liquor license to serve alcohol

to their participants. The Hawaiian International Billfish Association has confirmed that they will be hiring police for this event.

Staff recommends the Board approve to Hawaiian International Billfish Association's request to serve alcohol in a designated area at certain times of the day. 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 disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, Hawaii Administrative Rules, 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 to Hawaiian International Billfish Association for the Inaugural 4 Flags 30 Pound Billfish Tournament and the 61st Annual Hawaiian International Billfish Tournament 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.

Respectfully Submitted,



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

APPROVED FOR SUBMITTAL:



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

Attachment:

A Site Location

Exhibit A

Site Location

Hawaiian International Billfish Association
Kailua-Kona Pier, Hawaii Island

