

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

July 8, 2011

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

PSF No. 11OD-100

Oahu

Issuance of Revocable Permit to Oahu Hawaiian Canoe Racing Association for the Duke Kahanamoku Long Distance Race Event to be held on August 21, 2011, at Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:portions of 021.

APPLICANT:

Oahu Hawaiian Canoe Racing Association, a domestic non-profit corporation

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Waikiki, Honolulu, Oahu, identified as tax map key: (1) 2-3-037: portions of 021, as shown on the attached Exhibit 1.

AREA:

5,500 square feet, more or less

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:

The requested beach areas are unencumbered

CHARACTER OF USE:

Duke Kahanamoku Long Distance Race Event

TERM:

From 6 a.m. to 6 p.m. on August 21, 2011

RENTAL:

\$550.00 (One time payment based on 10¢ per square feet per day.)

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1) and (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, 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 Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation.", as included in Exhibit 2.

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:

Pursuant to the authority delegated by the Board on September 28, 2001 (D-4), right-of-entry permits were issued for beach activities in the past.

After discussions with the applicant expressing staff's concerns regarding non-commercial types of activities on the beach, staff brings this request to the Board for disposition purposes. Issuance of a revocable permit for the one-day canoe race event would serve the applicant's needs.

The Duke Kahanamoku Long Distance Race (DKLDR) is a canoe race event that begins at Kailua Beach Park on Oahu, and terminates offshore from Duke Kahanamoku Beach in Waikiki. The DKLDR, sponsored by the Lanikai Canoe Club, is scheduled for Sunday, August 21, 2011, starting at 8 A.M. and is expected to conclude three to four hours thereafter.

Set-up upon the Duke Kahanamoku Beach for the day's event is scheduled to begin at 6 A.M. and a teardown is scheduled for 6 P.M. later that same day. For purposes of concluding the day's event, Oahu Hawaiian Canoe Racing Association (OHCRA) requests that the Board approve of a revocable permit for its use over designated areas of the beach.

Included in Exhibit 3, is a map furnished by the applicant describing the requested beach permit areas. An open beach area situated within close proximity to the parking lot of the Ala Wai Boat Harbor is intended for use as a canoe landing, unloading and exiting area. A tented area will also be located nearby for use as an awards-giving and seating area. Further, an adjacent open beach area is required for storing boxes, food items and materials necessary to support the conclusion of the race event.

As each canoe finishes the race, their accompanying escort boat will proceed to the Hilton Hawaiian Village Pier (HHVP), currently encumbered under Revocable Permit No. 7566, to enable the unloading of the supporting canoe paddle members and exit. Permit No. 7566 requires a \$1.50 toll per paying customer. Staff understands HHV is not charging any supporting canoe paddle members for using the pier. Therefore, staff does not believe HHV needs to pay the State the \$1.50 toll per supporting canoe paddle member.

No requests were routed to government and/or community agencies for comments since there are currently no outstanding issues associated with this request.

Staff has no objections to the subject request.

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.

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 revocable permit to Oahu Hawaiian Canoe Racing Association for the purpose of covering the subject area for the Duke Kahanamoku Long Distance Race Event 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 revocable permit form, as may be amended from time to time;
 - b. Review and approval by the Department of the Attorney General; and
 - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

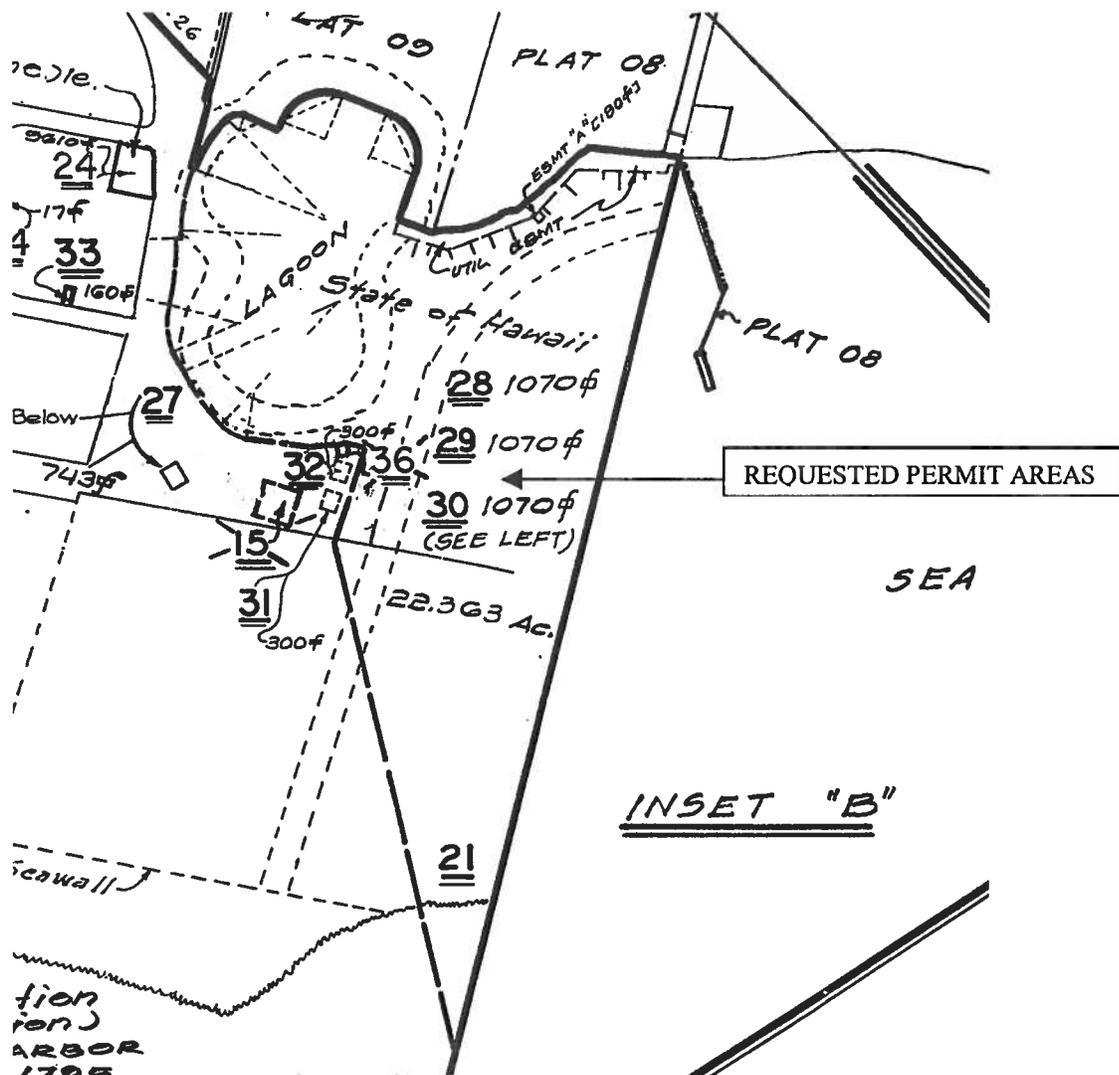
Respectfully Submitted,


Timmy Chee
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila Jr., Chairperson



TAX MAP KEY: (1) 2-3-037: PORTIONS OF 21

EXHIBIT 1

EXEMPTION NOTIFICATION

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

Project Title: Issuance of a One-Day Revocable Permit to Oahu Hawaiian Canoe Racing Association for the Duke Kahanamoku Long Distance Race Event

Project / Reference No.: PSF 11OD-100

Project Location: Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of: 021.

Project Description: Duke Kahanamoku Long Distance Race Event

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

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a) (1) and (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, 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 Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

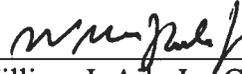
This Division has permitted similar events in the past. The proposed activity is of a similar type and scope of beach activities that periodically occurred and continues to occur on this and other beach areas across the State. Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. As such, staff believes that the proposed event would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Consulted Parties Not applicable

EXHIBIT 2

Recommendation:

That the Board find 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.



William J. Aila Jr., Chairperson

6/23/11

Date

HILTON
LAGOON

BOARDWALK

TENTS
2 - 10' x 10'
120' x 40'

OPEN
SPACE
30' x 30'

120' x 30'

PARKING
LOT

AUGUST 21, 2011
DUKE KAHANAMOKU PAC
DUCEPA
SPONSOR: LANIKAHI
AND
CUBS

EXHIBIT "3"

P-1