

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

August 14, 2015

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

PSF No.: 15OD-012
OAHU

Request to Amend Prior Board Action of March 13, 2015, (Item D-8), "Issuance of a Right-of-Entry Permit to the Na Wahine O Ke Kai for a Canoe Race Event to be held on Sunday, September 27, 2015, at Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of 021."

The Purpose of this Request is to Amend the Permit Date of the Canoe Race Event to Include Saturday, September 26th, 2015 and to Revise the Permit Areas, and Rent, Accordingly, at Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of 021."

BACKGROUND:

On March 13, 2015, under agenda item D-8, the Board approved of the issuance of a right-of-entry permit to Na Wahine O Ke Kai (NWOKK) to bring closure to a canoe race event planned for Sunday, September 27, 2015, located upon the Duke Kahanamoku Beach. A copy of the approved Board submittal is attached as **Exhibit 1**.

The purpose for amending the permit date of the canoe race event is to allow for the delivery and set-up of a main tent upon the beach a day prior to the actual race-day. NWOKK plans to erect the tent on Saturday, September 26, 2015, beginning at 3 P.M. It will remain until the following day on Sunday, September 27, 2015. Permit Area #1 will be revised with the setting-up of a main tent consisting of thirty-two-hundred (3,200) square feet for an awards ceremony. On Sunday, September 27, 2015, NWOKK plans to revise Area #2 by erecting two (2) pop-up tents, each consisting of one-hundred (100) square feet, for exhibitor use. Further, Area #3, which was previously referred to as Beach Area #7, will remain unchanged. As such, the revised permit areas will be increased in total size by an amount of three-thousand (3,000) square feet. Therefore, for the two (2) day period, NWOKK will pay an additional **\$300.00** or [3,000 square feet x 10 cents per square foot] to use the larger, revised permit area. See **Exhibit 2** for the revised map delineating the three (3) requested permit areas requiring the Board's approval.

Staff recommends that the Board amend its March 13, 2015 approval by amending the permit date of the canoe race event to include Saturday, September 26th, 2015 and to revise the permit areas, and rent, accordingly.

RECOMMENDATION: That the Board:

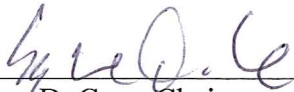
1. Amend its March 13, 2015 approval by amending the permit date of the canoe race event to include Saturday, September 26th, 2015 and to revise the permit areas, and rent, accordingly.
2. All terms and conditions listed in its March 13, 2015 approval to remain the same.

Respectfully Submitted,



Timmy Chee
Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson



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

March 13, 2015

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

PSF No. 15OD-012

Oahu

Issuance of a Right-of-Entry Permit to the Na Wahine O Ke Kai for a Canoe Race Event to be held on Sunday, September 27, 2015, at Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of 021.

APPLICANT:

Na Wahine O Ke Kai, a domestic nonprofit 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:

Area #1: 2,000 square feet
Area #2: 1,600 square feet
Area #7: 1,500 square feet
Total Area: 5,100 square feet, more or less

ZONING:

State Land Use District: Urban

TRUST LAND STATUS:

Section 5(a) lands of the Hawaii Admission Act

APPROVED BY THE BOARD OF
LAND AND NATURAL RESOURCES
AT ITS MEETING HELD ON

March 13, 2015 40.

D-8

EXHIBIT 1

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

The requested beach areas are unencumbered

CHARACTER OF USE:

Canoe race event use

TERM:

From 6 a.m. until 6 p.m. on Sunday, September 27, 2015.

RENTAL:

\$510.00 (One time payment based on 10¢ per square foot 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:

The Na Wahine O Ke Kai canoe race event consists of approximately forty-one (41) nautical miles, beginning at Hale-O-Lono Harbor, Molokai and finishes offshore from the Duke Kahanamoku Beach in Waikiki; fronting the Hilton Hawaiian Village Hotel,

located on the island of Oahu. The canoe race-day is scheduled for Sunday, September 27, 2015, starting at 8 A.M. and the teams are expected to finish from five to eight hours thereafter.

The Na Wahine O Ke Kai Committee requests that the Board approve of a right-of-entry permit for its use over specific areas of the subject beach. The Applicant's request to use portions of the Duke Kahanamoku Beach is for the purpose of bringing closure to the canoe race event. The setting up of the three (3) requested areas of the beach is scheduled to begin at 6 A.M. on Sunday, September 27, 2015, and a teardown is scheduled for 6 P.M. later on that day.

For Board approval purposes of this request, the subject right-of-entry permit includes Beach Areas: #1, #2, and #7, only. See Exhibit 3.

Beach Area #1 is intended to be an: Awards Ceremony/Finish/Hospitality/Webcast Area, located within close proximity to the parking lot of the Ala Wai Boat Harbor.

Beach Area #2 is the Exhibitors Area and will consist of exhibitor booths/promotions for the displaying of promotional materials associated with the sport of canoe racing. No commercial types of activities are allowed within this area.

Beach Area #7 is intended for use as a Canoe Exit Area and is located nearby to the parking lot where the awaiting canoe trailers will be staged. It is within this area that the canoes will be partially disassembled in preparation for transporting and exiting purposes. Items related to the closure of the event will also be located within this area.

The Applicant has requested access to the Hilton Hawaiian Village Pier (currently encumbered under Revocable Permit No. 7566), located adjacent to where the finish line for the canoe race event will be designated. Revocable Permit No. 7566 requires a \$1.50 toll fee per paying customer. However, it is staff's understanding that the Hilton Hawaiian Village Hotel (HHVH) will not be charging a fee to any of the canoe race officials nor to its participants for the use of the subject pier. Therefore, staff is of the opinion that HHVH will not be required to pay the State for the said toll fee.

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

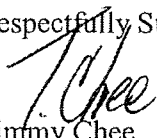
Staff has no objections to the subject request.

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.

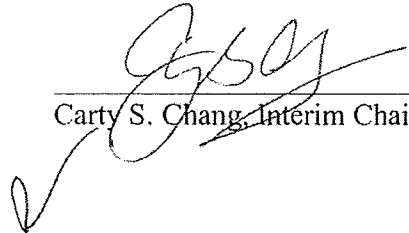
RECOMMENDATION: That the Board

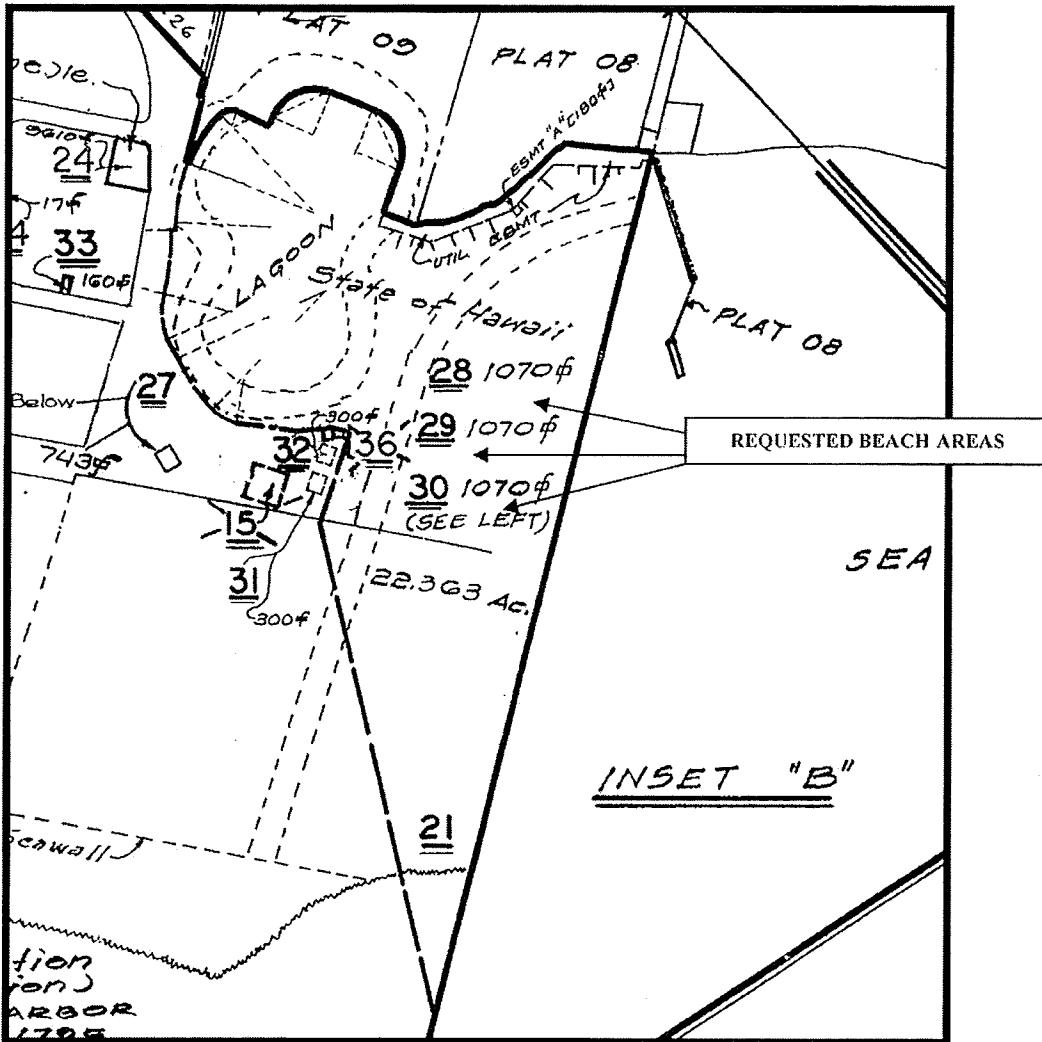
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a right-of-entry permit to the Na Wahine O Ke Kai for the purpose of covering the subject area for a canoe 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 right-of-entry 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,


Timmy Chee
Land Agent

APPROVED FOR SUBMITTAL:


Carty S. Chang, Interim 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 Right-of-Entry Permit to Na Wahine O Ke Kai for a Canoe Race Event

Project / Reference No.: PSF 15OD-012

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

Project Description: For A Canoe 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."

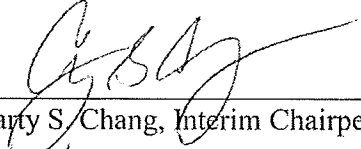
This Division has permitted similar events in the past. The proposed activity is of a similar type and scope of beach activities that periodically occurred and continues to occur on this and other beach areas across the State. Such activities have resulted in no known significant impacts, whether immediate 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 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.



Cathy S. Chang, Interim Chairperson



Date

2/13/15

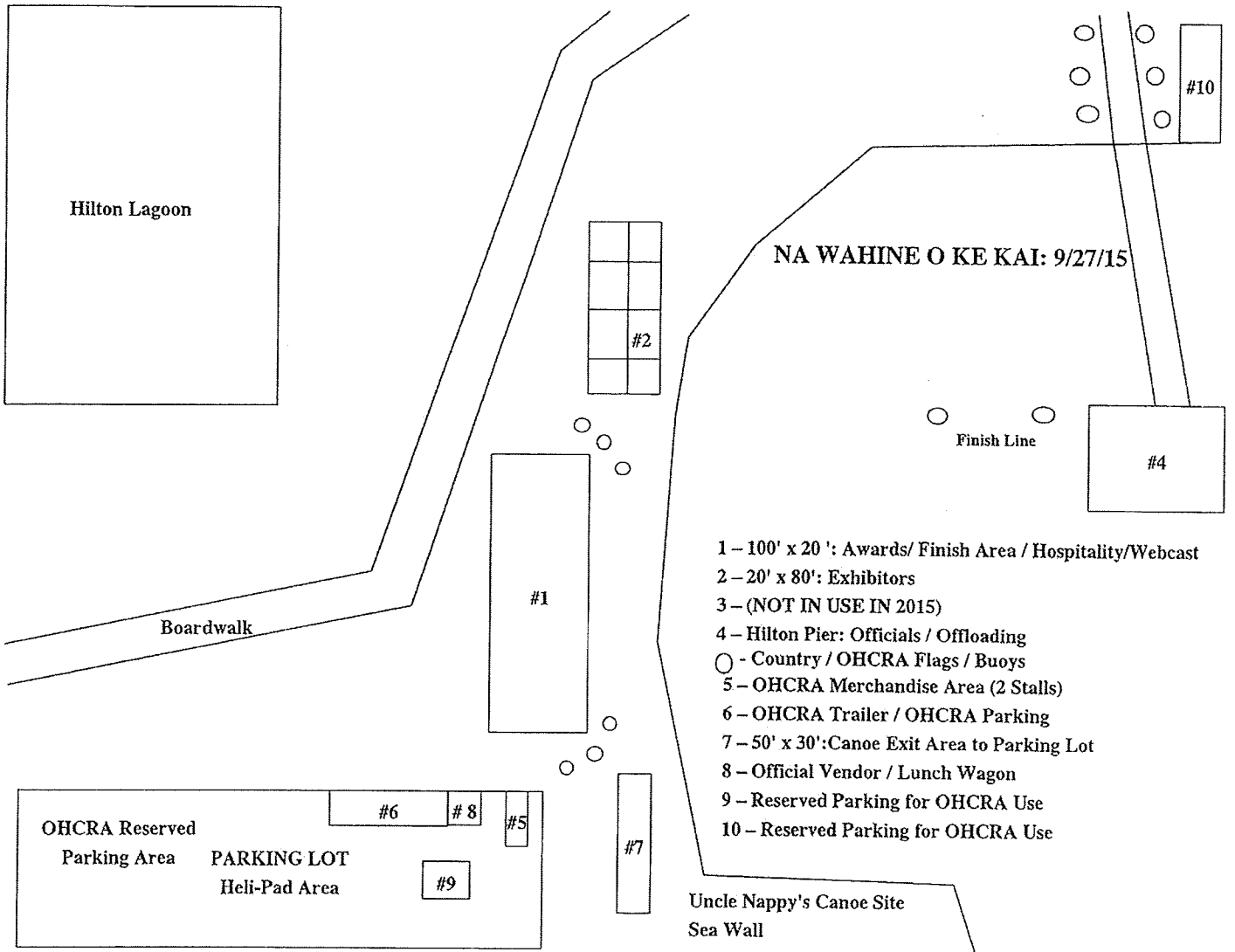


EXHIBIT 3

Exhibit 2

DANCER'S STAGING ROOM
RAINBOW TOWER

HILTON LAGOON

NA WAHINE O KE KAI 2015

FINISH LINE

HILTON PIER

AREA #4

AREA #1
80' x 40'
AWARDS
TENT

AREA #2

2 - 10'x10' POP UP TENTS

30' X 50'
CANOE
EXIT AREA
TO
PARKING
LOT

AREA #3

- 1- 80' x 40' Awards/Finish Area/
Hospitality/Medical
- 2- 2 - 10' x 10' pop up tents
- 3- 30' x 50' Canoe Exit Area to parking lot
- 4- Hilton Pier: Officials, Offloading
- 5- Na Wahine Merchandise - 2 stalls
- 6- OH CRA trailer parking
- 7- Reserved parking for Na Wahine use - 20 stalls

OH CRA TRAILER PARKING AREA #6

PARKING LOT

AREA # 7 20 RESERVED STALLS

HELI-PAD AREA

MERCHANDISE TENT AREA #5

UNCLE NAPPY'S CANOE SITE

BOARDWALK