

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

January 22, 2016

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

PSF No.: 15KD-178

Kauai

Issuance of Right-of-Entry Permit to Keauhou Volleyball Association for Dinosaur Beach Volleyball Tournament at Kalapaki Beach, Lihue, Kauai, Tax Map Key: (4) 3-5-02:seaward of 2.

APPLICANT:

Keauhou Volleyball Association, Domestic, Non-Profit Association, whose business and mailing address is P.O. Box 390295, Keauhou, Hawaii 96739.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Kalapaki Beach. Lihue, Kauai, identified as seaward of Tax Map Key: (4) 3-5-02, as shown on the attached Exhibit A.

AREA:

8,112 square feet, more or less.
(1,352 square feet per court, six courts for tournament)

ZONING:

State Land Use District:	Conservation
County of Kauai CZO:	Urban

TRUST LAND STATUS:

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

CURRENT USE STATUS:

Vacant and unencumbered.

CHARACTER OF USE:

Beach Volleyball Tournament

TERM OF RIGHT-OF-ENTRY:

From 8:00 am to 6:00 pm on March 18–20, 2016.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

See Exhibit B.

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:

Keauhou Volleyball Association is requesting a right-of-entry permit for a Dinosaur Beach Volleyball Tournament. The tournament is scheduled for March 18-20, 2016 from 9:00 am to 5:00 pm. Set-up will be at 8:00 am and break down by 6:00 pm.

Pursuant to the Board's action of June 14, 2013, Item D-11, staff brings the request to the Board for approval. Keauhou Volleyball Association has in the past held the Dinosaur Beach Volleyball Tournament on the Big Island of Hawaii at Keauhou Bay, Kona Town , and the Kohala Coast, the island of Maui at Kanaha Beach and on Oahu at the Outrigger Canoe Club. There is no entrance fee and is always open to the public. Keauhou Volleyball Association states that no commercial activities will occur on State lands in connection with the event, and therefore requests that the right-of-entry permit be issued to it at no charge.

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.

The proposed activity is of a similar type and scope of beach activities that routinely 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.

Comments were solicited from:

State Agencies:

DOH	No environmental health concerns
Historic Preservation	No response by suspense date
OCCL	No objections
OHA	No response by suspense date

County Agencies

County Planning	No objections
Parks & Recreation	No response by suspense date

Others

Kauai Marriott Resort	No use of the pool area by participants unless resort guests.
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RECOMMENDATION: That the Board

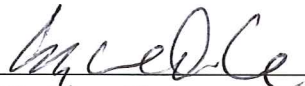
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a right-of-entry permit to Keauhou Volleyball Association covering the subject area for Dinosaur Beach Volleyball Tournament purposes 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;
 - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



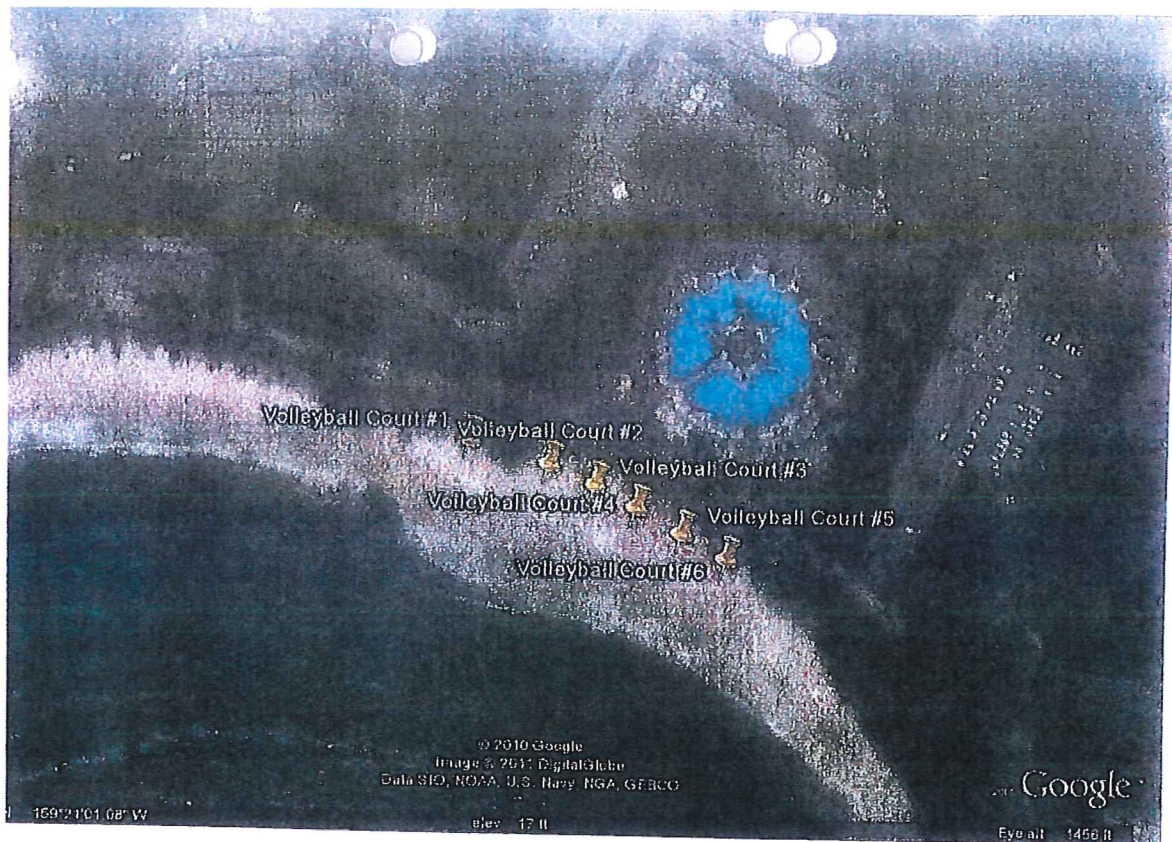
Marvin Mikasa
District Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson





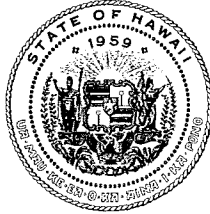
Dinosaur Beach Volleyball Tournament
Volleyball Court Locations

Kalapaki Beach, Lihue, Kauai

TMK: (4) 3-5-02:seaward of 2

EXHIBIT "A"

DAVID Y. IGE
GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

January 22, 2016

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

TO: Board of Land and Natural Resources

THROUGH: Suzanne Case, Chairperson

FROM: Kauai District Land Office

DECLARATION OF EXEMPTION FROM THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT UNDER THE AUTHORITY OF CHAPTER 343, HRS AND CHAPTER 11-200 HAR, FOR RIGHT-OF-ENTRY PERMIT TO KEAUAHOU VOLLEYBALL ASSOCIATION, FOR DINOSAUR BEACH VOLLEYBALL TOURNAMENT UNDER PSF No. 15KD-178.

The following permitted activities are found to be exempted from preparation of an environmental assessment under the authority of Chapter 343, HRS and Chapter 11-200, HAR:

Project Title:

Right-of-Entry Permit to Keauhou Volleyball Association for Dinosaur Beach Volleyball Tournament.

PSF Number: 15KD-178

Project Description:

The applicant hosts the Dinosaur Beach Volleyball Tournament annually in March. For the past several years it's been held on Kauai. Before that, it was held on the Big Island, Maui and Oahu.

The applicants have 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.

Consulted Parties:

The draft board submittal was sent out for review and comments to the following agencies: State of Hawaii: Department of Health (DOH), DLNR - Commission on Water Resource Management (CWRM), DLNR - Historic Preservation Division, DLNR - Office of Conservation and Coastal Lands, Office of Hawaiian Affairs (OHA), Kauai County Planning Department, Kauai County Parks and Recreation Department and Kauai Marriott Resort.

Exhibit B

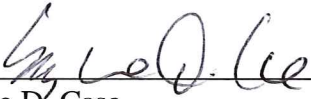
Exemption Determination:

After reviewing HAR § 11-200-(8), DLNR has concluded that the activities under this permit would have minimal or no significant effect on the environment and that issuance of the permit is categorically exempt from the requirement to prepare an environmental assessment.

According to the Exemption List for the Department of Land and Natural Resources, as reviewed approved by the Environmental Council on June 5, 2015, Exemption Class No.1, "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 [HAR § 11-200-8(b)(47)]", Exemption Class No. 4, "Minor ground adjustments (e.g., grading, grubbing, cutting or filling) that do not require grading permits. [HAR § 11-200-8(b)(14)]"

Conclusion:

It is recommended that the Board declare that 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.



Suzanne D. Case

Board of Land and Natural Resources

12/31/15

Date