

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

January 25, 2013

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

PSF#12KD-172
Kauai

Issuance of a Right-of-Entry Permit to Garden Island Canoe Racing Association (GICRA) on Unencumbered State Beach Land for Storage and Staging Areas, for the Hawaiian Canoe Racing Association Championships (HCRAC) and the NaPali Challenge at Hanalei Bay Beach, on August 2nd thru August 4th, 2013, Hanalei, Kauai, portion of TMKs (4) 5-5-001 thru (4) 5-5-005; seaward of 001 thru 005.

APPLICANT:

Garden Island Canoe Racing Association (GICRA), a Non-profit Corporation, whose business and mailing address is P.O. Box 43, Lihue, Hawaii 96766.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands at Hanalei, Kauai, portion of TMKs (4) 5-5-001 thru (4) 5-5-005; seaward of 001 thru 005, as shown on the attached Exhibit A

AREA:

8,000 square feet, more or less

ZONING:

State Land Use District: Conservation

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:

2013 Hawaiian Canoe Racing Association Championships and NaPali Challenge at Hanalei Bay for staging and storage areas.

TERM:

800am August 2, 2013 through 600pm August 4, 2013

RENTAL:

Gratis. Garden Island Canoe Racing Association is a 501(c)3 non-profit organization.

COLLATERAL SECURITY DEPOSIT:

Payment of a \$500.00 refundable deposit for restoration fees of the area is waived by Land Division on the basis that GICRA is agreeable to the condition of this right-of-entry as mentioned below.

GICRA shall be responsible for cleaning and restoring the area or premises to its original condition or a condition satisfactory to the Department of Land and Natural Resources upon completion of this event. All trash shall be removed from the area or premises.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rules, Section 11-200-8(A), the subject project is considered to be exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 4, that states: "Minor alterations in the condition of land, water, and vegetation."

DCCA VERIFICATION:

Place of business registration confirmed: YES x NO __
Registered business name confirmed: YES x NO __
Applicant in good standing confirmed: YES x NO __

REMARKS:

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

After discussion about different types of beach activities and any associated requirements, staff brings the request to the Board for disposition. The form of disposition could be in form of a right-of-entry permit.

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.

No comments were solicited from government or community agencies.

GICRA has requested a right-of-entry permit to hold the HCRAC State Canoe Championships in Hanalei Bay. It has requested to utilize portions of Hanalei Bay Beach from the Pine Trees area to the Hanalei Pier for storage and staging area of canoes and tents along the beach for race officials and paddling participants on Hanalei Bay Beach, identified as "HCRAC Locations", as shown on the attached map labeled Exhibit "A". The set-up, competition, and clean-up will be from August 2, 2013 to August 4, 2013.

A total of approximately twenty (20) canoes are expected to participate in the event with an estimated five thousand (5,000) paddlers. GICRA has applied with the County of Kauai Parks & Recreation for use of the adjacent facilities for parking/bathrooms and with DLNR's DOBOR for use of Hanalei Bay for the canoe races.

The proposed activity is of a similar type and scope of beach activities that 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. As such staff believes that the proposed event/use would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

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 Garden Island Canoe Racing association, covering the subject area for the State Canoe Championships 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,


fr | _____
Milo Spindt
District Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson

N

AREA FOR TENTS FOR OFFICIALS & PARTICIPANTS BETWEEN HERE & HERE

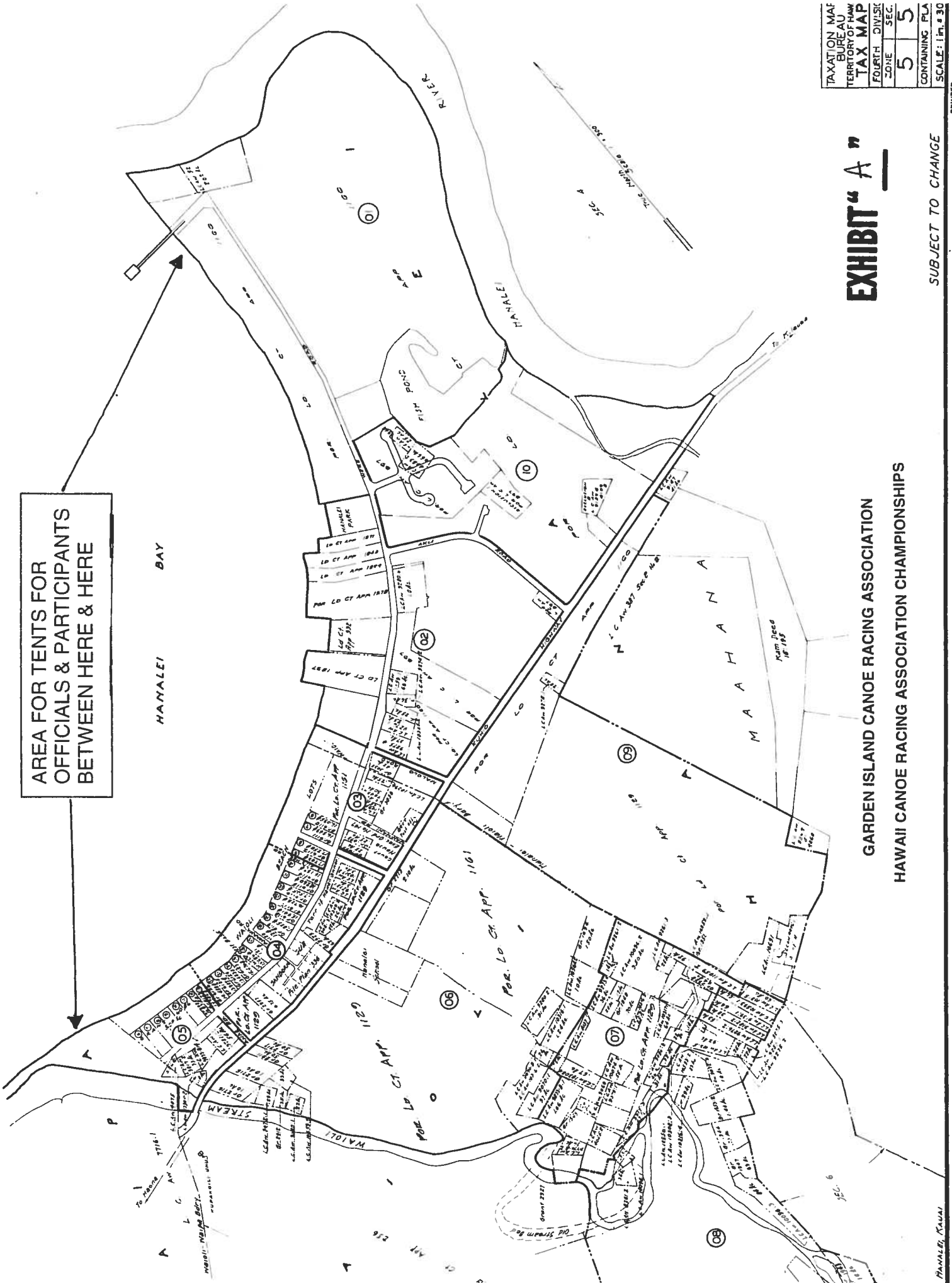


EXHIBIT "A"

GARDEN ISLAND CANOE RACING ASSOCIATION
 HAWAII CANOE RACING ASSOCIATION CHAMPIONSHIPS

SUBJECT TO CHANGE

TAXATION MAP	BUREAU	TERRITORY OF HAWAII	TAX MAP
FOURTH DIVISION	ZONE	DIVISION	SEC.
	5	5	5
CONTAINING			FLA
SCALE:			1 in. = 30



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

January 25, 2013

EXEMPTION NOTIFICATION

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

Project Title:	Issuance of Right-of-Entry Permit to Garden Island Canoe Racing Association (GICRA).
Project / Reference No.:	2013 Hawaiian Canoe Racing Association Championships and NaPali Challenge
Project Location:	Hanalei Bay, Hanalei, Kauai
Project Description:	2013 Hawaiian Canoe Racing Association Championships and NaPali Challenge at Hanalei Bay for staging and storage areas.
Chap. 343 Trigger(s):	Use of State Unencumbered Lands
Exemption Class No.:	In accordance with Hawaii Administrative Rules, Section 11-200-8(A), the subject project is considered to be exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 4, that states: "Minor alterations in the condition of land, water, and vegetation."
Consulted Parties:	Office of Conservation and Coastal Lands
Exemption Item Description from Agency Exemption List:	N/A

This exemption is appropriate because the activities to be allowed under the right-of-entry permit are consistent with those conducted by other canoe clubs. As this is not part of a multi-phase project, the activities conducted will not result in a significant, cumulative impact beyond that which results from everyday use of the beach by the general public.

Recommendation:

It is anticipated 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 *W*

1/9/13

Date