

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

March 28, 2014

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

HAWAII

Issuance of Right-of-Entry Permit to the World Triathlon Corporation on State-Owned Lands at Lalamilo, South Kohala, Hawaii, Tax Map Key: (3) 6-9-001: portion of 015.

APPLICANT:

World Triathlon Corporation, a foreign corporation.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Lalamilo, South Kohala, Hawaii, identified by Tax Map Key: (3) 6-9-001: portion of 015, as shown on the attached map labeled Exhibit A.

AREA:

545.025 acres, more or less.

ZONING:

State Land Use District: Conservation
County of Hawaii CZO: Ag-5A

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution:
YES ___ NO x

CURRENT USE STATUS:

Encumbered by Revocable Permit No. S-7786, Volcano Island Honey Company, LLC, Permittee, for apiary purposes.

Encumbered by Revocable Permit No. S-7820, Volcano Island Honey Company, LLC, Permittee, for apiary purposes.

CHARACTER OF USE:

Temporary access purposes.

TERM OF RIGHT-OF-ENTRY:

One day. May 31, 2014, between the hours of 8:30am to 12:20pm.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Sections 11-200-8(a)(1) & (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, which 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 Exemption Class No. 4, which states, "Minor alterations in the conditions of land, water or vegetation."

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

APPLICANT REQUIREMENTS:

- 1) Contact and notify the Puako Community Association of the proposed activity and to coordinate accesses through a locked gate at the Puako Roman Catholic Church property. Mr. Narand Patel, proprietor of the Puako General Store, is the designated representative of the Puako Community Association and can be reached at 882-7500.

REMARKS:

The subject parcel, identified as TMK: 3rd/ 6-9-001:015, originally consisted of 775.083 acres, encumbered under General Lease No. S-4141, to Signal Oil and Gas Company. This 25-year lease, issued through a public auction, was effective February 23, 1968 and expired on February 22, 1993.

On December 31, 1969, General Lease No. S-4141 was assigned from Signal Companies, Inc., a Delaware corporation, to Signal Properties, Inc., a California corporation. On October 8, 1973, the lease was then assigned to Orchid Island Resorts Corporation, the corporate predecessor of Mauna Lani Resort, Inc.

At its meeting of August 22, 1986, the Board approved a partial withdrawal of approximately 230 acres from General Lease No. S-4141. The entire parcel, which once consisted of 775.083 acres was subdivided into two parcels. Lot A was designated as Parcel 15, consisting of 545.025 acres and Lot B was designated as Parcel 17, consisting of 230.067 acres. Parcel 15 was unencumbered at the expiration of General Lease No. S-4141 in 1993. Parcel 17 is currently encumbered under General Lease No. S-5162, awarded to Mauna Lani Resort through a public auction effective 7/24/87, for proposed archaeological park, public beach park, and commercial recreational purposes.

At its meeting of September 26, 2008 (D-4) and December 9, 2011 (D-2), Volcano Island Honey Company, LLC, was approved two revocable permits (RPS-7786 & RPS-7820), for Apiary purposes.

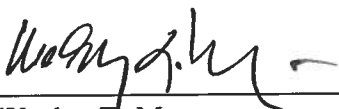
Over the past 10 years since 2004, the Chairperson of the Board of Land and Natural Resources has approved the World Triathlon Corporation a right-of-entry permit to traverse State-owned lands for use of the Puako Evacuation Road relating to its annual Ironman 70.3 Hawaii (Honu Half Ironman) Triathlon. The triathlon entails a swim transition at Hapuna Beach State Park and a bike-to-run transition at the Fairmont Orchid Hawaii. The proposed use of the subject evacuation roadway is to allow hotel staff and/or Ironman Triathlon personnel with their support vehicles to transport safety equipment between Hapuna Beach and the Fairmont Orchid Hawaii. Transporting of the equipment will be done using 4-wheel drive Gators. The proposed activity is expected to be on Saturday, between the hours of 8:30am to 12:30pm, May 31, 2014.

Staff is recommending that this permit be at gratis, as Permittee and/or persons acting for or on its behalf will not profit monetarily as this right-of-entry is strictly for access purposes only.

RECOMMENDATION: That the Board

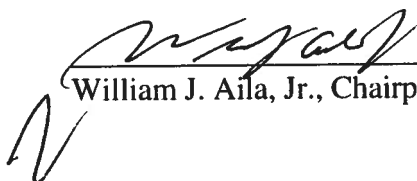
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a right-of-entry permit to the World Triathlon Corporation (Ironman 70.3 Hawaii Triathlon/Honu Half Ironman) covering the subject area 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. Permittee shall contact and notify the Puako Community Association of the proposed activity and to coordinate accesses through a locked gate at the Puako Roman Catholic Church property. Mr. Narand Patel, proprietor of the Puako General Store, is the designated representative of the Puako Community Association and can be reached at 882-7500;
 - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Wesley T. Matsunaga
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson

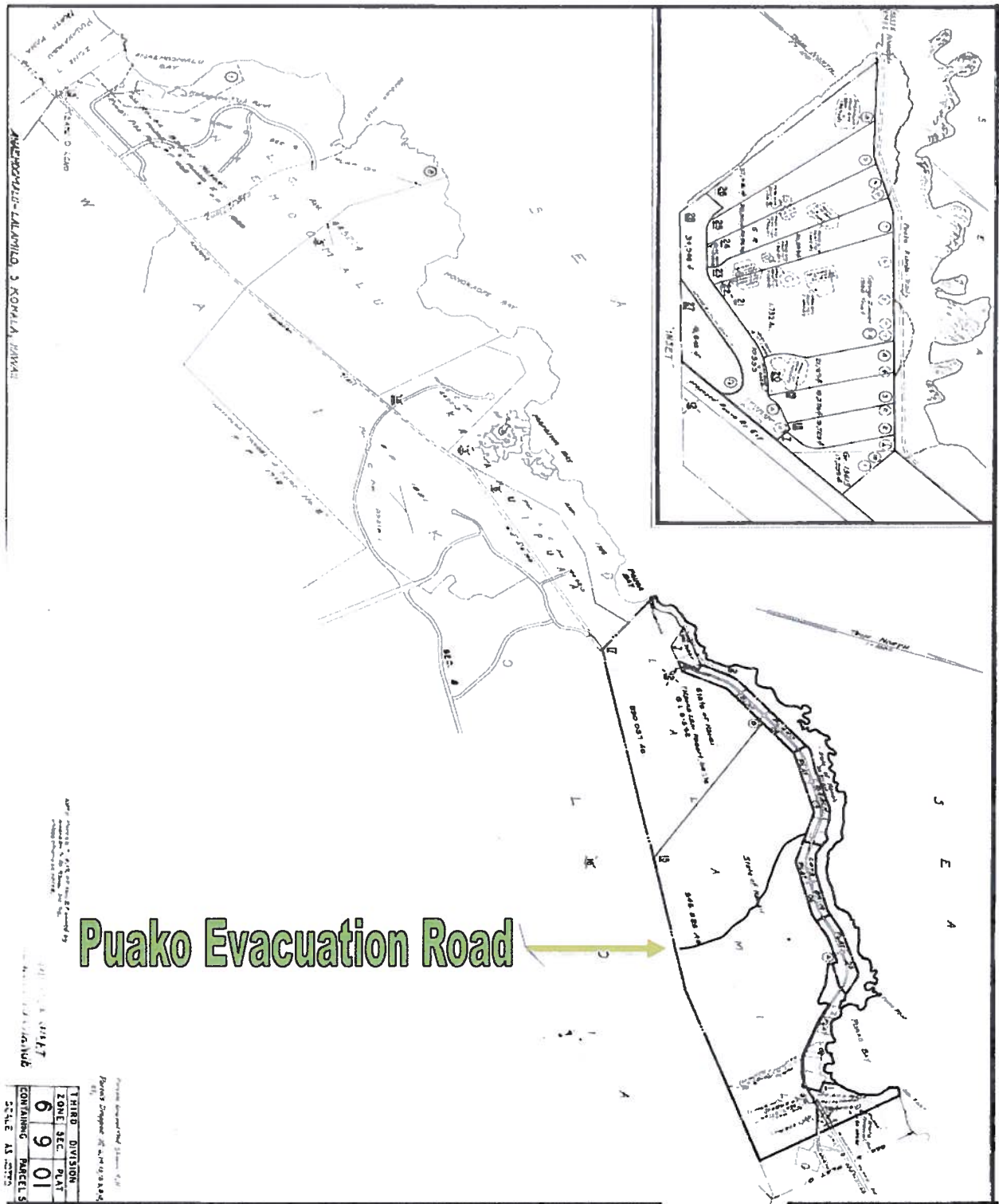
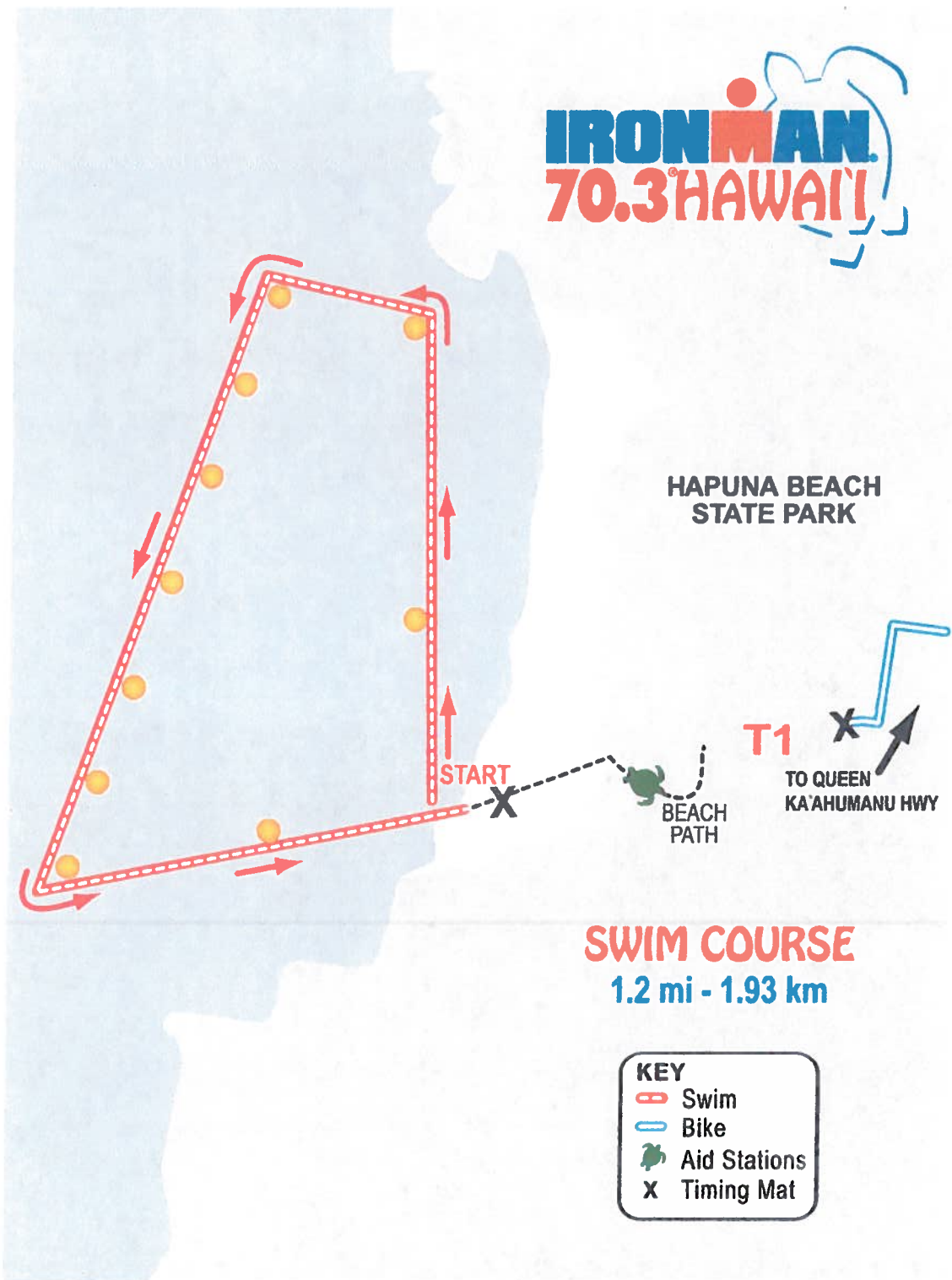
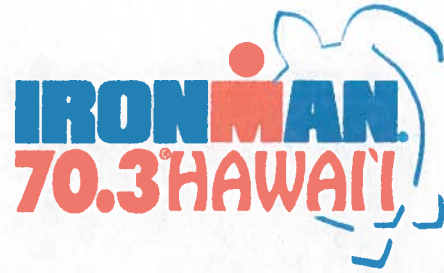


EXHIBIT A



HAPUNA BEACH
STATE PARK

START

BEACH
PATH

T1

TO QUEEN
KA'AHUMANU HWY

SWIM COURSE

1.2 mi - 1.93 km

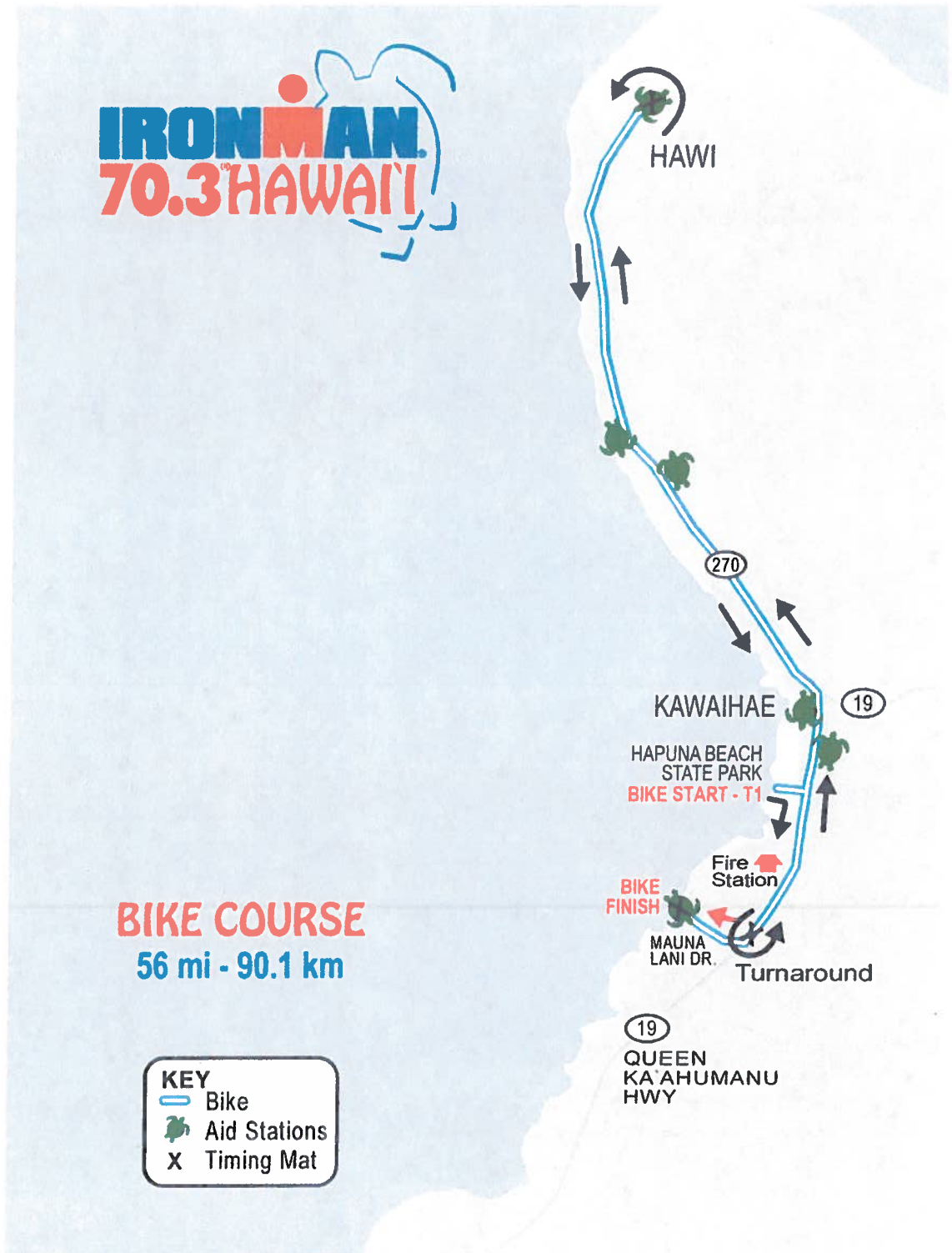
KEY

Swim

Bike







Aid Stations

Timing Mat



IRONMAN 70.3 HAWAII

RUN COURSE 13.1 mi - 21.1 km

- KEY**
-  Bike
 -  Run
 -  Full Aid Stations
 -  Out & Back Full Aid Stations
 -  Liquids-Only Aid Stations
 -  Timing Mat



EXEMPTION NOTIFICATION

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

Project Title: World Triathlon Corporation, 2014 Ironman 70.3 Hawaii Triathlon.

Project / Reference No.:

Project Location: Puako, Lalamilo, South Kohala, Hawaii, Tax Map Key: (3) 6-9-001: portion of 015.

Project Description: To authorize World Triathlon Corporation, Fairmont Orchid Hawaii personnel, and/or persons acting for or on its behalf to traverse unencumbered State lands by way of the Puako Emergency Assess Roadway to transport safety equipment between Hapuna Beach State Park and the Fairmont Orchid Hawaii Hotel. Transporting of equipment will be done using 4-wheel drive gators. The proposed activity will be conducted on Saturday, between the hours of 8:30am to 12:30pm, May 31, 2014.

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

Exemption Class No. and Description: In accordance with Hawaii Administrative Rule Sections 11-200-8(a)(1) & (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**, which 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 **Exemption Class No. 4**, which states, "Minor alterations in the conditions of land, water or vegetation."

Exemption Item Description from Agency Exemption List: 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.

Minor alterations in the conditions of land, water or vegetation.

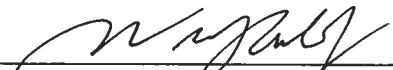
Consulted Parties:

Office of Conservation and Coastal Lands was previously consulted as a source authority having jurisdiction or expertise in this matter, and concur that the exemption identified above is applicable to and appropriate for the proposed project.


Recommendation:

It is recommended that the above request be exempt from requirements of Chapter 343, HRS, as it will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

The subject site has been in continued use as an emergency evacuation roadway since the 1980's. The proposed use by the World Triathlon Corporation will involve negligible or no expansion or change of use beyond that previously existing.



William J. Aila, Jr., Chairperson

 3/10/14

Date