

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

June 26, 2015

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

15KD-082

Kauai

Request for Issuance of Right-of-Entry Permit to Kauai Bodyboarding Association for "The Shippies Pro/Am Challenge" Bodyboard contest to be held on July 11 and 12, 2015 with backup dates of July 18 and July 19, 2015 at Shipwreck Beach, Poipu, Kauai, Tax Map Key: (4) 2-9-001:seaward of 002.

APPLICANT:

Kauai Bodyboarding Association whose mailing address is 5811 Ahakea Street, Kapaa, Kauai, Hawaii 96746.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Poipu, situated at Koloa, Kauai, identified as Tax Map Key: (4) 2-9-001:seaward of 002, as shown on the attached Exhibit A.

AREA:

75 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:

Requested area is vacant and unencumbered.

CHARACTER OF USE:

Bodyboarding Contest.

TERM:

From 6:00 am to 6:00 pm on July 11 and 12, 2015 with backup dates of July 18 and 19, 2015.

RENTAL:

\$250.00 based on $50 \times 50 = 2,500$ sq. ft. x 10 cents per sq. ft / per day
(one-time payment)

COLLATERAL SECURITY DEPOSIT:

None.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 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, 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."

DCCA VERIFICATION:

Place of business registration confirmed:	YES
Registered business name confirmed:	YES
Applicant in good standing confirmed:	YES

REMARKS:

Kauai Bodyboarding Association is requesting a right-of-entry permit for "The Shippies Pro/Am Challenge" Bodyboard contest. The bodyboarding contest is scheduled for July 11 and July 12, 2015 with backup dates of July 18 and July 19, 2015 from 6:00 a.m. to

6:00 p.m.

Kauai Bodyboarding Association's bodyboarding contest is sponsored by YMCA of Kauai.

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

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.

Comments were solicited from:

State Agencies:

DOH	No comments received by suspense date
DLNR – Historic Preserv.	No comments received by suspense date
OCCL	No comments received by suspense date
OHA	No comments

County Agencies

Parks & Recreation	No comments received by suspense date
--------------------	---------------------------------------

Outside Agencies


Grand Hyatt Resort	No comments received by suspense date
--------------------	---------------------------------------

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 Kauai Bodyboarding Association covering the subject area for bodyboarding contest 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. Kauai Bodyboarding Association shall submit a parking and traffic plan to the Grand Hyatt Resort's Security Office, and the County of Kauai's Parks and Recreation Division by July 1, 2015; and
- C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,


Audrey Bonilla
Acting Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson

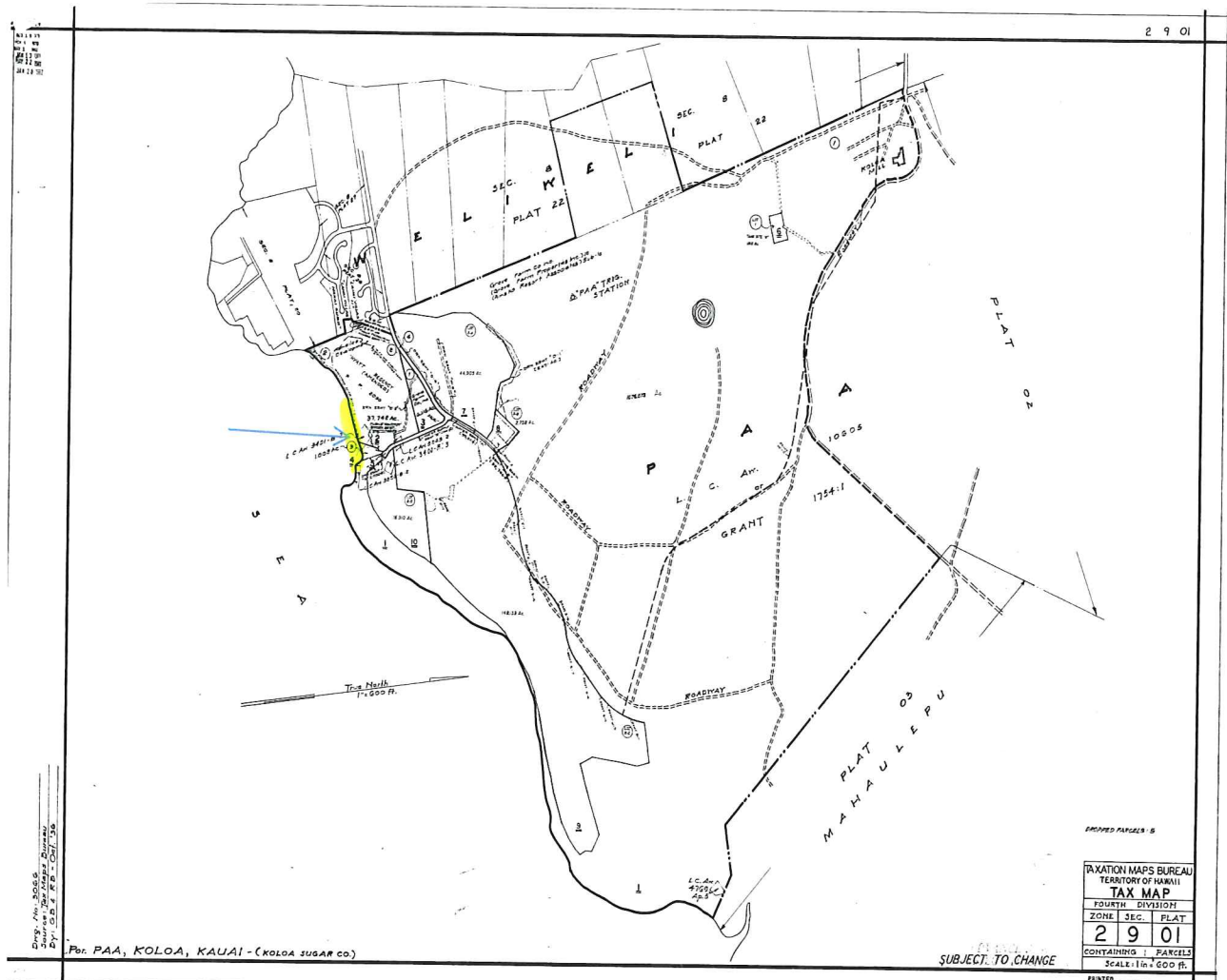


EXHIBIT A