

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

May 13, 2022

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

PSF No. 22OD-027

Oahu

Issuance of a Right-of-Entry Permit to Oahu Hawaiian Canoe Racing Association Hawaii for Two (2) Canoe Race Events to be held on October 1 to 2, and October 8 to 9, 2022, at Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of 021.

APPLICANT:

Oahu Hawaiian Canoe Racing Association Hawaii (OHCRAH), a Hawaii non-profit corporation.

LEGAL REFERENCE:

Section 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:	3,200 square feet
Area #2:	800 square feet
Area #3:	1,500 square feet
Area #5:	400 square feet
<u>Area #7:</u>	<u>1,500 square feet</u>
Total Area:	7,400 square feet, more or less

ZONING:

State Land Use District: Urban

TRUST LAND STATUS:

Section 5(a) lands of the Hawaii Admission Act

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 12 p.m. on Saturday, October 1, 2022 until 6 p.m. on Sunday, October 2, 2022.  
And, again from 12 p.m. on Saturday, October 8, 2022 until 6 p.m. on Sunday,  
October 9, 2022.

RENTAL:

Charge is based on a one-time payment of \$0.10 per square foot per day as approved  
by the Board at its meeting on September 28, 2001, item D-4.  
Requested Area of Use = 7,400 sq. ft. x \$0.10 = \$740.00 per day.  
Total Cost = \$2,960.00 (\$740.00 x 4 days).

COLLATERAL SECURITY DEPOSIT:

None.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Section 11-200.1-15, Hawaii Administrative Rule (HAR), and the  
Exemption List for the Department of Land and Natural Resources reviewed and  
concurred by the Environmental Council on November 10, 2020, the subject request is  
exempt from the preparation of an environmental assessment pursuant to General  
Exemption Type 1, Part 1, Item 44, which states the "Permits, licenses, registrations, and  
rights-of-entry issued by the Department that are routine in nature, involving negligible  
impacts beyond that previously existing". The subject request is a de minimis action that  
will probably have minimal or no significant effect on the environmental and should be  
declared exempt from the preparation of an environmental assessment and the  
requirements of § 11-200.1-17, HAR. See **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:

According to the Applicant, due to the impacts of Covid the annual Hawaiian Airlines  
Molokai Hoe Long Distance Race event will be separated into 2 race events to be held on

2 consecutive weekends in October 2022. The Applicant stated that the first race on October 1-2, will start from Kualoa Beach, Molokai, and the second race, on October 8-9, will start from Kawekiu Bay, Molokai. Both races will finish offshore from Duke Kahanamoku Beach in Waikiki; fronting the Hilton Hawaiian Village Hotel. The canoe race-days are scheduled for Sunday, October 2 and 9, 2022, starting at 8 a.m. and the teams are expected to finish about four to six hours later.

The Applicant is requesting a right-of-entry permit for its use over specific areas of the Duke Kahanamoku Beach. The request to use the beach is for the purpose of bringing closure to the canoe race event. The setting up of the five (5) specific areas of the beach is scheduled to begin at 12 p.m. on each of the requested Saturdays, October 1 and 8, 2022, and a teardown of those areas is scheduled for the following day, at 6 p.m. on each of the requested Sundays, October 2 and 9, 2022.

For Board approval purposes of this request, the subject right-of-entry permit includes Beach Areas: #1, #2, #3, #5, and #7, only (see **Exhibit 3**). Staff understands the Applicant is working with the Division of Boating and Ocean Recreation for the other requested areas shown on Exhibit 3.

Beach Area #1 is intended to be used for the Awards Ceremony, Spectators, Hospitality, Webcast, and Finish Area; this area is 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 #3 is intended as a rest area for the International Paddlers and house the media.

Beach Area #5 will be used to store materials for the closing of the event and will be an additional hospitality area.

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

The Applicant is requesting 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 Hilton Hawaiian Village (HHV) to pay a \$1.50 toll fee per paying customer, or \$42,431.57 per month, whichever is greater. However, HHV is agreeable to Applicant's use of the pier for this event and will not be charging a fee to any of the canoe race officials nor to its participants for the use of the subject pier.

The Applicant is also requesting HHV pier walkway and around the Main Tent be

adorned with flags representing the various countries participating in the canoe race.

The Office of Conservation and Coastal Lands has no comment on 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.

There are no other pertinent issues and concerns regarding the subject request.

RECOMMENDATION: That the Board

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1-15, 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 as a de minimis action.
2. Authorize the issuance of a right-of-entry permit to Oahu Hawaiian Canoe Racing Association Hawaii for the purpose of covering the subject areas for the 2 canoe race events on October 1-2 and 8-9, 2022, 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,

*Cal Miyahara*

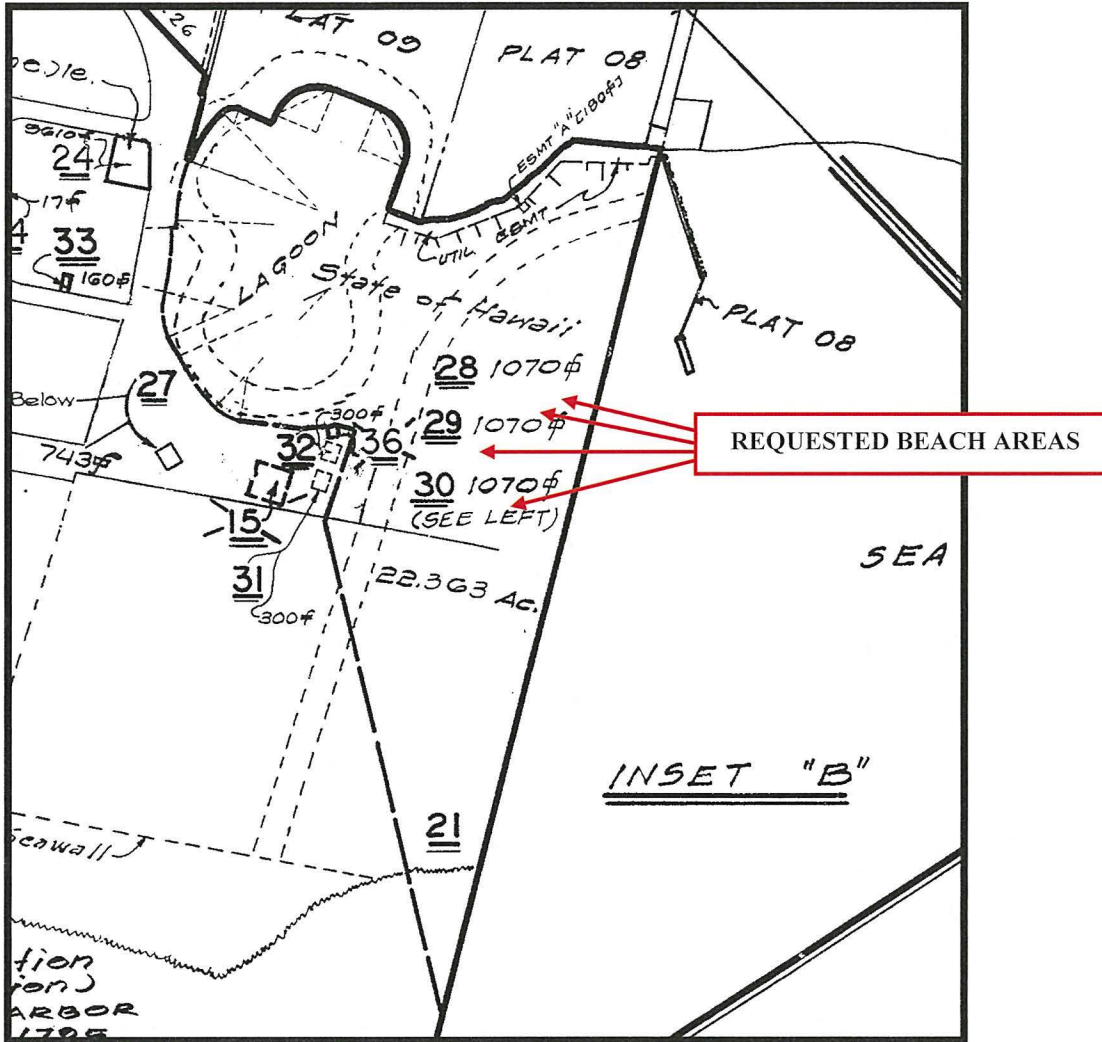
Cal Miyahara  
Shoreline Disposition Specialist

APPROVED FOR SUBMITTAL:

*Suzanne D. Case*

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Suzanne D. Case, 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 11-200.1, HAR

Project Title:	Issuance of a Right-of-Entry Permit to Oahu Hawaiian Canoe Racing Association Hawaii for 2 Canoe Race Events to be held on October 1 to 2, and October 8 to 9, 2022, at Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of 021.
Project / Reference No.:	PSF 22OD-027.
Project Location:	Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: por. 021.
Project Description:	Canoe Race Events at Duke Kahanamoku Beach on October 1-2 and 8-9, 2022.
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No.:	In accordance with Section 11-200.1-15, Hawaii Administrative Rules and the Exemption List for the Department of Land and Natural Resources concurred with by the Environmental Council and dated November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to General Exemption Type 1, Part 1, Item 44, which states the "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing".
Cumulative Impact of Planned Successive Actions in Same Place Significant?	No, the Department has permitted similar events from time to time in the past, but not on a routine or regular basis (e.g., daily or weekly). 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.
Action May Have Significant Impact on Particularly Sensitive Environment?	The requested area is a portion of State beach visited by tourists and residents, and is heavily impacted by human activity. Public access across the requested area is maintained by the Hilton Hawaiian Village staff. In addition, based on the analysis below, staff believes there would be no significant impact to sensitive environmental or ecological receptors.
Consulted Parties:	Consulted with Office of Conservation and Coastal Lands who has no objections to the subject request and concurs with the exemption for an environmental assessment.

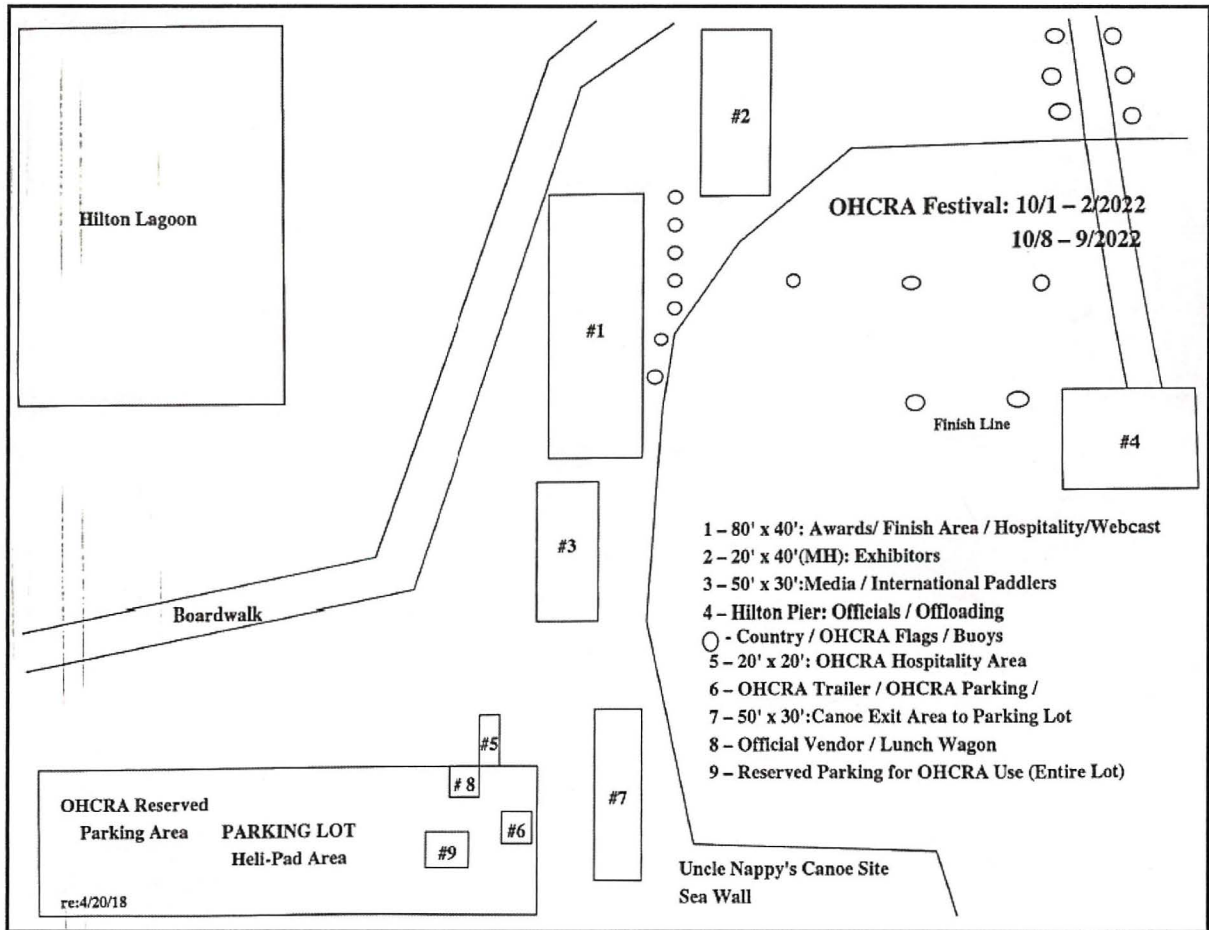
**Exhibit 2**

Analysis:

The Board 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. Staff also believes that the request would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Recommendation:

It is recommended that the Board find 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.



**Exhibit 3**