

**AGENDA
FOR THE MEETING OF THE
BOARD OF LAND AND NATURAL RESOURCES**

DATE: FRIDAY, OCTOBER 14, 2016
TIME: 9:00 A.M.
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HAWAI‘I 96813

In some of the matters before the board, a person may wish to request a contested case hearing. If such a request is made before the board’s decision, then the board will consider the request first – before considering the merits of the item before it. A person who wants a contested case may also wait until the board decides the issue, then request the contested case after the decision. It is up to you. Any request must be made orally by the end of the meeting and followed up in writing within ten days. If no request for contested case is made, the Board will make a decision. The Department will treat the decision as final and proceed accordingly.

A. MINUTES

1. Approval of July 22, 2016 Minutes
2. Approval of August 12, 2016 Minutes
3. Approval of August 26, 2016 Minutes
4. Approval of September 9, 2016 Minutes

D. LAND DIVISION

1. Annual Renewal of Revocable Permits on the Island of Kaua‘i. See Exhibit 2 for list of Revocable Permits. (Exhibit 2 ATTACHED)
2. Request for Grant of Perpetual, Non-Exclusive Easement to Kauai Island Utility Cooperative (KIUC) for Utility Purposes; and Immediate Management and Construction Right-of-Entry Permit at por. of Kekaha, Waimea, Kaua‘i, Tax Map Key: (4) 1-2-002;por. of 001, 009 and 040.
3. Amend Prior Board Action of September 25, 2015, Agenda Item D-3, Approval for Acquisition of Perpetual Easements and Authorization of the Chairperson to Negotiate and Execute Rights-of-Entry on Private Lands for the Menehune Road Rockfall Mitigation Project, Waimea Valley, Waimea, Kaua‘i, Tax Map Keys: (4) 1-6-010: 001, 002 & 003 (portions).

The purpose of this amendment is to provide updated information regarding the owners of the parcels identified as Tax Map Key Nos. (4) 1-6-010:002 and Tax Map Key No. (4) 1-6-010:003, and to correct a Tax Map Key reference in the prior Board action.

4. Amend Prior Board Action of July 8, 2016, Item D-1, Sale of Portions of Remnant State Parcels to Stephen P. Rapozo, Sr. Trustee of the Stephen P. Rapozo, Sr. Trust, Mervin L. & Fay T. Rapozo, Trustees of the Mervin L. & Fay T. Rapozo Trust, Doreen A. Rita and Madeline M. Yamaguchi, Castro Tract, Kapa‘a Homesteads, 4th Series, Kawaihau, Kaua‘i, Hawai‘i, Tax Map Keys: (4) 4-6-010:004 and 005 portions.
Issuance of Immediate Right-of-Entry Permit to Stephen P. Rapozo, Sr. Trustee of the Stephen P. Rapozo, Sr. Trust, Mervin L. & Fay T. Rapozo, Trustees of the Mervin L. & Fay T. Rapozo Trust, Doreen A. Rita and Madeline M. Yamaguchi, for Access and Utility Purposes, Castro Tract, Kapa‘a Homesteads, 4th Series, Kawaihau, Kaua‘i, Hawai‘i, Tax Map Keys: (4) 4-6-010:004 and 005 portions.

The amendment is to correct the name of one of the trust applicants to Stephen P. Rapozo, Jr., Trustee of the Stephen P. Rapozo, Sr. Trust.

5. Amend Prior Board Action of August 26, 2016, Item D-2, Consent to Mortgage of Sublease K-15 with Estoppel Certificate of General Lease No. S-5619, Natural Energy Laboratory of Hawaii Authority, Lessee, Keāhole Point Hatcheries LLC, Sublessee/Mortgagor, Ulupono Holdings LLC, Mortgagee, ‘O‘oma 1st, North Kona, Hawaii, Tax Map Key: (3) 7-3-043:092.

Purpose of the amendment is to change the Sublease number referenced. It should have been Sublease K-35, not Sublease K-15.

6. Annual Renewal of Revocable Permit S-7581 to Ulupalakua Ranch, Inc., Kama‘ole, Kula, Maui, Hawai‘i, Tax Map Key: (2) 2-2-007:003.
7. Re-submittal - Authorize the Chairperson to Accept the Release of Deed Restrictions regarding Public Recreation Purposes from the City and County of Honolulu at Aloha Stadium, ‘Ewa, Honolulu, O‘ahu, Tax Map Key: (1) 9-9-003:portions of 055, 061, 069, 070, and 071; and Transfer of Deed Restrictions from Aloha Stadium to the Central Maui Regional Sports Complex, Waikapū, Wailuku, Maui, Tax Map Key: (2) 3-8-007:104.
8. Amendment of Prior Board Actions of November 14, 2014, Item D-18, June 27, 2014, Item D-11 and August 12, 2011, Item D-2, Grant of Term, Non-Exclusive Easement to the Association of Unit Owners (AOUO) of the Hale Kai Condominium for Seawall/Revetment Purposes, Honokōwai, Lāhainā, Maui, Tax Map key (2) 4-4-001:seaward of 042.

The purpose of the amendment is to increase the easement area from 2,771 square feet, more or less, by an additional 149 square feet to a total area of 2,920 square feet, more or less.

9. Grant of Term, Non-Exclusive Easement to Steven Robert Campbell and Deana Darlene Campbell, Trustees, Campbell Family Trust dated April 15, 1993, for Concrete Seawall

Purposes; Issuance of Management Right-of-Entry; Assess Administrative Cost of \$500, Halaka'a, Lāhainā, Maui, Tax Map Key: (2) 4-6-003:Seaward of 007.

10. Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Beach on October 18, 22, November 8, and December 31, 2016, Waikīkī, Honolulu, O'ahu, Tax Map Key: (1) 2-3-037:021 (Portion).
11. Issuance of Right-of-Entry Permit to Hawaii Explosives and Pyrotechnics, Inc. for Aerial Fireworks Display on October 21, 2016 at the beach fronting Kahala Hotel, Waiālae, Honolulu, O'ahu, Tax Map Key: (1) 3-5-023:seaward of 041.
12. Issuance of Direct Lease to Na Pua Makani Power Partners, LLC, Lessee, for Wind Power Project Purposes; Kahuku-Mālaekahana, Ko'olaupia, O'ahu, Tax Map Key: (1) 5-6-008:006.
13. Cancellation of Revocable Permit No. S-6660 to Wanda Nakoa and the Issuance of a Revocable Permit to Mary Nakoa to Serve Horse Paddock Purposes, Lualualei, Wai'anae, O'ahu, Tax Map Key (1) 8-9-002:005.
14. Issuance of Right-of-Entry Permit to Fireworks by Grucci, Inc. for Aerial Fireworks Display at Unencumbered State lands off Ko 'Olina Beach on October 28 and 29, 2016, Hono'ulil'uli, 'Ewa, O'ahu, Tax Map Key: (1) 9-1-057:seaward of 003.
15. Amend Prior Board Action of June 9, 2016, Item D-4; Set Aside to City and County of Honolulu for Affordable Housing Project for Homeless Families Purposes; Issuance of Non-Exclusive Easement for Utility Purposes; Consent to Lease of Lands to aio Foundation; Moanalua, Honolulu, Oahu, Tax Map Key (1) 1-1-003:003, 204 to 207, and 212; (1) 1-2-021:035 to 038.

The Amendment is to add Tax Map Key (1) 1-1-003:211 and the portion of lands between the top of the bank (makai boundary) up to the mean lower low water mark to the set aside, and to delete the condition that the executive order be subject to a proposed easement area for a radio transmission tower site.

16. Intentionally Left Blank.
17. Set Aside of Various Properties Encumbered by Leases and Revocable Permits to the Department of Agriculture for Agriculture Purposes, Island of Kauai.
(A List of Properties Proposed for Set Aside is Attached as Exhibit A)

F. DIVISION OF AQUATIC RESOURCES

1. Recommendation to Deny The Petition For Amendment of a Rule From Kathryn Xian, Karen Chun, Cory (Martha) Harden, Larry Geller, and Michael Gagne, Filed on September 21, 2016, Requesting That Hawaii Administrative Rule (HAR) Section 13-74-20 Be Amended. (See Attached Petition)

M. OTHERS

1. Resubmittal: Issuance of a Direct Lease to Hawaiian Airlines, Inc. for a Cargo and Maintenance Hanger Facility Honolulu International Airport, Tax Map Key: (1) 1-1-002: 014 (Portion).
2. Issuance of a Revocable Permit for Automobile Parking, Hawaii Island Air, Inc. dba Island Air, Commuter Terminal, Honolulu International Airport, Tax Map Key: 1-1-003: 001 (Portion).
3. Issuance of a Direct Lease to International In-Flight Catering Company, Ltd., for Operation of an In-Flight Kitchen, Honolulu International Airport, Tax Map Key: (1) 1-1-003: 151 and (1) 1-1-003: Portion of 001.
4. Issuance of a Wi-Fi Concession Agreement to Boingo Wireless, Inc. at Honolulu International Airport (HNL), Kahului Airport (OGG), Kona International Airport at Keāhole (KOA), Hilo International Airport (ITO), and Līhu‘e Airport (LIH), Tax Map Keys: HNL: (1) 1-1-03:001 and :061 (Portions), OGG: (2) 3-8-01: Portion of 19; KOA: (3) 7-3-43: Portion of 003; ITO: (3) 2-1-12: Portion of 90, and LIH: (4) 3-5-01: Portion of 8.
5. Consent to Sublease of State Lease No. DOT-A-91-0021, ALPS Aircraft Leasing LLC to Lani Lea Sky Tours LLC, Honolulu International Airport, Tax Map Key: (1) 1-1-72: 51.
6. Issuance of an Advertising Concession Agreement to Pacific Radio Group, Inc. at Kahului Airport (OGG), Kona International Airport at Keāhole (KOA), Hilo International Airport (ITO), and Līhu‘e Airport (LIH), Tax Map Keys: OGG: (2) 3-8-01: Portion of 19; KOA: (3) 7-3-43: Portion of 003; ITO: (3) 2-1-12: Portion of 90, and LIH: (4) 3-5-01: Portion of 8.
7. Issuance of a Revocable Permit for Emergency Services, Civil Air Patrol, Lāna‘i Airport, Tax Map Key: (2) 4-9-02: Portion of 55.
8. Issuance of a Revocable Permit for Aircraft Parking, Aloha Skies Aviation LLC, Hilo International Airport, Tax Map Key: (3) 2-1-12: Portion of 90.
9. Issuance of a Revocable Permit for an Area to Park a Fuel Truck, Air Service Hawaii, Inc., Hilo International Airport, Tax Map Key: (3) 2-1-12: Portion of 90.
10. Issuance of a Revocable Permit for Aircraft Parking, Guardian Flight, Inc., Hilo International Airport, Tax Map Key: (3) 2-1-12: Portion of 90.
11. Sale of an Air Cargo Lease by Notice of Public Auction, New Cargo Building (Space No. 139-116), Hilo International Airport, Tax Map Key: (3) 2-1-12: Portion of 90.
12. Issuance of a Revocable Permit for Aircraft Parking, Big Island Gravity LLC, ‘Upolu Airport, Tax Map Key: (3) 5-5-06: Portion of 31.

13. Issuance of a Revocable Permit for a Skydiving Business, Big Island Gravity LLC, 'Upolu Airport, Tax Map Key: (3) 5-5-06: Portion of 31.
14. Issuance of a Revocable Permit for Aircraft Parking, Big Island Gravity LLC, Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: Portion of 40.
15. Issuance of a Revocable Permit for Vehicle Parking, FedEx Ground Package System, Inc., Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: Portion of 40.
16. Amendment No. 5 to Concession Agreement No. DOT-A-11-0006, for Additional Space, Restaurant and Lounge Concession, Host International, Inc., Līhu'e Airport, Tax Map Key: (4) 3-5-01: Portion of 8.
17. Issuance of Revocable Permit to Resort Management Group, LLC, for Storage of Landscaping and Irrigation Construction Material and Equipment Staging, for 20,000 Sq. Ft. of Vacant Land at Honolulu Harbor, O'ahu, Tax Map Key: (1) 1-5-42: 15 (Portion). Located on Nimitz Highway and Adjacent to Pier 38.
18. Issuance of Revocable Permit to Clean Islands Council, Inc., for Storage of Marine Oil Spill Response Equipment, Kalaeloa Barbers Point Harbor, O'ahu, Tax Map Key No. (1) 9-1-14:24 (Portion).
19. Issuance of a Revocable Permit to HPBS, Inc., for Storage of Custom Pilot Boat, Kawaihae Harbor, Island of Hawai'i, Tax Map Key: (3) 6-1-03:23 (Portion).

Board may go into Executive Session pursuant to Section 92-5(a) (4), Hawai'i Revised Statutes, in order to consult with its attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities.

TO BE PLACED ON THE MOVE UP AGENDA, PLEASE SIGN IN BY 8:45 A.M. THE DAY OF THE MEETING.

ALL MATERIALS LISTED ON THIS AGENDA ARE AVAILABLE FOR REVIEW IN THE DLNR CHAIRPERSON'S OFFICE OR ON THE DEPARTMENT WEBSITE THE WEEK OF THE MEETING AT: <http://dlnr.hawaii.gov/meetings/>

INDIVIDUALS REQUIRING SPECIAL ACCOMMODATIONS (i.e. large print materials, sign language interpreters) AT THE BLNR MEETING, ARE ASKED TO CONTACT THE CHAIRPERSON'S OFFICE AT (808) 587-0400 AT LEAST THREE DAYS IN ADVANCE OF THE MEETING.