

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

DATE: FRIDAY, SEPTEMBER 8, 2017
TIME: 9:30 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.

C. DIVISION OF FORESTRY AND WILDLIFE

1. Request approval to renew a Memorandum of Understanding between the Department of Land and Natural Resources, Division of Forestry and Wildlife and the United States Department of the Interior, National Park Service for providing mutual aid in firefighting activities.

D. LAND DIVISION

1. Annual Renewal of Revocable Permits on the Island of Hawaii. See Exhibit 2 for list of Revocable Permits.

2. Approve a 10-Year Term Extension of General Lease No. S-5001, Pubtime, Inc., Lessee, Pursuant to Act 207, Session Laws of Hawaii 2011; Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-032:010.

3. After-the-Fact Consent to Sublease of General Lease No. S-4300, William A. Miller, Sublessor, to 808 Billiards LLC and Aloha Pallets & Distribution LLC, Sublessees; Lot 1-A, Hilo Industrial Development, Pohaku Street Section, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-058:035; and

Consent to Sublease of General Lease No. S-4300, William A. Miller, Sublessor, to 808 Billiards LLC and Aloha Pallets & Distribution LLC, Sublessees; Lot 1-A, Hilo Industrial Development, Pohaku Street Section, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-058:035; and

Approve a 10-Year Term Extension of General Lease No. S-4300, William A. Miller, Lessee, Pursuant to Act 207, Session Laws of Hawaii 2011; Lot 1-A, Hilo Industrial Development, Pohaku Street Section, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-058:035 & 040.

4. Issuance of Right-of-Entry Permit to Na Wahine O Ke Kai, for 4 Annual Canoe Race Events to be held September 2017 through September 2020; Hale O Lono, Kaluakoi, Molokai, Tax Map Key (2) 5-1-002: 012 por.
5. Issuance of a Right-of-Entry Permit to the Na Wahine O Ke Kai for 4 annual Canoe Race Events to be held September 2017 through September 2020, at Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of 021.
6. Authorize the Chairperson to Enter, on behalf of the Department of Accounting and General Services, into a License with the Secretary of the Army for a Radio Station Facility, Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-2-005: portion of 029.

E. STATE PARKS

1. Forfeiture of General Lease No. SP0106, Maria K. Cox Revocable trust, Lessee, Kōke'e State Park, Waimea (Kona) Kaua'i, Tax Map Key: (4) 1-4-002:047.

J. DIVISION OF BOATING & OCEAN RECREATION

1. Request Approval to Adopt Amendments to Title 13, Hawaii Administrative Rules (HAR) Sections 13-230-4 Penalties and Prosecution, 13-230-8 Definitions, 13-230-25 Particular Categories, 13-231-3 Use Permits; Issuance, 13-231-6 Revocation of Use Permit, 13-231-13 Joint and Several Liability; Non-Transferability of Use PERMITS, 13-231-15 Boat Owner Required to Report Change of Ownership, Address, and Other Changes, 13-231-26 Use of a Vessel as a Place of Principal Habitation, 13-231-28 Staying Aboard Vessels Moored at Ala Wai or Keehi Small Boat Harbor, 13-231-29 Vessel used as a Vacation Site, 13-231-45 Marine Inspections, 13-231-56 Definitions, Gross Receipts, 13-231-70 Water Taxi Operations, 13-232-8 Marine Toilets – Restrictions, 13-232-10 Backflow Prevention Device Required on Connections To Water Line - Use Of Water Operated De-Watering Device Prohibited, 13-232-30 Fire Signal For Vessels In Small Boat Harbors, 13-232-57 Dogs, Cats Or Other Domestic Pets, 13-232-58 Sleeping Or Camping Prohibited, 13-232-60 Serving, Sale, And Consumption Of Liquor In State Boat Harbors And Boat Launching Facilities, 13-233-13 Operation, Parking, Or Storage Of Bicycles Or Play Vehicles, 13-233-29 Eligibility For Parking Permits; Fee Per Vehicle, 13-235-5 Owners Required To Report Change In Ownership, Address And Other Changes, 13-235-9 Restrictions On Anchoring Or Mooring Outside Of A Designated Offshore Mooring Area, 13-242-1 Duty To Render Aid And Give Information, 13-242-3 Immediate Notice Of Accident; When Required, 13-242-4 Written Boating Accident Report; When Required, 13-243-4 Mufflers, 13-244-15.5 Operation Of Power Driven Vessels, 13-244-19 Authorization Required To Hold Regatta, Marine Parade, Boat Race Or Exhibition, 13-244-29 Makapuu Ocean Waters, 13-244-37 Zone A, Zone B, Ingress/Egress Zones, And Ingress/Egress Corridors, 13-245-9 Diver's Flag, 13-251-57 Waikiki Ocean Waters, 13-253-1.3 Gross Receipts, 13-255-1 Purpose And Scope, 13-255-6 Waikiki Beach Uses And Activities; Restrictions, 13-256-3 Commercial Use Permit Or Catamaran Registration Certificate Requirements, 13-256-5 Commercial Use Permits; Public Auction, 13-256-7 Business Transfer Fee, 13-256-8 Owner Required To Report Change In Ownership, Address And Other Changes, 13-256-12 Gross Receipts, 13-256-16 Thrill Craft Operations; General Provisions, 13-256-17 Recreational Thrill Craft Operations, 13-256-21 Ultralight Float Equipped Aircraft, 13-256-22 Tow-In Surfing, 13-256-56 Wailua River Restricted Area, 13-256-63 Sharks Cove, Three Tables And Waimea Bay Ocean Waters, 13-256-73.5 Large Snorkel Tour Permit Restrictions, 13-256-74 Kailua Ocean Waters Restricted Zones, 13-256-88 Maunalua Bay Waters, 13-256-91 Waikiki Ocean Waters Restricted Zones, 13-256-112 Maui Humpback Whale Protected Waters, 13-256-128 Baldwin Park-Paia Bay Restricted Area, 13-256-162 Makaiwa Bay Swimming Zones; And To Amend Title 13, Har To Add New Sections 13-232-57.1 Feeding Of Wildlife Or Feral Animals Prohibited, 13-232-57.2 Animal Abandonment And Creating Or Contributing To Colonies Prohibited; And To Repeal Har Sections 13-230-21 Definitions, 13-240-5 Definitions, 13-243-5 Recognition Of Marine Examination Decals, 13-245-2 Definitions, 13-250-5 Definitions, 13-254-1 Definitions, 13-255-5 Definitions, 13-256-35 Owner Required To Report Change In Ownership, Address And Other Changes, Based On Public Testimony That Was Received during The Rule Making Process.

Attached to This Agenda and Incorporated Herein are The Proposed Amendments to The HAR Chapters (Exhibit A) and DOBOR Recommended Changes to 13-245-9 (Exhibit B).

Copies of The Proposed Amendments will be Available for Viewing by the Public Online at <http://dlnr.hawaii.gov/dobor/draft-rules/>, the Lieutenant Governor's Website at <http://ltgov.hawaii.gov/>, and In Person at All State Small Boat Harbors during Regular Business Hours, Monday through Friday, Excluding State Holidays.

K. OFFICE OF CONSERVATION AND COASTAL LAND

1. Conservation District Use Application (CDUA) HA-3798 for the Proposed Establishment of a National Ecological Observatory Network (NEON) Field Study Site by the National Science Foundation at the Pu‘u Maka‘ala Natural Area Reserve Located at Upper Waiākea and Ola‘a Forest Reserves, Island of Hawai‘i, Tax Map Keys: (3) 1-8-012:003; 1-9-001:001; 2-4-008:009, 019 & 025.

M. OTHERS

1. Amendment No. 9 to Concession Agreement No. DOT-A-07-0001, In-Bond (Duty Free) Concession, Request for Additional Spaces for In-Bond (Duty Free) Use, DFS Group, L.P., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003:
2. Amendment No. 4 to Concession Agreement No. DOT-A-09-0002, Retail Concession, Request for Additional Spaces for Retail Use, DFS Group, L.P., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-03: 1.
3. Issuance of a Direct Lease, Office and Warehouse Space for Regulated and Biohazard Waste Sterilization Business to NCNS Environmental, Inc., 2989 Ualena Street, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-04: 19.
4. Issuance of a Revocable Permit for Aircraft Parking, Hawaii Aircraft Leasing LLC, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32.
5. Issuance of a Revocable Permit for Aircraft Parking, Valley Isle Aviators LLC, Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 19.
6. Issuance of a Revocable Permit for a Building Space for Freight Forwarding of Air Cargo, Aloha Contract Services, LLC, Lihue Airport, Tax Map Key: (4) 3-5-001: 146.
7. Issuance of a Revocable Permit for a Building Space for Freight Forwarding of Air Cargo and Three Vehicle Parking Spaces in the Cargo Building Parking Lot, Commodity Forwarders, Inc., Lihue Airport, Tax Map Key: (4) 3-5-001: 146

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 9:15 A.M. THE DAY OF THE MEETING.

Public Testimony:

The Sunshine Law gives the public the opportunity to submit testimony but it is your responsibility to submit written testimony in a timely manner. To give Board members sufficient time to consider written testimony, please submit the testimony no later than 24 hours prior to the board meeting.

Any late written testimony will be retained as a part of the record, but we cannot assure that Board members will receive it with sufficient time for review prior to decision-making.

Meeting materials are available for public review in advance of the meeting on our Website:
<http://www.dlnr.hawaii.gov/meetings>

If you require special assistance or auxiliary aids or services to participate in the public hearing process (i.e. sign language interpreter, wheel chair accessibility, or parking designated for the disabled) please contact staff at least 72 hours prior to the meeting so arrangements can be made: 587-0404.