

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

DATE: FRIDAY, SEPTEMBER 22, 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.

D. LAND DIVISION

1. Approval of Acquisition of Perpetual Easements and Authorization for the Chairperson to Negotiate and Execute Rights-of-Entry on Private Lands for the Ko Road Rockfall Mitigation Project –Makai Section, Part Two; Eleele, Koloa, Kaua‘i; Tax Map Key Nos.: (4) 2-1-007:150, 151, 156, 157, 158, 159, 160 & 161 (portions)

Amend prior Board Action of March 24, 2016, Agenda Item D-3, *Preliminary Approval of Acquisition of Easements on Private Lands for Ko Road Rockfall Mitigation Project – Makai Section, Part Two, Eleele, Koloa, Kaua‘i, Tax Map Keys: (4) 2-1-007:150, 151, 156, 157, 158 & 160 (portions).*

The purpose of this amendment is to correct one of the names of the private landowners of TMK No. (4) 2-1-007:151 (por.) - Lot 82, from Michelle M. Lomongo to Michelle T.M. Lomongo.

2. Issuance of Revocable Permit to the County of Kaua‘i for Installation of Portable Lifeguard Tower, Poipu, Koloa, Kaua‘i, Tax Map Key: (4) 2-8-017: seaward of 001.
3. Denial of Request for Issuance of a Month-to-Month Revocable Permit to Herbert Moniz for the Purpose of Maintaining Existing Noni Field and Harvesting Noni Fruits from Existing Noni Trees, Kaimu, Puna, Hawai‘i, Tax Map Key: (3) 1-2-006: Portion of 019.

- Impose a \$5,000 Administrative Fine Against Applicant Herbert Moniz for Unauthorized Bulldozing of State Lands at Kaimu, Puna, Hawai'i Tax Map Key: (3) 1-2-006: Portion of 019.
- Set Aside to Department of Agriculture for Agricultural Purposes with the Issuance of an Immediate Right-of-Entry for Management Purposes, Kaimu-Makena Homesteads, Kaimu, Puna, Hawai'i, Tax Map Key: (3) 1-2-006:019.
4. Consent to Sublease of Lands under Governor's Executive Order No. 4224 to County of Hawai'i for Elderly Housing and/or Low-Income Housing and Related Services Purposes, Waiakea, South Hilo, Hawai'i, Tax Map Key: (3) 2-4-001:185.
 5. Issuance of Right-of-Entry Permit to United States Geological Survey, Hawai'ian Volcano Observatory for Survey of Kapapala 1949 Benchmark on Lands Encumbered by General Lease No. S-6103 to Ernie M. Mattos for Pasture Purposes, Kapapala, Ka'u, Hawai'i, Tax Map Key: (3) 9-8-001:002.
 6. Intentionally Left Blank
 7. Grant of Term, Non-Exclusive Easement to Seaview 2004, Inc. for Resolution of Encroaching Seawall Purposes, Spreckelsville, Wailuku, Maui, Tax Map Key: (2) 3-8-002: seaward of 001.
 8. Issuance of a Right-of-Entry Permit to TEAM Unlimited, LLC for the 2017 Xterra Off-Road Triathlon World Championship, Kapalua, Lahaina, Maui, Tax Map Key (2) 4-2-004: Seaward of 014, 015 and 016.
 9. Grant of Perpetual Non-Exclusive Easement to the City and County of Honolulu on behalf of the Honolulu Authority for Rapid Transportation for Elevated Guideway; Issuance of Immediate Construction Right-of-Entry; Honolulu, O'ahu, TMK (1) 1-5-040: portions of 003.
 10. Rescind Prior Board Actions of February 27, 1970, Item F-8, *Grant of Perpetual Non-exclusive Easement for Pole and Electric Transmission Lines at Makiki, Honolulu, O'ahu.*

Grant of Perpetual Non-Exclusive Easement to Hawai'ian Electric Company, Inc. for Utility Purposes; Issuance of Management Right-of-Entry, Makiki, Honolulu, O'ahu; Tax Map Key: (1) 2-5-019: portions of 009.
 11. Grant of Term, Non-Exclusive Easement to ABP 2927 East Manoa Road LLC for Encroachment Purposes; Issuance of Right-of-Entry Permit, Manoa, Honolulu, O'ahu, Tax Map Key: (1) 2-9-026: portion of 014.
 12. Amend Prior Board Action of January 11, 2013, (Item D-12), *Consent to Assign Grant of Non-Exclusive Easement No. S-5338, Brian Grazer, Trustee of the Brian Grazer*

Trust of 1995, Assignor, to Thomas McCormick, Trustee of the McCormick US Properties Trust 2012, Assignee, Amend the Easement Conditions by Allowing the Easement to Run With the Abutting Property and Updating the Insurance Provision; Pupukea, Koolauloa, O'ahu, Tax Map Key; (1) 5-9-001:038 portion.

The amendment is to Add John Alexander Florence, Unmarried, Tenant in Severalty, as Assignee, due to the recent change in ownership of the adjacent private property.

13. Intentionally Left Blank.

14. Amend Prior Board Action on September 25, 2015, Agenda Item D-16: *Issuance of Immediate Management Right-of-Entry Permit to City and County of Honolulu, for the Use by the Board of Water Supply for Due Diligence Purposes, Honouliuli, Ewa, O'ahu, Tax Map Key: (1) 9-1-018: portion of 008.*

The Amendment is to Authorize the Chairperson to Extend the Right-of-Entry until Completion of the Due Diligence.

15. Amend Prior Board Action of January 12, 2007, Agenda Item D-10; *Set Aside to the State Department of Transportation, Highways Division for Highway Right-of-Way and Highway Boundary Purposes, Cancellation of Revocable Permit Nos. S-7152, S-7329, and S-7402 and Re-issuance of new Revocable Permits Covering the Remaining Areas and Issuance of a Right-of-Entry for Construction and Construction Staging Area Purposes, Honouliuli, Ewa, East Kapolei, O'ahu, Tax Map Keys: (1) 9-1-18: Portions of 3 and 5, and (1) 9-1-17: Portions of 86 and 88.*

The amendment is to remove all references to the cancellation of revocable permit No. 7402 and re-issuance of a new revocable permit with more updated information provided in the new request.

Cancellation of Revocable Permit No. 7402 and Re-Issuance of Revocable Permit to Sugarland Farms, Inc. for Agriculture Purposes, Honouliuli, Ewa, O'ahu, Tax Map Key: (1) 9-1-016:008, 9-1-018:008, and 9-1-018:014.

F. DIVISION OF AQUATIC RESOURCES

1. Request for Approval to Enter into a FY18 Special Funded Project Agreement (\$245,500) between the Board of Land and Natural Resources (BLNR) and The Research Corporation of the University of Hawai'i (RCUH) for a Division of Aquatic Resources Research Project Titled "Development of Fast-Growing Native Hawai'ian Corals".

J. DIVISION OF BOATING AND OCEAN RECREATION

1. Continuation of Revocable Permits to Anela Kai Catamarans, Inc., Island Beach Activities, Inc., Kepoikai, Ltd., King Parsons Enterprises, Ltd., Welakahao Catamaran, Inc., and Woodbridge Inc. to Embark and Disembark Passengers on Waikiki Beach, For the Purpose of Placing Permanent Anchors in the Beach in order to Secure the Vessel (See Exhibit A Attached).
2. Amend Prior Board Action of May 26, 2017, Agenda Item J-2 for the Annual Renewal of Revocable Permit No. 8, to Hawai'i Petroleum, for various locations on the Island of Hawai'i. Tax Map Key: (3) 7-8-012:055, (3) 7-5-006:039 and (3) 6-1-003:023.
3. Continuation of a Revocable Permit to Lana'i Resorts, LLC., dba Pulama Lana'i, Manele Small Boat Harbor, Lana'i City, Island of Lana'i, Hawai'i, Tax Map Key (2) 4-9-17:06,

And

Request Approval of Declaration of Exemption to Chapter 343, Hawai'i Revised Statutes for the Project.

L. ENGINEERING

1. Application for a DLNR Dam Safety Permit No .79 – Opaeha Reservoir #1 (OA-0018) Improvement, Haleiwa, O'ahu.

M. OTHERS

1. Issuance of Revocable Permit for Office Space to Airasia X Berhad, Ewa Domestic Extension, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 058 (Portion).
2. Issuance of a Revocable Permit, Aircraft Parking for Helicopter Tour Operation, Hawai'i Pacific Aviation Inc. dba Mauna Loa Helicopter Tours, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001.
3. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft to Mid Pacific Aero Services LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 21.

4. Issuance of a Revocable Permit for a Field Office to Nan, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 65 (Portion).
5. Issuance of a Revocable Permit, Aircraft Parking for Helicopter Tour Operation, Novictor Aviation LLC dba Novictor Helicopters, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001.
6. Issuance of a Revocable Permit to The Gas Company, LLC dba Hawai'i Gas for Space to Store a Propane Fuel Tank, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion).
7. Issuance of a Revocable Permit for a Ramp Parking Area for Air Cargo Ground Service Equipment, Commodity Forwarders, Inc., Ellison Onizuka Kona International Airport at Keahole, Kalaoa, North Kona Hawai'i. Tax Map Key: (3) 7-3-43: Portion of 40.
8. Issuance of a Revocable Permit for Vehicle Parking, Koolau Aviation Services Inc., Ellison Onizuka Kona International Airport at Keahole, Kalaoa, North Kona Hawai'i. Tax Map Key: (3) 7-3-43: Portion of 40
9. Issuance of a Revocable Permit for Aircraft Parking, Sport Horse Sales of Texas, LLC, Hilo International Airport, Waiakea, South Hilo, Hawai'i Tax Map Key: (3) 2-1-12: Portion of 90.
10. Consent to an Assignment of State Lease No. DOT-A-09-0001 from Smoky Mountain Helicopters, Inc. to Alexair, Inc. by Way of a Transfer of all of the Outstanding Capital Stock through a Stock Purchase Agreement, Port Allen Airport, Tax Map Key: (4) 1-8-08: Portion of 4.
11. Issuance of Direct Lease to The Gas Company, LLC, dba Hawai'i Gas to Construct, Install, and Maintain Storage Facility for Liquid Propane (LPG) and Gas Pipeline Easement Purposes, Nawilwili Harbor, Lihue, Kaua'i, Tax Map Key: (4) 3-2-004:008, 016, 018, 019, 034, 039, 041 (Portions), 021, 022, 023, 053 and (4) 3-2-003:001, 002, 003,004, 007 (Portions).
12. Issuance of Right of Entry Permit to the Honolulu Fire Department, City and County of Honolulu on Lands Encumbered by Governor's Executive Order No. 4206, Mokauea, Kalihi, Honolulu, Island of O'ahu, Tax Map Key: (1) 1-2-025: Portion 017.

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.