

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

DATE: FRIDAY, DECEMBER 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.

**A. MINUTES**

1. Request approval of May 26, 2017 meeting minutes.
2. Request approval for November 9, 2017 meeting minutes.

**C. FORESTRY AND WILDLIFE**

1. Authorize the Division of Forestry and Wildlife to Conduct a Public Hearing on the Island of Kaua'i Regarding the Proposed Addition of Tax Map Keys (4) 2-4-003:001 Comprising Approximately 163.842 Acres, to Līhu'e-Kōloa Forest Reserve, Kōloa, Kaua'i, and the Proposed Withdrawal of Tax Map Keys (4) 3-9-002: Portion of 001, Comprising Approximately 1467 Square Feet, from Līhu'e-Kōloa Forest Reserve, Līhu'e, Kaua'i.

**D. LAND DIVISION**

1. After-the-Fact Consent to Merger of Integrated Aquaculture Hawai'i, LLC with and into Integrated Aquaculture International, LLC; Consent to 51% Stock Transfer in Sunrise Capital, Inc., Lessee Under General Lease No. S-4946, and Permittee under Revocable Permit No. S-7256, from Sunrise Capital, Inc. and Integrated Aquaculture International, LLC (via mesne transfers), Transferors, to Hendrix Genetics USA LLC,

Transferee, Hanapēpē, Waimea (Kona), Kauaʻi, Tax Map Keys: (4) 1-9-010:037 (lease) and (4) 1-9-010:034, 035, 038, and 1-9-011:007 (permit).

2. Approve and Delegate to Chairperson Authority to Execute Settlement Agreement with Hawaiian Telcom, Inc. Relating to Use of Communications Tower Site on Kauaʻi Under Board Action February 11, 1983, Item F-11; Delegate Authority to Chairperson to Administer the Settlement Agreement, Including to Issue Final Approval of Work Under the Agreement; Terminate Occupancy Under Board's Prior Action February 11, 1983, Item F-11, *Direct Lease Public Utility Purposes*; Approve Issuance of Immediate Construction Right-of-Entry to Hawaiian Telcom, Inc.; Summit Camp, Waiālua, Kawaihau, Kauaʻi; Tax Map Key: (4) 4-2-001:002 por.
3. Amend Prior Board Action of January 8, 2010, Item D-24:

*RE-SUBMITTAL:*

- (1) *Grant of Perpetual, Non-Exclusive Easement to Kauai Island Utility Cooperative and Hawaiian Telcom Inc. for Utility Purposes covering Tax Map Keys: (4) 4-1-3: portion 44 and 17;*
- (2) *Issuance of a Right-of-Entry to the Department of Transportation, Highways Division for Construction, Staging and Work Area Purposes covering Tax Map Keys: (4) 4-1-3:44, 17 and 4-1-4: portion 21, 22, 24;*
- (3) *Cancellation of Revocable Permit No. S-7444 Covering Tax Map Key: (4) 4-1-3:17; and*
- (4) *Issuance of a Revocable Permit to the Department of Transportation, Highways Division for Field Office, Staging and work Area Purposes Covering Tax Map Key: (4) 4-1-3:17, Located at Kawaihau, Kauaʻi.*

The purpose of the amendment is to (A) the correct name of grantee "Hawaiian Telcom Inc." (without comma) to "Hawaiian Telcom, Inc." (with comma); and (B) rescind the Board's prior actions: (i) cancelling Revocable Permit No. S-7444 covering Tax Map Key: (4) 4-1-003:017, and (ii) issuing a new revocable permit to the Department of Transportation, Highways Division .

4. Holdover of Revocable Permits for Water Use on the Islands of Hawaiʻi and Kauaʻi. See Exhibit 3 for list of Revocable Permits.
5. Set Aside to the County of Hawaiʻi, Department of Public Works for Roadway Purposes, Piʻihonua, South Hilo, Hawaiʻi, Tax Map Keys: (3) 2-3-030:002 por., 2-3-031:005 por. & 006 por.; and

Issuance of an Immediate Construction and Management Right-of-Entry to the County of Hawaiʻi, Department of Public Works, Piʻihonua, South Hilo, Hawaiʻi, Tax Map Keys: (3) 2-3-030:002 and 2-3-031:005 & 006.

6. Set Aside of State Land to County of Hawaiʻi for Public Park Purposes, Kaiwiki Homesteads, Kaiwiki, South Hilo, Hawaiʻi, Tax Map Key: (3) 2-6-010:016.

7. Consent to Assign Sublease K-6 under General Lease No. S-5619, BIG ISLAND ABALONE CORPORATION, Assignor, to KOWA PREMIUM FOODS HAWAII CORPORATION, Assignee, 'O'oma 1<sup>st</sup>, North Kona, Hawai'i, Tax Map Key: (3) 7-3-043:086.
8. Determination of Rent upon Reopening for Miloli'i-Ho'opūloa Residential Leases, Phase III, Consisting of Five (5) General Leases for Residential Purposes at Miloli'i and Ho'opūloa, South Kona, Hawai'i, Tax Map Key: (3) 8-9-014: 050, 053, 056, and 060-061.
9. Amend Prior Board Action of February 23, 2007, item D-6, As Amended: *Issuance of a Direct Lease to the University of Hawai'i, College of Tropical Agriculture and Human Resources, Fee Simple Conveyance of State Land to the Department of Hawaiian Home Lands and Amend Prior Board Action of September 25, 1998 (Agenda Item D-17), and May 9, 1997 (Agenda Item D-26), Ko'olaupoko, Waimānalo, O'ahu, Tax Map Key: (1) 4 -1-008:005, 79 and 80, and (1) 4-1-26: 004.*

The purpose of the amendment is to seek Board approval to authorize the issuance of a management right of entry permit to University of Hawai'i (UH) pending the issuance of a direct Lease for parcels of land at Ko'olaupoko, Waimānalo, O'ahu, Tax Map Key: (1) 4 -1-08:005, 080 (por.), and (1) 4-026:004.

10. Amend Conditions for General Lease No. 6056 to Waimānalo Health Center for Community Service Purposes by (a) Expanding Lease Area, and (b) Allowing Subletting and Mortgaging with Prior Approval of the State of Hawai'i as Lessor; and

Consent to Sublease for Community Service Purposes, Waimānalo Health Center, Sublessor; Roman Catholic Church in the State of Hawai'i, Sublessee; and

Consent to Federal Interest regarding a Two-Story Medical Building; Waimānalo Health Center, Lessee; Waimānalo, Ko'olaupoko, O'ahu, Tax Map Key: (1) 4-1-015: portion of 001.

11. Grant of Term, Non-Exclusive Easement to Nanaina 'O Pali Ku, LLC for Seawall and Landscaped Area Purposes; He'eia, Ko'olaupoko, O'ahu, Tax Map Key: (1) 4-6-001: Seaward of 019.
12. Consent to Assign General Lease No. S-6089, Turtle Bay Resort, LLC, Assignor, to BRE Turtle Bay Resort LLC, Assignee, Kahuku, Ko'olaupoko, O'ahu, Tax Map Keys: (1) 5-7-006:026, 027 & 032.
13. Issuance of Right-of-Entry Permit to Hawaiian Electric Company, Inc. on Lands Encumbered by Executive Order No. 1913 dated July 25, 1960 for Wahiawa Intermediate School Site, Wai'anae-Uka, Wahiawā O'ahu, Tax Map Key: (1) 7-6-001:003.

14. Consent to Federal Interest Affecting Property Located on the Land Covered by General Lease No. S-5981; Consent to the Construction of the Lower Floor of Malama Recovery Building; Wai‘anae District Comprehensive Health and Hospital Board, Incorporated, Lessee; Lualualei, Wai‘anae, O‘ahu; TMK (1) 8-6-001:003.
15. Rescind Prior Board Action of August 12, 2016, Agenda Item D-3, Consent to Assign General Lease No. S-6024, Boteilho Hawaii Enterprises, Inc., Assignor, to Mauna Kea Moo, LLC, Assignee;

Consent to Assign General Lease No. S-6024, Boteilho Hawaii Enterprises, Inc., Assignor, to HFD Farms 1, LLC, Assignee ‘Opihikau-Huki‘a‘ā, Kokoiki, North Kohala, Hawai‘i, Tax Map Keys: (3) 5-5-003:004, 005 & 006, 5-5-005:001, and 5-5-006:002, 003,004 & 015; and

Reaffirm Set Aside to Department of Agriculture, ‘Opihikau-Huki‘a‘ā, Kokoiki, North Kohala, Hawai‘i, Tax Map Keys: (3) 5-5-003:004, 005 & 006, 5-5-005:001, and 5-5-006:002, 003,004 & 015.

## **E. STATE PARKS**

1. Approval to Continue Twenty (20) Revocable Permits for Use of State Parks Lands on the Islands of Kaua‘i, O‘ahu, Maui, and Hawai‘i for the following: Kaua‘i: Na Pali Kayak Inc., Kayak Kaua‘i, a Hawai‘i Limited Partnership, Rick Haviland, dba Outfitters Kauai (Napali Coast State Wilderness Park for Commercial Kayak Landings), Clancy Greff dba Na Pali Eco Adventures, Inc, Na Pali Sea Tours, Inc., Lady Ann Cruises Inc., (Napali Coast State Wilderness Park for Inflatable Boat Landings), Ka Imi Naauao o Hawai‘i Nei, Kaua‘i Christian Fellowship, (Waimea Canyon State Park Non-profit Recreation-Residence/Camps), Hawai‘i Conference Foundation (Koke‘e State Park non-profit camp), O‘ahu: Diamond Parking Services, LLC (Nu‘uanu-Pali State Wayside, Parking Concession), Bottling Group, LLC, (Diamond Head State Monument beverage vending), Erlinda Molina Villanueva (Ahupua‘a O Kahana State Park, Agricultural use), Young Men’s Christian Association of Honolulu, Hawai‘i Climbing Coalition, (Ka‘ena Point State Park, Outdoor Recreational Activities), Maui: Republic Parking Northwest, Inc. (‘Iao Valley SM, Parking Concession), Hawai‘i: Republic Parking Northwest, Inc. (Hāpuna Beach SRA, Parking Concession), Diamond Parking Services, LLC (Akaka Falls State Park, Parking Concession), Adventures in Paradise, Inc., Kona Boys, Inc., Iwa Kalua (Kealakekua Bay State Historical Park, Commercial Kayak Tours). See attached Exhibit A for a list of Revocable Permits.

## **F. DIVISION OF AQUATIC RESOURCES**

1. Request for Approval to hold Public Hearings to Amend Hawai'i Administrative Rules Chapter 13-74, License and Permit Provisions and Fees for Fishing, Fish, and Fish Products. These Amendments would establish a New Vessel License for Commercial Fishing.
2. Reconsideration of Request for Approval to adopt Amendments to Hawai'i Administrative Rules, Chapter 13-74: amending Section 13-74-20 (Commercial Marine License) and Adding Section 13-74-46 (Commercial Marine Dealer Report).
3. The proposed Amendments are attached to this Agenda as Exhibit 1. A redlined document showing all changes between the version submitted today and the version that this Board Approved for Public Hearing on January 13, 2017.

## **I. STATE HISTORIC PRESERVATION DIVISION**

1. Enforcement Action against the Edwin C. Olson Trust No. 2. Alteration of historic properties during the course of land alteration activities without a permit. Amaulu Camp Cemetery. Pu'u`eo Ahupua'a, South Hilo, Island of Hawai'i. **TMK:** (3) 2-6-008:028.

## **J. DIVISION OF BOATING AND RECREATION**

1. Approval of Request for Contested Case Hearing by Mr. Stephen E.J. Koehne, Regarding November 9, 2017 Enforcement Action for Alleged Illegal Commercial Activity, In Violation of Hawai'i Administrative Rule § 13-256-39(B)(5).
2. Continuation of A Revocable Permit to Coon Brothers, Inc., a Hawai'i Corporation, for the Non-Exclusive Use of a Loading Dock and Submerged Lands at The Manele Small Boat Harbor (MSBH), Manele, County of Maui, Island of Lāna'i, Tax Map Key No. (2) 4-9-017: Por. 006.
3. Consent to Sublease Harbor Lease No. H-83-2, Kona Marine Holdings, LLC., A Delaware Limited Liability Company, Lessee, to Jack's Diving Locker, a Hawai'i Partnership, Honokohau Small Boat Harbor, Kailua-Kona, Hawai'i, Tax Map Key: (3) 7-04-008:040 (Portion).

**K. OFFICE OF CONSERVATION AND COASTAL LANDS**

1. Appointment and Selection of a Hearing Officer to Conduct All Hearings for a Petition requesting the Board of Land and Natural Resources hold a Contested Case Hearing, regarding Enforcement of OCCL Case OA-18-06; James and Denise O'Shea.

**M. OTHERS**

1. Issuance of a Direct Lease for the Construction of an Airline Lounge to All Nippon Airways, Ewa Concourse, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 066 (Portion).
2. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, East Oahu Pet Hospital, LLC dba Gentle Vets Hawaii, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 20.
3. Issuance of a Revocable Permit for an Employee Parking Lot, Hawaiian Airlines, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-004: 006 and 1-1-004: 007.
4. Issuance of a Revocable Permit to Kone Inc. for Space to Store Escalator Materials, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 085 (Portion).
5. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft and Air Tour Operation, Lani Lea Sky Tours LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 21.
6. Issuance of a Revocable Permit for Aircraft Parking, Kimball S. & Deborah S. Millikan, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 23.
7. Issuance of a Revocable Permit for Aircraft Parking, Michael James Tompkison, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 23.
8. Issuance of a Revocable Permit for an Employee Parking Lot, United Parcel Service, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion) and (1) 1-1-003: 240 (Portion).
9. Consent to Sublease of State Lease No. DOT-A-17-0002, Scannell Properties #271, LLC to Federal Express Corporation, Hilo International Airport, Tax Map Key: (3) 2-1-12: Portion of 90.
10. Issuance of a Revocable Permit for Aircraft Parking, NSA OPS LLC, Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 19.

11. Issuance of a Right of Entry to the Hawaii Opera Theatre at Honolulu Harbor O‘ahu, Tax Map Key No. (1) 2-1-001 Portion of 1.
12. Issuance of a Revocable Permit to HPBS, Inc. for Harbor Piolet Operations at Pier 19, Honolulu Harbor, Hawaii.
13. Direct Issuance of a Revocable Permit for Clean Island Council Operations at Pier 12, Honolulu Harbor, Hawaii.

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.Hawai‘i.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.**