

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

DATE: FRIDAY, FEBRUARY 24, 2017
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 November 10, 2016 Minutes
2. Approval of December 09, 2016 Minutes
3. Approval of January 13, 2017 Minutes

C. FORESTRY AND WILDLIFE

1. Request for Authorization for the Chairperson to Solicit Bids, Execute, Amend, and Extend a Contract for the purchase of a Backhoe for Department of Land and Natural Resources, Division of Forestry and Wildlife.
2. Request for Delegation of Authority to Issue Licenses Under Hawaii Administrative Rules Chapter 13-107, Rules Regulating Threatened and Endangered Plants, to the Chairperson of the Department of Land and Natural Resources
And
Authorize the Chairperson to Determine and Approve Chapter 343, Hawaii Revised Statutes (HRS) Environmental Compliance Requirement, including approval of Declarations of Exemptions, as applicable, for licenses, issued under Hawaii Administrative Rules Chapter 13-107, Rules Regulating Threatened and Endangered Plants.
3. Request for Approval to Enter into a Cooperative Agreement Between the American Bird Conservancy (ABC) and the Division of Forestry and Wildlife for \$84,000 in Private and Federal Funds to Support the Core Missions of the Mauna Kea Forest Restoration Project, Maui Endangered Forest Bird Recovery Project and the Kauai Endangered Forest Recovery Project, Subject to Review and Approval by the Attorney General.

4. Adoption of Amendments to Hawaii Administrative Rules Chapter 13-209 “Rules Regulating Activities within Natural Area Reserves”. A copy of the rule amendment is attached as EXHIBIT A.

D. LAND DIVISION

1. Issuance of Right-of-Entry Permit to Kauai Invasive Species Committee (KISC), on Lands Encumbered by Revocable Permit No. S-7805 to Garden Island Racing Association for Eradication of the Long-Thorn Kiawe Plant, Kekaha, Waimea, Kaua‘i, Tax Map Keys: (4) 1-2-002:por. of 036 and 040.
2. Cancellation of Revocable Permit No. S-5983 to Syngenta Seeds, LLC and Issuance of New Revocable Permit to Syngenta Hawaii, LLC, Kekaha, Waimea (Kona), Kaua‘i, Tax Map Key: (4) 1-2-002:040 por.
3. Resubmittal: Approval of January 13, 2017, Item D-2, Submission to Approve Mediated Settlement with Robinson Family Partners on Market Value of Old Government Road Remnant in Makaweli, Waimea, Kaua‘i, adjoining Tax Map Key Nos. (4) 1-7-005:006 and (4) 1-7-005:001 Owned by Robinson Family Partners
4. Issuance of Right-of-Entry Permit to Hawaii Beach Volleyball Association for Dinosaur Beach Volleyball Tournament at Kalapakī Beach, Līhu‘e, Kaua‘i, Tax Map Key: (4) 3-5-002:seaward of 002.
5. Consent to Subleases General Lease No. S-3961, Hilo-Hawaiian Associates, Inc., dba Hilo Hawaiian Hotel, as Sublessor; to Banyan Mini Mart LLC, Banyan Gallery, and KHNL/KGMB, LLC, as Sublessees, Waiākea, South Hilo, Hawai‘i, Tax Map Key: (3) 2-1-003:005.
6. Amend Prior Board Action of January 27, 2017, Item D-12, *Issuance of Right-of-Entry Permit to the United States to Perform Remedial Investigation/Feasibility Studies on Unencumbered Government Lands in Waimea, District of South Kohala, Island of Hawaii, at Puu Kawaiwai, Panoluukia, and Kapia, Tax Map Key: (3) 6-2-001:015 (por.), and at Ouli, Tax Map Key: (3) 6-2-005:022*. The purpose of the amendment is to delete the word “unencumbered” from the agenda item title, add requirement of written concurrence from Lessee to Recommendations section, revise information in Exhibit A to include the lease encumbrance, and replace legal reference of Section 171-55, HRS, with Section 171-95, HRS.
7. Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Beach on March 28, 2017, Waikīkī, Honolulu, O‘ahu, Tax Map Key: (1) 2-3-037:021 (Portion).
8. Amend General Lease of Easement No. S-5174 by Allowing Other Subsidiary under the Same Parent Entity of the Grantee to Use the Subject Easement; Hilton Hawaiian Village LLC, Grantee, Waikīkī, Honolulu, O‘ahu, Tax Map Key: (1) 2-3-037:021 and (1) 2-6-008:029.

9. Grant of Term, Non-Exclusive Easement to Hilton Hawaiian Village LLC for Pier Purposes; Termination of Revocable Permit No. S-7566; Waikīkī, Honolulu, O‘ahu, Tax Map Key: (1) 2-6-008:029.

E. STATE PARKS

1. Amend its prior Board action of November 10, 2016, under agenda item E-1. The purpose of this amendment is to clarify that the base rent for Adventures in Paradise (SP0517), Kona Boys, Inc. (SP0518) and Iwa Kalua, dba Aloha Kayak Company (SP0519) is \$5.00 per person, or 5% percent of gross receipts, whichever is higher, Kealakekua Bay State Historical Park.

F. DIVISION OF AQUATIC RESOURCES

1. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Native Hawaiian Practices Permit to Mr. Keola Lindsey, Office of Hawaiian Affairs, for Access to State Waters to Conduct Archaeological Cultural Research Activities.

J. BOATING AND OCEAN RECREATION

1. Authorize a One-Year Holdover of Boating Lease No. B-00-3 to Nawiliwili Yacht Club, Situated at Nawiliwili Small Boat Harbor, Lihue, Kauai, Hawaii. Tax Map Key: (4) 3-2-03:043 (por).
2. Administrative Enforcement Action for Violation of Hawaii Administrative Rules, Section 13-231-51, Business Activities, Against Mr. Henry Pomroy for Engaging in Illegal Commercial Operations from the Pohoiki Boat Ramp and Lands Adjacent Thereto Without a Commercial Use Permit, and Request the Issuance of a Fine in the Amount of \$10,000 pursuant to Hawaii Revised Statutes § 200-14.5.
3. Delegation to the Chairperson to Enter into an Agreement Between Youth With A Mission (YWAM) Ships to Resolve the Debt of \$149,650.00 Owed to the State for Salvage of the S/V Hawaii Aloha In Lieu of the Case of Being Forward to the Attorney General For Collection.

K. OFFICE OF CONSERVATION AND COASTAL LANDS

1. Conservation District Use Application MA-3779 by the University of Hawai‘i, Institute for Astronomy (UH IfA) for the Polarized Light from Atmospheres of Nearby Extra-Terrestrial Systems (PLANETS) facility at the Haleakalā High Altitude Observatories Site (HO) at Papa‘anui, Makawao, Maui, Tax Map Key: (2) 2-2-007:008.

M. OTHERS

1. Issuance of a Revocable Permit to Hensel Phelps Construction Co. for a Field Office, Honolulu International Airport, Tax Map Key: (1) 1-1-003: 82 (Portion).

2. Issuance of a Revocable Permit for Office Space, Mokulele Flight Service, Inc. dba Mokulele Airlines, Honolulu International Airport, Tax Map Key: (1) 1-1-003: 208 (Portion).
3. Issuance of a Revocable Permit for Three Additional Newsstands, Blind Vendors Ohana, Inc., Honolulu International Airport, Tax Map Key: (1) 1-1-003: Portion of 228, 42 & 51.
4. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Gregory C. Hazelton, Honolulu International airport, Tax Map Key: (1) 1-1-76: Portion of 21.
5. Issuance of a Revocable Permit for Aircraft Parking, Axel M. Edwardsson, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32.
6. Issuance of a Revocable Permit for Aircraft Parking, Everett Lewis, Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 19.
7. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Everett Lewis, Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 19.

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.

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.