

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

DATE: FRIDAY, MARCH 10, 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
4. Approval of January 27, 2017 Minutes
5. Approval of February 10, 2017 Minutes

**C. FORESTRY AND WILDLIFE**

1. 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. Amend Prior Board Action of September 9, 2005, Item D-3, *Amend Prior Board Action of August 28, 1998, (Item D-20), Direct Sale of Abandoned Railroad Right-of-Way at Kapaa Homesteads, Series 1<sup>st</sup>, Kawaihau, Kauai, Tax Map Key: (4) 4-6-004:022.*

The purpose of the amendment is to update the current owners of the abutting private property, to whom the remnant will be sold and whose property the remnant will be consolidated with.

2. (1) Set-Aside to Hawaii Housing Finance and Development Corporation (HHFDC) for Educational and Affordable Housing Purposes; (2) Authorize HHFDC to Create a Condominium Property Regime; (3) Authorize the Chairperson to Execute a Memorandum of Agreement with HHFDC regarding the Method of Payment for Compensation for the Leased Premises; and (4) Rescind Prior Action on August 24, 2012, Item D-15 Kakaako, Honolulu, Oahu; TMK (1) 2-1-051:041.
3. Issuance of Right-of-Entry Permit to Waikiki Beach Activities, Ltd. for Beach Event Purposes on March 26, 2017, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:Portion of 021.
4. Issuance of Right-of-Entry Permit to Waikiki Community Center for Beach Activities Purposes to be held on May 6 and 7, 2017 at Duke Kahanamoku Beach, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portion of 021
5. Amend Prior Board Action of May 27, 2016, (Item D-11), *Consent to Assign and Amend Grant of Non-Exclusive Easement No. S-5910, Richard E. Reese, Trustee of the unrecorded Richard E. Reese Revocable Living Trust dated July 14, 1993, as Assignor, to Thomas R. Hammond and Kathy S. Ohara, as Assignee; Makiki, Honolulu, Oahu, Tax Map Key: (1) 2-5-020: portion of 002.*

An amendment is required due to the recent change in ownership of the adjacent private property to Janine S. Clifford, Trustee of The Janine S. Clifford Trust dated January 26, 2007, restated October 22, 2010, and amended September 25, 2012 and June 2, 2015, as Assignee.

6. Grant of Perpetual, Non-Exclusive Easement to the City and County of Honolulu for Waterline Purposes, Issuance of Right-of-Entry Permit; Honolulu, Oahu, Tax Map Key: (1) 3-1-042: Portion of 011.
7. Issuance of Right-of-Entry Permit to Department of Transportation on Both Encumbered and Unencumbered Lands for Due Diligence Purposes, Kaaawa to Hauula, Koolauloa, Oahu, Tax Map Key: (1) 5-1, 5-2, 5-3, 5-4. See map attached as **Exhibit B** for location of the requested areas.
8. Withdrawal from Governor's Executive Order No. 3518 and Reset Aside to Department of Transportation for Highway Purposes, Issuance of Right-of-Entry Permit for Construction Parcels; Kahana, Koolauloa, Oahu, Tax Map Key: (1) 5-2-002:Portions of 001, (1) 5-2-005: Portions of 001, 021, 022, and 023, and portions of Kahana Stream.
9. Amend Prior Board Action of October 14, 2016, Agenda Item D-12, *Issuance of Direct Lease to Na Pua Makani Power Partners, LLC, Lessee, for Wind Power Project Purposes; Kahuku-Malaekahana, Koolauloa, Oahu, Tax Map Key: (1) 5-6-008:006*

The purpose of the amendment is to replace the form of lease approved in the prior Board action with a revised lease form. The revised lease form contains amended provisions relating to: the definition of "measurement tower (MET)"; reservation of a right-of-entry in a portion of the premises in favor of the Division of Forestry and Wildlife (DOFAW);

utility services, and subleases or easements that may be required by Hawaiian Electric Company, Inc.; improvement bond; attachment of a portion of the Phase I Environmental Site Assessment for the property as a lease exhibit; and deadlines for lessee to secure a Conditional Use Permit from the City and County of Honolulu, and approval of a Habitat Conservation Plan and Incidental Take License from DOFAW. The revised lease makes other non-substantive, conforming amendments.

10. Second Amendment of Development Agreement between the Board of Land and Natural Resources and Na Pua Makani Power Partners, LLC (NPM) Regarding Kahuku Wind Project, Kahuku-Malaekahana, Koolauloa, Oahu, Tax Map Key: (1) 5-6-008:006

The proposed second amendment to the Development Agreement is to extend the deadline for NPM to obtain approval of a Habitat Conservation Plan and secure an Incidental Take License for its proposed wind energy project on the above-referenced lands.

11. Grant of Perpetual, Non-Exclusive Easement to the City and County of Honolulu for Waterlines Purposes, Issuance of Right-of-Entry Permit; Lualualei, Waianae, Oahu, Tax Map Key: (1) 8-6-002: Portion of 003.
12. Grant of Perpetual, Non-Exclusive Easement to United States of America, by the Department of the Army, for Security Chain Link Fencing Purposes, Waikele, Ewa, Oahu, Tax Map Key: (1) 9-4-012: portions of 003 and 011.

## **E. STATE PARKS**

1. Forfeiture of General Lease No. SP0140, Dennis Riker and Paul Kyno, Lessees, Koke'e State Park, Waimea (Kona), Kaua'i, Tax Map Key: (4) 1-4-004:060.

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

1. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to the Monument Co-Trustee Representatives of the U.S. Department of the Interior, U.S. Fish and Wildlife Service; U.S. Department of Commerce, National Oceanic and Atmospheric Administration; and the Office of Hawaiian Affairs for Access to State Waters to Conduct Conservation and Management Activities.

## **M. OTHERS**

1. Issuance of a Revocable Permit, Bradley Pacific Aviation, Inc., dba Signature Flight Support, for Space for Above-Ground Storage Tanks, Honolulu International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion).
2. Issuance of a Revocable Permit, China Airlines, Ltd., for a Ticket Counter, Service Counter, and Office Space, Ewa Domestic Extension, Honolulu International airport, Tax Map Key: (1) 1-1-003: 058 (Portion).

3. Issuance of a Revocable Permit, Bradley Pacific Aviation, Inc. dba Signature Flight Support, for Space for Vehicle Maintenance, Diamond Head Concourse, Honolulu International Airport, Tax Map Key: (1) 1-1-003: 65 (Portion).
4. Issuance of a Revocable Permit, Bradley Pacific Aviation, Inc. dba Signature Flight Support, for Aircraft Equipment Parking, Honolulu International Airport, Tax Map Key: (1) 1-1-72: 069 (Portion), (1) 1-1-72: 070 (Portion), and (1) 1-1-76: 008.
5. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Jeffrey B. Cook, Honolulu International Airport, Tax Map Key: (1) 1-1-76: Portion of 21.
6. Issuance of a Revocable Permit for Aircraft Parking, James Ealer, Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 19.
7. Issuance of a Revocable Permit for Aircraft Parking, Windward Aviation, Inc., Space No. 405-102, Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 19.
8. Issuance of a Revocable Permit for Aircraft Parking, Windward Aviation, Inc., Space No. 405-103, Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 19.
9. Issuance of a Revocable Permit for Aircraft Parking, Windward Aviation, Inc., Space No. 405-104, Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 19.
10. Issuance of a Revocable Permit for Aircraft Parking, K & S Helicopters, Inc. (Space Nos 413-103, -104, -105), Hilo International Airport, Tax Map Key: (3) 2-1-12: Portion of 90.
11. Cancellation of Governor's Executive Order Nos. 1451, 1880, 1950, 2600, 2602, 2705, 2928, 3259 and 3500 and Reset Aside to State of Hawaii, Department of Transportation, Airports Division (DOT – Airports Division) for Lihue Airport Purposes and Issuance of an Immediate Right-of-Entry Permit to State of Hawaii, Department of Transportation – Airports Division Covering the Subject Area for Management Purposes, Portion of Kalapaki – Hanamaulu, Lihue, Kauai, Tax Map Key: (4) 3-5-001: 005, 008, 009, 092, 109, 111, 128, 158, 159 & 160.

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.