

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

DATE: FRIDAY, MAY 26, 2017
TIME: 9:00 A.M.
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HAWAII 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

No Minutes to Approve.

C. FORESTRY AND WILDLIFE

1. Approve grants from available funds in the Land Conservation Fund, as requested in applications to the fiscal year 2017 Legacy Land Conservation Program, for:

(1) The payment of \$1,500,000 in debt service on the Turtle Bay reimbursable general obligation bonds, and

(2) The acquisition of interests in specific parcels of land for:

A. The Trust for Public Land and Ala Kahakai Trail Association, \$2,000,000 for the acquisition of 2,209.307 acres at Kāhilipalinui and Kāhilipali'iki, Ka'ū, Hawai'i (Waikapuna);

B. Division of Forestry and Wildlife, \$738,346 for the acquisition of 4,469.58 acres at Kūka'iau and Kōholalele, Hāmākua, Hawai'i (Addition to Mauna Kea Forest Reserve, Upper Kūka'iau Ranch Acquisition); and

C. Hawaiian Islands Land Trust, \$210,000 for the acquisition of a conservation easement over 6.12 acres at Ke'anae, Hana, Maui (Kepler Ke'anae Lo'i Easement)

and:

Declare that each approved award of Fiscal Year 2017 grant funds for the acquisition of interests in specific parcels of land is exempt from the preparation of an environmental assessment, pursuant to Sections 343-5 and 343-6, Hawai‘i Revised Statutes and Section 11-200-8, Hawai‘i Administrative Rules.

2. Request to extend the closure of Kahauale‘a Natural Area Reserve, Kahauale‘a, Puna, Hawai‘i Island, to the public, pursuant to Hawai‘i Administrative Rules § 13-209-4.5, for public safety purposes, Tax Map Key: 1-2-008-001 and Tax Map Key: 3-1-001-001: (portion).
3. Request approval to authorize the Chairperson to negotiate and enter into a Memorandum of Agreement with MVI, LLC for public access through Tax Map Key: (2) 3-6-001: portion 018 to the Lāhainā Pali Trail, Maui.
4. Authorization of funding for Maui Land & Pineapple Company, Inc. for \$1,280,165 during FY18-24 for Pu‘u Kukui Watershed Preserve continued enrollment in the Natural Area Partnership Program and acceptance and approval of the Pu‘u Kukui Watershed Preserve Long Range Management Plan, TMK 4-1-1-17, 4-2-1-1:por, 4-1-4-12:por, 4-1-5-10, 4-1-5-13, 4-1-5-16, 4-1-5-17, 4-3-1-1:por, 4-3-1-17:por, Maui.

D. LAND DIVISION

1. Issuance of Right-of-Entry Permit to United States Department of the Interior, National Park Service, Ala Kahakai National Historic Trail on Lands Encumbered by Revocable Permit Nos. S-7786 & S-7820, Volcano Island Honey Company, LLC, Permittee; and General Lease No. S-5162, Mauna Lani Resort, Inc., Lessee for the Purposes of Conducting Research and Archaeological Site Documentation of the Ala Loa and Puako-Waimea Trails, Lālāmilo, South Kohala, Hawai‘i, Tax Map Keys: (3) 6-9-001:015 & 017.
2. Issuance of a Right-of-Entry Permit to Maui Film Festival, Inc. for Film Presentation Purposes, Wailea Beach, Maui Tax Map Key (2) 2-1-023: seaward of 007
3. Amend Grant of Non-Exclusive Easement, GL No. S-5998, for Walkway, Stairs, Shower Station, Concrete Pier Block Remnants and Landscaping Purposes, to Napili Kai, Ltd., Napili 2 and 3, Lāhainā, Maui, Tax Map Key: (2) 4-3-002:seaward of 026, 027 & 028. The purpose of the amendment is to increase the easement area by approximately 140 square feet, more or less.
4. Issuance of Revocable Permit to John Wisniewski, Waipahu Industrial Park, Hō‘ae‘ae, ‘Ewa, O‘ahu, Hawai‘i Tax Map Key: (1) 9-4-049:062 (por.).
5. After-the-Fact Issuance of Right-of-Entry and Special Use Permits (Right-of-Entry) to Endurance Events USA onto State Lands Encumbered by Governor’s Proclamation Dated January 3, 1923, Waiākea Forest Reserve, Upper Waiākea Forest Reserve and Hilo Reserve; Governor’s Executive Order No. 1288, Mauna Loa Forest and Game Reserve; Governor’s Proclamation Dated May 2, 1938, Mauna Kea Forest Reserve; Governor’s

Executive Order No.1398, Ka'ohē Game Management Area; and General Lease No. S-5373, Harold F. Rice, Jr., Lessee, for the Purpose of Hosting a Portion of the Mauna 2 Mauna Ultra Marathon Footrace, South Hilo, North Hilo, Hāmākua and South Kohala, Hawai'i, Tax Map Keys: (3) 2-4-008:001, (3) 2-6-018:010, (3) 2-6-018:004, (3) 2-4-008:008, (3) 2-4-008:004, (3) 3-8-001:001, (3) 4-4-014:009, (3) 4-4-015:001, (3) 4-4-015:004, and (3) 6-6-001:002.

This is a joint Land Division and Division of Forestry and Wildlife submittal to make efficient use of Board and Staff time.

6. Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Beach Every Friday From May 26, 2017 to April 27, 2018, Waikīkī, Honolulu, O'ahu, TMK: (1) 2-3-037:021 (Por).
7. Consent to Assign General Lease No. S-4892, from Thomas H. Kaaiai and Joan A. Kaaiai as Assignors to Thomas H. Kaaiai, Joan A. Kaaiai, Guy A. K. Kaaiai, Dale L. Kaaiai, Lane Kaaiai, and Nohl-Dayne H. N. Kaaiai, Joint Tenants, as Assignees; Maunalaha, Honolulu, O'ahu, Tax Map Key: (1) 2-5-024:021.

Mutual Cancellation of General Lease No. S-4906; Guy A. K. Kaaiai, Dale L. Kaaiai, Lessee; Maunalaha, Honolulu, O'ahu, Tax Map Key: (1) 2-5-024:022

8. Amend Prior Board Action of May 13, 2016, Agenda Item D-8; *Sale of Remnant (Cancellation of Reserved Easement) to Yi-Sun Chiu, Christy Zeng Lei, Xiu Yun Xie, and Huiling He, Pālolo Valley, Honolulu, O'ahu, Tax Map Key: (1) 3-4-006:portion of 002*

The amendment is to change the method of disposition from sale of remnant to sale of reservation of easement.

9. Consent to Assign General Lease No. S-5493, Gavin T. Yamada and Janice G.M. Yamada, Assignor, to Scot M. Mitamura and Karen M. Mitamura, Assignee, Extension of Lease Term, Waimānalo, Ko'olaupoko, O'ahu, Tax Map Key: (1) 4-1-018:052.
10. Consent to Assignment of Lease of Non-Exclusive Easement S-5329, Jeffrey T. Long, as Lessee/Assignor, to Jeffrey T. Long and Jamie Felice Long, Co-Trustees of the Jeffrey T. Long 2001 Revocable Trust, dated September 7, 2001, as Assignee; Consent to Mortgage of Lease of Non-Exclusive Easement S-5329, Jeffrey T. Long and Jamie Felice Long, Co-Trustees of the Jeffrey T. Long 2001 Revocable Trust, dated September 7, 2001, as Lessee/Mortgagor, to Bank of Hawaii, as Mortgagee; Amendment of Lease of Non-Exclusive Easement S-5329, Jeffrey T. Long and Jamie Felice Long, Co-Trustees of the Jeffrey T. Long 2001 Revocable Trust, dated September 7, 2001, Lessee to provide that the easement shall run with the land and shall inure to the benefit of the private real property described as Tax Map Key Nos. (1) 4-3-010:079, 080, and 081, and be assignable without Board consent; Kailua, Ko'olaupoko, O'ahu, Tax Map Key: (1) 4-3-010: portion of 083.
11. Consent to Amendment No. 1 to the Covenant of Purpose, Use and Ownership Affecting the Kapi'olani Community College Culinary Institute of the Pacific as Part of General

Lease No. 5661, University of Hawai‘i, Lessee; Waikīkī, Honolulu, O‘ahu; TMK (1) 3-1-042:011

F. DIVISION OF AQUATIC RESOURCES

1. Request for Approval for the DLNR Chairperson to Renew an Agreement and to Delegate to the Chairperson Signature Authority for the Future Exchange of Confidential Fisheries Information with the National Marine Fisheries Service (NMFS) or Other Federal Fisheries Agencies for Fisheries Management Purposes.

J. BOATING AND OCEAN RECREATION

Administrative Enforcement Action for:

1. Intentionally omitted.
2. Continuation of 29 Revocable Permits on the Islands of Hawai‘i, Kaua‘i, Lānai, Maui and O‘ahu; Various Locations and Tax Map Keys Statewide. See Exhibit A for the list of Revocable Permits (EXHIBIT A ATTACHED).
3. Installation and Modification of Four (4) Existing Offshore Moorings and Declare Project Exempt from Requirements of Chapter 343, HRS, and Title 11, Chapter 200, Hawai‘i Administrative Rules for:

Fair Wind, Inc. (Vessel: Fair Wind II)
Kona Sunrise Charters, Inc. (Vessel: Hula Kai)
Keauhou Boating Ltd. (Vessel: Captain Jack)
Charisma Hawaii, Inc. (Vessel: Kona Gold)
Keauhou Bay, Island of Hawai‘i, Hawai‘i
4. Installation and Modification of Existing Offshore Mooring and Declare Project Exempt from Requirements of Chapter 343, HRS, and Title 11, Chapter 200, Hawai‘i Administrative Rules for Sea Paradise Scuba, Inc. (Vessel: Sea Paradise) Keauhou Bay, Island of Hawai‘i, Hawai‘i.
5. Consent to Sublease Harbor Lease No. H-83-2, Kona Marine Holdings, LLC, a Delaware limited liability company, Lessee, to Jacks Diving Locker, a Hawaii Partnership, Honokōhau Small Boat Harbor, Kailua-Kona, Hawai‘i, Tax Map Key: (3) 7-04-008:040 (portion).
6. Issuance of Right-of-Entry Permit to Pyro Spectaculars North, Inc. for proximity fireworks and stage-effects display on Waikīkī Beach on June 4, 2017, with beach closing between 8:00 p.m. to 9:15 p.m., Waikīkī, Honolulu, O‘ahu, Tax Map Key: (1) 2-6-002:005 (portion).

K. CONSERVATION AND COASTAL LANDS

1. Conservation District Use Application (CDUA) OA-3784 for the Royal Hawaiian Groin Improvement Project, by the Department of Land and Natural Resources, Office of Conservation and Coastal Lands, at Waikīkī, Island of O‘ahu, Seaward of Tax Map Keys: (1) 2-6-002:005 and (1) 2-6-002:006.
2. Conservation District Enforcement KA 15-34 for Alleged Unauthorized Structures by Val Sanjara Located at Wainiha Power House Road, Island of Kaua‘i, Tax Map Key: (4) 5-8-005:026.

L. ENGINEERING

1. Appointment of Kainoa Casco to Serve as a Director of the West Maui Soil and Water Conservation District.

M. OTHERS

1. Consent to Sublease of State Lease No. DOT-A-16-0010, Hawaiian Airlines, Inc. to Hawaiian Airlines Federal Credit Union, Honolulu International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion).
2. Issuance of a Revocable Permit to Index Builders, Inc., for Storage Space and Roll Off Bin/Staging Area for Construction Materials and Equipment, Honolulu International Airport, Tax Map Key: (1) 1-1-003: 65 (Portion) and (1) 1-1-003: 001 (Portion).
3. Issuance of a Revocable Permit for a Passenger Lounge, Lanai Resorts, LLC dba Pūlama Lāna‘i, ‘Ewa Domestic Extension, Honolulu International Airport, Tax Map Key: (1) 1-1-003: 058 (Portion).
4. Consent to Assignment of State Lease No. DOT-A-79-0010, from Resort Air, LLC to Exclusive Air LLC, Honolulu International Airport, Tax Map Key: (1) 1-1-72: 017 and 019.
5. Issuance of a Revocable Permit for Aircraft Parking, R & J Aviators, LLC, Honolulu International Airport, Tax Map Key: (1) 1-1-76: Portion of 23.
6. Issuance of a Revocable Permit for Trailer Parking for Storage, Conen’s Freight Transport, Inc., Hilo International Airport, Tax Map Key: (3) 2-1-12: Portion of 90.
7. Authorization to convey subject property, Kamehameha Highway, Wilson Bridge to Kilani Avenue, Federal Aid Project No. F-FF-080-1(5) at Wahiawā, O‘ahu, Hawai‘i, Tax Map Key: (1) 7-3-04-01 remnant as shown on Exhibit A to respective abutting owners by quitclaim deed.
8. Amendment No. 1 to State Lease No. DOT-A-12-0006 for the Purpose of Extending the Term of the Lease, Royal Hawaiian Movers, Inc., Honolulu International Airport, Tax Map Key: (1) 1-1-14:10, (1) 1-1-14:05 and (1) 1-1-14:02

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/>

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: 587-0400.

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.