

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

DATE: FRIDAY, OCTOBER 13, 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. Approval of April 28, 2017
2. Approval of September 8, 2017
3. Approval of September 22, 2017

**C. FORESTRY AND WILDLIFE**

1. Request Approval to Enter into a Memorandum of Understanding between the U.S. Department of Agriculture, Natural Resources Conservation Service and the Department of Land and Natural Resources, Division of Forestry and Wildlife for \$1,063,000 in Federal Funds as part of the Regional Conservation Partnerships Program for fiscal year 2017.
2. Request for Approval of a Forest Reserve Management Plan for Pūpūkea Forest Reserve, Tax Map Keys (1) 5-9-006:026 and (1) 5-9-006:006, Pūpūkea, Ko'olauloa, O'ahu.

Request for Approval of a Forest Reserve Management Plan for Kula Forest Reserve and the Papa'anui Tract of Kahikinui Forest Reserve, Tax Map Keys (2) 2-2-007:001 (Portion) and 003, Kula, Makawao, Maui.

Request Approval of Declaration of Exemption to Chapter 343, HRS, Environmental Compliance Requirements for Applicable Management Activities Described in the Management Plans for Pūpūkea Forest Reserve, and Kula Forest Reserve and the Papa‘anui Tract of Kahikinui Forest Reserve.

3. Authorize the Issuance of a Right-of-Entry Permit to the Board of Water Supply to Construct a Reinterment Site at Wai‘auia, Kailua, O‘ahu, Tax Map Key: (1) 4-2-016:002.

#### **D. LAND DIVISION**

1. Set Aside to Hawaii Housing Finance and Development Corporation for Affordable Housing and Related Purposes with an Immediate Management Right-of-Entry, Kealakehe, North Kona, Hawai‘i, Tax Map Key: (3) 7-4-020:004
2. Issuance of Right-of-Entry Permit to the Association of Surfing Professionals (ASP) North America LLC dba The World Surf League, for a Women’s Professional Tour Surf Event at Līpoa Point, Honolua, Lāhainā, Maui, Tax Map Key: (2) 4-1-001: Portion of 010.
3. Amend Prior Board of Land and Natural Resources action of April 8, 2016, under Agenda Item D-5: *“Amend GL S-6050, Grant of Term, Non-Exclusive Easements to the Puamana Community Association for Shoreline Seawall/Revetment Encroachments Purposes, Puamana, Lāhainā, Maui, Tax Map Key: (2) 4-6-028: seaward of 001, increasing the Easement Area from 1,895 Square Feet to 5,242 Square Feet”* to 5,242 Square Feet.

The purpose of this amendment is to 1) modify the approved easement areas resulting in an increase to the current easement area of GL S-6050 from 1,895 square feet to a new total of approximately 5,365 square feet, more or less, and 2) issuance of a right of entry to the Puamana Community Association for encroachment removal purposes.

4. Annual Renewal of Revocable Permits in the County of Maui. See Exhibit 2 for list of Revocable Permits.
5. Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Beach on November 7, 25, 29 and 30, and December 7 and 11, 2017, Waikīkī, Honolulu, O‘ahu, Tax Map Key: (1) 2-3-037:021 (Portion).
6. Amend Prior Board Action of November 17, 2000, item D-16, *Request for Authorization to Acquire one (1) Houselot, Together with Improvements Thereon, and*

*Subsequent Set Aside to the Department of Land Natural Resources, Division of Forestry and Wildlife, Waiomao, Pālolo, Tax Map Key (1) 3-4-15:27 (after subdivision new Tax Map Key (1)-3-4-15:34).*

The purpose of the amendment is to (1) seek Board approval for Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW) to conduct a public hearing in accordance with §183-11 to 13, HRS, on the Island of Oahu regarding the proposed addition of the parcel to the Honolulu Water Shed Forest Reserve, and (2) authorize the immediate issuance of management right-of entry permit to DOFAW pending the issuance of an Executive Order.

7. Grant of Term, Non-Exclusive Easement to United States of America Department of Navy for Communication Facility Purposes; Kamananui, Waiālua, O‘ahu, Tax Map Key: (1) 6-7-003: portion of 025.
8. Grant of Term, Non-Exclusive Easement to Peter Cushman Lewis, Trustee of the of the Trust Agreement dated October 1, 1982, for Seawall, Steps, and Landscaped Area Purposes; Wai‘anae, O‘ahu, Tax Map Key: (1) 8-7-023: seaward of 044.
9. Request for Closure of a Portion of Moanalua Stream from October 23, 2017 to November 17, 2017 pursuant to HAR Section 13-221-4 for Reasons of Safety and Welfare of Persons and Property, State Unencumbered Lands at the Mauka Side of the Nimitz Highway Viaduct, in the vicinity of Moanalua, Honolulu, O‘ahu; TMK no. (1) 1-1-064:002.

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

1. Approval of A Memorandum of Agreement between The Department of Land and Natural Resources State Historic Preservation Division and 1250 Oceanside LLC, for Maintenance of the Hōkūkano Village Historic Site, Hōkūkano 1<sup>st</sup> Ahupua‘a, North Kona District, Island of Hawai‘i, Tax Map Key: (3) 7-9-012:003.

Request Approval of Declaration of Exemption from Chapter 343, HRS Environmental Compliance Requirements for any Project Activity outside the Scope of the Accepted EIS.

Request for Delegation of Authority to the Chairperson to Negotiate, Approve, Execute, Amend and Extend Memorandum of Agreement, Right -of- Entry and Release of Liability Agreements, for the State Historic Preservation Division for the Hōkūkano Village Historic Site.

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

1. Administrative Enforcement Action for Violations of Hawaii Administrative Rule § 13-244-19: Authorization Required to Hold Regatta, Marine Parade, Boat Race or Exhibition, against Mr. Sean Pagett For Failing To Obtain A Marine Event Permit From The Department of Land And Natural Resources, Division of Boating and Ocean Recreation, for Athletic Events Involving the use of State Ocean Waters; Request the Issuance of a Fine of \$10,000 for two Violations, Pursuant to Hawaii Revised Statutes § 200-14.5(C).
2. Continuation of a Revocable Permit to HBM, LLC, located at the Ala Wai Small Boat Harbor, Kāia, Honolulu, Island of O‘ahu, Hawai‘i. Tax Map Key: (1) 2-3-037: 020.
3. Denial of a Request for Contested Case Hearing by GKM, Inc. Regarding August 11, 2017 Decision to Authorize Public Auction of a Lease for Boat/Trailer Storage Facility and Parking at Honokōhau Small Boat Harbor, North Kona, Hawai‘i Island. Tax Map Key (3) 7-4-008:003. (To be withdrawn)
4. Approval of an Offshore Mooring Outside Lāhainā Offshore Mooring Zone, and Declare Project Exempt from Requirements of Chapter 343, HRS, and Title 11, Chapter 200, Hawaii Administrative Rules for Atlantis Submarines Hawaii, LLC., Island of Maui, Hawai‘i . Tax Map Key: (2) 4-6-001:002.

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

1. Conservation District Use Application (CDUA) HA-3797 for a Single-Family Residence; Agricultural Use and Management Plan; After-The-Fact Landscaping; and Associated Improvements by Garrett B. Dearing Located at Keonepoko Iki, Puna, Island of Hawai‘i, Tax Map Key: (3) 1- 5-009:055.
2. Conservation District Enforcement File OA-18-06 Regarding Alleged Unauthorized Land Uses in the Conservation District by James O’Shea and Denise O’Shea, Trustees of the James and Denise O’Shea Trust Located at Pūpūkea, Ko‘olauloa, Island of O‘ahu, Seaward of Tax Map Key: (1) 5-9-002:025.

**M. OTHERS**

1. Amendment No. 29 to Include Addition of Seating Area, Concession Agreement No. DOT-A-92-0018, Restaurant and Lounge Concession, Host International, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-03: 73 (Portion).

2. Amendment No. 1 to State Lease No. DOT-A-16-0009, Request to Include Additional Premises to the Lease for a Flight School Operation, Barbers Point Aviation Services, LLC, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32
3. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of an Aircraft, K & S Helicopters, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 40.

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.**