

**(AMENDED) AGENDA**  
**FOR THE MEETING OF THE**  
**BOARD OF LAND AND NATURAL RESOURCES**

DATE: THURSDAY, NOVEMBER 9, 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 for September 8, 2017 meeting minutes (deferred 10.28.2017).

**C. FORESTRY AND WILDLIFE**

1. Amendment to the Lanai Cooperative Game Development and Management Agreement with Lanai Resorts, LLC to Extend the Agreement to February 28, 2021.
2. Request Approval to Settle Claim Between DOFAW and Fee Owner Sharon Jensen to Reduce Easement While Still Providing Access to Forest Reserve, Manoa Valley, Honolulu, Oahu – TMK No. (1) 2-9-072-012.
3. Request Approval to Enter into a Memorandum of Agreement Between the Hawaii Tourism Authority and the Department of Land and Natural Resources, Division of Forestry and Wildlife for \$47,000 in Grant Funds to be Provided for Public Outreach Related to Rapid Ohia Death on Hawaii Island for Fiscal Year 2018.

**D. LAND DIVISION**

1. Rescind Prior Board Action of April 25, 2014, Item D-1, *Extension of Lease Term for General Lease No. S-4259, (Contract No. DACA84-5-70-16) to the United States of America Department of the Air Force, Waimea, Kauai, Hawaii, Tax Map Key: (4) 1-2-001:009;*

Withdrawal from Governor's Executive Order Nos. 1509 and 1510 to the Division of State Parks and Reset Aside to the Department of Accounting and General Services, Information and Communication Services Division (DAGS/ICSD), for Microwave and Radio Communication Site Purposes;

Grant of Perpetual, Non-Exclusive Easement to DAGS/ICSD for Access and Utility Purposes; and Issuance of Immediate Management Right-of-Entry to DAGS/ICSD for Public Safety Microwave and Radio Communication Site Purposes at Kukui and Pohakuwaawaa, Kokee, Waimea, Kauai, Tax Map Keys: (4) 1-2-001:009, and (4) 5-9-001:016 por. & 023.

2. Authorize a One-Year Holdover of General Lease No. S-3722, Hawaii Pacific Baptist Convention, Lessee; and Authorize Staff to Prepare and Publish a Request for Interest to Gauge Whether there is Interest among Prospective Developers in Conducting an Environmental Assessment to Rezone State Lands to Commercial Use and Facilitate the Issuance of a Long-term Lease for Commercial Purposes, Waiakea Cane Lots, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-4-057:023.
3. Set Aside to the Division of Boating and Ocean Recreation for Small Boat Harbor and Related Purposes; Issuance of Immediate Management Right-of-Entry to the Division of Boating and Ocean Recreation, Kealakehe, North Kona, Hawaii, Tax Map Key: (3) 7-4-008:071.
4. Issuance of Right-of-Entry Permit to the United State Geological Survey on Lands Encumbered by Governor's Executive Order No. 2577 to the County of Hawaii, Waiohinu, Ka'u, Hawaii, Tax Map Key: (3) 9-5-002:065.
5. Holdover of Revocable Permits S-7263 (Tax Map Key (2) 1-1-001:044), S-7264 (Tax Map Keys (2) 1-1-001:050, 2-9-014:001, 005, 011, 012 & 017) and S-7265 (Tax Map Key (2) 1-1-002: por. 002) to Alexander and Baldwin, Inc., and S-7266 (Tax Map Keys (2) 1-2-004:005 & 007) to East Maui Irrigation Company, Limited, for Water Use on the Island of Maui.

Pursuant to Section 92-5(a) (4), Hawaii Revised Statutes, the Board may go into Executive Session in order to consult with its attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

6. Amend Prior Board Action of October 28, 2016, (Item D-6), *Issuance of Revocable Permit to Kwock Nam Lau Trust and Eunice Y.M. Lau Trust for Parking Purposes; Termination of Revocable Permit No. 7544 issued to Kwock Nam Lau Trust; Nuuanu, Honolulu, O'ahu, Tax Map Key: (1) 2-2-010: portion of 021.*

An Amendment to Change the Applicant to Lorraine Lau Young Trust and Liana Lau Benn Trust due to the Recent Change in Ownership of the Private Property, Tax Map Key: (1) 2-2-010:015.

7. Issuance of Right-of-Entry Permit to Hawaiian Electric Company, Inc. on Lands Encumbered by Governor's Proclamation dated December 31, 1918 for Mokuleia Forest Reserve and Unencumbered Lands, Mokuleia, Waialua, Waianae-Kai, O'ahu, Tax Map Key: (1) 6-7-003:018, 024; 6-8-001:001, 8-5-006:001.
8. Set Aside to City and County of Honolulu for Fire Station and Allied Purposes, Pearl City, Ewa, O'ahu, Tax Map Key: (1) 9-7-020:004.

## **E. STATE PARKS**

1. Amend Prior Board Action of August 26, 2016, Agenda Item E-3, Issuance of a Revocable Permit to Mary Thronas, Trustee of the Mary Thronas Trust for Pasture Purposes, Lot 23-A and 23-B, Wailua Rice and Kula Lots, Wailua, Lihue, Kauai, Hawaii, Tax Map Key: (4) 4-2-003:003.
2. Approve Amended Submittal of December 9, 2016, Agenda Item E-3: Issuance of a General Lease to Ke'ehi Memorial Organization for the Operation, Maintenance and Administration Purposes of Ke'ehi Lagoon Memorial (aka Pacific War Memorial), situated at Ke'ehi Lagoon, Honolulu, O'ahu, Tax Map Key: (1) 1-1-03:004.

The purpose of this Amendment is to (1) Correct the Statutory Authority under which the Board is acting in Granting the Lease, (2) Correct the Leased Acreage, (3) Request that the Board declare that the Project is Exempt from the preparation of an Environmental Assessment, and (4) Clarify the Relationship between Ke'ehi Memorial Organization and Disabled American Veterans, Department of Hawai'i, and Delegate Authority to the Chairperson to Consent to a Future Sublease between these parties.

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

1. Request Approval to Adopt Amendments to Hawaii Administrative Rules, Chapter 13-74, Amending Section 13-74-20 (Commercial Marine License) and Adding Section 13-74-46 (Commercial Marine Dealer Report).

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 is Attached to This Agenda as Exhibit 2. Exhibit 3 is the Summary Minutes of the Statewide Public Hearings.

2. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to the Monument Co-Trustees: 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 and Authorize General Conservation and Management Activities by the Department of Land and Natural Resources, Divisions of Aquatic Resources & Forestry and Wildlife.

**J. DIVISION OF BOATING AND RECREATION**

1. Administrative Enforcement Action for Violation of Hawaii Administrative Rule Section 13-256-39: Hanalei Bay Ocean Waters, General Restrictions, against Stephen Koehne for Conducting Commercial Activity without a Commercial Use Permit or prior Approval from the Division of Boating and Recreation.

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

1. Conservation District Use Application (CDUA) OA-3802 by Dr. Clayton Honbo & Nanaina O Pali Ku, LLC for After-The-Fact Approval of an Existing Concrete Seawall, Located on Kaneohe Bay in the Ko'olaupoko District, Island of O'ahu, seaward of Tax Map Key: (1) 4-6-001:019.
2. Time Extension Request for Conservation District Use Application (CDUA) MA-3746 by Andrew P. Wilson for the Installation of an Above Ground Waterline Located Along Mākena-Keone'ō'io Road in Honua'ula, Makawao, Maui, Tax Map Key: (2) 2-1-004:046, 068, 073, &113.

**L. ENGINEERING**

1. Request Authority to Submit the Final Environmental Impact Statement (FEIS) for Acceptance by The Governor for the Ala Wai Canal Dredging and Improvements Project, Waikiki, Island of O'ahu, Hawai'i.
2. Request Authorization for The Chairperson to Enter Into an Agreement with the City & County of Honolulu to Enter and Construct within City & County of Honolulu Property, a Use & Occupancy Agreement with the University of Hawaii for Construction Staging and Storage, Enter into A Tri-Party Letter Agreement to Construct Improvements in both University of Hawaii Property and City & County of Honolulu Easement, and Authorize the Chairperson to Enter into any other Agreements

- for the Manoa Stream Improvements at Woodlawn Drive Bridge, Manoa, O‘ahu, Hawai‘i, Tax Map Key: (1) 2-9-26:01; (1) 2-9-26-02; (1) 2-9-26:46.
3. Delegation of Authority to the Chairperson to Select and Contract Consultants for Projects in Support of Hawaii Revised Statutes (HRS) Chapter 179D, Dams and Reservoirs to: (1) Procure, Negotiate, Approve, Enter, Sign, and Execute Contracts and Agreements for HRS Chapter 179D Projects; (2) Negotiate, Approve, Enter, Sign, and Execute Supplemental Contracts to address unforeseen conditions for these HRS Chapter 179D Projects; and (3) Declare these HRS Chapter 179D Projects Exempt from the preparation of an Environmental Assessment or Approve an Environmental Assessment and Issue a Finding of no Significant Impact, if appropriate.

## **M. OTHERS**

1. Issuance of a Revocable Permit for Office Space, Hawaiian Airlines, Inc., Makai Pier, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 073 (Portion).
2. Issuance of a Revocable Permit for a Field Office, Hensel Phelps Construction Co., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 015 (Portion).
3. Issuance of a Revocable Permit for Aircraft Parking, Robert V. Jao, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 23.
4. Issuance of a Revocable Permit for an Airline Lounge to Japan Airlines Co., Ltd., Ewa Concourse, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 066 (Portion).
5. Issuance of a Revocable Permit for Aircraft Parking, Lani Lea Sky Tours LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 23.
6. Issuance of a Revocable Permit for a Field Office, R. M. Towill Corporation, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 085 (Portion).
7. Issuance of a Revocable Permit for Aircraft Parking, Anthony Serna, Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 19.
8. Issuance of a Revocable Permit for an Office Space for Administration, Briefing, Training and Breakroom for United States of America, General Services Administration for an on Behalf of U.S. Department of Homeland Security, Kapalua Airport, Tax Map Key: (2) 4-3-01: Portion of 68.
9. Issuance of a Direct Fixed-Base Facility Lease to Keahole FBO I LLC, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 003.

10. Issuance of a Revocable Permit for an Office Space and a Greeters' Station, MC&A, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 40.
11. Issuance of a Revocable Permit for Aircraft Parking, David A. Osterholt, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 40.
12. Issuance of a Revocable Permit for Temporary Office Space, U.S. General Services Administration for Transportation Security Administration, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 40.
13. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Mauna Loa Helicopter Tours LLC, Lihue Airport, Tax Map Key: (4) 3-5-01: Portion of 8
14. Issuance of a Revocable Permit for Equipment Parking, Ramp Office, Ticket Counter, Curbside Check-In and Baggage Claim Office, United Airlines, Inc., Lihue Airport, Tax Map Key: (4) 3-5-01: Portion of 8.
15. Issuance of a Right-of-Entry Permit to County of Kauai for Hydrological Investigations on Encumbered Government Lands, Port Allen Airport, Tax Map Key: (4) 1-8-008: Portion of 004, and (4) 1-8-008: 076.
16. Extension to December 31, 2018, the Right-of-Entry to D.R. Horton Hawaii and Royal Contracting Co., LTD, at Kalaeloa Barbers Point Harbor, O'ahu, Tax Map Key: (1) 9-1-014, portions of 024 and 039.

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.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: 587-0404.**