

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

DATE: FRIDAY, JANUARY 12, 2018
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 of June 9, 2017 meeting minutes.
2. Request approval for June 23, 2017 meeting minutes.
3. Request approval of July 14, 2017 meeting minutes.
4. Request approval of July 28, 2017 meeting minutes.
5. Request approval of August 11, 2017 meeting minutes.
6. Request approval of December 8, 2017 meeting minutes.

C. FORESTRY AND WILDLIFE

1. Request for Approval for Issuance of a request for interest for Federal Grant with the U.S. Forest Service Wood Innovations Grants Program and Authorize the Chairperson to Execute a Contract with Successful Providers.
2. Approve two dispositions of land that was acquired with a grant from the Land Conservation Fund by the National Tropical Botanical Garden at Hāna, Maui, Tax Map Key Number (2) 1-3-002:001, Including Waiver of Revenue Sharing Provisions:
 - (1) Decoite Agricultural Lease with A. Decoite Ranch LLC, and
 - (2) Lease Agreement with Ma Ka Hana Ka 'Ike

D. LAND DIVISION

1. Intentionally Left Blank

2. Amend Grant of Non-Exclusive Easement under Land Office Deed No. S-29,140, Easter Seals Hawaii, Grantor, to State of Hawai'i, by its Board of Land and Natural Resources, Grantee, Menehune Road Rockfall Mitigation Project, Kīkīaola, Waimea, Kaua'i, Tax Map Key: (4) 1-6-010:001 (portion).

The purpose of the amendment is to expand the character of use of the easement to include a 4-foot high chain-link fence with gate for safety purposes.

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4. Grant of Perpetual, Non-Exclusive Easement to the County of Kaua'i, Department of Public Works (COK DPW) for Sidewalk and Pathway Access Purposes as Part of its Līhu'e Town Core Mobility and Revitalization Project [FAP No. TGR-0700(073)]; Issuance of Immediate Management and Construction Right-of-Entry to COK DPW, Kalapakī, Līhu'e, Kaua'i, Tax Map Keys: (4) 3-6-002:021 & 022.
5. Lessee's Request for Early Termination of General Lease No. S-5439, Anna K. Cordero and James J. Cordero, Lessee, Kīkala and Kēōkea, Puna, Hawai'i, Tax Map Key: (3) 1-2-043:039.

6. Amend Prior Board Action of January 27, 2017, Agenda Item D-9, *Grant of Term, Non-Exclusive Easement to Edward S. Henrickson and Clarence Lyman as Co-Trustees of the Leon A. Thevenin Restated and Amended Trust dated December 30, 1995, and the Dora C. Thevenin Restated and Amended Trust dated December 30, 1995, for Seawall Encroachment Purposes, Lālāmilo, South Kohala, Hawai‘i, Tax Map Key: (3) 6-9-001: portion of 002.*

The purpose of the amendment is to correct the name of the grantee of the easement to Edward S. Henrickson and Clarence Lyman as Co-Trustees of the Leon A. Thevenin Trust dated December 30, 1985, as Restated and Amended, and the Dora C. Thevenin Trust dated December 30, 1985, as Restated and Amended.

7. Resubmittal: Determination of Rent upon Reopening for Milolii-Hoopuloa Residential Leases, Phase III, Consisting of Five (5) General Leases for Residential Purposes at Milolii and Ho‘ōpūloa, South Kona, Hawai‘i, Tax Map Key: (3) 8-9-014: 050, 053, 056, and 060-061.
8. Grant of Term, Non-Exclusive Easement to the Association of Apartment Owners of Hololani for Steel Sheet Pile Seawall and Rock Revetment Purposes; Issuance of Management Right-of-Entry; Kahana, Lāhainā, Maui, Tax Map Key: (2) 4-3-010: Seaward of 009.
9. Grant of Thirty (30) Year Term Non-Exclusive Easement to Kā’anapali Land Management Corp. For Agricultural Irrigation Purposes, Honokōhau, Lāhainā, Island of Maui; Tax Map Key(s): (2) 4-4-002:012; (2) 4-4-002:013; (2) 4-4-002:014; (2) 4-4-005:035; (2) 4-5-021:005; (2) 4-6-018:011.
10. 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.”*

The purpose of this amendment is to 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.

11. Issuance of Right-of-Entry Permit for Due Diligence to Hawaiian Electric Company, Inc. on Lands Encumbered by Executive Order No. 3947 for Harbor Purposes, and

- Executive Order No. 4075 for Government Services Purposes, Mokauea, Kalihi and Kapālama, Honolulu, O‘ahu, Tax Map Key: (1) 1-2-025: Various (see project boundary on Exhibit A).
12. Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Lagoon on February 23, 2018, Waikīkī, Honolulu, O‘ahu, Tax Map Key: (1) 2-3-037:021 (Portion).
 13. Amend Prior Board Action of December 8, 2017, Item D-10 by Adding the Issuance of Immediate Right-of-Entry until the Issuance of the Requested Lease.

Amend Conditions for General Lease No. 6056 to Waimānalo Health Center for Community Service Purposes by (a) Expanding Lease Area, and (b) Allowing Subletting and Mortgaging with Prior Approval of the State of Hawai‘i as Lessor; and

Consent to Sublease for Community Service Purposes, Waimānalo Health Center, Sublessor; Roman Catholic Church in the State of Hawai‘i, Sublessee; and

Consent to Federal Interest regarding a Two-Story Medical Building; Waimānalo Health Center, Lessee; Waimānalo, Ko‘olaupoko, O‘ahu, Tax Map Key: (1) 4-1-015: portion of 001.
 14. Issuance of Right-of-Entry Permit to Hawaii Surfing Association, for Event Operations Purposes Related to the 2018 Hawaii Surfing Association Honolua Legends of the Bay Amateur Surfing Contest at Honolua, Lāhainā, Maui, Tax Map Key (2) 4-1-001: Portion of 010.
 15. After-the-Fact Consent to Assignment of General Lease No. S-3601, BCI Coca-Cola Bottling Company of Los Angeles (now known as Reyes Coca-Cola Bottling, L.L.C.), Assignor, to Coca-Cola Bottling of Hawaii, LLC, Assignee, Kanoelehua Industrial Lots, Waiākea, South Hilo, Hawai‘i, Tax Map Key: (3) 2-2-049:007.
 16. Approval of a Letter from the Members of the Board of Land and Natural Resources to the Legislature in Support of House Bill 1120 and Senate Bill 986, Relating to Special Shoreline Encroachment Easements.

I. STATE HISTORIC PRESERVATION DIVISION

1. Enforcement Action against the Edwin C. Olson Trust No. 2. Alteration of historic properties during the course of land alteration activities without a permit. 'Amauulu Camp Cemetery. Pu'u`eo Ahupua'a, South Hilo, Island of Hawai'i. TMK: (3) 2-6-008:028.

J. DIVISION OF BOATING AND RECREATION

**No Agenda Item Number*

INFORMATIONAL BRIEFING REGARDING THE DEVELOPMENT OF THE ALA WAI SMALL BOAT HARBOR

1. Continuation of a Revocable Permit to Atlantis Submarines Hawaii, LLC, to operate Submarine Tours and other Maritime Related Activities at the Honokōhau Small Boat Harbor, Island of Hawai'i, Tax Map Key: (3) 7-4-008:003 (Portion).
2. Approve the installation of three existing Offshore Moorings and Declare Exemption from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules, Lāhainā Roadstead Offshore Mooring Area, Lāhainā Island of Maui, for Hone Heke Corporation dba Expeditions.
3. Approve the installation of an existing Offshore Mooring and Declare Exemption from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules Māla Wharf Offshore Mooring Area, Lāhainā, Island of Maui, for Marina Batham and John Huntley.
4. Approve installation of an existing Offshore Mooring outside Kā'anapali Offshore Mooring Area and Declare Installation Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules, Kā'anapali, Island of Maui, Hawai'i, for PRK Sails, Inc. (Peter Z. Dyck).
5. Approve Installation of an existing Offshore Mooring within Reed's Bay, outside of an established Offshore Mooring Area and Declare Installation Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules, Hilo, Island of Hawai'i, for Scott Pruitt.
6. Approve installation of an existing Offshore Mooring within Reed's Bay, outside of an established Offshore Mooring Area and Declare Installation Exempt from

Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules, Hilo Island of Hawai‘i, Hawaii for Bruce McCullough.

7. Issuance of Revocable Permit for North Shore Canoe Club, for Storage for Canoes and Trailer Parking, Located at Hale‘iwa Small Boat Harbor, Hale‘iwa, O‘ahu, Tax Map Key: (1) 6-2-003:011 (por.).
8. Continuation of a Revocable Permit (“RP”) to A&K Ventures LLC, for Purposes of Landscaping, Maintenance, Storage of Small Boats and Trailers and other activities at Mala Wharf and Surrounding Areas, Alamihi, Lāhainā, Maui, Hawai‘i, identified by Tax Map Key: (2) 4-5-005: 019 (Por.).
9. Authorize Public Auction of a Lease for purposes of Landscaping, Maintenance, Storage of Small Boats and Trailers and other Maritime related activities at Māla Wharf and surrounding areas, Alamihi, Lāhainā, Maui, Hawai‘i, Identified by Tax Map Key: (2) 4-5-005: 019 (Por.).

K. OFFICE OF CONSERVATION AND COASTAL LANDS

1. Conservation District Use Application (CDUA) HA-3805 Regarding the Federal Highways Administration, Federal Lands Highway Division – Hīlea Bridge Replacement Project, Located in the Ka‘ū District, Island of Hawai‘i, on Tax Map Key: (3) 9-5-017:007
2. Time Extension Request OA-18-10 by Randy Cates of Mamala Bay Seafood, LLC to extend the construction deadlines by one year on Conservation District Use Permit (CDUP) OA-3719 for the Māmala Bay Mariculture Facility on submerged lands in the Reef Runway Borrow Pit, Ke‘ehi Lagoon, Honolulu, O‘ahu, TMK (1) 1-1-003:005 (submerged lands).

M. OTHERS

1. Issuance of a Revocable Permit to the Airlines Committee of Hawaii for the Operation and Maintenance of Passenger Loading Bridges at Daniel K. Inouye International Airport, Kahului Airport, Hilo International Airport, and Līhu‘e Airport, Tax Map Key: (1) 1-1-03:042 (HNL); (2) 2-3-8-01: Portion of 019 (OGG); (3) 2-1-12: Portion of 90 (ITO); and (4) 3-5-01: Portion of 008 (LIH).

2. Amendment to Prior Board Action of October 13, 2017, Item M-2, Amendment No. 1 to State Lease No. DOT-A-16-0009, Barbers Point Aviation Services, LLC, Request Amendment to Premises and Annual Rental, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32.
3. Issuance of a Revocable Permit for Space to Place Building Signage, Exclusive Air LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion).
4. Issuance of a Revocable Permit for Space to Store a Propane Fuel Tank, The Gas Company, LLC dba Hawaii Gas, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion).
5. Issuance of a Revocable Permit for the Purpose of Operating a Cargo Truck Turn Around Area to Hawaiian Airlines, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion).
6. Issuance of a Revocable Permit for Aircraft Parking, Hele Lani LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 23.
7. Issuance of a Revocable Permit for a Car Dealership Overflow Parking to Lithia of Honolulu – BGMCC, LLC, 2969 and 2979 Ualena Street, Daniel K. Inouye International Airport, Tax Map Key: (1) 9-1-13:33 (Portion).
8. Grant of a Term, Non-Exclusive Easement, and Issuance of a Temporary Right-of-Entry Permit to Servco Pacific Inc. for Access Purposes, Situate at Mokauea, Kalihi, Honolulu, O‘ahu, Hawai‘i, Tax Map Key: (1) 1-2-025:002 (Por.).
9. Amendment No. 5 to Concession Agreement No. DOT-A-08-0011 for the Purpose of Adding Baggage Storage Rental Offices, Smarte Carte, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 066 (Portion).
10. Amendment to Prior Board Action of December 13, 2013, Item M-5, Issuance of a Direct Lease for a Radar Training Facility, Applicant/Lessee Name Change from the State of Hawaii, Department of Defense Hawaii Air National Guard, to the United States of America, Department of the Air Force, Kalaeloa Airport, Island of O‘ahu, State of Hawai‘i, Tax Map Key: (1) 0-1-13:33 (Portion).

11. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft to The Car Store Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 22.
12. Issuance of a Revocable Permit for an Airline Lounge to United Airlines, Inc., Diamond Head Concourse, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 065 (Portion).
13. Issuance of a Revocable Permit for Aircraft Parking, Yamashita, Bruce and Sheri, Daniel K. Inouye International Airport, Tax Map Key: (9)1-1-76: Portion of 23.
14. Approval in Concept for the Acquisition of Privately-Owned Lands for Airport Purposes Situated at Kahului, Island and County of Maui, Tax Map Key: (2) 3-8-002: 005, 015 and 135.
15. Issuance of a Revocable Permit for Aircraft Parking, Dillon R. Orian, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 40.
16. Issuance of a Revocable Permit for Aircraft Parking, Helelani Blue, LLC, Hilo International Airport, Tax Map Key: (3) 2-1-12: Portion of 90.

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.