

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

DATE: FRIDAY, FEBRUARY 09, 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 August 25, 2017 meeting minutes.
3. Request approval of October 13, 2017 meeting minutes.

**C. FORESTRY AND WILDLIFE**

1. Request Delegation of Authority to the Chairperson to approve Memoranda of Understanding / Agreements, Contracts for Goods and Services, and Cooperative Agreements, that Award Grant Funds to the Division of Forestry and Wildlife, subject to the review and approval by the Deputy Attorney General.

2. Request Approval of a Memorandum of Understanding between the State of Hawaii Department of Land and Natural Resources and the United States Department of the Interior, National Park Service to cooperatively work to conserve Natural and Cultural resources and ecosystems.

3. Request for Approval to enter into two Memorandum of Agreements between the Hawai'i Tourism Authority and the Department of Land and Natural Resources Division of Forestry and Wildlife for grant funds: (1) \$50,000 for the protection and preservation of the Kaniakapūpū ruins in Nu'uuanu, Honolulu, O'ahu; and (2) \$65,000 for the new paths for Ka'ena Point Project, O'ahu

and;

Request Approval of Declaration of Exemption to Chapter 343, Hawai'i Revised Statutes for these two projects.

4. **INTENTIONALLY LEFT BLANK**

5. Request Approval for Commercial Trail Tour Activity Permits under the Na Ala Hele Trail and Access program to include: Bike Hawaii, Hawaii Nature Explorers, Hike Kaua'i with Me LLC, Oahu Nature Tours, Custom Island Tours LLC, Kauai South Travel, Aloha Nui Loa Tours Inc dba Hike Maui, Hawaii Forest & Trail Ltd, Hiking Kauai LLC, Native Guide Hawaii LLC, Unique Hawaii Experience LLC, Backroads, and Kona Adventure Tours;

Request Approval of Declaration of Exemption to Chapter 343, Hawaii Revised Statutes Environmental Compliance requirements for these commercial trail activities;

and,

Request to Delegate Authority to the Division of Forestry and Wildlife Branch Managers to act as the Authorized Representatives for applicable Sections of Chapter 13-130, Hawaii Administrative Rules, Rules Regulating Hawaii Statewide Trail and Access Program

and,

Authorize the Chairperson, and the Administrator and Branch Managers of the Division of Forestry and Wildlife to determine and approve Chapter 343, Hawaii Revised Statutes Environmental Compliance requirements, including Approval of Declarations of Exemptions, as applicable, for Authorizations or Permits issued under the Rules Regulating Hawaii Statewide Trail and Access Program.

**D. LAND DIVISION**

1. Set Aside to the County of Kaua‘i, Board of Water Supply for Well Site Purposes; Issuance of Immediate Management Right-of-Entry at Waimea Heights House Lots, Lot E-1, Kīkīaola, Waimea, Kaua‘i, Tax Map Key no.: (4) 1-2-006:018 (por.)
2. Issuance of Right-of-Entry Permit to Hawaii Beach Volleyball Association for Dinosaur Beach Volleyball Tournament at Kalapakī Beach, Līhu‘e, Kaua‘i, Tax Map Key no.: (4) 3-5-002: seaward of 002.
3. Sale of Abandoned Powerline Right-of-Way Remnants to Vinh Duc Ta, Ola‘a, Puna, Hawai‘i, Tax Map Key no.: (3) 1-7-001:014 & 039.
4. Consent to Sublease General Lease No. S-3961, Hilo-Hawaiian Associates, Inc., Lessee/Sublessor; to Banyan Mini Mart LLC dba Coco Gift Shop; Lornalee Karvas dba Jaymielee’s Styling Salon; Original Big Island Shave Ice Co., Inc., also known as Reginald Ignacio dba Original Big Island Shave Ice Co., Inc.; and Hawaii Forest & Trail, Ltd.\*, also known as Hawaii Forest & Trail, Ltd. dba Hawaii Forest & Trail Adventures and Activities, Sublessees, Waiākea, South Hilo, Hawai‘i, Tax Map Key no.: (3) 2-21-003:005 (por.).
5. Issuance of Direct Lease of Submerged Lands to the Trustees of the Estate of Bernice Pauahi Bishop for Cultural and Historical Site Preservation Purposes, Kahalu‘u, North Kona, Island of Hawai‘i, Tax Map Keys no.: (3) 7-8-013: seaward of 002 and 043.
6. Set Aside to the Department of Hawaiian Home Lands for Agricultural Development, and Issuance of Immediate Management Right-of-Entry to the Department of Hawaiian Home Lands, Wai‘ōhinu, Ka‘ū, Hawai‘i, Tax Map Key no.: (3) 9-5-005:003.
7. Request for Issuance of Right-of-Entry Permit to Chrysalis, Inc. on Lands located at Wailea Beach, Honua‘ula, Maui, Tax Map Key no.: (2) 2-1-23: seaward of 007.
8. Authorize the Issuance of Two Perpetual, Non-Exclusive Easements to the County of Maui for Bus Stop Shelters and Appurtenant Purposes; Issuance of Immediate Construction Right-of-Entry, Wailuku Town, Wailuku, Maui, Tax Map Key no.: (2) 3-4-013:013 (por.).

9. Authorize the Issuance of a Management Right-of-Entry to the Department of Transportation - Airports Division, for Airport Purposes, Kahului Airport, Kahului, Wailuku, Maui, Tax Map Key no.: (2) 3-8-001:019 (por.).
10. Amend Prior Board Action of May 11, 1979, Item F-20 regarding *Direct Issuance of Lease to Public Utility for Power Substation Purposes*; Sand Island, Honolulu, O'ahu, Tax Map Key no.: (1) 1-5-041:296.

The Amendment is Regarding the Immediate Management Right-of-Entry, Rent Payable and Commencement Date.

11. Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Lagoon on February 23, 2018, Waikiki, Honolulu, O'ahu, Tax Map Key no.: (1) 2-3-037:021 (por).
12. Request of Waiver of Requirement for Conducting Phase 1 Environmental Site Assessment upon Cancellation of Revocable Permit No. 7469; Cheryl McConnell and Wesley Furtado, Former Permittees; and  
  
Issuance of Revocable Permit and Right-of-Entry Permit to Richard & Kathleen Teixeira for Pasture and Horse Stabling Purposes; Waimānalo, Ko'olaupoko, O'ahu, Tax Map Key no.: (1) 4-1-013:022.
13. Grant of Perpetual, Non-Exclusive Easement to the City and County of Honolulu for Waterline Purposes; Issuance of Immediate Right-of-Entry Permit; Wahiawā, O'ahu, Tax Map Key no.: (1) 7-3-013: Portion of 009.
14. Consent to Assign the 3/5 Undivided Interest in Homestead Lease No. 54 of Muriel Puninani Enos Ioane, Julia Kauai Yukie Enos Hanson and William Pali Enos, Jr., Assignor, to Muriel Puninani Enos Ioane, Julia Kauai Yukie Enos Hanson and William Pali Enos, Jr. as Trustees of the John Enos II Family Land Trust dated October 23, 2017, Assignee; Wai'anae, Ewa, O'ahu, Tax Map Key no.: (1) 8-5-4:3 & 61.
15. Issuance of a Right-of-Entry Permit to the United States to Conduct Defense Environmental Restoration Program Activities on State Lands Including Submerged Lands on the Islands of O'ahu, Maui, and Moloka'i. See Exhibit A, for List of Subject Properties.

16. Rescind Prior Board Action of September 28, 2007, (Item D-1), *Set Aside to the Hawaii Housing Finance and Development Corporation for the Future Housing and Housing Related Development Purposes, Wahiawā, 'Aiea and Honolulu, O'ahu, Tax Map Keys no.: (1) 7-3-12:15, 7-3-13:9; 9-9-44:20, 9-9-44:24; 1-7-41:2; 2-2-13:4; 2-2-13:14; 2-2-13:96; 2-2-13:101; and*

Set Aside to the Agribusiness Development Corporation for Agricultural Purposes, Wai'anae-Uka, Wahiawā, O'ahu, Tax Map Keys no: (1) 7-3-013:008 and 009.

## **E. STATE PARKS**

1. Request approval to Authorize the Chairperson to Negotiate and enter into a Memorandum of Understanding (MOU), between the State of Hawai'i Department of Land and Natural Resources Division of State Parks (DSP) and the University of Hawai'i Community Design Center (UHCDC) to cooperatively work on Proof of Concepts for numerous DSP properties.

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

1. Administrative Enforcement Action for Violation of Hawai'i Administrative Rule Section 13-255-6: Waikīkī Beach uses and activities; restrictions, against Islands Beach Activities, Inc. For display of advertising material on Waikīkī Beach.
2. Repair of Existing Loading Platform Structure; Reimburse Applicant for costs to Repair Existing Loading Platform Structure; and Declare Project Exempt from Requirements of Chapter 343, HRS, And Title 11, Chapter 200, Hawai'i Administrative Rules for Maka Kai Charters, Inc. Slip No. 99, Mā'alaea Small Boat Harbor, Island of Maui, Hawai'i.
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, Hawai'i Administrative Rules Māla Wharf Offshore Mooring Area, Lāhainā, Island of Maui, for Marina Batham and John Huntley.
4. Approve the installation of three existing Offshore Moorings and Declare Exemption from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawai'i Administrative Rules, Lāhainā Roadstead Offshore Mooring Area, Lāhainā Island of Maui, for Hone Heke Corporation dba Expeditions.

5. 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, Hawai'i Administrative Rules, Kā'anapali, Island of Maui, Hawai'i, for PRK Sails, Inc. (Peter Z. Dyck).
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. 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, Hawai'i Administrative Rules, Hilo, Island of Hawai'i, for Scott Pruitt.
8. Administrative Enforcement Action for Violation of Hawai'i Administrative Rule Section 13-255-6: Waikīkī Beach Uses and Activities; Restrictions, against Welakahao Catamaran, Inc. for Display of Advertising Material on Waikīkī Beach.
9. Request for Reduced Rent; Revocable Permit No. 22; Nā Kālai Wa'a; South Kawaihae Small Boat Harbor, Island of Hawai'i, Hawai'i; Tax Map Key no.: (3) 6-1-003:022 (Portion).
10. Request for Reduced Rent; Revocable Permit No. 6; Hawai'i Big Game Fishing Club, Inc.; Honokōhau Small Boat Harbor, North Kona, Island of Hawai'i, Hawai'i; Tax Map Key no.: (3) 7-4-008:003 (Portion).
11. Request for reduced rent by Revocable Permit No. 15; The Kona Sailing Club at Honokōhau Small Boat Harbor, Kealakehe, North Kona, Island of Hawai'i, Hawai'i; Tax Map Key no.: (3) 7-4-008:003 (Portion).
12. 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 no.: (2) 4-5-005:019 (Por.)

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

1. Conservation District Enforcement Case (ENF) OA-18-10 Regarding the Alleged Unauthorized Construction of a Shoreline Erosion Control Structure by Mark and Diane Button, located in the Waialua District, Island of O‘ahu, seaward of Tax Map Key no.: (1) 6-8-004:018
2. Conservation District Enforcement Case (ENF) OA-18-12 Regarding the Alleged Unauthorized Construction of a Shoreline Erosion Control Structure by the Heidi Snow Trust, located in the Waialua District, Island of O‘ahu, seaward of Tax Map Key no.: (1) 6-8-004:031.
3. Conservation District Use Application (CDUA) OA-3804 and Proposed Issuance of a Non-Exclusive Easement, Regarding Portlock Road Drainage Outfall Improvement Project by the City and County of Honolulu – Department of Design and Construction, Located in the Honolulu District, Island of O‘ahu, seaward of Tax Map Key no. (s): (1) 3-9-003:002 & (1) 3-9-003:028.

**M. OTHERS**

1. Issuance of a Revocable Permit for Florist Concession Storage Space, Greeters of Hawaii, Ltd., Daniel K. Inouye International Airport, Tax Map Key no.: (1) 1-1-003: 066 (Portion).
2. Issuance of a Revocable Permit for Parking and Storage of Vehicles, Hawaii Industrial Services, Ltd., Daniel K. Inouye International Airport, Tax Map Key no.: (1) 1-1-04: 008 (Portion).
3. Issuance of a Revocable Permit for Storage Space to Lāna‘i Resorts, LLC dba Pūlama Lāna‘i, Daniel K. Inouye International Airport, Tax Map Key no.: (1) 1-1-003:058 (Portion).
4. Issuance of a Direct Lease, Office and Warehouse Space for a Regulated Steam Sterilization Treatment Plant to NCNS Environmental, Inc., 2989 Ualena Street, Daniel K. Inouye International Airport, Tax Map Key no.: (1) 1-1-04: 019.

5. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft to Support Commercial Helicopter Operations, Novictor Aviation LLC, Daniel K. Inouye International Airport, Tax Map Key no.: (1) 1-1-76: Portion of 22.

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:**

e-mail: [blnr.testimony@hawaii.gov](mailto:blnr.testimony@hawaii.gov)

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>

INDIVIDUALS REQUIRING SPECIAL ASSISTANCE OR AUXILIARY AIDS OR SERVICES (e.g., sign language interpreter, wheel chair accessibility, or parking designated for the disabled) AT THE BLNR MEETING, PLEASE CONTACT STAFF AT LEAST 72-HOURS PRIOR TO THE MEETING AT (808) 587-0400 SO THAT ARRANGEMENTS CAN BE MADE.