

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

DATE: FRIDAY, MAY 11, 2018
TIME: 9:30 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.

C. DIVISION OF FORESTRY AND WILDLIFE DIVISION

1. Request Approval of an Estoppel Certificate for Kealakekua Heritage Ranch Conservation Easement South Kona District, Island of Hawai'i. Tax Map Key No.: (3) 8-2-012:001 (Por).

D. LAND DIVISION

1. Amend Prior Board Action of July 28, 2017, Item D-10, *Consent to Assignment of Fifty Percent (50%) Interest in Ficker & Hunt, a Hawaii Partnership, also known as Ficker & Hunt Partnership, Lessee under General Lease No. S-4649, from Albert Ficker, Assignor, to Chester Hunt, Assignee; Acknowledgment that Lessee under General Lease No. S-4649 Will Thereby Become Chester Hunt, as Tenant in Severalty; Kekaha, Waimea, Kaua'i, Tax Map Key: (4) 1-3-008:003;*

The purpose of the amendment is to: (i) delete the portion of the Board approval stating that Chester Hunt will become the lessee under the lease, and instead confirm that the lessee will remain Ficker and Hunt, a Hawaii Partnership; and (ii)

address the effect of a March 20, 1995 Extension of General Lease No. S-4649 (1995 Extension), and to specify that even though the extension incorporated a lease assignment premium provision into the lease, that provision and others in the 1995 Extension are unenforceable because they constitute an improper amendment of a public auction lease. Staff recommends an Amendment of the 1995 Extension to Eliminate all Terms and Conditions Therein That Are Inconsistent with General Lease No. S-4649 as Sold at Public Auction (except for the increase in the duration of the lease);

After-the-fact Consent to Sublease under General Lease No. S-4649, Ficker & Hunt, a Hawaii Partnership, Sublessor, to United States Postal Service, Sublessee; Approve 20-Year Extension of Lease Term, General Lease No. S-4649, Ficker & Hunt, a Hawai'i Partnership, Lessee; Kekaha, Waimea, Kaua'i, Tax Map Key: (4) 1-3-008:003.

2. Sale of Lease at Public Auction for Industrial Purposes, Waiākea, South Hilo, Hawai'i, Tax Map Key: (3) 2-2-032:085 and 086.
3. Grant of Term, Non-Exclusive Easement to HIJLTT LLC and TG Super 16088755 LLC for Seawall Encroachment Purposes, Puapua'a 1st, North Kona, Hawai'i, Tax Map Key: (3) 7-5-020:047.
4. Set Aside to County of Maui for Public Park and Ancillary Purposes, Waikapū, Wailuku, Maui, Tax Map Key: (2) 3-8-007:104.
5. Issuance of Term, Non-Exclusive Easement to Blow Up, LLC for AM Radio Transmission Tower Purposes and Construction Right-of-Entry Permit; Moanalua, Honolulu, O'ahu, Tax Map Key: (1) 1-1-003: Portions of 003, 207, 211 and 212.
6. Issuance of Revocable Permit to Kirby Offshore Marine Hawaii, LLC for Docking Purposes, Sand Island, Honolulu, O'ahu, identified by Tax Map Key:(1) 1-5-041: seaward of 333.
7. Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Beach Every Friday From June 15, 2018 to June 14, 2019, Waikīkī, Honolulu, O'ahu, Tax Map Key: (1) 2-3-037:021 (Por).

8. Sale of Remnant to Kathleen Dowd and Thomas Grande; Termination of Revocable Permit No. 7018; Waimānalo, Koʻolaupoko, Oʻahu, Tax Map Key: (1) 4-1-010:016.
9. Denial of Request to Set the Annual Lease Rent at \$480 from February 1, 2018 to January 31, 2028 for General Lease No. S-5851, Windward Retreat Center, Lessee; Kaʻaʻawa, Koʻolaulua, Oʻahu, Tax Map Key: (1) 5-1-014:051.

E. STATE PARKS

1. Request for a Right of Entry to the Korean War Veterans Group, Big Island Chapter, for the Construction of a Korean War Memorial on Piʻopiʻo Street in Hilo, Hawaiʻi, Near the Vietnam Memorial Which Currently Exists Within the Wailoa River State Recreation Area in Hilo, Hawaiʻi, Tax Map Key: (3) 2-2-13: portion of 003.

J. DIVISION OF BOATING AND OCEAN RECREATION

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2. Request for Reduced Rent for Revocable Permit No. 29 to Island of Hawaii YMCA; South Kawaihae Small Boat Harbor, Island of Hawaiʻi, Hawaiʻi; Tax Map Key: (3) 6-1-003:022 (por.).

L. ENGINEERING

1. Appointment of Leonard Vierra and Eric Hansen to Serve as Directors of the East Kauai Soil and Water Conservation District.

M. OTHERS

1. Issuance of a Revocable Permit for Passenger Check-in, All Nippon Airways Co., Ltd., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 043 (Portion).

2. Issuance of a Revocable Permit for Passenger Check-in, MN Airlines, LLC dba Sun Country Airlines, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 053 (Portion)
3. Issuance of a Revocable Permit for Aircraft Parking, Jahn Mueller, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 23.
4. Issuance of a Revocable Permit for Aircraft Parking, 3 MIN LLC, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32.
5. Issuance of a Revocable Permit for Space for Spaces in the Main Terminal for Airline Operations, Southwest Airlines Co., Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 19.
6. Issuance of a Direct Lease for the Development, Construction, Maintenance, and Operation of a Fixed-Based Facility that Repairs General Aviation Aircraft, Island Autoworks, Ltd., 'Upolu Airport, Tax Map Key: (3) 5-5-06: Portion of 31.
7. Issuance of an Industrial Land Lease by Notice of Public Auction (Space No. 001-117), Lānaʻi Airport, Tax Map Key: (2) 4-9-01: Portion of 55.

The Board may go into Executive Session pursuant to Section 92-5(a) (4), Hawaii 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

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>

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 (*April 24, 2018*) PRIOR TO THE MEETING AT (808) 587-0404 SO THAT ARRANGEMENTS CAN BE MADE.