

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

DATE: FRIDAY, September 28, 2018
TIME: **9:15 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 the June 8, 2018 Meeting Minutes.
2. Request for Approval for the June 22, 2018 Meeting Minutes.
3. Request for Approval for the July 13, 2018 Meeting Minutes.

D. LAND DIVISION

1. Annual Renewal of Revocable Permits on the Island of Hawai'i, See Exhibit 2 for list of Revocable Permits.
2. Acceptance of Final Environmental Assessment for the "Wailuku River Hydroelectric Facilities Long Term Water Lease and Waiau Repowering" Project, and Approval of the Issuance of a "Finding of No Significant Impact" for the Proposed Project by Applicant Hawaii Electric Light Company, South Hilo, Island of Hawai'i.

3. Cancellation of Governor's Executive Order No. 3586 and Reset Aside to Hawaii Housing Finance and Development Corporation ("HHFDC"); Issuance of Management Right-of-Entry to HHFDC for the Development of a Mixed-Use Project Consisting of Multi-Family Affordable Rental Housing, Office Space/Civic Center, Parking, New Maui Bus Hub and Other Incidental Uses Purposes; Kahului, Maui, Tax Map Key: (2) 3-7-004:003

4. Intentionally Left Blank

5. Amend Prior Board Approval of September 22, 2017, Agenda Item D-8: *"Issuance of a Right-of-Entry Permit to TEAM Unlimited, LLC for the 2017 Xterra Off-Road Triathlon World Championship, Kapalua, Lahaina, Maui, Tax Map Keys: (2) 4-2-004: Seaward of 014, 015 and 016."*

The Purpose of the Amendment is to Adjust the Right of Entry Rental Amount from \$13,068.00 to \$7,034.00.

Issuance of a Right-of-Entry Permit to TEAM Unlimited, LLC for the 2018 Xterra Off-Road Triathlon World Championship, October 27 & 28, 2018, Kapalua, Lahaina, Maui, Tax Map Key: (2) 4-2-004: Seaward of 014, 015 and 016.

6. Rejection of Offer of Quitclaim Deed to the State for Submerged Lands and Improvements Thereon by the Doris Duke Foundation of Islamic Art, Tax Map Key: (1) 3-1-041:005, Waikiki, Honolulu, O'ahu.

7. Amend Prior Board Action of February 23, 2007, Item D-6, As Amended: *Issuance of a Direct Lease to the University of Hawaii, College of Tropical Agriculture and Human Resources, Fee Simple Conveyance of State Land to the Department of Hawaiian Home Lands and Amend Prior Board Action of September 25, 1998 (Agenda Item D-17), and May 9, 1997 (Agenda Item D-26), Ko'olaupoko, Waimanalo, O'ahu, Tax Map Key: (1) 4-1-008: 005,079 and 080, and (1) 4-1-026:004*

The purpose of the amendment is to seek Board approval to authorize a modification to the standard terms and conditions of the most current land patent grant document form to be issued to the Department of Hawaiian Home Lands (DHHL) by deleting paragraph 3) Hold-harmless for parcels of land at Ko'olaupoko, Waimanalo, O'ahu, Tax Map Keys: (1) 4-1-008:079 and (1) 4-1-008:080 (por.) (Lot B)

8. Report to the Board of Land and Natural Resources on Findings of a Surface Clearance of Submerged Lands, Conducted Under Right-of-Entry Permit #4308, at Former Underwater Munitions Site Located Offshore of Makua Beach, Kahanahaiki, Waianae, Island of O'ahu, Tax Map Key: (1) 8-1-001: seaward of 008.
9. Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display on Encumbered State lands off Ko Olina Beach on October 27, 2018, Honouliuli, 'Ewa, O'ahu, Tax Map Key: (1) 9-1-057: seaward of 006.
10. Grant of Perpetual, Non-Exclusive Easement to Haseko (Ewa), Inc. for Drainage Purposes and Issuance of Construction Right-of-Entry Permit, Ewa, O'ahu, Tax Map Key: (1) 9-1-011: seaward of 007 and (1) 9-1-134: seaward of 006.
11. Issuance of Right-of-Entry Permit to the Oahu Hawaiian Canoe Racing Association for the Annual Molokai Hoe Canoe Race Events to be held October 7, 2018; October 13, 2019; October 11, 2020 and October 10, 2021; Hale O Lono, Kaluakoi, Molokai, Tax Map Key: (2) 5-1-002: 012 por.

E. DIVISION OF STATE PARKS

1. Request to Renew a Lease with the United States of America of Federal Property for State Park Purposes, between the Secretary of the Army on Behalf of the Department of Land and Natural Resources, Division of State Parks, at Makua, Waianae, O'ahu, Tax Map Keys: (1) 8-1-1:1, 2, 9, 10 and 8-2-1:2, 9, 10.
2. Issuance of a Right-of-Entry to RMY Construction, Inc., for Roadway Access and for Staging Construction Materials and Equipment Area Purposes at O'ahu State Park Base Yard, Diamond Head Reservation, Kapahulu, Honolulu, O'ahu, Hawai'i, Tax Map Key: (1) 3-1-042:20 (Portion).

J. DIVISION OF BOATING AND OCEAN RECREATION

- 1. Intentionally Left Blank**
- 2. Intentionally Left Blank**

3. Continuation of Revocable Permits to Anela Kai Catamarans, Inc., Island Beach Activities, Inc., Kepoikai, Ltd., King Parsons Enterprises, Ltd., Welakahao Catamaran, Inc., and Woodbridge Inc. to embark and disembark passengers on Waikiki Beach, for the purpose of placing permanent anchors in the beach in order to secure the vessels. Tax Map Key: (1) 2-6: seaward. (See Exhibit A attached)

K. OFFICE OF CONSERVATION AND COASTAL LANDS

1. Conservation District Enforcement Case (ENF) OA-19-01 Regarding Alleged Unauthorized Seawall Construction in the State Land Use Conservation District, located in the Ko'olaupoko District, Island of O'ahu, on submerged lands seaward of Tax Map Key: (1) 4-6-001:007.

NON-ACTION ITEM:

2. Informational Briefing Regarding the Carrying Capacity Study Being Proposed **by** the City and County of Honolulu, Department of Parks and Recreation for the Hanauma Bay Nature Preserve Pursuant to Condition 12 of Conservation District Use Permit (CDUP) OA-2957 Located at the Hanauma Bay Nature Preserve, O'ahu, Tax Map Keys: (1) 3-9-012: 002, 010, 012, 014, 016 & adjacent submerged lands.
3. Extension Request HA-18-08 by Ms. Shon Magsalin for a three-year extension of the construction deadlines contained in Conservation District Use Permit (CDUP) HA-3682 for a single-family residence at Waawaa, Puna, Hawai'i, Tax Map Key parcel: (3) 1-4-028:007.

L. ENGINEERING

1. Application for DLNR Dam Safety Permit No. 78 – Kitano Reservoir (KA-0004) Dam Removal, Kekaha, Kaua'i, Hawai'i, Tax Map Key: (4) 1-2-02-01.

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: 042 (Portion).

2. Issuance of a Revocable Permit for Florist Concession Office Space, Greeters of Hawaii, Ltd., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-03: 42 (Portion).
3. Issuance of a Direct Lease to Develop, Construct, Operate, and Maintain Airline Offices, Training Rooms, Storage and Employee Breakrooms, Southwest Airlines Co., Diamond Head Concourse, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 065 (Portion).
4. Issuance of a Revocable Permit for Storage of Ground Service Equipment for Airline Operations, Hawaiian Airlines, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion).
5. Issuance of a Revocable Permit for Aircraft Parking, Corporate Air, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76 Portion of 23.
6. Issuance of a Revocable Permit for Aircraft Parking, Anthony M. Fortney, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32.
7. Issuance of a Direct Lease for a Hangar Facility to Support Federal Public Health and Medical Emergency Operations, and Training Exercises to Prepare for such Catastrophic Emergency Response, The United States of America, Department of Human Services, Office of the Preparedness, and Response, Acting by and through the National Institute of Health, Hangar 110 (Building 400), Kalaeloa Airport, Tax Map Key: (1) 9-1-13 Portion of 32.
8. Issuance of a Revocable Permit for Office Space in the Main Terminal, FedEx Ground Package System, Inc., Molokai Airport, Tax Map Key: (2) 5-2-04: Portion of 8.
9. Issuance of a Revocable Permit for Main Terminal Floor Spaces for Two Shared Ticket Counters, Japan Airlines Co., Ltd., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 40.

10. Issuance of a Revocable Permit for Parking and Storage of Rental Car Vehicles, Avis Budget Car Rental, LLC, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 40.
11. Issuance of a Revocable Permit for Paved Ramp Area for Site Office, and for Storage of Spare Parts and Tools, Oxford Electronics, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 40.
12. Issuance of a Revocable Permit for Aircraft Storage, Kohala Aviation LLC., Waimea-Kohala Airport, Tax Map Key: (3) 6-7-001: Portion of 08.
13. Issuance of a Revocable Permit to the John Bean Technologies Corporation for Equipment Storage at Daniel K. Inouye International Airport (HNL), Kahului Airport (OGG), Hilo International Airport (ITO) and Lihue Airport (LIH)

Tax Map Keys:

- 1st Division - 1-003:001: 042 Portion of 1 (HNL)
- 2nd Division - 3-008-001: 019: Portion of 19 (OGG)
- 3rd Division - 2-001-012: 009 Portion of 9 (ITO)
- 4th Division - 3-005-001: 008 Portion of 8 (LIH)

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 9:00 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> or **in person** at 1151 Punchbowl Street, Rm 131,
Honolulu, Hawaii 96813.

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) 587-0404 SO THAT ARRANGEMENTS CAN BE MADE.