

**DRAFT MINUTES
FOR THE MEETING OF THE
BOARD OF LAND AND NATURAL RESOURCES**

DATE: FRIDAY, October 12, 2018
TIME: **9:15 A.M.**
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HAWAII 96813

A. MINUTES

1. Request Approval for the July 27, 2018 Meeting Minutes. **APPROVED**

C. DIVISION OF FORESTRY AND WILDLIFE

1. Progress briefing for Research Projects, Educational Tours, and Administrative challenges of the Hawaii Experimental Tropical Forest.
2. Request for Approval to Authorize the Chairperson to approve and sign a Memorandum of Agreement between the State of Hawaii Department of Land and Natural Resources Division of Forestry and Wildlife and the Kauai Humane Society (KHS) for wildlife care and rehabilitation on the Island of Kauai.

and

Request approval of Declaration of Exemption from Chapter 343, Hawaii Revised Statutes, environmental compliance requirements for the subject Memorandum of Agreement. **APPROVED**

D. LAND DIVISION

1. Issuance of Right-of-Entry Permit to Greg Van Dyke, on behalf of Round Table Owners Association at Kalapaki Beach for Volleyball Tournament; Kalapaki Beach, Līhu'e, Kaua'i, Tax Map Key: (4) 3-5-002: seaward of 002. **APPROVED**
2. Consent to Sublease Under General Lease No. S-6110, Napu'u Water, Inc., Lessee/Sublessor, NWI Solar Project 1, LLC, Sublessee, for Solar Array Purposes, Puuwaawaa, North Kona, Hawai'i, Tax Map Key: (3) 7-1-001:010. **APPROVED**

3. Authorize the Issuance of a Management Right-of-Entry Permit to the Department of Transportation - Airports Division for Airport Purposes, Keahole Airport, Kalaoa, North Kona, Hawai'i, Tax Map Key: (3) 7-3-043:003 (por.). **APPROVED**

4. Annual Renewal of Revocable Permits for the County of Maui, See Exhibit 2. **APPROVED AS AMENDED:**

As to revocable Permits Nos. 7493, 7545, 7571 and 7778, staff is to research whether the area in use under those permits actually are in the conservation district or whether the RP boundary simply borders the conservation district but the land in use is zoned otherwise. If the land area being used is in fact in the conservation district, then as a condition of the renewal of the permit, the permittee must start the process of applying for the approval of its use of the lands in the conservation district, whether by application for a permit or otherwise.

5. Amend Two Prior Board of Land and Natural Resources Actions of 1) August 25, 2017, under Agenda Item D-9, as amended, and 2) May 8, 2015, under Agenda Item D-8, Both Affecting Tax Map Key: (2) 3-9-011:008 CPR 0001, and an Area Seaward of Tax Map Key: (2) 3-9-011:008 CPR 0001, located in Waiohuli-Keokea Homesteads, and Beach Lots, Waiohuli-Keokea (Kihei), Wailuku, Maui.

The purposes of these amendments are 1) to approve an additional term, non-exclusive easement seaward of Tax Map Key: (2) 3-9-011:008 CPR 0001 for seawall purposes, and 2) to change the applicant requesting the previously approved easements affecting Tax Map Key: (2) 3-9-011:008 CPR 0001 and the area seaward of Tax Map Key: (2) 3-9-011:008 from "Association of Owners of 1688 Halama Street Condominium" to "Rand 2013 Living Trust, Dated November 25, 2013." **APPROVED**

6. Issuance of Right-of-Entry Permit to Association of Surfing Professionals (ASP) North America, LLC; dba World Surf League, for a Women's Professional Surfing Competition at Lipoa Point, Honolua, Lahaina, Maui, Tax Map Key: (2) 4-1-001: Portion of 010.

APPROVED

7. Request for Issuance of Right-of-Entry Permit to Vares Contracting, Inc. on Lands located at Kahana, Lahaina, Maui, Tax Map Key: (2) 4-3-005: Seaward of 029.

APPROVED

8. Issuance of Right-of-Entry Permit to AUVSI Foundation for Maritime RobotX Challenge Hawaii 2018 from December 1, 2018 to December 15, 2018 at Sand Island, Honolulu, O'ahu, Tax Map Key: (1) 1-5-041: portions of 006, 334 and seaward. **APPROVED**

E. DIVISION OF STATE PARKS

1. Issuance of a Right-of-Entry to Rons Construction Corporation for Temporary Staging of Construction Materials and Equipment Purposes at Makiki Valley State Park, Makiki Heights, Tantalus, Honolulu, O'ahu, Hawai'i, Tax Map Key: (1) 2-5-020:004 (Portion). **APPROVED**

F. DIVISION OF AQUATIC RESOURCES

1. Request for Approval to Amend an Existing Federally-Funded Project Agreement between the Department of Land and Natural Resources (DLNR) and the Research Corporation of the University of Hawaii (RUCH) for the Division of Aquatic Resources (DAR) Research Project Entitled "Hawaii Marine Recreational Fishing Survey". **APPROVED**
2. Request for Approval to Enter into a Federally Funded Sole Source Contract for year three (3), Final Phase of the Grant, not to Exceed \$123,065.00, between the Board of Land and Natural Resources and Cascadia Research Collective (CRC), to provide services to support State efforts to Minimize and Mitigate incidental take of False Killer Whales and other Endangered Cetaceans in Hawaii; Declaration of Exemption for Contract Actions under HRS Chapter 343 and HAR Chapter 11-200. **APPROVED**

J. DIVISION OF BOATING AND OCEAN RECREATION

1. Request Approval to extend the Term of Lease No. H-89-13, Pacific-West Fuels, Inc., for an additional fifteen years to amortize the Cost of Substantial Improvements situated at Lahaina Small Boat Harbor, Island of Maui, Hawai'i, Tax Map Key: (2) 4-6-001: 014, 017 (Por.) Find that the extension of the Lease is based on the Economic Life of the Improvements that were made to the demised premises. **APPROVED**
2. Continuation of Revocable Permit No. 38 to Coon Brothers, Inc., Mānele Small Boat Harbor, Lana'i City, Island of Lana'i, Hawai'i, Tax Map Key: (2) 4-9-017:006 (Por.). **APPROVED AS AMENDED:**
Report back on a 35-year long-term disposition progress
3. Request approval to initiate Rule-Making Proceedings, including Public Hearing, to amend and compile Title 13, Hawai'i Administrative Rules (HAR), Chapters 13-234,

Fees and Charges, and 13-253, Catamaran Registration Certificate, Other Registration, and Commercial Use Permit Fees for the purpose of Revising Fee and Charge Requirements and Increasing Boating and Ocean Recreation Fees and Charges, including, but not limited to, Mooring Fees, State Boating Facility-Related Fees, Commercial Use Permit Fees, Ramp Decal Fees, and Passenger Cruise-Related Fees.

The proposed rules can be reviewed in person at a Division of Boating and Ocean Recreation (DOBOR) district office from 8:00 am to 3:30 pm, Monday through Friday, except state Holidays as follows: Hawai'i District: Honokōhau Small Boat Harbor, 74-380 Kealakehe Parkway, Kailua-Kona, HI 96740; Kaua'i District: Nawiliwili Small Boat Harbor, 2494 Niumalu Road, Līhu'e, HI 96766; Maui District: Ma'alaea Small Boat Harbor, 101 Ma'alaea Boat Harbor Road, Wailuku, HI 96793; O'ahu District: Ke'ehi Small Boat Harbor, 4 Sand Island Access Road, Honolulu, HI 96819.

The proposed rules can be reviewed online at: <http://ltgov.hawaii.gov/the-office/administrative-rules>.

The proposed rules can also be viewed online at: <http://dlnr.hawaii.gov/dobor/draft-rules>.

Location and contact information for DOBOR offices is available online at: <http://dlnr.hawaii.gov/dobor/contact>.

DEFERRED

4. INTENTIONALLY LEFT BLANK
5. Declare an existing Offshore Mooring Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules, and approve Installation Outside of an Established Offshore Mooring area after-the-fact, Reed's Bay, Hilo, Island of Hawai'i, Hawai'i, for Stephen Frank. **APPROVED**
6. Declare an existing Offshore Mooring Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules, and approve installation Outside of an Established Offshore Mooring area after-the-fact, Reed's Bay, Hilo, Island of Hawai'i, Hawai'i, for Kuhio Bay Sailing Organization, LLC. **APPROVED**
7. Declare an existing Offshore Mooring Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules and approve the installation after-the-fact, Mala Wharf Offshore Mooring area, Lahaina, Island of Maui, Hawai'i, for Robert Rocco. **APPROVED**

8. Declare installation of an existing Offshore Mooring Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules and approve installation after-the-fact outside of an existing Offshore Mooring area, Lahaina, Island of Maui, Hawai'i, for Kaanapali Queen, Inc. **APPROVED**
9. Declare installation of an existing Offshore Mooring Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules and approve installation after-the-fact Outside of an existing Offshore Mooring area, Lahaina, Island of Maui, Hawai'i, for Trilogy Corporation. **APPROVED**
10. Declare installation of an existing Offshore Mooring Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules and approve installation after-the-fact Outside of an existing Offshore Mooring area, Lahaina, Island of Maui, Hawai'i, for Roger Marlin. **APPROVED**
11. Declare an existing Offshore Mooring Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules and approve the installation after-the-fact, Mala Wharf Offshore Mooring area, Lahaina, Island of Maui, Hawai'i, for Chad Gerstmar. **APPROVED**
12. Declare an existing Offshore Mooring Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules and approve the installation after-the-fact, Kaneohe Bay Offshore Mooring area, Kaneohe, Island of O'ahu, Hawai'i for Andrew Tanton. **APPROVED**
13. Declare an existing Offshore Mooring Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules, and approve installation Outside of an established Offshore Mooring Area after-the-fact, Puako Bay, Puako, Island of Hawai'i, Hawai'i, for Carl Von Trampe. **APPROVED**
14. Approve installation of two new Offshore Moorings Outside of a designated Offshore Mooring area, Kaunolu Bay and Huawai Bay, Island of Lanai, Hawai'i, for Lanai Resorts, LLC (dba Pūlama Lana'i) **APPROVED**

M. OTHERS

1. Issuance of a Revocable Permit for Passenger Check-In, Asiana Airlines, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 042 (Portion). **APPROVED**

2. Issuance of a Revocable Permit for Parking and Storage of Rental Car Vehicles, EAN Holdings, LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-004: 07 and 087. **APPROVED**
3. Issuance of a Revocable Permit for Passenger Check-In, Hawaiian Airlines, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 058 (Portion).
4. Issuance of a Revocable Permit for a Maintenance Office and Storage Space, Kone Inc., Daniel K. Inouye International Airport, Tax Map Keys: (1) 1-1-003: 001 (Portion) and (1) 1-1-003: 066 (Portion). **APPROVED**
5. Issuance of a Revocable Permit for Passenger Check-In, Office Space, and Area for Rubbish Dumpster, Omni Air International, LLC, Daniel K. Inouye International Airport, Tax Map Keys: (1) 1-1-003: 053 (Portion) and (1) 1-1-003: 001 (Portion). **APPROVED**
6. Issuance of a Revocable Permit for Equipment Parking, Qantas Airways Limited, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 066 (Portion). **APPROVED**
7. Issuance of a Revocable Permit for Interim Parking of Rent a Car Shuttle Buses, Robert's Tours and Transportation, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 01. **Deferred**
8. Issuance of a Revocable Permit for a Baggage Workstation and Space to Mount a FIDS Monitor, Southwest Airlines Co., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 053 (Portion). **APPROVED**
9. Issuance of a Revocable Permit for Parking and Storage of Rental Car Vehicles, EAN Holdings, LLC, Ellison Onizuka Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: Portion of 32. **APPROVED**
10. Issuance of Gratis Construction Right-of-Way and Gratis Revocable Permit to Department of Land and Natural Resources, Division of Boating and Ocean Recreation, for Easements for access, utility and waterline purposes, Kawaihae Harbor, Island of Hawai'i, Tax Map Key no.: (3) 6-1-03: 26 (portion). **APPROVED**