

**AGENDA
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

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 July 27, 2018 Meeting Minutes.

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.

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.
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.
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.).
4. Annual Renewal of Revocable Permits for the County of Maui, See Exhibit 2.
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. "

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, Honolulu, Lahaina, Maui, Tax Map Key: (2) 4-1-001: Portion of 010.
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.

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.

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).

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".
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.

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.

2. Continuation of Revocable Permit No. 38 to Coon Brothers, Inc., Mānele Small Boat Harbor, Lanaʻi City, Island of Lanaʻi, Hawaiʻi, Tax Map Key: (2) 4-9-017:006 (Por.).
3. Request approval to initiate Rule-Making Proceedings, including Public Hearing, to amend and compile Title 13, Hawaiʻi 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: Hawaiʻi District: Honokōhau Small Boat Harbor, 74-380 Kealakehe Parkway, Kailua-Kona, HI 96740; Kauaʻi District: Nawiliwili Small Boat Harbor, 2494 Niumalu Road, Līhuʻe, HI 96766; Maui District: Maʻalaea Small Boat Harbor, 101 Maʻalaea Boat Harbor Road, Wailuku, HI 96793; Oʻahu District: Keʻehi 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>.

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 Hawaiʻi, Hawaiʻi, for Stephen Frank.
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.
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.
 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.
 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.
 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.
 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.
 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.
 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.

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)

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).
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.
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).
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).
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).
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.
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).

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.

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).

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.