

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

DATE: FRIDAY, October 26, 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 of the August 10, 2018 Meeting Minutes.
2. Request Approval of the August 30, 2018 Meeting Minutes.

**C. DIVISION OF FORESTRY AND WILDLIFE**

1. Request for approval for selection of a competitive sealed process for a carbon certification project in Kahikinui Forest Reserve and Na Kula Natural Area Reserve, Hana, Maui County, Tax Map Keys: (2) 1-8-001:006 portion.

**D. LAND DIVISION**

1. Annual Renewal of Revocable Permits on the Island of Kaua'i. See Exhibit 2 for list of Revocable Permits.

2. Denial of Petition for Contested Case Hearing filed June 4, 2018 by Petitioners Liko-o-Kalani Martin and Na Mo'ō Kupuna o Wailua, Regarding Board Action of May 25, 2018, Agenda Item D-1:

*Consent to Assign General Lease No. S-4878, Grant of Easement Nos. S-4244 & S-4645, and Land Office Deed Nos. S-12,850 & S-27,442, Coco Palms Ventures LLC, as First Assignor, to PR II Coco Palms LLC, as First Assignee/ Second Assignor, and from PR II Coco Palms LLC, First Assignee/ Second Assignor, to Coco Palms Hui LLC, as Second Assignee, Wailua, Kawaihau (Puna), Kaua'i, Tax Map Keys: (4) 4-1-003:005, por. 017, por. 039, and por. 044.*

*Amendment of Grant of Easement Nos. S-4244 and S-4645, and Land Office Deed Nos. S-12,850 and S-27,442, Coco Palms Hui LLC, Grantee, Wailua, Kawaihau (Puna), Kaua'i, Tax Map Keys: (4) 4-1-003:005, por. 017, por. 039 & por. 044, and 4-1-005:017.*

*Grant of Easement Nos. S-4244 and S-4645, and Land Office Deed Nos. S-12,850 and S-27,442 already exist. The purpose of amending the documents is to insert a provision allowing the easements to "Run with the Land," thereby becoming assignable without the written consent of the Board of Land and Natural Resources. The easements will be appurtenant to and inure to the benefit of Coco Palms Hui LLC's private property identified as Tax Map Key: (4) 4-1-003:007.*

3. Set Aside and Issuance of Immediate Management Right-of-Entry to Department of Land and Natural Resources, Division of Boating and Ocean Recreation for Kawaihae Small Boat Harbor-South at Kawaihae 1<sup>st</sup> and 2<sup>nd</sup>, South Kohala, Hawai'i, Tax Map Keys: (3) 6-1-003:025 (portion), (3) 6-1-003:026 (portion) and seaward of same.
4. Consent to Assign Sublease K-26 under General Lease No. S-5619, CELLANA LLC, Assignor, to CYANOTECH CORPORATION, Assignee, Kalaoa 1<sup>st</sup>, North Kona, Hawai'i, Tax Map Key: (3) 7-3-043:102.
5. Grant of Perpetual, Non-Exclusive Easement to City and County of Honolulu for Drainage Purposes; Issuance of Management Right-of-Entry; Kapalama, Honolulu, O'ahu, Tax Map Keys: (1) 1-2-025: portions of 011 and 089, (1) 1-5-032 portions of 002 and 043.

6. Grant of Two (2) Perpetual, Non-Exclusive Easements to Hawaiian Electric Company, Inc. for Utility Purposes; Issuance of a Right-of-Entry Permit, Nuuanu, Honolulu, O'ahu, Tax Map Keys: (1) 1-9-001:001 (Por.), 005 (Por.), 018 and (1) 2-2-054:001 (Por.).
7. 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 Keys: (1) 9-1-011: seaward of 007 and (1) 9-1-134: seaward of 006.

**F. DIVISION OF AQUATIC RESOURCES**

1. Request for approval to enter into a Memorandum of Agreement Between the State of Hawaii, Board of Land and Natural Resources (or "BLNR") and the State of Hawaii, Department of Transportation (or "DOT"), which oversees its Harbors Division (or "HAR"), regarding the New Kapalama Container Terminal Wharf and Dredging, Honolulu Harbor, O'ahu, Hawaii (Job H.C. 10498) and the Proposed Minimization and Offset Measures Designed to Minimize or Offset the Total Losses to Natural Hard Substrate (Live Rock), Fouling Community (Marine Invertebrates) on Natural Hard Substrate and Stony Coral, that will Occur as a Result of the Development. The Proposed Minimization and Offset Measures will Include the Funding of Coral Transplantation Efforts and Restoration Projects, Consisting of Urchin Production and Out-planting to Generate Natural Hard Substrate and Native Fouling Community with Associated Monitoring to Document Results, and Coral Colony Production and Out-planting at Nexus Sites to Generate the Replacement for the Loss of Corals, with Associated Monitoring to Document Results."

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

1. Continuation of Revocable Permit No. 39 to HBM, LLC, located at the Ala Wai Small Boat Harbor, Kalia, Honolulu, Island of O'ahu, Hawai'i, Tax Map Key: (1) 2-3-037:020.
2. Approve Installation of Two New Offshore Moorings Outside of a Designated Offshore Mooring Area, Kaunolu Bay and Huawai Bay, Island of Lanai, For Lanai Resorts, LLC (Dba Pulama Lanai). Concur that the Issuance of a Revocable Permit for this Project will probably have Minimal or No Significant Effect on the Environment and Accept the Finding of No Significant Impact.
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.

4. Consideration of Settlement Proposal in Civil No. 17-1-0483(3), Na Papa'iwawae 'Ula 'Ula, Et. Al. V. DLNR". The Board may go into Executive Session Pursuant to Section 92-5 (a)(4), Hawaii Revised Statutes, In Order to Consult with Its Attorneys on Questions and Issues Pertaining to The Board's Powers, Duties, Privileges, Immunities, And Liabilities.

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

1. Conservation District Use Application (CDUA) OA-3821 Regarding the **Grossman** Scour Apron Erosion Control Project by Elizabeth Rice Grossman, Located in the Ko'olaupoko District, Island of O'ahu, on Submerged Lands of the State, seaward of Tax Map Key: (1) 4-3-005:094.
2. Conservation District Use Application (CDUA) OA-3807 Regarding the South **Kahana** Stream Bridge Replacement Project by the State of Hawaii, Department of Transportation, Located in the Ko'olauloa District, Island of O'ahu on Tax Map Key(s): (1) 5-2-005:001, (1) 5-2-005:022, (1) 5-2-005:023, and (1) 5-2-002:001.
3. Conservation District Use Application (CDUA) OA-3818 Regarding the **MDHE**, LLC Single Family Residence Project by MDHE, LLC, Located in the Ko'olaupoko District, Island of O'ahu on Tax Map Key: (1) 4-2- 004:001
4. Third Time Extension Request for Conservation District Use Permit (CDUP) OA-3579 for the Honolulu Seawater Air Conditioning Project by Honolulu Seawater Air Conditioning, LLC. located upon submerged land, makai of Kaka'ako Waterfront Park, offshore of Plat (1) 2-1-060 and Channel D of Ke'ehi Lagoon, Island of O'ahu.

**M. OTHERS**

1. Issuance of a Revocable Permit for Storage of Aircraft Parts and Vehicle Parking, Delta Air Lines, Inc., Daniel K. Inouye International Airport, Tax Map Keys: (1) 1-1-003: 001 (Portion) and (1) 1-1-003: 050 (Portion).

2. Issuance of a Revocable Permit for Retail Concession Storage Container, Tiare Enterprises, Inc., Ellison Onizuka Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: Portion of 40.
3. Issuance of a Revocable Permit for Aircraft Parking, Little Blue LLC, Ellison Onizuka Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: Portion of 40.
4. Issuance of a Revocable Permit for Aircraft Parking, James Donovan, Ellison Onizuka Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: Portion of 40.
5. Issuance of a Revocable Permit for Aircraft Parking, Keven Rinkenbach, Waimea-Kohala Airport, Tax Map Key: (3) 6-7-001: Portion of 08.

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](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.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.**