

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

DATE: FRIDAY, NOVEMBER 09, 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.

D. LAND DIVISION

1. Intentionally Left Blank
2. Grant of Perpetual, Non-Exclusive Easement to Jerry Albarado and Ellen Y. Albarado, Trustees of the Jerry and Ellen Albarado Revocable Living Trust dated November 28, 2017, for Access and Utility Purposes, Hanapepe, Waimea, Kaua'i, Tax Map Key: (4) 1-8-003: Portions of 002 & 004.
3. Amend Prior Board Action of March 24, 2017, Item D-3, *Consent to Assign Grant of Easement No. S-4646, Raymond W. Miller, Michael G. Estep, and Victoria A. Estep, now known as Victoria A. Butler, Assignors, to Zonia Venancia Martinez Morales, Trustee of the Lilikoi Revocable Living Trust dated November 2, 2015, and Rene Castella, Trustee of the Hanalei Bay Revocable Living Trust dated July 6, 2015, Assignees, Omaa, Koloa, Kaua'i, Tax Map Key: (4) 2-7-004:012.*

Amend Grant of Easement No. S-4646, to allow the easement to "Run with the Land" and to be assignable without the prior written consent from the Board of Land and Natural Resources.

The purpose of the amendment is to correct the Tax Map Key number for Applicant's private property referenced in the Board action of March 24, 2017 from Tax Map Key: (4) 6-4-001:135 to Tax Map Key: (4) 2-7-004:048.

4. Intentionally Left Blank
5. Issuance of a 5-Year Direct Lease to Hawaii Pacific Baptist Convention for Collegiate Ministry Center and Allied Purposes, Waiakea Cane Lots, Waiakea, South Hilo, Hawai'i, Tax Map Key: (3) 2-4-057:023.
6. 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 1st and 2nd, South Kohala, Hawai'i, Tax Map Keys: (3) 6-1-003:025 (portion), (3) 6-1-003:026 (portion) and seaward of same.
7. Holdover of Revocable Permits S-7263 (Tax Map Key: (2) 1-1-001:044), S-7264 (Tax Map Keys: (2) 1-1-001:050, 2-9-014:001, 005, 011, 012 & 017) and S-7265 (Tax Map Key: (2) 1-1-002: por. 002) to Alexander and Baldwin, Inc., and S-7266 (Tax Map Keys: (2) 1-2-004:005 & 007) to East Maui Irrigation Company, Limited, for Water Use on the Island of Maui.

Pursuant to Section 92-5(a) (4), Hawaii Revised Statutes, the Board may go into Executive Session in order to consult with its Attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities.
8. Issuance of Right-of-Entry Permit to Department of Transportation, Highways Division, for Data Collection and Geotechnical Studies for Honolulu Bridge Rehabilitation Project, Honolulu, Lāhainā, Maui, Tax Map Key: (2) 4-1-001:010.
9. Grant of Perpetual, Non-Exclusive Easement to City and County of Honolulu for Drainage Purposes; Issuance of Management Right-of-Entry; Kapālama, Honolulu, O'ahu, Tax Map Keys: (1) 1-2-025: portions of 011 and 089, (1) 1-5-032 portions of 002 and 043.
10. Cancellation of Governor's Executive Order No. 1274; Issuance of Quitclaim Deed and Issuance of Management Right-of-Entry to Hawaii Public Housing Authority; Kalaepohaku and Kapālama, Honolulu, O'ahu, Tax Map Key: (1) 1-6-009:003.
11. Grant of Two (2) Perpetual, Non-Exclusive Easements to Hawaiian Electric Company, Inc. for Utility Purposes; Issuance of a Right-of-Entry Permit, Nu'uānu, Honolulu, O'ahu, Tax Map Keys: (1) 1-9-001:001 (Por.), 005 (Por.), 018 and (1) 2-2-054:001 (Por.).
12. Grant of Term, Non-Exclusive Easement to Wendy Brandt Johnson and William Paul Johnson, Co-Trustees under unrecorded Wendy Brandt Johnson Declaration of Trust dated December 16, 1987, as amended and restated, and Gary K. Johnson, also known

- as Gary Kahalewai Johnson, as Trustee under that certain unrecorded Gary K. Johnson Trust dated May 12, 2005, for Seawall and Steps Purposes; Ka'alawai, Honolulu, O'ahu, Tax Map Key: (1) 3-1-040: Seaward of 001.
13. Set Aside to Department of Land and Natural Resources, Division of State Parks, for Addition to Diamond Head State Monument, Kapahulu, Honolulu, O'ahu, Tax Map Key: (1) 3-1-048:064.
 14. Forfeiture of General Lease No. S-4297, Miguel A. Ramirez and Valerie S. Ramirez, Lessees, Waimanalo, Koolaupoko, O'ahu, Tax Map Key: (1) 4-1-010:004.
 15. Annual Renewal of Revocable Permit 7570 to Hawaii Motorsports Association, Inc., Permittee; Kahuku, Koolauloa, O'ahu Tax Map Key: (1) 5-8-002:002.
 16. Set Aside to Department of Agriculture for Agricultural Purposes; Issuance of Immediate Management Right-of-Entry to Department of Agriculture, Honouliuli, Ewa, O'ahu, Tax Map Key: (1) 9-1-031:001.
 17. Denial of Petition for Contested-Case Hearing filed by David Kimo Frankel; September 14, 2018, with respect to Agenda Items D-13 and D-17, only with respect to Revocable Permit No. 7849 to Resorttrust Hawaii, LLC

D-13: Issuance of Right-of-Entry Permits for Beach Activities to be held on October 16 and 17, 2018; and Issuance of Revocable Permit for Recreational and Maintenance Purposes; Resorttrust Hawaii, LLC, Applicant; Waialae, Honolulu, O'ahu, Tax Map Key: (1) 3-5-023:041; and

D-17: Annual Renewal of Revocable Permits on the Island of Oahu. See Exhibit 2 for list of Revocable Permits.
 18. Resubmittal of Request of September 14, 2018, Item D-13 - *Issuance of Right-of-Entry Permits for Beach Activities to be held on October 16 and 17, 2018; and Issuance of Revocable Permit for Recreational and Maintenance Purposes; Resorttrust Hawaii, LLC, Applicant; Waialae, Honolulu, O'ahu, Tax Map Key: (1) 3-5-023:041.*

The Amendment is Seeking Approval from the Board Regarding the Issuance of the Revocable Permit.
 19. Amend Prior Action of September 14, 2018, Item D-17 - *Annual Renewal of Revocable Permits on the Island of Oahu. See Exhibit 2 for list of Revocable Permits.*

The amendment is to authorize the renewal of Revocable Permit No. 7849.

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 Kapālama 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, Kālia, Honolulu, Island of O'ahu, Hawai'i, Tax Map Key: (1) 2-3-037:020. Declare that the continuation of the Revocable Permit will probably have Minimal or no Significant effect on the Environment and Accept the Finding of No Significant Impact.

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.
6. 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) 1-1-070: 045
7. Issuance of a Revocable Permit for Construction Material Storage and Equipment, Watts Constructors, LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion).
8. Issuance of a Revocable Permit for Trailer Storage and Aircraft Parking, Florida Air Transport, Inc., Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32.
9. Issuance of a Revocable Permit for Filming a Feature Film, Legendary Features Productions US, LLC, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32.
10. Issuance of a Revocable Permit for Airline Operations-Terminal Area Offices, Ticket Counter and Passenger Check-in Kiosk, American Airlines, Inc., Līhu‘e Airport, Tax Map Key: (4) 3-5-01: Portion of 8.
11. Issuance of a Revocable Permit for Parking and Storage of Rental Car Vehicles, Island Cars LLC, Līhu‘e Airport, Tax Map Key: (4) 3-5-01: Portion of 8.
12. Issuance of Gratis Revocable Permit to Secure Bike Share Hawaii LLC for approximately 5,000 square feet of warehouse space for unloading, staging, parking and miscellaneous use at Honolulu Harbor, O‘ahu, Tax Map Key: (1) 1-05-38:005 (portion), located adjacent to Pier 23.
13. Consent to Mortgage for Lot FV-8, Harbor Lease No. H-05-24, situated at the Domestic Commercial Fishing Village, Pier 38, Honolulu Harbor, Iwilei, Honolulu, O‘ahu, Tax Map Key: (1) 1-5-042-01.
14. Issuance of a Month-to-Month Permit for Ralph S. Inouye Co. Ltd., for storage of construction material, equipment, parking, and other related uses at 701 N. Nimitz Highway, Pier 23 Honolulu Harbor, O‘ahu, Tax Map Key: (1) 1-5-38:004, 005 (portion).

15. Issuance of a Right-of-Entry to APEX/Legendary Features Productions US, LLC, for storage, staging for filming, and special event at Pier 10, Cruise Terminal, Honolulu Harbor, O'ahu, Tax Map Key: (1) 2-1-001:001 (portion).
16. Consent to Lease of Lands under Governor's Executive Order No. 16 for Tax Map Key: (2) 4-6-1:009 and Executive Order No. 80, Tax Map Key: (2) 4-6-001:001 (portion), Island of Maui, to Lahaina Restoration Foundation.

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.