

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

DATE: FRIDAY, FEBRUARY 22, 2019
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. Approval of Meeting Minutes for September 14, 2018.
2. Approval of Meeting Minutes for November 9, 2018.

C. DIVISION OF FORESTRY AND WILDLIFE

1. Request to Authorize the Chairperson to Negotiate and Enter into a Memorandum of Understanding (MOU) between State of Hawaii Division of Forestry and Wildlife (DOFAW) and Research Corporation of the University of Hawaii (RUCH) for Helicopter and other Aircraft use.

D. LAND DIVISION

1. Amend Prior Board Action of May 22, 2015, Agenda Item D-3, Grant of Perpetual, Non-Exclusive Easement to A. Laurel Bennett, Trustee of the A. Laurel Bennett Trust for Access and Utility Purposes, Waioli, Hanalei, Kaua'i, Tax Map Keys: (4) 5-5-008:002 and (4) 5-6-002:001.

The purpose of the amendment is to change the easement area referenced in the prior Board action from 19,028 square feet to 25,376 square feet as determined by survey.

2. After-the-Fact Consent to Subleases and Consent to Extension of Same under Harbor Lease No. H-72-1 (GLS-5700), Kealakehe Freight, LLC, Lessee, to: Phoenix V LLC dba BEI Hawaii; Island Equipment, Inc. dba American Machinery; D & M Hydraulic Sales & Service, Inc.; Brian Kelly dba Kelly's Tree Service; Dennis Florer; Atlas Recycling Centers, LLC; HHB & Associates, LLC and Kama Aina Bail Bonds, Inc., Sublessees, Kealakehe, North Kona, Hawai'i, Tax Map Keys: (3) 7-4-020:018 & 020.
3. Mutual Cancellation of Non-Exclusive Easement S-5963, BP Bishop Estate, Grantee, for Building Foundation Footings, Kahaluu, North Kona, Hawai'i, Tax Map Key: (3) 7-8-013:042.
4. Amend Grant of Perpetual Non-Exclusive Easements under Land Office Deed (LOD) Nos. S-29,068, S-29,086 and S-29,088, State of Hawaii, Board of Land and Natural Resources, Grantor, to 1250 Oceanside, LLC, Grantee, for Roadway and Utility Purposes, North Kona, Hawai'i, Tax Map Keys: (3) 7-9-012:011 (portion); 8-1-004:065 and 079 (portions).

The purpose of the amendments is to relocate five easements for roadway and utility purposes as follows: (i) one easement under LOD No. S-29,068 from Tax Map Key: (3) 7-9-012:011 (portion) to Tax Map Key: (3) 8-1-004:079 (portion); (ii) two easements under LOD No. S-29,086 to other portions of Tax Map Key: (3) 8-1-004:079; and (iii) two easements under LOD No. S-29,088 from Tax Map Key: (3) 8-1-004:065 (portion) to Tax Map Key: (3) 8-1-004:079 (portion).

5. Issuance of Right-of-Entry Permit to Waikiki Beach Activities, Ltd. for Placing a Sign at Duke Kahanamoku Lagoon from March 3 to 5, 2019 in relation to the Luau to be held on the Abutting Private Property, Waikiki, Honolulu, O'ahu, Tax Map Key: (1) 2-3-037: Portions of 021.
6. Grant of Non-Exclusive Easement Identified as Easement 9667 as shown on Land Court Application 1069, Map 1409 to City and County of Honolulu, Board of Water Supply for Flowage Easement Purposes, Honouliuli, Ewa, O'ahu, Tax Map Key: (1) 9-1-018: Portion 008.

7. Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display on Encumbered State lands off Ko Olina Beach on April 5 and 13, 2019, Honouliuli, Ewa, O'ahu, Tax Map Key: (1) 9-1-057: seaward of 006.

E. DIVISION OF STATE PARKS

1. Establish Volunteer Agreements with the Kāne'ōhe Cultural Foundation, the Puakea Foundation of Hawaii Inc., and Hui O Ko'olaupoko, at He'eia State Park, Ko'olaupoko, O'ahu, Tax Map Key: (1) 4-6-005:009 por.

J. DIVISION OF BOATING AND OCEAN RECREATION

1. Authorize a One-Year Holdover of Lease No. H-78-5, to La Mariana Sailing Club, Inc., Kalihi-Kai, Honolulu, O'ahu, Tax Map Key: (1) 1-2-023:052;

and

Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200, Hawaii Administrative Rules.

2. Sale of Lease at Public Auction for Private Marina, Restaurant Selling both Alcoholic and Non-Alcoholic drinks, Gift Shop, Boat and Trailer Storage, other Marina Related Services and Parking Purposes, Kalihi-Kai, Honolulu, O'ahu, Tax Map Keys: (1) 1-2-023:052, 053, 054, 057, 059 And 037;

and

Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200, Hawaii Administrative Rules.

3. Issuance of Revocable Permits to Various Applicants Located at Honokohau Small Boat Harbor, Kealakehe, North Kona, Hawai'i, Tax Map Key: (3) 7-4-008:003. See Exhibit B for List of Applicants;

and

Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200, Hawaii Administrative Rules.

4. Termination of Contract, Job No. IFB-18-001-01, Awarded to Coconut Wireless Construction for Repair of the Street Lighting and Electrical Systems at Oahu District Facilities.

M. OTHERS

1. Issuance of a Revocable Permit for Equipment Parking, All Nippon Airways Co., Ltd., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 066 (Portion).
2. Issuance of a Revocable Permit for Newsstand Concession and Storage Space, Blind Vendors Ohana, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion).
3. Issuance of a Revocable Permit for Airline Lounge, Korean Air Lines Co., Ltd., Central Concourse, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 050 (Portion).
4. Issuance of a Revocable Permit for a Field Office and Construction Staging Area for Materials, Nan, Inc., Daniel K. Inouye International Airport, Tax Map Keys: (1) 1-1-003: 65 (Portion) and (1) 1-1-003: 001 (Portion).
5. Issuance of a Revocable Permit for Storage of Ground Service Equipment for Airline Operations, Southwest Airlines Co., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion).
6. Issuance of a Parking Permit for Aircraft Parking, Vincent A. Gethings, Ryan L. Albritton, Gregory B. Baker, and Bryan A. Smits, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32.
7. Issuance of a Revocable Permit for Aircraft Parking, Chaitan Ward and Richard Fant, Ellison Onizuka Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: Portion of 40.
8. Issuance of an Industrial Land Lease by Notice of Public Auction (Space Nos. 006-113 and 006-114), Ellison Onizuka Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: Portion of 40.

9. INTENTIONALLY LEFT BLANK

10. Issuance of a Revocable Permit for Parking and Storage of Vehicles, Manheim Remarketing, Inc., Līhu'e Airport, Tax Map Key: (4) 3-5-01: 150.

11. DOTA's response to Land Board's question regarding Continuation of Revocable Permits.

12. DOT-Airports report on outstanding items from 2018 that the Board requested:

April 27, 2018:

ITEM M-4 Issuance of a Revocable Permit for Space for a Freight Forwarding, Warehousing and Trucking Operation, Honolulu Freight Service, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-5-35-010.

Member Oi requested the Department of Transportation to provide a report to the Board that reviews the records of revocable permits that have come to the Board for approval beginning in 2016 and states which of these permits can be put up for public auction.

May 11, 2018:

ITEM M-6 Issuance of a Direct Lease for the Development, Construction, Maintenance, and Operation of a Fixed-Based Facility that Repairs General Aviation Aircraft, Island Autoworks, Ltd., 'Upolu Airport, Tax Map Key: (3) 5-5-06: Portion of 31.

- 1. Describe the business plan?*
- 2. Address the issue of the disposal of toxic waste (in the ground and in the air)*
- 3. Will this be just for airplanes flying in and out of Kona Airport, Kohala Airport, Medivac, etc.? What will be the anticipated increase in air traffic.*
- 4. Has DOT sought public input from among others the North Kohala Community Development Plan Steering Committee to gather input regarding the business?*
- 5. Has the DOT sought a legal opinion regarding this agenda item or the Upolu Airport? Based on the DOT's Master Plan from 1999, are there opinions of the Department of the Attorney General existing on the same? What do such opinions say about the Board's obligations under the circumstances?*

August 10, 2018:

ITEM M-7 Issuance of a Right-of-Entry Permit to the County of Kaua'i for Gate and Boulder Installation on Encumbered Government Lands at Port Allen Airport, Tax Map Keys: (4) 1-8-008: Portion of 004 and (4) 1-8-

008: 076.

A report on the feasibility for relief of an injunction against helicopters flying over sensitive historic sites like the salt pans and t a status report on the attorney's working on consultation with the salt-makers' representative Ms. Santos and the County officials who may be available to assist, along with Mr. Bushor who wants to contribute to the efforts.

October 12, 2018:

ITEM M-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

Provision of the justification for proposed \$25.00 monthly rental.

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.