

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
BOARD OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**AMENDED TO ADD ITEM E-1
AGENDA
FOR THE MEETING OF THE
BOARD OF LAND AND NATURAL RESOURCES**

DATE: FRIDAY, JUNE 28, 2019 (4:08 PM)
TIME: 9:15 A.M.
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HAWAI'I 96813

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

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 March 22, 2019.
2. Approval of meeting minutes for April 12, 2019.

C. DIVISION OF FORESTRY AND WILDLIFE

1. Approve the use of a request for interest for federal grants with the U.S. Department of Agriculture Forest Service Wildland Urban Interface and Landscape Scale Restoration grant programs and delegate to the Chairperson the authority to award, execute, and extend agreements with successful providers.

D. LAND DIVISION

1. Quitclaim of State's Interests, if Any, in Portions of Remnant Parcel (Parcel R) to: (i) Nancy Y. Kurokawa and Grace M. Hall, Co-Trustees of the Conrad I. Nonaka Revocable Living Trust, dated October 31, 1991, Hanapepe, Waimea, Kauai, Tax Map Key: (4) 1-9-010:011 (por.) and (ii) Russell H. Nonaka, Trustee of the Russell H. Nonaka Trust, and Christine M. Nonaka, Trustee of the Christine M. Nonaka Trust, Hanapepe, Waimea, Kauai, Tax Map Key: (4) 1-9-010:053 (por.).
2. Set Aside Portions of Accreted Lands Along the Hanalei River to the County of Kauai for Public Park and Other Recreational Purposes, Hanalei, Kauai, Tax Map Key: (4) 5-5-001: Portions of Hanalei Riverbank.
3. Authorize the Department of Land and Natural Resources, Land Division, to Negotiate a Development Agreement for a 30-Year Extension of Lease Term, General Lease No. S-3742, JH Moku Ola, LLC, Lessee; Lot 29, Waiakea Industrial Lots, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-058:014.

Consent to Sublease, General Lease No. S-3742, JH Moku Ola, LLC, Lessee, to Maui Varieties Investments, Inc. Sublessee, Waiakea Industrial Lots, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-058:014

4. Consent to Assign General Lease No. S-5234, Catherine Chua, Assignor, to Yvonne Tuihalafatai, Assignee, Milolii-Hoopuloa Houselots Phase I & II, Hoopuloa, South Kona, Hawaii, Tax Map Key: (3) 8-9-014:052.
5. Cancellation of Governor's Executive Order No. 3415 and Reset Aside to the Department of Land and Natural Resources, Division of Forestry and Wildlife, for Operations, Equipment Storage and Related Ancillary Purposes, Kula, Makawao, Maui, Tax Map Key: (2) 2-3-003:118.
6. Issuance of Right-of-Entry Permit to Nellie's on Maui, Ltd. for Purposes of Demolishing Existing Seawall, Waikapu, Wailuku, Maui, Tax Map Key: (2) 3-8-014: seaward of 008.
7. Rescind Prior Board Action of May 26, 2017, Item D-3, *Amend Grant of Non-Exclusive Easement, GL No. S-5998, for Walkway, Stairs, Shower Station,*

Concrete Pier Block Remnants and Landscaping Purposes, to Napili Kai, Ltd., Napili 2 and 3, Lahaina, Maui, Tax Map Key: (2) 4-3-002: seaward of 026, 027 & 028. The purpose of the amendment is to increase the easement area by approximately 140 square feet, more or less.

Grant of Term, Non-Exclusive Easement to Napili Kai, Ltd. for Walkway Purposes, Napili 2 and 3, Lahaina, Maui, Tax Map Keys: (2) 4-3-002: seaward of 026, 027 & 028.

8. Issuance of Right-of-Entry Permit to Waikiki Community Center for Beach Activities Purposes to be held on July 6 and 7, 2019 at Duke Kahanamoku Beach, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of 021

9. Amendment of Prior Board Action of October 27, 2017, Agenda Item D-11, *Issuance of a Right-of-Entry Permit to the United States to Conduct Defense Environmental Restoration Program Activities on State Lands Including Submerged Lands on the Islands of Oahu, Maui, and Hawaii. See Exhibit A for List of Subject Properties.*

The purpose of the amendment is to add nine tax map key parcels to the list of State lands approved for right-of-entry by the prior Board action, as requested by the United States through the U.S. Army Corps of Engineers acting as its agent. These public lands are located in Lalamilo and Waikoloa on the island of Hawaii. See Exhibit A for a list of the subject properties.

E. STATE PARKS

1. REQUEST FOR APPROVAL TO CONDUCT A ONE DAY COMMUNITY EVENT "DAY AT LAKE WILSON" THAT WILL INCLUDE COMMERCIAL VENDORS AND EDUCATIONAL BOOTHS TO BE HELD ON SATURDAY, NOVEMBER 2, 2019 FROM 8:00 AM TO 3:00 PM AT THE WAHIAWA FRESHWATER STATE RECREATION AREA, O'AHU, HAWAII, TAX MAP KEY: 7-6-001-006-0000

F. DIVISION OF AQUATICS

1. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to Dr. Carl Meyer, Hawai'i Institute of Marine Biology, University of Hawai'i, for Access to State Waters to Conduct Research Activities to Quantify the Movements and Ecology of Top Predators.

J. DIVISION OF BOATING AND OCEAN RECREATION

1. Issuance of a Revocable Permit to Kaneohe Cultural Foundation, for Storage for Canoes on Unencumbered State Shoreline on Kaneohe Bay, Kaneohe, Island of Oahu, Hawaii, Seaward of Tax Map Key: (1) 4-5-006:001;

and

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

2. Renewal of 28 Revocable Permits on the Islands of Oahu, Maui, Hawaii and Kauai, See **Exhibit E** for List of Revocable Permits;

and

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

3. After-The-Fact Consent to Sublease Under Harbor Lease No. H-82-4, GKM, Inc., Sublessor, to Dolphin Journey's, LLC, Sublessee, Honokohau Small Boat Harbor, Kailua-Kona, Hawaii, Tax Map Key: (3) 7-4-008:042 (Por).

4. Approve Installation Outside of an Established Offshore Mooring Area After-The-Fact, Kaanapali, Lahaina, Island of Maui, Hawaii, for Pacific Jet Sports, Inc., GPS Coordinates: 20°54.622'N, 158°41.832'W;

and

Declare an Existing Offshore Mooring Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules.

5. Approve Installation Outside of an Established Offshore Mooring Area After-The-Fact, Kaanapali, Lahaina, Island of Maui, Hawaii, for Sailing Shipps Ltd. DBA Gemini Charters, GPS Location 20.55,11.6 N, by 156.41,56.7 W;

and

Declare an Existing Offshore Mooring Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules.

6. Approve Installation Outside of an Established Offshore Mooring Area After-The-Fact, Lahaina, Island of Maui, Hawaii, for Iconoclast Ltd., Coordinates: Latitude: 20.8689445 North X 156.681083333 West;

and

Declare an Existing Offshore Mooring Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules.

7. Declare an Existing Offshore Mooring Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules, Lahaina, Island of Maui, Hawaii, Coordinates: Latitude: 20.872467 & 156.687417, for Keith Salvador.

8. Approve Installation Outside of an Established Offshore Mooring Area After-The-Fact, Kihei, Island of Maui, Hawaii, for Hawaii Explosives & Pyrotechnics, Inc., Coordinates: Latitude 20.7791 and Longitude -156.4708;

and

Declare an Existing Offshore Mooring Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules.

9. Approve Installation Outside of an Established Offshore Mooring Area After-The-Fact, Kaanapali, Lahaina, Island of Maui, Hawaii, Coordinates: 20°56.057'N, 156°41.732'W, for Philip Carr;

and

Declare an Existing Offshore Mooring Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules.

10. Approve Installation Outside of an Established Offshore Mooring Area After-The-Fact, Kailua Bay, Kailua-Kona, Island of Hawaii, Hawaii, for Pueo Bay LLC, Coordinates: 19.6315278, -155.98499;

and

Declare an Existing Offshore Mooring Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules.

K. OFFICE OF CONSERVATION AND COASTAL LANDS

1. Proposed Rule Amendment OA 19-01 Request for Public Hearing: Petition to Amend Title 13, Chapter 5, Hawaii Administrative Rules (13-5, HAR) to Amend an Existing Conservation District Subzone by Castle Medical Center dba Adventist Health Castle Located in Kaneohe, Oahu, Tax Map Key (1) 4-5-035:010.

L. ENGINEERING

1. Delegation of Authority to the Chairperson to: (1) Procure, Award and Enter Into Professional Service Consultant Contracts for Capital Improvement Program Projects Appropriated by the Legislature as Listed in Exhibit 1 or Program Operating Funds; (2) Declare a Construction Project Exempt from the Preparation of an Environmental Assessment or Approve an Environmental Assessment and Issue a Finding of No Significant Impact, if Appropriate; and (3) Approve, Procure and Enter Construction Contracts for Capital Improvement Program Projects Appropriated by the Legislature as Listed in Exhibit 1 or Program Operating Funds.
2. Appointment of Harry "Pono" von Holt to Serve as a Director of the Mauna Kea Soil and Water Conservation District

M. OTHERS

1. Issuance of a Revocable Permit for a Field Office and Construction Staging Area for Materials, Certified Construction, Inc., Daniel K. Inouye International Airport, Tax Map Keys: (1) 1-1-003: 066 (Portion) and (1) 1-1-003: 068 (Portion).

2. Issuance of a Revocable Permit for a Satellite Dish, Host International, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion).

3. Amendment No. 34 to Concession Lease No. DOT-A-92-0018 for the Addition of Spaces to Offer Food and Beverage Services to the Traveling Public, Restaurant and Lounge Concession, Host International, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion).

4. Issuance of a Revocable Permit for a Baggage Service Office, MN Airlines, LLC dba Sun Country Airlines, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 042 (Portion).

5. Issuance of a Revocable Permit for Space to Park One All Nippon Airways Shuttle Bus, Robert's Tours and Transportation, Inc. dba Robert's Hawaii Tours, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion).

6. Issuance of a Revocable Permit for a Hazardous Waste Receptacle and Storage Closet, United Airlines, Inc., Daniel K. Inouye International Airport, Tax Map Keys: (1) 1-1-003: 001 (Portion) and (1) 1-1-003: 065 (Portion).

7. Issuance of a Hangar Facilities Lease by Notice of Public Auction, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-72: 23.

8. Issuance of a Revocable Permit for Aircraft Parking, Gary Meola, Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 19.

9. Issuance of a Revocable Permit for Space in the Main Terminal for Airline Operations, Southwest Airlines Co., Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 19.

10. Issuance of a Revocable Permit for Storage Space in the Main Terminal, Hawaiian Airlines, Inc., Moloka'i Airport, Tax Map Key: (2) 5-2-04: Portion of 8.

11. Issuance of a Revocable Permit for a Food Truck Parking Space, G's Que, LLC, Ellison Onizuka Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: Portion of 40.

12. Issuance of a Revocable Permit for Aircraft Parking, Robert Gavel Jr., Ellison Onizuka Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: Portion of 40.

13. Issuance of a Revocable Permit for an Office Trailer and Vehicle Parking, Hawaii Fueling Facilities Corporation, Ellison Onizuka Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: Portion of 40.

14. Issuance of a Revocable Permit for Ambulance Vehicle Parking, International Life Support, Inc. dba American Medical Response, Waimea-Kohala Airport, Tax Map Key: (3) 6-7-001: Portion of 08.

15. Issuance of a Revocable Permit for Equipment Parking, Helicopter Consultants of Maui, LLC, Hilo International Airport, Tax Map Key: (3) 2-1-12: Portion of 90.

16. Issuance of a Revocable Permit for a Preferred Hold room in the Main Terminal, Hawaiian Airlines, Inc., Līhu'e Airport, Tax Map Key: (4) 3-5-01: Portion of 8.

17. Request to Authorize Conveyance of Remnant Lot 8-C-2 of Land Court Application 477, Map 22, Iwilei, Honolulu, Oahu, Tax Map Key: (1) 1-5-13: Right-of-Way to Lowe's Home Centers, LLC by Quitclaim Deed.

18. Issuance of a Revocable Permit to SAUSE BROS., INC., to replace existing Revocable Permit No. H-04-2449, situated at Pier 5, Kalaeloa Barbers Point Harbor, Oahu, Tax Map Key: (1) 9-1-014:024 (Portion), Governor's Executive Order No. 3383.

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.