

DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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

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

DATE: FRIDAY, October 25, 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. September 27, 2019, Board Meeting Minutes for approval.

C. DIVISION OF FORESTRY AND WILDLIFE

1. Acquisition of Private Lands, Issuance of Management Right of Entry to Division of Forestry and Wildlife and Authorize Division of Forestry and Wildlife to Conduct Public Hearings on the Island of O'ahu for Proposed Addition to Pūpūkea-Paumalu Forest Reserve, Waimea, Ko'olaupia, O'ahu Tax Map Key: (1) 6-3-001:002.

2. Request Land Board to approve submitting and recommending to the Governor, acceptance of the Final Environmental Impact Statement for the Kawainui-Hāmākua Master Plan Project; Kailua, O'ahu, Hawai'i.

3. Memorandum of Understanding with Pacific Rim Conservation to construct a predator exclusion fence at the Kuaokala Game Management area, Island of Oahu, Tax Map Key: (1) 6-9-003:002; Request for Delegation of Authority to the Chairperson

and

Declaration of Exemption from reparation of Environmental Assessment under HRS Chapter 343 and HAR Chapter 11-200.1.

D. LAND DIVISION

1. After-the-Fact Consent to Assignment of 100% Membership Interest in Lessee Pixar Development, LLC from John Kenneth Purdy to Hotel Coral Reef, LLC; After-the-Fact Consent to Quitclaim Assignment of Membership Interest in Lessee Pixar Development, LLC from Michael F. Harrah to Hotel Coral Reef, LLC; Assess Lease Assignment Premium Against John Kenneth Purdy and Linda J. Harding Warriner (the prior lessee), Jointly and Severally; After-the-fact Consent to Real Property Mortgage and Financing Statement, Pixar Development, LLC, Mortgagor, and First Hawaiian Bank, Mortgagee (2010 Mortgage); General Lease Nos. S-3832 and S-5578, Pixar Development, LLC, Lessee, Kapaa Town Lots, Kapaa, Kawaihau, Kauai, Tax Map Keys: (4) 4-5-011:046 and 4-5-012:005.

2. Grant of Perpetual, Non-Exclusive Easement to the Water Board of the County of Hawaii for Waterline Purposes, Onouli 1st, South Kona, Hawaii, Tax Map Key: (3) 8-1-005:013.

3. One Year Holdover of Lease Term for General Lease No. S-4828, Maui Family Young Men's Christian Association, Lessee, Keanae, Hana, Maui, Tax Map Key: (2) 1-1-002:008.

4. Issuance of a Right-of-Entry Permit to TEAM Unlimited, LLC for the 2019 Xterra Off-Road Triathlon and Trail Run, October 26 & 27, 2019, Kapalua, Lahaina, Maui, Tax Map Key (2) 4-2-004: Seaward of 014, 015 and 016.

5. Grant of Perpetual, Non-Exclusive Easement to County of Maui, Department of Water Supply for Fire Hydrant Maintenance and Use Purposes, Kaunakakai, Molokai, Tax Map Key: (2) 5-3-005: Por. 012.
6. Amend General Lease No. 5954, Diamond Head Theatre, Lessee, Kaimuki, Honolulu, Oahu, Tax Map Key: (1) 3-2-030:001.

The purpose of the amendment is to revise the mortgage provision of the lease to allow mortgaging subject to Chairperson's approval.

7. Annual Renewal of Revocable Permit No. 7915; Resorttrust Hawaii, LLC, Permittee; Waialae, Honolulu, Oahu, Tax Map Key: (1) 3-5-023:041.
8. Authorize the Amendment of Grant of Easement dated February 11, 1975 by Revising the Area and Boundary of the Easement to the City and County of Honolulu for Tunnel and Water Pipelines Purposes, Waimanalo, Koolaupoko, Oahu, Tax Map Key: (1) 4-1-014: Portions of 013.
9. Amend Prior Board Action dated October 10, 1986, Item F-9, *Request of the City and County of Honolulu, Board of Water Supply, for Executive Order Setting aside 6MG Reservoir Site Together with Electrical Transmission Line, Waterline and Roadway Easement at Kahana Valley, Kahana, Koolauloa, Oahu*, Tax Map Key: Portions of (1) 5-2-001 & 5-2-002.

The purpose of this amendment is to remove prior Recommendation B.2 regarding the provision of a water meter to the Division of State Parks at the cost of the City and County of Honolulu, Board of Water Supply.

10. Amend Prior Board Action dated February 28, 1986, Item F-8, *City and County of Honolulu, Board of Water Supply Requests Set Aside of lands at Sacred Falls Park, Kaluanui, Koolauloa, Oahu, for Well Site Purposes, Kaluanui, Koolauloa, Oahu*, Tax Map Key: Portions of (1) 5-3-011:009 (Portion), 010, and 011.¹

The purpose of this amendment is to remove prior Recommendation B.1 regarding the provision of water and water meter to the Division of State Parks at the cost of the City and County of Honolulu, Board of Water Supply.

¹ Tax map key (1) 5-3-009: portions of 002 mentioned in 1986 submittal has become (1) 5-3-0011:009, 010, and 011.

E. DIVISION OF STATE PARKS

1. Request the Board to Designate the Chairperson of the Board of Land and Natural Resources as the Authorized Representative for the following Sections of Chapter 146 of Title 13 of the Hawaii Administrative Rules (HAR): 13-146-4, 13-146-9 to 13-146-14, 13-146-20, 13-146-28 to 13-146-33, 13-146-50 to 13-146-54, 13-146-65 to 13-146-68;

and

Request approval to allow Chairperson to further delegate designation to the State Park Administrator, Assistant Administrator, Park Superintendents, and Park Managers for further delegation of the following Sections of Chapter 146 of Title 13 of the Hawaii Administrative Rules (HAR): 13-146-4, 13-146-9 to 13-146-14, 13-146-20, 13-146-28 to 13-146-33, 13-146-50 to 13-146-54, 13-146-65 to 13-146-68.

2. Approval to Continue Twenty (20) Revocable Permits for use of State Parks lands on the Islands of Kaua'i, O'ahu, Maui, and Hawai'i for the following: Kaua'i: Na Pali Kayak Inc., Kayak Kaua'i, a Hawai'i Limited Partnership, Rick Haviland dba Outfitters Kauai (Nāpali Coast State Wilderness Park for Commercial Kayak Landings), Clancy Greff dba Nā Pali Eco Adventures, Inc., Nā Pali Sea Tours, Inc., Lady Ann Cruises, Inc., (Nāpali Coast State Wilderness Park for Inflatable Boat Landings), Ka Imi Naauao o Hawai'i Nei Institute, Kaua'i Christian Fellowship, (Waimea Canyon State Park non-profit Recreation/Residences/Camps) United Church of Christ (Kōke'e State Park non-profit camp), O'ahu: Diamond Parking Services, LLC (Nu'uuanu-Pali State Wayside, Parking Concession), Bottling Group, LLC (Diamond Head State Monument beverage vending), Erlinda Moline Villanueva (Ahupua'a O Kahana State Park, Agricultural use), Young Men's Christian Association of Honolulu, Hawai'i Climbing Coalition, (Ka'ena Point State Park, Outdoor Recreational Activities), Maui: Republic Parking Northwest, Inc., ('Iao Valley SM, Parking Concession), Hawai'i: Republic Parking Northwest, Inc. (Hāpuna Beach SRA, Parking Concession), Diamond Parking Services, LLC ('Akaka Falls State Park, Parking Concession), Adventures in Paradise, Inc., Kona Boys, Inc., Iwa Kalua (Kealakekua Bay State Historical Park, Commercial Kayak Tours). See attached **Exhibit A** for a list of Revocable Permits.

J. DIVISION OF BOATING AND OCEAN RECREATION

1. Continuation of Revocable Permit No. 38 To Coon Brothers, Inc., Mānele Small Boat Harbor, Pālāwai, Island of Lāna'i, Hawai'i, Tax Map Key (2) 4-9-017:006 (Por.);

and

Notice of Exemption from Preparation of an Environmental Assessment Under Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.

2. Consent to Assign General Lease No. LH-19-002, Pacific Marine Partners, LLC, Assignor to Jason Ho'opai, Assignee, Situated at Honokohau Small Boat Harbor, North Kona, Island of Hawai'i, Hawai'i, Tax Map Key: (3) 7-4-008:003 (Portion)

K. OFFICE OF CONSERVATION AND COASTAL LANDS

1. Request for a Third Time Extension for Conservation District Use Permit MA-3746 Regarding the Initiation and Completion of Construction of the Above Ground Waterline along Mākena-Keone'ō'io Road located in Honua'ula, Makawao, Maui, Tax Map Key(s): (2) 2-1-004:046, 068, 073, & 113.

M. OTHERS

1. Issuance of a Revocable Permit for Passenger Check-In, Alaska Airlines, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1)1-1-003: 057 (Portion).
2. Issuance of a Revocable Permit for Space for Passenger Check-In Kiosks, Hawaiian Airlines, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 073 (Portion).
3. Issuance of a Revocable Permit for Aircraft Parking, Hawaii Aviators LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76:023 (Portion).
4. Issuance of a Direct Lease for an Executive Lounge, IASS Hawaii, LLC, Central Concourse, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 050 (Portion).
5. Issuance of a Revocable Permit for the Storing and Staging of Air Cargo Processing Equipment, United Parcel Service, Inc., Lihue Airport, Tax Map Key: (4) 3-5-001: 008 (Portion).

6. Request for Approval to proceed with Acquiring Lands for the Department of Transportation, Harbors Division, for Hilo Harbor, Island of Hawaii; Kahului Harbor, Island of Maui; and Kalaeloa Barbers Point Harbor, Island of Oahu, for a Public Purpose; and for the Delegation to the Chairperson of the Board of Land and Natural Resources the Authority to Initiate Work to acquire the Lands for Final Board approval.
7. Issuance of Month-to-Month Permit to Kona Transportation Company, Inc., Inc., for storage of Chassis and Cargo Containers discharged or loaded onto Maritime Vessels and staging of drayage. Situated at Kawaihae Harbor, Island of Hawaii, Tax Map Key: (3) 6-1-003:026 (Portion). Governor's Executive Order No. 1759.
8. Issuance of Month-to-Month Permit to Conen's Freight Transport, Inc., for storage of Chassis and Cargo Containers discharged or loaded onto Maritime Vessels and staging of drayage. Situated at Kawaihae Harbor, Island of Hawaii, Tax Map Key: (3) 6-1-003:024 (Portion). Governor's Executive Order No. 1759.
9. Issuance of Month-to-Month Permit to Kahului Trucking & Storage Inc., for maintaining and service of land-based equipment for maritime companies with operations at the harbor. Situated at Kawaihae Harbor, Island of Hawaii, Tax Map Key: (3) 6-1-003:033 (Portion). Governor's Executive Order No. 1759.
10. Issuance of Eleven (11) Month-to-Month Permits to Young Brothers, LLC, for Inter-Island container handling facility. Situated at Kawaihae Harbor, Island of Hawaii, Tax Map Key: (3) 6-1-003:036 (Portion). Governor's Executive Order No. 1759.
11. Issuance of Month-to-Month Permit to Hawaiian Cement, for the storage, wholesale distribution and delivery of cement in bulk and non-exclusive subsurface pipeline easement for the transportation of cement in bulk via underground pipelines from pier to storage site. Situated at Kawaihae Harbor, Island of Hawaii, Tax Map Key: (3) 6-1-003:023 (Portion). Governor's Executive Order Nos. 2496 and 1862.
12. Issuance of Month-to-Month Permit to Hawaiian Cement, for the storage, wholesale distribution and delivery of cement in bulk and non-exclusive subsurface pipeline easement for the transportation of cement in bulk via

underground pipelines from pier to storage site. Situated at Pier 1, Hilo Harbor, Island of Hawaii, Tax Map Key: (3) 2-1-009:043 (Portion). Governor's Executive Order Nos. 1193 and 1633.

13. Issuance of Month-to-Month Permit to Hawaiian Cement, for the bulk cement storage, packaging, sales, and other operations related to the cement business and non-exclusive subsurface pipeline easement for the transmission of bulk cement. Situated at Pier 2A, Kahului Harbor, Island of Maui, Tax Map Key: (2) 3-7-010:003 (Portion). Governor's Executive Order Nos. 0798.
14. Issuance of Month-to-Month Permit to Commercial Glass and Metal, Inc., for Small Boat Building and Storage. Situated at Pier 1, Kalaeloa, Barbers Point Harbor, Island of 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 8:45 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.