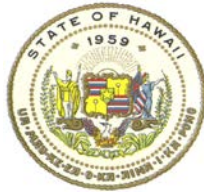


DAVID Y. IGE
GOVERNOR OF HAWAII



**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: December 11, 2020
TIME: 9:00 A.M.
LOCATION: Online via ZOOM, Livestream via YouTube

Meeting materials are available for public review in advance of the meeting at:

<http://www.dlnr.hawaii.gov/meetings>

Considering the evolving COVID-19 situation, protecting the health and welfare of the community is of utmost concern. As such, the meeting will be held remotely, with board members, staff and applicants participating via online meeting venue.

The meeting will be livestreamed at:

<http://youtube.com/c/boardoflandandnaturalresourcesdlnr>

TESTIMONY:

Interested persons can submit written testimony in advance of each meeting that will be distributed to Board Members prior to the meeting. Written testimony must be submitted no later than 24 hours prior to the meeting to ensure time for Board Members to review it. Late written testimony will be retained as part of the record, but we cannot assure Board Members will receive it with sufficient time for review prior to decision-making. Submit written testimony to blnr.testimony@hawaii.gov.

To provide live oral/video testimony during the online meeting, email your request to blnr.testimony@hawaii.gov at least 24 hours in advance, with your name, phone number, email address, computer identification name (check your device settings), and the agenda item on which you would like to testify. Once your request has been received, you will receive an email with the Zoom link via which to testify. You will need a computer with internet access, video camera and microphone to participate. If you require access by phone only, please indicate that in your email request. Testimony will be limited to a maximum of three (3) minutes per person per agenda item.

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.

Individuals requiring special assistance or auxiliary aids or services (i.e., sign language interpreter), please contact staff at least 72 hours prior to the meeting at 808.587.0404 so that arrangements can be made.

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 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 October 23, 2020.

B. DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT

1. Request Review and Approval of On-Line Course updates to the Hunter Education Program Curriculum.

C. DIVISION OF FORESTRY AND WILDLIFE

1. Request for Approval to authorize the Chairperson to approve and sign a Memorandum of Agreement between the State of Hawaii Department of Land and Natural Resources Division of Forestry and Wildlife and the Kauai Humane Society (K.H.S) for wildlife care and rehabilitation on the Island of Kauai;

and

Request approval of Declaration of Exemption from Chapter 343, Hawai'i Revised Statutes, environmental compliance requirements for the subject memorandum of agreement.

2. Request for Approval to apply as a co-applicant to the County of Hawai'i Planning Department for parcel consolidation and re-subdivision involving Tax Map Keys: (3) 5-1-001:005 owned by the State of Hawai'i, Tax Map Key: (3) 5-1-002:017 owned by Surety Kohala Corporation, and Tax Map Key: (3) 5-2-005:012 and Tax Map Key: 5-2-002:001 owned by KP Holdings LLC, Pololū, North Kohala District, Hawai'i County

and

Request for Approval to enter into a Letter of Intent with Surety Kohala Corporation and KP Holdings LLC, for the donation to the State of Hawai'i of Tax Map Key: (3) 5-1-002:017, for purposes of management as part of the Kohala Forest Reserve, and Tax Map Key: (3) 5-2-005: portion of 012, for purposes of constructing an off-site comfort station and parking area near the Pololū trail, North Kohala District, Hawai'i County.

3. Request for Approval of Federal Funds subgrant to Moloka'i Land Trust for the fee acquisition of 1,819 acres of land, more or less, at Kona, Moloka'i, Hawai'i, Tax Map Key numbers: (2) 5-7-005:002 and :027.

D. LAND DIVISION

1. Issuance of Land Patent in Confirmation of Land Commission Award No. 8044, Apana 2 to Alauka, situate at Kalaheo, Koloa, Island and County of Kauai, Hawaii, Tax Map Key: (4) 2-4-001:015.
2. Amend Prior Board Action of April 1, 2005, Item D-7, *Amend Prior Action of November 5, 2003, Item D-10, Grant of Perpetual, Non-Exclusive Easement to Department of Water for Water Tank Overflow and Drainage Purposes, Waipouli, Kauai, Tax Map Key: (4) 4-4-003: Ditch 7 within 089.*

The purpose of the current amendment is to: 1) clarify that the prior Board actions were for two separate easements: a) issuance of a perpetual, non-exclusive easement (W-1) to the County of Kauai, Department of Water Supply for water tank overflow and drainage purposes, and b) issuance of a 55-year term, nonexclusive easement (AU-1) for the "Back Lot," intended to be issued to Kapaa 382 LLC, as the landowner, 2) to change the Grantee name for Easement AU-1 from Kapaa 382 LLC to the Association of Apartment Owners of Kulana Condominium, due to a change in landownership, and 3) to include a provision to allow Easement AU-1 to "Run with the Land" identified as Lot 8B.

3. Amend Prior Board Actions of December 14, 2018, Item D-2, *Grant of Term, Non-Exclusive Easement to Konohiki Kihapai LLC for Access and Utility Purposes; Issuance of Immediate Management Right-of-Entry Permit, Portions of Waipouli & North Olohena, Kapaa Homesteads, 2nd Series, Kapaa, Kauai, Tax Map Keys: (4) 4-4-006: portions of 012 and 013.*

The purpose of this amendment is to correct/change the tax map key numbers and the easement areas.

4. After-the-Fact Consent to Assign Grant of Term Non-Exclusive Easement No. S-4618, Dora Leilani Cobb-Adams, Assignor, to Dora Leilani Cobb-Adams, Trustee of the Dora Leilani Cobb-Adams Revocable Living Trust, dated May 24, 1991, as amended on June 27, 2013, Assignee;

Amend Grant of Term Non-Exclusive Easement No. S-4618 for Access and Utility Purposes; Anahola, Kawaihau (Koolau), Kauai, Tax Map Keys: (4) 4-8-006:025, 055 and 056.

The purpose of the amendment is to change Grant of Term Non-Exclusive Easement No. S-4618 to "run with the land" so that future assignments of the easement will not require Board consent.

5. Holdover/Continuation of Revocable Permits for Water Use on the Islands of Hawaii and Kauai. See **Exhibit A** for list of Revocable Permits.
6. Annual Renewal of Revocable Permits on the Island of Hawaii. See **Exhibit 2** for list of Revocable Permits.
7. Consent to Second Amendment to Sublease of General Lease No. S-3742, JH Moku Ola, LLC, Lessee/Sublessor, to Maui Varieties Investments, Inc., Sublessee, Waiakea Industrial Lots, Waiakea, South Hilo, Hawai'i, Tax Map Key: (3) 2-2-058:014
8. Issuance of Immediate Right-of Entry and Revocable Permit to Na Moku Aupuni O Ko'olau Hui, Keanae, Hana, Maui, Tax Map Keys: (2) 1-1-002: 008 & 009.
9. Issuance of Right-of-Entry Permit to Hawaii Amateur Surfing Association, for an Amateur Surfing Competition at Lipoa Point, Honolulu, Lahaina, Maui, Tax Map Key: (2) 4-1-001: Portion of 010.
10. Rescind Prior Action of December 12, 2014, D-32; *Consent to Reinstatement and Extension of Lease Term, and Setting of Rent for Extension of Lease Term, General Lease No. S-4298, Walter and Ann Liew, Lessee; Waimanalo, Koolaupoko, Oahu, Tax Map Key: (1) 4-1-010:003 and Settlement of Lawsuit, Liew v. State of Hawaii, Civ. No. 07-1-0644-04 (JHC).*

The purpose of the request is to rescind the lease extension previously approved by the Board due to lessees' non-compliance with the terms imposed by the Board at its meeting of December 12, 2014 and authorize the issuance of a Notice to Vacate.

11. Consent to Mortgage with Estoppel Certificate, General Lease No. S-6105, Na Pua Makani Power Partners, LLC, Lessee, Kahuku, Koolauloa, Oahu, Tax Map Key: (1) 5-6-008:006.

E. STATE PARKS

1. Issuance of a Revocable Permit to Malaekahana Beach Campground LLC for Campground purposes at Mālaekahana State Recreation Area (Kahuku Section), Lāie (Ko'ilauloa), O'ahu, Tax Map Key: (1) 5-6-001: Parcels 24, 45-47, 49, 51, 53-65.

F. DIVISION OF AQUATIC RESOURCES

1. Request for Authorization and Approval to Issue Papahānaumokuākea Marine National Monument Conservation and Management Permit to the Monument Co-Trustees: the U.S. Department of Interior, U.S. Fish and Wildlife Service, U.S. Department of Commerce,

National Oceanic and Atmospheric Administration; and the Office of Hawaiian Affairs for Access to State Waters to Conduct Conservation and Management Activities and;

Authorize General Conservation and Management Activities by the Department of Land and Natural Resources, Divisions of Aquatic Resources & Forestry and Wildlife.

J. DIVISION OF BOATING AND OCEAN RECREATION

1. Declare Use of An Existing Offshore Mooring Exempt from Requirements of Preparation of an Environmental Assessment under Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200.1, Hawaii Administrative Rules;

and

Approve Installation, After-The-Fact, of the Offshore Mooring Outside of an Established Offshore Mooring Area, Keauhou Bay, Kailua-Kona, Island of Hawaii, for Geerling Goosen.

2. After-the-Fact Consent to Sublease under Harbor Lease No. H-83-2, Kona Marine Holdings, LLC, Lessee, as Sublessor, to Kamanu Charters, Inc., Sublessee, Kealakehe, Kailua-Kona, Hawaii, Tax Map Key: (3) 7-4-008:040.
3. After-the-Fact Consent to Sublease under Harbor Lease No. H-83-2, Kona Marine Holdings, LLC, Lessee as Sublessor, to Kiholo, Inc., Sublessee, Kealakehe, Kailua-Kona, Hawaii, Tax Map Key: (3) 7-4-008:040.
4. After-the-Fact Consent to Sublease under Harbor Lease No. H-83-2, Kona Marine Holdings, LLC, Lessee, as Sublessor to Precision Marine Power Inc. dba Precision Power Systems, Sublessee, Kealakehe, Kailua-Kona, Hawaii, Tax Map Key: (3) 7-4-008:040
5. After-the-Fact Consent to Sublease under Harbor Lease No. H-83-2, Kona Marine Holdings, LLC, Lessee, as Sublessor to Reel Action LLC, Sublessee, Kealakehe, Kailua-Kona, Hawaii, Tax Map Key: (3) 7-4-008:040.
6. After-The-Fact Consent to Sublease under Harbor Lease No. H-83-2, Kona Marine Holdings, LLC, Lessee, as Sublessor to Splashers Ocean Adventures Inc., Sublessee, Kealakehe, Kailua-Kona, Hawaii, Tax Map Key: (3) 7-4-008:040.
7. After-the-Fact Consent to Sublease under Harbor Lease No. H-83-2, Kona Marine Holdings, LLC, Lessee, as Sublessor to TDC Enterprises, Inc. dba Sea Wife Charters, Sublessee, Kealakehe, Kailua-Kona, Hawaii, Tax Map Key (3) 7-4-008:040.

8. After-The-Fact Consent to Sublease under Harbor Lease No. H-83-2, Kona Marine Holdings, LLC, Lessee, as Sublessor to Wahine Charters LLC, Sublessee, Kealakehe, Kailua-Kona, Hawaii, Tax Map Key: (3) 7-4-008:040.
9. Private Financing of a Security Fence at the Honokohau Small Boat Harbor, Kealakehe, Kailua-Kona, Hawaii, Tax Map Key (3) 7-4-008:003 Por.;

and

Declare Project Exempt from Requirements of Preparation of an Environmental Assessment under Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.

K. OFFICE OF CONSERVATION AND COASTAL LANDS

1. Proposed MEMORANDUM OF AGREEMENT between THE STATE OF HAWAII, Department of Land and Natural Resource-Office of Conservation and Coastal Lands by its Board of Land and Natural Resources and THE STATE OF HAWAII, Department of Transportation to implement a project on multi-modal mobility hub planning for O'ahu, through a cost share agreement.
2. Proposed MEMORANDUM OF AGREEMENT between THE STATE OF HAWAII, Department of Land and Natural Resource-Office of Conservation and Coastal Lands by its Board of Land and Natural Resources and THE STATE OF HAWAII, Department of Transportation to implement a project to Plan for Improved Resilience to Coastal Hazards through Nature-Based Solutions at Punalu'u, O'ahu, Hawai'i.
3. Proposed MEMORANDUM OF AGREEMENT between THE STATE OF HAWAII, Department of Land and Natural Resource-Office of Conservation and Coastal Lands by its Board of Land and Natural Resources and THE STATE OF HAWAII, Department of Health-Clean Air Branch to implement a statewide project on sustainable transportation, funded by a subaward from the US EPA.
4. Conservation District Use Application (CDUA) HA-3869 for an Access Road within the Kipahoehoe Natural Area Reserve by the Division of Forestry and Wildlife Located at Kipahoehoe, South Kona, Hawai'i, Tax Map Key: (3) 8-8-001:005.
5. Final Approval of Proposed Rule Amendment OA 19-01- Request to Amend the Hawai'i Administrative Rules (HAR) Title 13, Chapter 5 to Re-designate Conservation District Land that Lies Within the Hawai'i Loa College Special Subzone to the General Subzone – as Amendments to Sections 13-5-10, 13-5-15, and Chapter 13-5 Exhibits 1 and 2 Located at Ka'eleuli, Kāne'ohe, Ko'olau Poko, O'ahu, Tax Map Key: (1) 4-5-035:010.

The proposed rules can be reviewed online at: <http://ltgov.hawaii.gov/the-office/administrative-rules>.

The proposed rules can also be viewed online at: <https://dlnr.hawaii.gov/occl/current-applications/> or can be reviewed or obtained in person, by appointment only, at the Office of Conservation and Coastal Lands on O'ahu at 1151 Punchbowl St. Room 131, Honolulu, Hawaii 96813 from 8:00 am to 4:30 pm, Monday through Friday, except Holidays. To schedule an appointment to review or obtain the proposed rules in person, email kimberly.mills@hawaii.gov.

M. OTHERS

1. Amendment No. 3 to Concession Agreement No. DOT-A-18-0004 for the Management of Additional Space as Part of the Automobile Parking Facilities, ABM Aviation, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-14: 21 (Portion).
2. Issuance of a Revocable Permit for Aircraft Parking, G&P Cheetah LLC, Daniel K. Inouye International Airport, Tax Max Key: (1) 1-1-76: Portion of 23.
3. Issuance of a Revocable Permit for Aircraft Parking, Mytai Flyers LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 23.
4. Issuance of a Revocable Permit for Three Aircraft Parking, Eric Popko, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 23.
5. Issuance of a Revocable Permit for Aircraft Parking, CAVU Aviation, L.L.C., Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 019.
6. Issuance of a Revocable Permit for a General Aviation Hangar for Helicopter Emergency Medical Services Air Ambulance Operations, Reach Air Medical Services, LLC, Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 215.
7. Issuance of Revocable Permit to Operate the On-Demand Airport-Based Shuttle Bus Concession, Robert's Tours and Transportation, Inc., Kahului Airport, Tax Map Key: (2) 3-8-001: 19 (Portion).
8. Issuance of a Revocable Permit for Office Space, Avairpros Services, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 33.

9. Issuance of a Revocable Permit for Aircraft Parking, James R. Mann, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: 003 (Portion).
10. Issuance of a Revocable Permit for Aircraft Parking, K & S Helicopters, Inc. dba Paradise Helicopters, Waimea-Kohala Airport, Tax Map Key: (3) 6-7-001: Portion of 08.
11. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft for Commercial Purposes, Sunshine Helicopters, Inc., Lihue Airport, Tax Map Key (4) 3-5-001: Portion of 08.
12. Issuance of Two (2) Month-to-Month Revocable Permits to Kahului Trucking & Storage, Inc., for Warehouse Space and Uncovered Paved Area for Vehicle Maintenance Shop, Kawaihae Harbor, Hawaii, Tax Map Key Nos. (3) 6-1-003:059 (P) and (3) 6-1-003:033 (P), Governor's Executive Order No. 1988.
13. Issuance of three (3) Month-to Month Permits to James Heumann for Boat Repair and Fabrication Workshop, Boat Parking, and Storage Area, situated at Pier 31, Honolulu Harbor, Oahu, Tax Map Key Nos: (1) 1-5-035:024 (P), (1) 1-5-035:025 (P), and (1) 1-5-035:029 (P), Governor's Executive Order No. 4167.
14. Issuance of a Construction Right-of Entry Agreement for Kiewit Infrastructure West Co. to support construction of Kapalama Container Terminal-Phase II, at 1845 Auiki Street, former Kapalama Military Reservation, Kalihi-Kai, Honolulu, Oahu, Tax Map Key No: (1) 1-2-025:011 (P), 084 (P), 100, Governor's Executive Order 3947.
15. Issuance of a Month-to-Month Revocable Permit to Oceantronics, Inc., for Office Space and Parking for Marine Electronics Shop, Honolulu Harbor, Oahu, Tax Map Key No: (1) 1-5-038:001 (P), Governor's Executive Order No. 2903.