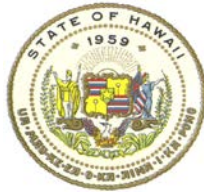


DAVID Y. IGE
GOVERNOR OF HAWAII



**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: January 8, 2021
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.

C. DIVISION OF FORESTRY AND WILDLIFE

1. Request to Restrict Access to portions of the 'Āhihi-kina'ū Natural Area Reserve, Maui, for a period of up to two years (January 9, 2021 - January 8, 2023), pursuant to Hawaii Administrative Rules § 13.209-4.5, Tax Map Keys: (2) 2-1-004:073 (portion) and (2) 2-1-004:113.
2. Acceptance of a Hearing Master's report, set aside of 1,260 acres as the Waiea Natural Area Reserve, Tax Map Key: (3) 8-6-001:003, South Kona, Hawaii.

D. LAND DIVISION

1. Terminate Use, Occupancy and Possession of Premises under Expired General Lease No. S-3795 by InSite Towers Development, LLC; Authorize the Issuance of a Direct Lease to New Cingular Wireless PCS, LLC (New Cingular) for Microwave Station and Microwave Tower Facilities Purposes and Grant of Term, Non-Exclusive Easements to New Cingular for Access and Utility Purposes, Hanapepe, Waimea, Kauai, Tax Map Keys: (4) 1-4-001:016, 017 and (4) 1-4-001:002 por.
2. Amend Prior Board Action of June 9, 2017, Item D-1, *Partial Withdrawal of 3.20 Acres From Governor's Proclamation dated June 5, 1909; Reset Aside 3.20 Acres to the County of Kauai, Department of Water for Proposed Clearwell Reservoir, Access Road, Water Pipelines, and Related Purposes; Issuance of Management and Construction Right-of-Entry at Kalaheo, Wahiawa, Koloa, Kauai, Tax Map Key: (4) 2-4-009: portion of 003.*

The purpose of this amendment is to: 1) change the Governor's Proclamation referenced from Governor's Proclamation dated June 5, 1909 to Governor's Proclamation dated December 24, 1926, and 2) change the areas withdrawn and reset aside from 3.20 acres to 2.752 acres, more or less.

3. Amend Prior Board Action of February 28, 2020, Item D-4, Grant of Term, *Non-Exclusive Easement to Matine A. Borges, Jeffrey D. Borges, Michelle M. Borges, Monique M. Borges, Jennifer A. Lindell, and Troy M. Lindell, as Joint Tenants, for Shoreline Revetment Encroachment Purposes; Issuance of Immediate Management Right-of-Entry Permit for Shoreline Revetment Purposes, Waipouli, Kawaihau, Kauai, Tax Map Key: (4) 4-3-009: Seaward of 049.*

The purpose of the amendment is to correct the first name of one of the joint tenants from Matine A. Borges to Martine A. Borges.

4. Rescind Prior Board Action of January 13, 2017, Item D-5, *Addition of 0.534 Acre, More or Less, of Submerged Land to the Area Encumbered by Governor's Executive Order 3006 to the County of Maui for Sewage Treatment Plant Purposes, situate at Kahului, Wailuku, Maui, Tax Map Key No. (2) 3-8-001: seaward of 188.*

Cancellation of Governor's Executive Order No. 3006 and Reset Aside to County of Maui, Department of Environmental Management for Sewage Treatment Plant Purposes, Kahului, Wailuku, Maui, Tax Map Key: (2) 3-8-001:188 and seaward of 188.

Grant of Perpetual, Non-Exclusive Easement to the County of Maui, Department of Environmental Management, for Wastewater Force Main Purposes, Kahului, Wailuku, Maui, Tax Map Key: (2) 3-8-001: portion of 119.

5. Amend Prior Board Action of October 9, 2015, Item D-6, *Grant of a 55-Year Term, Non-Exclusive Easement to the Association of Apartment Owners of (AOAO) Milowai-Maalaea for Seawall Purposes, Maalaea Beach Lots, Waikapu, Wailuku, Maui, Tax Map Key: (2) 3-8-014: Seaward 022.*

The purpose of the amendment is to shorten the term of the easement from 55 to 25 years and to note that the easement area will be larger than the 2,512 square feet referenced in the prior approval, though the exact area is subject to survey.

Issuance of Right-of-Entry Permit to the Association of Apartment Owners of Milowai-Maalaea (AOAO Milowai-Maalaea) for Installation of Temporary Sandbags Fronting Seawall and for Seawall Repair; Assess \$500 Fine Against AOAO Milowai-Maalaea Pursuant to Hawaii Administrative Rules Chapter 13-221 For Not Obtaining Right-of-Entry Prior to Performing Sandbags Placement, Maalaea Beach Lots, Waikapu, Wailuku, Maui; Tax Map Key: (2) 3-8-014: Seaward of 022

6. Authorize the Issuance of a Request for Qualifications / Request for Proposals for Lease of Public Lands; Kamaole, Wailuku, Maui, Hawaii, Tax Map Key: (2) 3-9- 004:149.
7. Consent to Assign and Amend Grant of Non-Exclusive Easement No. S-5647, Claire C. Sanford, Trustee of the Wallace G. Sanford Residuary Trust under Agreement dated October 3, 1988, also known as the Wallace G. Sanford Residuary Trust under Agreement dated October 3, 1998, and Claire C. Sanford, Trustee of the Wallace G. Sanford Marital Trust under Agreement dated October 3, 1988, also known as the Wallace G. Sanford Marital Trust under Agreement dated October 3, 1998, Assignor, to James R. Macpherson, Trustee of The James R. Macpherson Revocable Living Trust dated June 13, 2008, Assignee, Waiohuli-Keokea Homesteads, Kihei, Maui, Tax Map Key: (2)3-9-012: Seaward of 001.

Amend Grant of Non-Exclusive Easement No. S-5647 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.

Amend Grant of Non-Exclusive Easement No. S-5647, paragraph 11, to increase the minimum liability insurance to \$1,000,000 for each occurrence and \$2,000,000 aggregate.

8. Quitclaim of State’s Interests, if Any, in a Portion of Government Land to the Department of Hawaiian Home Lands, Palaua and Hoolehua, Kona, Molokai, Tax Map Key: (2) 5-2-004:046.

J. DIVISION OF BOATING AND OCEAN RECREATION

1. INTENTIONALLY LEFT BLANK

2. Sale of Lease at Public Auction of Submerged Lands for Recreational Boat Pier Purposes Subject to Concurrent Resolution from the Hawaii State Legislature, Kaneohe Bay, Kaneohe, Koolaupoko, Oahu, Tax Map Key: (1) 4-4-022:032-A (Seaward of Parcel);

and

Declare the Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.

3. Approve Settlement Agreement Between the State of Hawaii, Department of Land and Natural Resources, Division of Boating and Ocean Recreation, and GKM, Inc. Concerning Fuel Sales Under Harbor Lease No. H-82-4, Situated at Honokohau Small Boat Harbor, Kailua-Kona, Kealakehe, Island of Hawaii, Hawaii, Tax Map Key: (3) 7-4-008:042 (por.)
4. Amend Prior Board Action of September 11, 2020, Item J-4, Sale of Concession by Sealed Bid for a Five-Year Parking Contract to Operate a Parking Concession Situated at Ala Wai Small Boat Harbor Honolulu, Island of Oahu, Identified by Tax Map Keys: (1) 2-6-010:003 (Portion), (1) 2-3-037:012 (Portion), :024, :027, :033, :035 and :037.

The purpose of the amendment is to replace Chapter 102-2 with Chapter 103D-302, Hawaii Revised Statutes to the Legal Reference of the Board Action.

5. After-The-Fact Consent to Sublease under Harbor Lease No H-83-2, Kona Marine Holdings, LLC, Lessee, to Kona Coast Skin Diver Limited, Sublessee, Kealakehe, Kailua-Kona, Hawaii, Tax Map Key: (3) 7-4- 008:040.

L. ENGINEERING

1. Request Authorization for the Chairperson to Enter into a Letter of Intent to Drill an Exploratory Well, Acquisition of Land and Future Well Development and Negotiate and Execute a Right-of-Entry for Job No. J10CMIIA, Upcountry Maui Exploratory Well, Tax Map Key: (2)-2-007:037, Makawao, Maui, Hawaii.

M. OTHERS

1. Issuance of a Revocable Permit for Two Aircraft Parking, George's Aviation Services, Inc., Daniel K. Inouye International Airport, Tax Max Key: (1) 1-1-76: Portion of 23.
2. Issuance of a Revocable Permit for Aircraft Parking, Goldenaire, LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 23.
3. Issuance of a Revocable Permit for Aircraft Parking, Paul Leonard, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32.
4. Issuance of a Revocable Permit for Storage Space for Cleaning Supplies, Tunista Logistics Solutions, LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-03: 042 (Portion).
5. Issuance of a Revocable Permit for a Passenger Check-In Counter, ZIPAIR Tokyo, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 058 (Portion).
6. Issuance of a Revocable Permit for Screening Operations for Safe Travels Hawaii and Covid-19 Testing-Coronavirus Response, County of Hawaii, Civil Defense Agency, Ellison Onizuka Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: Portion of 03.
7. Issuance of a Revocable Permit for Ticket Counter and Office Space, K & S Helicopters, Inc. dba Paradise Helicopters, Waimea-Kohala Airport, Tax Map Key: (3) 6-7-001: Portion of 08.
8. Issuance of Month-to-Month Revocable Permit to Clint M. Kagami, LLC, for Storage of Maritime Oil Spill Clean-up Equipment and Booming Operations Equipment, Portion of Warehouse 6, adjacent to Pier 21, Honolulu Harbor, Oahu, Tax Map Key No: (1) 1-5-039: 026 (Portion), Governor's Executive Order No. 2903.
9. Issuance of Month-to-Month Revocable Permit to Ty Pryne for Vessel Storage and Repair, Portion of Warehouse 6, Adjacent to Pier 21, Honolulu Harbor, Oahu, Tax Map Key No: (1) 1-5-039:026 (Portion), Governor's Executive Order No. 2903.
10. Issuance of a Right-of Entry Agreement to Royal Contracting Co., LTD, at Kalaeloa Barbers Point Harbor, Oahu, Tax Map Key No: (1) 9-1-014:024 (Portion).

11. Issuance of Twenty-Eight (28) Month-to-Month Revocable Permits to Young Brothers, LLC, for Various Areas to support their Inter-Island Barge Operations at Kahului Harbor, situated at Piers 2 and 3 Kahului Harbor, Maui, Tax Map Key Nos: (2) 3-7-008:002 (Portion), (2) 3-7-08:003 (Portion), (2) 3-7-010:002 (Portion), (2) 3-7-010:003 (Portion), (2) 3-7-010:999 (Portion), (2) 3-7-008:001 (Portion) and (2) 3-7-010:001 (Portion), Governor's Executive Order Nos. 2635, 3318, HWY 2372, Memo dated 9/15/2017, Transfer to DOT Harbors, and Pending Set-aside by Governor's Executive Order

12. Issuance of Month-to-Month Revocable Permit to Pacific Marine & Supply Company, Ltd., for Office Space and Parking, Honolulu Harbor, Oahu, Tax Map Key No: (1) 1-5-038:001 (Portion), Governor's Executive Order No. 2903.