

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

DATE: FRIDAY, SEPTEMBER 13, 2013
TIME: 9:00 A.M.
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HAWAII 96813

A. MINUTES

1. Approval of June 28, 2013 Minutes
2. Approval of July 12, 2013 Minutes
3. Approval of July 26, 2013 Minutes
4. Approval of August 09, 2013 Minutes

C. FORESTRY AND WILDLIFE

1. Annual Renewal of Right of Entry Permit for Kawainui Marsh State Wildlife Sanctuary: #OA-459-06; TMK: (1) 4-2-016:015; (1) 4-2-013:022 and 005 Kailua, Koolaupoko, Oahu.

D. LAND DIVISION

1. Denial of Request for Contested Case Hearing Regarding BLNR Agenda Item D-1, May 24, 2013, Enforcement Action and Imposition of Fine against Ku'i Palama for Unauthorized Waste Disposal and Trespassing on State Unencumbered Lands; Indefinite Closure and Remediation of State Unencumbered Lands; Request to the Department of the Attorney General to Commence Criminal and/or Civil Proceedings to Recover Costs for Remediation of Unencumbered State Lands at Hanapepe, Kauai, Tax Map Key: (4) 1-8-005:008.

The Board may hold a discussion in 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.

2. Cancellation of Revocable Permit No. S-5113 to Abraham Kailikini and Issuance of Revocable Permit to Travis Kailikini for Pasture Purposes, por. of Hanapepe Valley, Hanapepe, Waimea (Kona), Kauai, Tax Map Key: (4) 1-9-002:031.

3. Consent to Assign General Lease No. S-5642, JJCO Properties, LLC, Assignor, to Edmund Clarence Olson, Trustee of the Edmund C. Olson Trust No. 2, Assignee, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-032:062.
4. Approval in Concept, Withdrawal of Approximately 2 Acres from General Lease No. S-5570, Michael C. Tulang, Lessee, Set Aside to the County of Hawaii for the Kawailani Fire Station and Issuance of a Right-of-Entry, Waiakea Homesteads, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-4-51: portion of 01.
5. Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Beach on September 29, 2013 Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:021 (Portion).
6. Issuance of Right-of-Entry Permit to Hilton Hawaiian Village, LLC for Staging Area and Safety Zone Purposes between October 1, 2013 and March 31, 2014 at Duke Kahanamoku Beach, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:portion of 021.
7. Consent to Sublease General Lease No. S-4644, Vallejo Venture 99 LLC, Lessee, to HI Energy Alternatives Inc. dba Solar Wave Hawaii, Tax Services of America, Inc. dba Jackson Hewitt Tax Service, Mimi Nails and Spa Inc., El Tres Burros Ltd. dba Chez Sports Bar and Grill, Hawaii Dental Group, Inc. and American Dental Alliance, Inc., Kazi Food Corporation of Hawaii dba KFC, Royal Trading International Inc. dba Toys N Joys II, Calvin K. W. Lau dba Superior Jewelry, Kim Chee Restaurant #7, LLC, Mihn To dba JP Serrato Pasta, Pho My Lien, Ltd., Hawaii State Federal Credit Union, as Sublessees, Aiea, Ewa, Oahu, Tax Map Key: (1) 9-8-013:014.
8. Issuance of (1) a right-of-entry permit for construction of an overhead guideway; (2) a grant of a perpetual non-exclusive easement for an overhead guideway; and (3) a direct lease for a park-and-ride facility, all on State lands in East Kapolei, Honouliuli, Ewa, Oahu, TMK (1) 9-1-17:97 por., to City and County of Honolulu for its planned rail transit project.
9. Grant of Perpetual, Non-Exclusive Easement to the City and County of Honolulu on behalf of the Honolulu Authority for Rapid Transportation for Elevated Guideway, Rail Transit Station, Bus Interface, Joint Use Parking Lot Purposes, Aiea, Ewa, Oahu, Tax Map Key: (1) 9-9-003:061, 070, & 071.
10. Discussion on the Status of, and Decision-Making concerning Chapter 11 Bankruptcy Case No. 12-02279, Hawaii Outdoor Tours, Inc., Debtor, Filed in the United States Bankruptcy Court, District of Hawaii, General Lease Nos. S-5844 and S-5372.

The Board may make decisions on the following items:

1. Whether the Board will call the construction bond covering the renovation of improvements at the Naniloa Volcanoes Resort?

2. Whether the Board will extend the time to pay the semi-annual rent installment of \$250,000 due August 1, 2013 and to assume/assign General Lease No. S-5844 until December 31, 2013?
3. Whether the Board will extend the time to pay the \$500,000 increase in the performance bond?

The Board may hold a discussion in 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. ***NO STAFF SUBMITTAL***

J. BOATING AND OCEAN RECREATION

1. Authorize Issuance of Tenant Subleases at the Waikiki Landing Project; Confirm Refined Boundaries of Submerged Lands to be Leased; Request Approval of Declaration of Exemption pursuant to HRS chapter 343 for use of Submerged Lands; Grant Non-Exclusive Access Easement; Approve Construction Right-of-Entry Permit; Delegation of Authority to Chairperson; Honolulu, Oahu, Hawaii. Tax Map Key Nos: (1) 2-6-010:003 (por), 005 & 016; 2-3-37:020.

K. CONSERVATION AND COASTAL LANDS

1. Conservation District Use Application (CDUA) KA-3668 for Kalāheo Water System Improvements by the Kaua`i County-Department of Water Located at Kalāheo and Wahiawa, County of Kaua`i, TMKs: (4) 2-4-003:006 & 007; 2-4-004:005, 039, 049 & 058; and 2-4-009:003.

L. ENGINEERING

1. Declare Project Exempt From Requirements of Chapter 343, HRS, and Title 11, Chapter 200, Hawaii Administrative Rules for Job No. H10C620B, Kahana Valley State Park, Renovate Coconut Grove and Orientation Building Comfort Stations, Kahana, Oahu, Hawaii.
2. Declare Project Exempt From Requirements of Chapter 343, HRS, and Title 11, Chapter 200, Hawaii Administrative Rules for Job No. J45CO41D, Kaluanui Stream Flood Mitigation, Oahu, Hawaii.
3. Certification of Election of Herbert M. Richards, Jr. as Mauna Kea Soil and Water Conservation District Director.
4. Certification of Elections of Oliver English and Ron Nickel and Appointment of Dave Schell and Randy Cabral to Serve as Directors of the Puna Soil and Water Conservation District.

5. Appointment of Lani Petrie as Kau Soil and Water Conservation District Director.
6. Certification of Election of Sheldon Takajo and Appointment of Amy Bugado to Serve as Directors of the Waiakea Soil and Water Conservation District.

M. OTHERS

1. Amendment No. 2 to Lease No. DOT-A-11-0006 Restaurant and Lounge Concession, Additional Premises Host International, Inc., Lihue Airport TMK: (4) 3-5-01: 8 (Portion).

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 8:50 A.M. THE DAY OF THE MEETING.

ALL MATERIALS LISTED ON THIS AGENDA ARE AVAILABLE FOR REVIEW IN THE DLNR CHAIRPERSON'S OFFICE OR ON THE DEPARTMENT WEBSITE THE WEEK OF THE MEETING AT: <http://hawaii.gov/dlnr/chair/meeting/index.html>

INDIVIDUALS REQUIRING SPECIAL ACCOMMODATIONS (ie. large print materials, sign language interpreters) AT THE BLNR MEETING, ARE ASKED TO CONTACT THE CHAIRPERSON'S OFFICE AT (808) 587-0400 AT LEAST THREE DAYS IN ADVANCE OF THE MEETING.