

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

DATE: FRIDAY, OCTOBER 25, 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 July 26, 2013 Minutes
2. Approval of September 12, 2013 Minutes
3. Approval of September 13, 2013 Minutes

C. FORESTRY AND WILDLIFE

1. Request for Authorization to Negotiate, Execute, Amend, and Extend a Contract(s) to Furnish Helicopter Transportation Services for Department of Land and Natural Resources, Division of Forestry and Wildlife

And

Request Approval of Declaration of Exemption to Chapter 343, HRS, Environmental Compliance Requirements for this Procurement.

2. Request for Delegation of Authority to the Chairperson to Negotiate, Approve, Execute, Amend, and Extend Right-of-Entry and Release of Liability Agreements for the Division of Forestry and Wildlife to Conduct Management on Private Lands, Including but Not Limited to Invasive Species and Fire Control, Restoration or Introduction of Native Species, Infrastructure Installation and Maintenance, and Monitoring.

D. LAND DIVISION

1. Amend Prior Board Action of May 24, 2013, Item D-3: Cancellation of Governor's Executive Order Nos. 1747, 2419 and 3114 and Reset Aside to the Department of Land and Natural Resources, Division of Boating and Ocean Recreation for Kukuiula Small Boat Harbor Purposes, Kukuiula, Koloa, Kauai, Tax Map Key: (4) 2-6-03: 61 and (4) 2-6-11: 12 and 18.

Amendment Request: Include Tax Map Key: (4) 2-6-03: 61 in the Exemption Notification Form in Agenda Item D-3 of the Board's May 24, 2013, Meeting.

2. Cancellation of Revocable Permit No. S-7594 to Gilbert F. Barretto, Jr. and Request for Waiver of Phase I Environmental Site Assessment Requirement, Kapaa Homesteads, Kawaihau, Kauai, Tax Map Key: (4) 4-6-009:049 and (4) 4-6-014:074.
3. Consent to Sublease of General Lease No. S-5513, Hospice of Hilo, Lessee, to Technology Credit Corporation, Sublessee, Piihonua, South Hilo, Hawaii, Tax Map Key: (3) 2-3-032: portion of 011.
4. Report on the Status of Chapter 11 Bankruptcy Case No. 12-02279, Hawaii Outdoor Tours, Inc., Debtor, Filed in the United States Bankruptcy Court, District of Hawaii, Including a Report on the Hearing before the Bankruptcy Court Scheduled for October 21, 2013. Discussion will entail at least the following:
 - a. Trustee's Motion for Order (A) Authorizing the Assumption of Certain Unexpired Non-Residential Real Property Leases and (B) Establishing Cure Costs; Declaration of David C. Farmer; Exhibits "A" to "C";
 - b. Secured Creditor First-Citizens Bank and Trust Company's Joinder to Trustee's Motion for Order (A) Authorizing the Assumption of Certain Unexpired Non-Residential Real Property Leases and (B) Establishing Cure Costs;
 - c. State of Hawaii's Memorandum in Opposition to Trustee's Motion for Order (A) Authorizing the Assumption of Certain Unexpired Non-Residential Real Property Leases and (B) Establishing Cure Costs; and
 - d. County of Hawaii's Opposition to Trustee's Motion for Order (A) Authorizing the Assumption of Certain Unexpired Non-Residential Real Property Leases and (B) Establishing Cure Costs; Exhibits A to C.

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.

5. Approval in Concept to Amend General Lease No. S-5177 to Maui County Council Ltd., Boy Scouts of America, Lessee, and Issuance of a Perpetual Non-Exclusive Easement for Parking, Access and Utility Purposes Kahakuloa, Wailuku, Maui, Tax Map Key (2) 3-1-001: 001 por.
6. Issuance of Right of Entry Permit to Team Unlimited LLC for the XTERRA Off – Road Triathlon World Championship, Honolua, Lahaina, Maui, Tax Map Key Numbers: (2) 4-2-004: Seaward of 014, 015 and 016.
7. Grant of Term, Non-Exclusive Easement to Mary Helen Lehmann, Robert Albert Pelletier, Kathleen Ann Mulliken, Annabelle Robin Mulliken, and Mary Helen Lehmann, Trustee of the Pelletier Property Revocable Trust dated March 2, 2012 for

Driveway, Water Tank, Propane Gas Tank, Fencing, and Rock Walls Purposes, Tantalus, Honolulu, Oahu, Tax Map Key: (1) 2-5-019:portion of 009.

8. Resubmittal:

Request to amend prior Board action of March 8, 2013, Item D-8, approval of the modification and assignment of the Development Agreement or alternatively, termination of the original Development Agreement dated November 24, 2010, and all development rights thereunder; for a portion of the former Ewa Feedlot site at Campbell Industrial Park, Honouliuli, Ewa, Oahu, Hawaii, Tax Map Key: (1) 9-1-031:Portion 001. The purpose of the amendment is to modify certain milestones, benchmark deadlines and other terms and conditions previously approved by the Board.

9. Amend Prior Board Action of August 9, 2013, Item D-17:

Consent to Assign General Lease Nos.:

- S-3795, Hanapepe, Waimea, Kauai, Tax Map Key: (4) 1-4-01: pors.;
- S-4028, Papaanui, Makawao, Maui, Tax Map Key: (2) 2-2-07: pors.;
- S-4130, Humuula, North Hilo, Hawaii, Tax Map Key: (3) 3-9-02: pors.;
- S-4320, Punahoa 2nd, South Hilo, Hawaii, Tax Map Key: (3) 2-3-22: pors.;
- S-4402, Nanakuli, Waianae, Oahu, Tax Map Key: (1) 8-9-08: pors.; and
- S-4614, Humuula, North Hilo, Hawaii, Tax Map Key: (3) 3-8-01: 1 & 10 pors.

Hawaiian Telcom, Inc., Assignor, to Global Tower Assets, LLC, Assignee; Authorize Chairperson to Execute Estoppel Certificates in Favor of Global Tower Assets, LLC;

Consent to Assign General Lease Nos.:

- S-4223, Mount Kaala, Mokuleia, Waialua, Oahu, Tax Map Key: (1) 6-7-03: pors.; and
- S-4588, Kalawahine and Opu, Honolulu, Oahu, Tax Map Key: (1) 2-5-19: pors.

Hawaiian Telcom, Inc., Assignor, to GTP Structures I, LLC, Assignee; Authorize Chairperson to Execute Estoppel Certificates in Favor of GTP Structures I, LLC;

Amendment of General Lease Nos. S-3795, S-4028, S-4130, S-4223, S-4320, S-4402, S-4588, and S-4614 to Update the Provisions Relating to Assignment and Subletting, and to Provide that the State shall Receive a Percentage of New Sublease Rents;

Amendment of General Lease No. S-4130 To Set forth the Correct Termination Date of the 31st day of December, 2022; Amendment of General Lease No. S-4320 To Set forth the Correct Termination Date of the 31st day of December, 2034; and

Consent to Sublease General Lease Nos. S-3795, S-4028, S-4130, S-4320, S-4402, S-4614, Global Tower Assets, LLC, Sublessor, to Hawaiian Telcom, Inc., Sublessee; Consent to Sublease General Lease Nos. S-4223 and S-4588, GTP Structures I, LLC, Sublessor, to Hawaiian Telcom, Inc., Sublessee

The Purpose of the Amendment is to Change the Approved Assignee/Sublessor for General Lease Nos. S-3795, S-4130, and S-4614, from Global Tower Assets, LLC to

GTP Structures I, LLC; and to Change the Approved Assignee/Sublessor for General Lease No. S-4588 from GTP Structures I, LLC to Global Tower Assets, LLC.

E. DIVISION OF STATE PARKS

1. Selection of Projects for Federal Grant Awards through the Land and Water Conservation Fund Program.
2. Consent to Assign General Lease No. SP-0147, Richard Taubman, Workstar Occupational Health Systems, Inc., James Wise and Tracy Wise, and Elizabeth Freeman, Assignors, to Workstar Occupational Health Systems, Inc., Kaua'i Kuleana LP, Elizabeth Freeman, James Wise, Tracy Lyman fka Tracy Wise, Assignors, Lot 12, Koke'e Campsites Lots, Waimea (Kona), Kaua'i, Hawai'i, TMK: (4) 1-4-003:010.
3. Request Approval of the Department of Land and Natural Resources' Implementation of Proposed Projects Funded by the Transient Accommodations Tax Revenues, Pursuant to Section 237D-6.5, Hawaii Revised Statutes, as Amended by Act 161, 2013 Session Laws of Hawai'i, and Authorize the Chairperson of the Department of Land Natural Resources to Review and Approve the projects for Fiscal Years 2014 and 2015 on behalf of the Board of Land and Natural Resources.

L. ENGINEERING

1. Declaration of Exemption from Environmental Assessment Requirements of Chapter 343, HRS, and Chapter 11-200, Hawaii Administrative Rules for:

Job No. F64B636B: Mauna Kea State Recreation Area Water System Improvements, Kaohe, Hamakua, Hawaii.

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.