

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

DATE: FRIDAY, OCTOBER 23, 2015
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 12, 2015 Minutes
2. Approval of June 26, 2015 Minutes
3. Approval of July 10, 2015 Minutes
4. Approval of July 24, 2015 Minutes
5. Approval of August 14, 2015 Minutes
6. Approval of August 28, 2015 Minutes
7. Approval of September 11, 2015 Minutes

C. FORESTRY AND WILDLIFE

1. Request to Amend a Fiscal Year 2014 Grant from the Legacy Land Conservation Program to Mohala Hou Foundation by Substituting Aloha Kuamo‘o ‘Āina for Mohala Hou Foundation as the Grant Awardee.

D. LAND DIVISION

1. Partial Withdrawal of Lands Under Governor’s Executive Order No. 2188; Reset Aside to the County of Hawaii for Its Proposed Mass Transit Agency Base Yard Facility; and Immediate Management and Construction Right-of-Entry at Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-1-013: Portion of 148.
2. Intentionally Left Blank

3. Set Aside to the Department of Transportation, Highways Division for Rockfall Mitigation and Stabilization Purposes, Relating to Federal Aid Project No. NH-019-2(41) at Laupahoehoe, North Hilo, Hawaii, Tax Map Key: (3) 3-6-004: Portions of 015 & 017;

Grant of Perpetual, Non-Exclusive Easements to the Department of Transportation, Highways Division, Under Federal Aid Project No. NH-019-2(41) at Laupahoehoe, North Hilo, Hawaii, Tax Map Keys: (3) 3-6-004: Portion of 017; and

Construction Rights-of-Entry to the Department of Transportation, Highways Division for Rockfall Mitigation and Stabilization Purposes, Federal Aid Project No. NH-019-2(41) onto State Parcels at Laupahoehoe, North Hilo, Hawaii, Tax Map Keys: (3) 3-6-004: Portion of Homestead Road.
4. Issuance of Direct Lease to Napuu Water, Inc. for Solar Photovoltaic System Site Purposes, Puuwaawaa, South Kona, Hawaii, Tax Map Key: (3) 7-1-001: portion of 006.
5. Review and Approval of After-the-Fact Right-of-Entry Permit to Gary D. Stice to Access Government Lands for Music Concert Parking Purposes, Haneoo, Hana, Maui, Tax Map Key: (2) 1-4-007:009 por.
6. Amend Prior Board Action of November 14, 2014, Under Item D-12, for the Imposition of a \$5,000.00 Fine, an Additional \$1,000.00 Per Day Violation, and \$220.00 in Administrative Costs Against Maui Kayaks Inc., for Unauthorized Commercial Activities Conducted on State Unencumbered Lands. This Amendment Changes Payment of Fine and Fees from within Thirty (30) Days of the Date of the Board's Action, to a Thirteen (13) Month Payment Plan at 7% Interest of the Declining Balance, Inclusive of an Additional \$500.00 Administrative Fee for a Total Payment of \$6,945.40; at Por. of Keauhou, Kalihi, Waipao, Papaanui, Kaeo, Honuaula, Makawao, Makena, Maui, at Tax Map Key: (2) 2-1-007: Seaward of 083 and 093.
7. Issuance of Right-of-Entry Permit to the Association of Surfing Professionals (ASP) North America LLC , dba The World Surf League, for a Professional Women's Tour Surf Event at Lipoa Point, Honolulu, Lahaina, Maui, Tax Map Key: (2) 4-1-001: Portion of 010.
8. Issuance of a Two Day Right-of-Entry Permit to TEAM Unlimited, LLC. for a Trail Run Competition, and the 2015 XTERRA Off – Road Triathlon World Championship, Kapalua, Lahaina, Maui, Tax Map Key Numbers: (2) 4-2-004: Seaward of 014, 015 and 016.
9. Amend Prior Board Action of September 11, 2015, Item D-6, Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Beach Every Friday From October 2, 2015 to September 30, 2016, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:021 (Por).

The purpose of the amendment is to reinstate the safety zone fee of \$500 for the aerial

fireworks display occurring every Friday.

10. Issuance of Right-of-Entry Permit to Hawaii Explosives and Pyrotechnics, Inc. for Aerial Fireworks Display on November 10, 2015 at the beach fronting Kahala Hotel, Waialae, Honolulu, Oahu, Tax Map Key: (1) 3-5-023:seaward of 041
11. Intentionally Left Blank
12. Amend prior Board of Land and Natural Resources action of January 27, 2012, under agenda item D-14: *Memorandums of Agreement Between the Department of Hawaiian Home Lands (DHHL) and the Department of Land and Natural Resources (DLNR) for Construction and Maintenance of Certain Roads by DHHL in East Kapolei, and Subsequent Dedication of the Roads to the City and County of Honolulu (CCH) by DLNR, Tax Map Keys: (1) 9-1-16: Por. of 141, and (1) 9-1-17: Por. of 110.* The purpose of the amendment is to **(1)** amend tax map key references from (1) 9-1-16: Por. of 141 to (1) 9-1-16:155; **(2)** amend Recommendation 3 to an approval of and recommendation to the Governor the issuance of an executive order setting aside the subject lands to the City and County of Honolulu for the construction, maintenance, repair, management and operation of public roadway improvements and ancillary purposes, and consent to the City's issuance of easements for utilities under, over and across the roadways so set aside, and **(3)** amend the terms of applicable Memorandums of Agreement between DHHL and DLNR
13. Amend Assignment of Lease Evaluation Policy to Allow a Deduction of the Fair Market Value of the Improvements and Trade Fixtures being Transferred to the Assignee from the Consideration Paid by the Assignee to the Lessee-Assignor and to Make Clarification Regarding Treatment of Tangible and Intangible Personal Property.

E. STATE PARKS

1. Establish a Volunteer Agreement with the Stevens World Peace Garden, LLC at the Le'ahi Millennium Peace Garden, Diamond Head State Monument, Honolulu, O'ahu Tax Map Key: (1) 3-1-42: por.10.
2. Establish a Volunteer Agreement with Friends of the Future at Lapakahi State Historical Park, North Kohala, Island of Hawai'i Tax Map Key: (3) 5-7-01: por.22.

F. AQUATICS

1. Request for Approval of a Permit Application for Mr. James K. Mawae for Netting Activities Within Area 1a Only, In Kaunakakai Harbor, Molokai (10/23/2015 – 9/30/2016); And Request to Delegate to The Chairperson the Authority to Approve Future Kaunakakai Harbor Fisheries Management Area Netting Permits.

J. BOATING AND OCEAN RECREATION

1. Delegation of Authority to the Chairperson of the Board of Land and Natural Resources (Board) to approve a Grant Agreement with the Polynesian Voyaging Society (PVS) to assist in funding the Malama Honua Worldwide Voyage.
2. Declare Project Exempt from Requirements of Chapter 343, HRS, and Title 11, Chapter 200, Hawaii Administrative Rules; Issuance of Easement to Hawaii Fueling Facilities Corporation for construction, access, and maintenance of monitoring/recovery wells and interceptor trench at the Keehi Small Boat Harbor, Tax Map Key No. (1) 1-2-025:113.

K. CONSERVATION AND COASTAL LANDS

1. Conservation District Use Application (CDUA) MA-3745 by James Agyropolous, for a shoreline erosion control device that will partially rest on state submerged lands, located at Kuau Bay, Makawao, Maui, offshore of Tax Map Key (2) 2-6-009:005.
2. Acceptance of the Final Environmental Impact Statement (FEIS) for the Schofield Generating Station Project, Department of the Army and Hawaiian Electric Company, Inc., located in the Wahiawā District, Island of Oahu, Tax Map Key(s): (1) 7-7-001:001 & 002; (1) 7-3-001:001, 002, 006, 009, 011-013, 019, 022 & 024; (1) 7-6-001:001 & 006; (1) 9-4-012:001, 003 & 011.
3. Conservation District Use Application (CDUA) MA-3746 by Ray P. Wimberley, Commissioner, for an above ground waterline along Mākena-Keone‘ō‘io Road located at Honua‘ula, Makawao, Maui, Tax Map Keys (2) 2-1-004: 046, 068, 073, and 113.
4. Time Extension Request HA-16-01 by William Spencer of Hawaii Oceanic Technology for a two-year extension of the construction deadlines for Conservation District Use Permit (CDUP) HA-3495 for an open ocean mariculture facility offshore of Malae Point, North Kohala, Hawaii, Tax Map Key (3) 5-0-000:000 (submerged lands).

L. ENGINEERING

1. Appointment of Tyler Johansen and Kirk Derasin to Serve as Directors of the Kau Soil and Water Conservation District.

2. Appointment of Harry Toki to Serve as Director of the Waiakea Soil and Water Conservation District.
3. Request Authorization to Select Consultants and Authorize the Chairperson to Negotiate, Enter, and Execute Agreements with Consultants to Implement and Administer Projects in Support of the Cooperating Technical Partners (CTP) Grant.
4. Request Authorization to Select Consultants and Authorize the Chairperson to Enter Into Contracts or Agreements and Sign the Necessary Related Documents Needed to Perform Activities Required Under the Community Assistance Program-State Support Services Element (CAP-SSSE) Grant.

M. OTHERS

1. Issuance of a Revocable Permit for Office Space, Automobile Parking and Staging Area, Nordic PCL Construction, Inc., Diamond Head Concourse, Honolulu International Airport, Tax Map Key: (1) 1-1-003:001 (Portion).
2. Issuance of a Direct Lease to Hawaii Fueling Facilities Corporation to Provide Fuel Storage and Delivery of Aviation Fuel via Underground Pipelines at Honolulu International Airport, Tax Map Key: (1) 1-1-003: Portion of 001, 005, 009, 038; (1) 1-1-072:Portion of 022; and (1) 1-2-0025:020 & 021.
3. Issuance of a Revocable Permit for Storage Space for Janitorial Supplies, Tunista Services, LLC, Diamond Head Extension, Honolulu International Airport, Tax Map Key: (1) 1-1-003:042 (Portion).
4. Issuance of a Revocable Permit for Airline Ticket Counters and Airline Offices, Virgin America Inc., Ewa & Diamond Head Domestic Extensions, Honolulu International Airport, Tax Map Key: (1)1-1-003: 053 (Por.), 057 (Por.) & 058 (Por.).
5. Issuance of a Revocable Permit for Airline Ticket Counters, Westjet, Diamond Head Domestic Building, Honolulu International Airport, Tax Map Key: (1) 1-1-003: 053 (Portion).
6. Agreement and Amendment to Agreement Consenting to Subordination of Lessor's Rights in Personal Property for Financing Purposes in State Lease No. DOT-A-13-0017, issued to So Ono Food Products, LLC, to Alaska Growth Capital Bidco, Inc., as Lender, Ualena Street, Honolulu International Airport, Tax Map Key: (1) 1-1-014, 103, 113, 114.
7. Amendment to Prior Board Action of August 28, 2015, Item M-6, Issuance of a Revocable Permit, Aviation Academy Hawaii, LLC, Honolulu International Airport, Tax Map Key: (1) 1-1-72:13 (Portion of). This amendment decreases the square footage of the area under the revocable permit, and monthly rental and holdover tenancy fees (or amounts).

8. Amendment to Prior Board Action of June 12, 2015, Item M-3, Issuance of a Direct Lease for a Fixed Based Hangar Facility, Schuman Aviation Company, Ltd. dba Makani Kai Helicopters, Honolulu International Airport, Tax Map Key: (1) 1-1-72:8, (1) 1-1-72:62, (1) 1-1-72 Portion of 82. This amendment changes the annual rental and removes the provision for reopening the annual ground lease rental.
9. Issuance of a Revocable Permit for Aircraft Parking, Hawaii From Above, LLC, Honolulu International Airport, Tax Map Key: (1) 1-1-76: Portion of 23.
10. Issuance of a Revocable Permit for Aircraft Storage, Bruce E. Clements, Kawaihapai Airfield, Waialua, Hawaii, Tax Map Key: (1) 6-08-14-17 (Portion).
11. Issuance of a Direct Lease to Atmos, Inc., to Develop, Construct, Operate, Use and Maintain a Private Hanger Facility for the Storage of Personal Aircraft at Kalaeloa Airport, Island Oahu, State of Hawaii, Tax Map Key: (1) 9-1-13: Portion of 32.
12. Issuance of a Revocable Permit for a Food and Sundry Concession to George Paoa Jr. dba Paoa Productions, Kapalua Airport, Tax Map Key: (2) 4-3-01: 08 Portion of 73.
13. Issuance of Two (2) Non-Exclusive Rent-A-Car Concessions, Molokai Airport, Tax Map Key: (2) 5-2-04: Portion of 8.
14. Issuance of Eight (8) Non-Exclusive Rent-A-Car Concessions, Hilo International Airport, Tax Map Key: (3) 2-1-12: Portion of 9.
15. Issuance of Eight (8) Non-Exclusive Rent-A-Car Concessions, Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 19.
16. Issuance of a Revocable Permit for Air Cargo and Airline Servicing Operations, Aloha Contract Services, LLC, Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43:Portion of 03.
17. Issuance of a Revocable Permit for Air Cargo Operations and Equipment Parking, Aeko Kula, Inc., Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 03.
18. Issuance of Eight (8) Non-Exclusive Rent-A-Car Concessions, Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 3.
19. Issuance of Eight (8) Non-Exclusive Rent-A-Car Concessions, Lihue Airport, Tax Map Key: (4) 3-5-01: Portion of 8.
20. Issuance of a Revocable Permit for Aircraft Parking, Mauna Loa Helicopter Tours LLC dba Mauna Loa Helicopters, Lihue Airport, Tax Map Key: (4) 3-5-01: Portion of 8.

Board may go into Executive Session pursuant to Section 92-5(a) (4), Hawai'i 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.

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://dlnr.hawaii.gov/meetings/>

INDIVIDUALS REQUIRING SPECIAL ACCOMMODATIONS (i.e. 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.