

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

DATE: FRIDAY, DECEMBER 11, 2015  
TIME: 9:00 A.M.  
PLACE: KALANIMOKU BUILDING  
LAND BOARD CONFERENCE ROOM 132  
1151 PUNCHBOWL STREET  
HONOLULU, HAWAI'I 96813

**A. MINUTES**

1. Approval of June 26, 2015 Minutes
2. Approval of July 10, 2015 Minutes
3. Approval of July 24, 2015 Minutes
4. Approval of August 14, 2015 Minutes
5. Approval of August 28, 2015 Minutes
6. Approval of September 11, 2015 Minutes
7. Approval of September 25, 2015 Minutes
8. Approval of October 9, 2015 Minutes
9. Approval of October 23, 2015 Minutes

**B. CONSERVATION AND RESOURCES ENFORCEMENT**

1. Request Board Approval to Enter into a Grant-In-Aid (GIA) Contract for Furnishing of one 30' patrol vessel for the State of Hawai'i Between the Department of Land and Natural Resources, Division of Conservation and Resources Enforcement (DOCARE) and Navatek Boat Builders.
2. Request Board Approval to Enter Contract for furnishing of twenty Semi- Automatic Rifles and ten 12 gauge Shotguns for the State of Hawai'i Between the Department of Land and Natural Resources, Division of Conservation and Resources Enforcement (DOCARE), and Security Equipment Corp.
3. Request Approval of Student Manual, Instructional Videos, and Online Course Updates to the Hunter Education Program Curriculum.

**C. FORESTRY AND WILDLIFE**

1. Request for Authorization for the Chairperson to Solicit Bids, Execute, Amend, and Extend a Contract(s) to Furnish and Install Solar Photovoltaic Systems for Department of Land and Natural Resources, Division of Forestry and Wildlife – Hawai‘i District  
And

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

2. Request for Approval to authorize the Chairperson to Negotiate and Enter into a 6 Month Service Agreement with the Regents of the University of California Davis to Provide Analysis of Genomic Data, and to Provide an Expert Determination of the Level of Hybridization of Hawaiian Ducks on the Island of O‘ahu.  
And

Request Approval of Declaration of Exemption to Chapter 343, HRS Environmental Compliance Requirements for the Project.

**D. LAND DIVISION**

1. After-the-Fact Request to Close State Unencumbered Beach Lands within the Ground Hazard Area for University of Hawai‘i – Hawai‘i Space Flight Lab Missile Launch, Waimea, Kekaha, Kaua‘i, Tax Map Keys: portions Seaward of (4) 1-2-002:040, (4) 1-2-002:036 and (4) 1-2-002:001.
2. Approve Form of Lease for Extended, Amended and Restated General Lease No. S-3961, Hilo-Hawaiian Associates, Inc., Lessee, Waiākea, South Hilo, Hawai‘i, Tax Map Key: 3<sup>rd</sup>/2-1-003:005. The proposed lease contains non-standard provisions regarding the parties’ development agreement, assignment of lease, breach, improvements, improvement bond and withdrawal.
3. Issuance of Right-of-Entry Permit to Hawai‘i County Fire Department on Unencumbered State Lands, Waiākea, South Hilo, Hawai‘i, Tax Map Key: (3) 2-1-012:024.
4. Consent to the Assignment of General Lease Nos. S-4303 & S-4379, David S. De Luz Sr., also known as David De Luz, as Assignor, and General Lease No. S-5848, David S. De Luz Sr., Trustee of the David S. De Luz Sr. Revocable Trust dated October 23, 1991, as amended, as Assignor, to Big Island Toyota, Inc., as Assignee; GL S-4303 & S-4379 situated at Waiākea Industrial Lots, Lot B, Block 48, South Hilo, Hawai‘i, Tax Map Key: (3) 2-2-058:015; GL S-5848 situated at Waiākea House Lots, Lots 15 and 16, Block 39, South Hilo, Hawai‘i, Tax Map Key: (3) 2-2-037:063.
5. Approve a 10-Year Term Extension of General Lease No. S-3604, Roger Antonio, dba Antonio’s Repair Shop, Lessee, Pursuant to Act 207, Session Laws of Hawai‘i 2011;

- Lot 46, Kanoiehua Industrial Lots, Waiākea, South Hilo, Hawai‘i, Tax Map Key: (3) 2-2-049:002.
6. Approve a 10-Year Term Extension of General Lease No. S-3601, BCI Coca-Cola Bottling Company of Los Angeles, Lessee, Pursuant to Act 207, Session Laws of Hawai‘i 2011; Lot 33, Kanoiehua Industrial Lots, Waiākea, South Hilo, Hawai‘i, Tax Map Key: (3) 2-2-049:007.
  7. Issuance of Right-of-Entry Permit to Hawai‘i Explosives & Pyrotechnics, Inc. for Set Up, Firing, and all other Pre-display and Post-display activities for the 2015 Mauna Kea Beach Hotel New Year’s Eve Aerial Fireworks Display on December 31, 2015, until January 1, 2016, on unencumbered State lands, ‘Ōuli, South Kohala, Hawai‘i, Tax Map Key: (3) 6-2-002: seaward of parcel 004.
  8. Approve Essential Terms and Conditions of Development Agreement, and Proposed Plans and Specifications for Improvements for General Lease No. S-4212, Ruby & Sons Hospitality, LLC, Lessee; Authorize Extension, Amendment and Restatement of General Lease No. S-4212, Ruby & Sons Hospitality, LLC, Lessee, for an Aggregate Term of 55 Years, Kama‘ole, South Kihei, Maui, Tax Map Key: (2) 3-9-004:029.
  9. Rescind Prior Board Action of July 8, 2005, Item D-17, Withdrawal from General Lease No. S-4488, University of Hawai‘i, Lessee; Set Aside to Department of Transportation, Harbors Division for Maritime Purposes; and Issuance of a Management and Construction Right-of-Entry; Kalihi, Honolulu, O‘ahu, TMK (1) 1-2-025: portion of 017.  
  
The purpose of the request is to rescind the approval to withdraw from General Lease No. S-4488.
  10. Amendment of General Lease No. 5630 for Pier Purposes by Changing the Rent to Gratis; University of Hawai‘i, Lessee; Waimānalo, Ko‘olaupoko, O‘ahu, Tax Map Key: (1) 4-1-014:014.
  11. Request to Amend Prior Board Action of February 14, 2014, (Item D-16), Cancellation of Governor’s Executive Order No. 172 and 784 and Reset Aside to Department of Human Services for Hawai‘i Youth Correction Facility, Kailua, Ko‘olaupoko, O‘ahu, Tax Map Key: (1) 4-2-006:002 and (1) 4-2-009:006.  
  
The purpose of the amendment is to include Governor’s Executive Order No. 357 and 1692 into the cancellation and reset aside.
  12. Authorize the Issuance of Right-of-Entry for Surveying and Engineering Study Purposes Regarding Proposed Schofield Generating Station; Hawaiian Electric Company, Inc. Applicant; Wahiawa, and Waikele, ‘Ewa, O‘ahu, Tax Map Key (1) 7-6-001:portion of 006 and (1) 9-4-012:portion of 011.

13. Amend Prior Board Approval of August 14, 2015, Item D-12, to Authorize Negotiation and Execution of Memorandum of Agreement among the Board of Land and Natural Resources, the Department of Defense and the Department of Accounting and General Services for Civil Defense Warning Sirens on Land Under the Direct Management of the Department of Land and Natural Resources, at Various Locations, Statewide.

The amendment is to clarify that upon the execution of the MOA among the DLNR, DOD and DAGS, the Land Division will submit a license agreement and report on the compliance with Hawai'i Revised Statutes Chapter 343 for each proposed siren site.

14. Annual Renewal of Revocable Permits on the Islands of Hawai'i, Maui, Moloka'i, Kaua'i and O'ahu. See Exhibit 2 for list of Revocable Permits.
15. Issuance of Direct Lease to Hawai'i Community Development Authority for Property Management Purposes; Consent to Subleases, Fisher Hawai'i Inc. and Hawai'ian Dredging Construction Company, Inc., Sublessees; Kaka'ako, Honolulu, O'ahu, Tax Map Key: (1) 2-1-051:041.

#### **E. STATE PARKS**

1. Approval to Continue Twenty-Three (23) Revocable Permits for Use of State Parks Lands on the Islands of Kaua'i, O'ahu, Maui, and Hawai'i for the following: Kaua'i: Na Pali Kayak Inc., Kayak Kaua'i, a Hawai'i Limited Partnership, Rick Haviland, (Na Pali Coast State Wilderness Park for Commercial Kayak Landings), Clancy Greff and A Na Pali Eco Adventures, Inc, Na Pali Sea Tours, Inc., Lady Ann Cruises Inc., (Na Pali State Wilderness Park Inflatable Boat Landings), Ka Imi Naauao o Hawai'i Nei, Hawai'i United Methodist, Kaua'i Christian Fellowship, (Waimea Canyon State Park Non-profit Recreation-Residences/Camps), Hawai'i Conference Foundation (Koke'e State Park non-profit camp), Sukhothai Corp. (Waimea Canyon State Park Mobile Food Vendor), O'ahu Curtis K. Hong (Diamond Head State Monument Food and Beverage Vending), Bottling Group, LLC, (Diamond Head State Monument beverage vending), Erlinda Molina Villanueva (Ahupua'a O Kahana State Park, Agricultural use), Young Men's Christian Association of Honolulu, Hawai'i Climbing Coalition, (Ka'ena Point State Park, Outdoor Recreational Activities), Discovering Hidden Hawai'i Tours, Inc., (Nutridge House and Grounds being portion of Pu'u 'Ualaka'a State Wayside for Use as a Venue), Maui: Maui Ice and Soda Works, Ltd. (Wai'anapanapa State Park, Beverage Vending), Island Inspirations, LLP (Makena State Park Food Service Vending), Hawai'i: Republic Parking Northwest, Inc. (Hāpuna Beach SRA, Parking Concession), Adventures in Paradise, Inc., Kona Boys, Inc., Iwa Kalua (Kealakekua Bay State Historical Park, Commercial Kayak Tours).

2. Issuance of Right-of-Entry Permit to Galmiche Entertainment LLC. For Aerial Fireworks Display on December 31, 2015 at Sand Island State Recreation, Sand Island, Honolulu, O‘ahu, Tax Map Key: (1) 1-5-041:006 (Portion).
3. Request for Approval of a Proposed Settlement with the United States Environmental Protection Agency for Safe Drinking Water Act Violations, Large Capacity Cesspools at Wai‘ānapanapa State Park, Hāna, Maui (TMK: 2-1-3-005:009); and

Request for Delegation of Authority to the Chairperson to Approve and Execute the Final Settlement.

## **F. AQUATICS**

1. Request for Final Approval to Adopt a New Chapter Under Hawai‘i Administrative Rules as Title 13 Chapter 86.1, “Sea Cucumber Management,” to Regulate the Harvest of Sea Cucumbers from State Waters.
2. Request for Approval to Enter into a Federally Funded Sole Source Contract (Not to Exceed \$199,492.00), Between the Board of Land and Natural Resources and Cascadia Research Collective, to Provide Services to Support State Efforts to Minimize And Mitigate Incidental Take of False Killer Whales and Other Endangered Cetaceans in Hawai‘i; Declaration of Exemption for Contract Actions Under HRS Chapter 343 And HAR Chapter 11-200.
3. Discussion with the Department of the Attorney General regarding the status and possible settlement of *Matthew N. Wynn and Frank Crivello v. Suzanne Case*, Civ. No. 14-00356 DKW RLP that relates to commercial fishing licenses issued by the Division of Aquatic Resources.

The Board will 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 and to engage in attorney-client communications. (*No Staff Submittal*)

## **J. BOATING AND OCEAN RECREATION**

1. Discussion with the Department of the Attorney General regarding the status and possible settlement of *GKM, Inc. v. State of Hawaii, et. al.*, Civ. No. 15-1-054K that relates to Harbor Lease H-82-4 dated April 8, 1983, as amended, for Tax Map Key 7-4-08, Parcel 42.

The Board will 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 and to engage in attorney-client communications. *(No Staff Submittal)*

**L. ENGINEERING**

1. Appointment of Charlie White to Serve as a Director of the Mauna Kea Soil and Water Conservation District.

**M. OTHERS**

1. Direct Issuance of a Revocable Permit to Kirby Offshore Marine Hawaii LLC for Storage of Equipment at Pier 21, Honolulu Harbor, Hawai'i.
2. Amendment No. 24 to Concession Lease No. DOT-A-92-0018 for the Purpose of Adding Four (4) Spaces, Restaurant and Lounge Concession, Host International, Inc., Honolulu International Airport, Tax Map Key: (1) 1-1-03: 1 (Portion).
3. Issuance of a Revocable Permit for Airline Ticket Counters, Jin Air Co., Ltd., Diamond Head Domestic, Honolulu International Airport, Tax Map Key: (1) 1-1-003: 053 (Portion).
4. Issuance of a Revocable Permit for an Administrative Office, SITA Information Networking Computing USA Inc., 'Ewa Domestic Extension, Honolulu International Airport, Tax Map Key: (1) 1-1-003: Portion.
5. Assumption and Assignment of State Lease No. DOT-A-13-0010, Sharp 29 Corporation to Craft & Stone Concepts, Inc., Ualena Street, Honolulu International Airport, Tax Map Key: (1) 1-1-04:11.
6. Issuance of a Revocable Permit for a Parking Area for Cargo Operations, Federal Express Corporation, Honolulu International Airport, Tax Map Key: (1) 1-1-76: 11.
7. Issuance of a Revocable Permit for Aircraft Parking, Kailua Pilots, LLC, Honolulu International Airport, Tax Map Key: (1) 1-1-76: Portion of 23.
8. Issuance of a Revocable Permit for Aircraft Storage, Anthony P. Skinner, Kawaihāpai Airfield, Waiālua, Hawai'i, (1) 6-8-14-16 (Portion).
9. Issuance of a Revocable Permit for Aircraft Storage, Diamond Head Aviation, LLC, Kalaeloa Airport, Island of O'ahu, State of Hawai'i, Tax Map Key: 9-1-13: Portion of 32.

10. Issuance of a Direct Air Charter Terminal Facility Lease, Kaiserair Inc., Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: Portion of 003.
11. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Mokulele Flight Service, Inc., Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: Portion of 40.
12. Issuance of a Revocable Permit for Air Cargo Operations, Trans Executive Airlines of Hawai‘i, Inc., Kona International Airport to Keāhole, Tax Map Key: (3) 7-3-43: Portion of 40.
13. Issuance of a Revocable Permit for Equipment Parking, Courier Corporation of Hawai‘i, Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: Portion of 40.
14. Issuance of a Revocable Permit for Commercial Helicopter Operations, Mauna Loa Helicopter Tours LLC, Līhu‘e Airport, Tax Map Key: (4) 3-5-01: Portion of 8.
15. Issuance of a Revocable Permit for Airport Land for Storage of Rental Car Vehicles, Hawai‘i Rental Cars LLC, Līhu‘e 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.