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

DATE: FRIDAY, AUGUST 09, 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 May 10, 2013 Minutes

2. Approval of May 24, 2013 Minutes

3. Approval of June 13, 2013 Briefing

4. Approval of June 14, 2013 Minutes

5. Approval of June 28, 2013 Minutes

D. LAND DIVISION


3. Consent to Sublease General Lease No. S-4308, KAR Property, LLC, Lessee, to Jodi Narvaez dba Kammy’s Flower Garden, Sublessee, Waiakea, South Hilo, Hawaii; Tax Map Key: (3) 2-2-058:002.

5. Consent to Mortgage of Sublease K-30 with Estoppel Certificate, General Lease No. S-5619, Natural Energy Laboratory of Hawaii Authority (NELHA), Lessee, The Exploration Foundation and West Hawaii Explorations Academy (WHEA), Co-Sublessees/Mortgagor, United States Department of Agriculture, Rural Housing Service, Mortgagee, Kalaoa 1st-4th, North Kona, Hawaii, Tax Map Key: (3) 7-3-043:083.

6. Set Aside to the County of Maui, Department of Public Works, Highways Division, for Stockpiling of Roadway Repair Material Purposes and Issuance of Immediate Management Right-of-Entry, Waiiku, Hana, Maui, Tax Map Key: (2) 1-3-006: Portion of 015.


   Amendment Request: Include TMK: (2) 3-8-08: 20 in the Exemption Notification Form in agenda Item D-8 of the Board’s December 14, 2012, meeting.

9. Amendment of Perpetual, Non-Exclusive Land Office Deed No. S-27836 to Trustees of the Papakea Seawall Easement Trust, on Behalf of the Papakea Association of Apartment Owners, Maintenance and Repair of Existing Seawall and Landscaping of the Easement Area Purposes, Honokowai, Kaanapali, Lahaina, Maui, Tax Map Key: (2) 4-1-001: Seaward of 055. The Amendment is to Include an Additional 943 Square Foot Seawall Encroachment Area, and to Allow the Easement to “Run with the Land”.

10. Grant of Term, Non-Exclusive Easement to Paul D. Gossman, as Trustee of the Paul D. Gossman Residence Trust Dated December 18, 2008, for Seawall Encroachment Purposes, Lahaina, Maui, Hawaii, Tax Map Key: (2) 4-5-003: Seaward of 026.

11. Request that the Board Grant Petition for Contested Case Hearing by Island Adventure Tours, LLC, dba Kelii’s Kayak Tours for a Contested Case Hearing as to Enforcement Action Against Island Adventure Tours, LLC, dba Kelii’s Kayak Tours
Involving Unauthorized Commercial Activities Conducted on State Unencumbered Lands at Olowalu, Lahaina, Maui, Tax Map Key: (2) 4-8-003:001 and for Authorization to Select and Appoint a Hearing Officer.

12. Authorize the Chairperson to Execute Condominium Property Regime Documents; Senior Residence at Iwilei Affordable Rental Housing Project on the State Land Set Aside by Governor's Executive Order No. 4130 to Hawaii Housing Finance and Development Corporation; Iwilei, Honolulu, Oahu; TMK (1) 1-5-007:002.

13. Issuance of Right-of-Entry Permit to Hawaii Pacific University for Research Purposes on Lands Encumbered by Executive Orders Setting Aside for Park Purposes on the Island of Oahu, Tax Map Key: (1) 3-5-22:23, 3-8-3:32, 4-3-11:74 & 75, 4-3-9:1, 4-3-10:83 & 84, 4-6-5:9, 5-2-2:1, 5-3-2:31, 5-4-11:9; 5-4-2:22, 5-4-1:32, 5-8-12:15 & 41 5-9-1:38, 5-9-3:32, 8-1-1:7, 8-1-1:8, 8-2-1:22, 8-3-1:1, 8-5-18:1, 8-7-7:1, and 8-9-1:2.

14. Grant of Perpetual, Non-Exclusive Easement to Hawaiian Telcom, Inc. for Utility Easement Purposes; Issuance of Management and Construction Right-of-Entry; Maunalua, Honolulu, Oahu, Tax Map Key: (1) 3-9-040:011.

15. Authorization to Execute the Administrative Order on Consent for Remedial Investigation/Feasibility Study between the United States Department of the Navy, Environmental Protection Agency, State Department of Health, Department of Land and Natural Resources, and the City and County of Honolulu in the matter of Waipahu Ash Landfill, Waipahu, Ewa, Oahu (1) 9-3-002:027.


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


J. BOATING AND OCEAN RECREATION

1. Petition for a Declaratory Ruling from Unbelievable Sportfishing, Inc. Regarding the Expiration of their Regular Mooring Permit and Commercial Use Permit for the Honokohau Small Boat Harbor.

L. ENGINEERING

1. Certification of Election of Christopher J. Robb as Director of the Mauna Kea Soil and Water Conservation District.

2. Appointment of Dwayne Cypriano as Director of the Hamakua Soil and Water Conservation District.


M. OTHERS


2. Issuance of a Direct Lease to So Ono Food Products, LLC. 3129 Ualena Street, Honolulu International Airport TMK: (1) 1-1-14-103 (portion): 113:114.
3. Rescission to Prior Board Action of February 8, 2013, Item M-7 and Issuance of a Direct Lease to Royal Hawaiian Movers, Inc., 2999 & 3017 Ualena Street, Honolulu International Airport TMK: (1) 1-1-14:01 & 04.


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.