

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

DATE: FRIDAY, NOVEMBER 08, 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 September 12, 2013 Minutes
2. Approval of September 13, 2013 Minutes
3. Approval of September 27, 2013 Minutes
4. Approval of October 11, 2013 Minutes

C. FORESTRY AND WILDLIFE

1. Request Approval of a Forest Stewardship Agreement with Susan Kaye Lundburg Trust to Participate in the State Forest Stewardship Program, TMK (3) 4-1-004:045, Hamakua District, Island of Hawaii

And

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

2. Acceptance of Two Grant of Easements from John J. Cogan, Trustee of the John J. Cogan Revocable Living Trust in Favor of the State of Hawai'i for Access across a portion of Forest Ridge Way to Honolulu Watershed Forest Reserve, Tax Map Key: (1) 2-5-015: Adjacent to 014 & 018, Honolulu, O'ahu.

D. LAND DIVISION

1. Request for Issuance of Right-of-Entry Permit to Kauai Bodyboarding Association for Bodyboarding Contest on December 7 & 8 and December 14 & 15, 2013 at First Ditch Beach, Kekaha, Kauai, Tax Map Key: (4) 1-2-002:seaward of 036. (KDLO)

2. Authorize a One-Year Holdover of General Lease No. S-3795 to Hawaiian Telcom, Inc., or its Assignee, GTP Structures I, LLC, for Telecommunication Purposes, Hanapepe, Waimea, Kauai, Tax Map Key: (4) 1-9-003 portion, and Waimea, Kauai TMK: (4) 1-4-001 portion. (KDLO)
3. Forfeiture of General Lease No. S-4436, Tenrikyo Taiheiyo Kyokai, Kapaa, Kawaihau, Kauai, Tax Map Key(4) 4-5-008:008. (KDLO)
4. Consent to Sublease of General Lease No. S-5976, Hospice of Hilo, Lessee, to Technology Credit Corporation, Sublessee, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-4-001:179. (HDLO)
5. Mutual Cancellation of General Lease No. S-4191 to the University of Hawaii (UH) for the Mauna Kea Science Reserve and Issuance of New Direct Lease to UH for Mauna Kea Science Reserve Purposes; Mutual Cancellation of General Lease No. S-5529 to UH for the Hale Pohaku Mid-Level Facilities and Issuance of New Direct Lease to UH for Hale Pohaku Mid-Level Facilities Purposes; Extension, Amendment and Restatement of Grant of Term Easement S-4697 to UH to Extend the Easement Term by Approximately 45 Years and Update the Easement Instrument with Current Provisions Approved by the Department of the Attorney General, Kaohe, Hamakua, Island of Hawaii, Tax Map Keys: 3rd/ 4-4-15:01 por., 09 & 12. (HDLO)
6. Approval in principle for the acquisition of private lands situate at Kealakehe, North Kona, island of Hawaii, identified as Tax Map Key No.: (3) 7-4-020:10 (portion) for the proposed Kona Judiciary Complex. (HDLO)
7. Issuance of Right-of-Entry Permit to Envisions Entertainment & Productions, Inc., Hawaii Representative for Pyro Spectaculars, Inc. for Aerial Fireworks Display Purposes at Honolua, Lahaina, Maui, Tax Map Key:(2) 4-2-004: seaward of 015. (MDLO)
8. Denial of Request to Modify Fee for Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Displays at Duke Kahanamoku Beach situate at Waikiki, Honolulu, Oahu, Tax Map Key No.: (1) 2-3-037:021 (portion). (ODLO)
9. Consent to Sublease General Lease No. S-5805, Waikiki Community Center, Lessee, to Hawai'i LGBT Legacy Foundation, Sublessees, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-6-025:008. (ODLO)
10. Approval to Enter into License Agreement with Federal Aviation Administration on behalf of the Department of Accounting and General Services, Information and Communication Services Division for Telecommunication Facility Purposes, Maunaloa, Honolulu, Oahu, Tax Map Key: (1) 3-9-009:portion of 001. (ODLO)

11. Amend Prior Board Action of August 8, 2012, Item D-10: Withdrawal from Governor's Executive Order No. 3867 to the Department of Agriculture for the Kahuku Agricultural Park, Approval, in Principle, of the Issuance of a Direct Lease to Na Pua Makani Power Partners, LLC, for a Commercial Renewable Wind Energy Generation Facility; and Issuance of a Right-of-Entry Permit, Kahuku-Malaekahana, Koolauloa, Oahu, TMK: (1) 5-5-08:6

Amendment: The Amendment Seeks the Board's Approval of a Negotiated Development Agreement Between the State and Na Pua Makani Power Partners, LLC, as an Interim Agreement Prior to Entering into a Formal Lease Agreement.

12. 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 November 6, 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"; and
 - b. Trustee's Motion for Order Authorizing: (I) Sale of Hotel Assets, Free and Clear of Liens and Encumbrances; (II) Assignment of Unexpired State of Hawaii General Lease No. S-5844 of Non-residential Real Property Free and Clear of Liens and Encumbrances; and (III) Partial Distribution of Sales Proceeds.

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

13. Request to amend prior Board action of March 8, 2013, Item D-8, approval of the modification and assignment of the Development for the former Ewa Feedlot site at Campbell Industrial Park, Honouliuli, Ewa, Oahu, Hawaii, Tax Map Key: (1) 9-1-031:001. The purpose of the amendment is to modify (1) the Assignee previously approved by BLNR; (2) the area proposed for development; (3) the proposed development plan; and (4) certain milestones, benchmark deadlines and other terms and conditions previously approved by the Board. (ODLO)
14. Authorize a One-Year Holdover of General Lease No. 3163, Robert Emmett Hamilton and Susan Weinert Hamilton, Trustees under The Hamilton Joint Revocable Trust, Lessee, to be Immediately Followed by the Issuance of a Month-to-Month Revocable Permit and Issuance of a Bill of Sale Transferring All Improvements on the Property to the Lessee, Ocean View Lease Lots, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-1-007:029. (HDLO)

E. DIVISION OF STATE PARKS

1. Issuance of Revocable Permit to Discover Hidden Hawai'i Tours, Inc., for Use of the Nutridge House and Grounds as a Pilot Project, Pu'u 'Ualaka'a State Wayside, Opu, Makiki, O'ahu, Tax Map Key: (1) 2-5-019:004 (por.)

F. DIVISION OF AQUATIC RESOURCES

1. Request for Approval of Special Activity Permit 2014-23 for Mr. Alex Filous, University of Hawaii at Manoa, Biology Department, to Take, Tag and Release Alive, Certain Marine Fishes From Within the Molokini Shoal Marine Life Conservation District, Maui for a Study of Fish Movement In Response to Human Activities.

J. DIVISION OF 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 to Navateck, LTD to Survey Ocean Recreation Activities in the South Oahu Ocean Recreation Management Area to Identify Potential Safety/Liability Issues Emerging from New Trends in Water Sports Activity.
2. Authorize the Termination of General Lease No. B-00-1 and Easement to Lana'i Company, Inc., Castle & Cooke Resorts, LLC and the Issuance of the New Lease and Easement by way of Direct Negotiation to Lana'i Resorts, LLC, DBA Pulama Lana'i Manele Small Boat Harbor, Manele, Country of Maui, Island of Lana'i, Tax Map Key (2) 4-9-17:06.

K. OFFICE OF CONSERVATION AND COSTAL LANDS

1. Conservation District Use Application (CDUA) OA-3677 for a 5-acre Pilot Cacao Farm by the Ohulehule Forest Conservancy LLC, Located at Waikane, Ko'olaupoko District, Island of Oahu, Tax Map Key (1) 4-8-006:001.
2. Conservation District Use Application (CUDA) for a Single Family Residence by Peter Dungate, Located at Pahoehe I, South Kona, Island of Hawai'i, Tax Map Key (3) 8-7-007:011.
3. Conservation District Use Application (CUDA) for a Water Pipeline by Kuahiwi Ranch, Located at Old Plantation Spring, Kaiholena, Kau, Hawaii, Tax Map Key (3) 9-7-001:001, 004, and 016.

L. ENGINEERING

1. Authorization to Enter Into Agreements with the Private Property Owners of 1071 Koohoo Place, 1081 Koohoo Place, 1111 Koohoo place, 1115 Koohoo Place, 1123 Koohoo Place, 1129 Koohoo Place, 1129A Koohoo Place, 1135 Koohoo Place, 1141 Koohoo Place and Declaration of Exemption from Environmental Assessment Requirements Chapter 343, HRS, and Chapter 11-200, Hawaii Administrative Rules for Job No. J45C041A Lanikai Rockfall Mitigation, Kailua, Oahu, Hawaii.
2. Appointment of Sumner Erdman to Serve as Director of the Central Maui Soil and Water Conservation District.
3. Certification of Election of Scott Crawford and Appointment of Annette Smith to Serve as Directors of the Hana Soil and Water Conservation District.

M. OTHERS

1. Amendment to Prior Board Action of 8-23-13, Item M-3, Issuance of a Direct Lease to Island Movers, Inc. Honolulu International Airport Request Amendment to Location and Tax Map Key, Area, and Annual Lease Rental TMK: (1) 1-1-072: 5, 6, 34 & 35 (Portion).
2. Issuance of Right-of-Entry to Aloha Petroleum, LTD., Hilo Harbor, Island of Hawaii, Tax Map Key NO: 3rd/2-1-09: Portions of 07 & 62.
3. Issuance of a Lease to the United States of America, Department of Transportation, United States Coast Guard, for Support and Mooring Facilities at Hilo Harbor, Waiakea, South Hilo, Island of Hawaii, Tax Map Key NO. 3rd/ 2-1-09: (Portion).
4. Issuance of a License Agreement to the United States of America, Department of Transportation, United States Coast Guard, for Security Camera on the Aloha Tower, Pier 9, Honolulu Harbor, Oahu, Tax Map Key No. 1st/2-1-01:15 (Portion).
5. Issuance of 1)Right-of-Entry Permits for the Construction of an Elevated Guideway, a Rail Transit Station, and Pedestrian Connector(s), and the Installation and/or Relocation of Utility Facilities: 2) A Grant of Non-Exclusive Term Easement for an Elevated Guideway, A Rail Station, and Pedestrian Connector(s); and 3) Grant of Non-Exclusive Term Easement(s) for Utility Facilities at Honolulu International Airport, Moanalua, Honolulu, Hawaii TMK: (1) 1-1-03, (1)1-1-04, and (1)1-1-14.

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 DLNR MEETING, ARE ASKED TO CONTACT THE CHAIRPERSON'S OFFICE AT (808) 587-0400 AT LEAST THREE DAYS IN ADVANCE OF THE MEETING.