

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

DATE: FRIDAY, SEPTEMBER 25, 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 May 22, 2015 Minutes
2. Approval of June 12, 2015 Minutes
3. Approval of June 26, 2015 Minutes
4. Approval of July 10, 2015 Minutes
5. Approval of July 24, 2015 Minutes
6. Approval of August 14, 2015 Minutes

**C. FORESTRY AND WILDLIFE**

1. Request Approval to Seek the Governor’s Approval to Indemnify the City and County of Honolulu for the Use of Five Parcels Managed by the Division of Forestry and Wildlife as Part of the Pouhala Marsh Wildlife Sanctuary.
2. Annual Renewal of Right of Entry Permit for Kawainui Marsh State Wildlife Sanctuary: #OA15-459-06.
3. Informational Briefing on Hawai‘i’s State Wildlife Action Plan 10 – Year Update.  
*No decisions will be made.*
4. Denial of Petitions for Contested Case Hearing Relating to the Adoption of Emergency Rule § 13-123-21.2 Hawai‘i Administrative Rules on July 10, 2015 Filed by:
  - 1) Michael Kumukauoha Lee; and
  - 2) Andrea DeCosta

#### **D. LAND DIVISION**

1. 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. Grant of Term, Non-Exclusive Easement to Mitsugi Yokotake and Clara N.L. Yokotake for Access and Utility Purposes, por. of Waimea Valley, Waimea, Kaua‘i, Tax Map Key: (4) 1-5-002:045. And  
  
Issuance of Immediate Right-of-Entry Permit to Mitsugi Yokotake and Clara N.L. Yokotake for Access to Property.
3. Approval for Acquisition of Perpetual Easements and Authorization of the Chairperson to Negotiate and Execute Rights-of-Entry on Private Lands for the Menehune Road Rockfall Mitigation Project, Waimea Valley, Waimea, Kaua‘i, Tax Map Keys: (4) 1-6-010:001, 002 & 003 (portions).
4. Approval of License of Private Property of Bank of Hawaii as Trustee of the Kukuioolono Park Trust Estate, as Licensor, to State of Hawaii, by its Board of Land and Natural Resources, on Behalf of the Department of Accounting and General Services, Information and Communication Services Division, as Licensee, for a Transmission Tower and Radio and Microwave Communications Facility for Public Safety and Public Service, at Kalaheo Homesteads, 2<sup>nd</sup> Series, Koloa, Kauai, Tax Map Key (4)2-3-005:por.002.
5. Sale of Lease at Public Auction for Business and/or Commercial Purposes, Waiākea, South Hilo, Hawai‘i, Tax Map Key: (3) 2-2-032:064.
6. Issuance of Land Patent in Confirmation of Land Commission Award No. 7715, ‘Apana 7 to LOTA KAMEHAMEHA, situate at Kamano, District of Kohala, Island of Hawai‘i, Tax Map Key: (3) 5-7-002:010 (portion of).
7. Grant of Perpetual, Non-Exclusive Easement to the County of Hawaii for Waterline Purposes, Lalamilo, Waimea, South Kohala, Hawaii, Tax Map Key: (3) 6-7-003: por. 020 with Issuance of an Immediate Right-of-Entry for Construction and Management Purposes.
8. Issuance of Land Patent in Confirmation of Land Commission Award No. 7690 to KULOU, situate at Kahului 2, North Kona, Hawai‘i Tax Map Key: (3) 7-5-16: 15, 16, 94 and 95, portions of.
9. Issuance of Land Patent in Confirmation of Land Commission Award No. 3960 to NAPAHOA, situate at Paleileihaa, Waihee, District of Wailuku, Maui, portions of

which are included in the areas of Tax Map Keys:(2) 3-2 8:65,66,23,36,37,38,39, and 40.

10. Issuance of Right-of-Entry Permit to John Willard of the Maui Surf 'Ohana as part of the Hawaiian Surf Association for a Two Day Surf Event (Honolua Legends of the Bay) at Lipoa Point, Honolulu, Lāhainā, Maui, Tax Map Key: (2) 4-1-001: Portion of 010.
11. Issuance of Right-of-Entry Permit to Hawai'i Explosives and Pyrotechnics, Inc. for Aerial Fireworks Display on October 3, 2015 at the beach fronting Kahala Hotel, Wai'alae, Honolulu, O'ahu, Tax Map Key: (1) 3-5-023:seaward of 041.
12. Authorize the Issuance of a Direct Lease to University of Hawai'i for Educational Purposes; Set Aside to the Department of Land and Natural Resources, Division of Boating and Ocean Recreation for Boat Launching Facility Purposes; Sand Island, Honolulu, O'ahu, Tax Map Key: (1) 1-5-041:portions of 006, 130 and 334.
13. Grant of Perpetual, Non-Exclusive Easement and Issuance of Immediate Right-of-Entry Permit to Hawaiian Electric Company, Inc. for Guy Wire and Anchor Purposes, Kapālama, Honolulu, O'ahu, Tax Map Key: (1) 1-6-009:portion of 001.
14. Amend Prior Board Action of September 8, 2006, Item D-14 Regarding Issuance of Perpetual Non-Exclusive Easement for Access and Utility Purposes to Dillingham Ranch Aina LLC; Mokulē'ia, Waiālua, O'ahu, TMK (1) 6-8-003:041 And  
  
The purpose of the amendment is to limit the approved easement to utility purposes only, and add another perpetual easement for access and utility purposes.
15. Authorize the Chairperson to execute Supplemental Agreement No. 2 to an existing lease for real property with the United States Army for an additional 25 years within Schofield Barracks Military Reservation for Public School Purposes, Wahiawa, O'ahu, Tax Map Key: (1) 7-7-001:007.
16. Approval in Principle for the Issuance of Direct Lease to City and County of Honolulu, for the Use by the Board of Water Supply, for Water Tank Purposes; Issuance of Immediate Management Right-of-Entry Permit for Due Diligence Purposes, Honouliuli, 'Ewa, O'ahu, Tax Map Key: (1) 9-1-018:portion of 008.
17. Request to Delegate Authority to the Chairperson to 1) Issue Findings of No Significant Impact for Environmental Assessments Submitted for State Land Dispositions and Projects on State Lands, and 2) Declare Exempt those Actions on State Lands that Are Included in the Department-wide Exemption List, Statewide
18. Approval for Acquisition of a Perpetual Conservation Easement over Private Lands of the Turtle Bay Resort and Set Aside to the Division of Forestry and Wildlife situate at Kahuku, Ko'olauloa, O'ahu, Tax Map Keys (1) 5-6-003:various; 5-7-

001:various; 5-7-006:various; and Approval of Acquisition of Private Lands, with Sixty-Five (65) Year Direct Lease Back and Right of Entry to Turtle Bay Resort, LLC for the Acquired Private Lands, situate at Kahuku, Ko‘olauloa, O‘ahu, Tax Map Key (1) 5-7-006:portion 001, portion 002 and portion 023 and 5-7-001:portion 020 and portion 022.

## **F. AQUATICS**

1. Request for Approval of Special Activity Permit 2016-12 for Dr. Mark Hixon, University of Hawai‘i, Department of Biology to Deploy, Install, and Collect Samples from Artificial Coral Modules placed in Waikīkī and the Hānauma Bay Marine Life Conservation District (MLCD), Oahu, Subject to an Approved Memorandum of Agreement Between the Department of Land and Natural Resources and the University of Hawai‘i at Manoa, Office of Research Services.

## **I. HISTORIC PRESERVATION**

1. Request Approval to Authorize the Chairperson to Execute and Sign a Sub-Grant Agreement Between the Board of Land and Natural Resources and Kanehunamoku Voyaging Academy, and to Delegate Authority to the Chairperson to Execute and Sign All Future Sub-Grant Agreements Under the National Maritime Heritage Grant Program.

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

1. Denial of Request for Consent to Assignment of Boating Lease No. BO-13120 dated December 6, 2013 between the State of Hawai‘i, Lessor, and Honey Bee USA, Inc., Lessee; Denial of Request for Consent to Mortgage; Termination of Boating Lease No. BO-13120; and Cancellation of the Board of Land and Natural Resources’ Approval of Non-Exclusive Term Easement to Honey Bee USA, Inc., Honolulu, Oahu, Hawai‘i, Tax Map Keys (1) 2-3-037:012 (por) and 020; (1) 2-6-010:003 (por), 005 and 016.

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.

2. Issuance of a Ten-Year Lease to the E Ala Voyaging Academy, Waiānae Small Boat Harbor, O‘ahu, Hawai‘i, Tax Map Key: (1) 8-5-002:044 for the Purpose of Storing and Maintaining the Voyaging Canoe E Ala as well as Engaging in Educational Activities that Include Polynesian Navigation and Hawaiian Culture Practices

3. Request for a Reduction in Rent Regarding a Right-of-Entry Permit Issued to Ironman World Championships for the Purpose of Conducting a Triathlon at the Kailua-Kona Pier, Hawai‘i. Tax Map Key: 7-5-006:039.
4. Declare Project Exempt from Requirements of Chapter 343, HRS, and Title 11, Chapter 200, Hawai‘i Administrative Rules  
Job No. B94CK71B - Port Allen Small Boat Harbor, Improvement to Piers A and B, Kaua‘i.
5. Request Approval to Adopt Amendments to Hawai‘i Administrative Rules (HAR), Title 13, Section 256-152, Kahalu‘u Bay, in Order to Update Location Designations, Limit Commercial Surf Instruction, and Revise Swim and Surf Zone Restrictions Within Kahalu‘u Bay.

**K. CONSERVATION AND COASTAL LANDS**

1. The Office of Conservation and Coastal Lands will brief the Board of Land and Natural Resources on its Overall Functions with respect to Coastal Lands.  
*No decisions will be made/ No staff submittal .*

**M. OTHERS**

1. Amendment to Prior Land Board Action Dated November 30, 2012, Agenda Item M-3, Regarding Acquisition of Private Lands and Set Aside to Department of Transportation, Harbors Division, for Maritime Purposes, Kapolei, Oahu, Hawai‘i, Tax Map Key: (1) 9-1-14:026 (Portion).
2. Issuance of Revocable Permit to Hawai‘i Stevedores, Inc., Pier 2, Honolulu Harbor, Ka‘ākaukui, Honolulu, O‘ahu, Tax Map key: (1) 2-1-15 (Portion).
3. Issuance of a Massage Chair Concession to Smarte Carte, Inc., Honolulu International Airport, Tax Map Key: (1) 1-1-03:001 (Portion), Kahului Airport, Tax Map Key: (2) 3-8-01:19 (Portion), Hilo International Airport, Tax Map Key: (3) 2-1-12:009 (Portion). Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43:001 (Portion), and Lihu‘e Airport, Tax Map Key: (4) 3-5-01: 008 (Portion).
4. Issuance of a Revocable Permit for a Ramp Office Space, Swissport USA, Inc., ‘Ewa Concourse, Honolulu International Airport, Tax Map Key: (1) 1-1-003: 066 (Portion).
5. Issuance of a Revocable Permit for an Office Space, TM Designers, Inc., ‘Ewa Concourse, Honolulu International Airport, Tax Map Key: (1) 1-1-003: 066 (Portion).

6. Issuance of a Revocable Permit for Aircraft Storage, GR3EN, Inc., Honolulu International Airport, Tax Map Key: (1) 1-1-76:020 (Portion).
7. Issuance of a Revocable Permit for Aircraft Storage, The Affordable Casket Outlet, L.L.C., Honolulu International Airport, Tax Map Key: (1) 1-1-76:022 (Portion).
8. Issuance of a Revocable Permit for Aircraft Parking, Pacific Air Charters, Inc., Honolulu International Airport, Tax Map Key: (1) 1-1-76: 023 (Portion).
9. Issuance of a Revocable Permit for Aircraft Parking, Waiāhole Dreams LLC, Honolulu International Airport, Tax Map Key: (1) 1-1-76:023 (Portion).
10. Issuance of a Revocable Permit for a Tower to Transmit Signals for Cable Television, Emergency Alert Information and WIFI Internet Servicing the Hāna Community, Oceanic Time Warner Cable LLC, Hāna Airport, Tax Map Key: (2) 1-3-03-037.
11. Amendment No. 7 to Concession Agreement No. DOT-A-07-0001 In-Bond (Duty Free) Concession, DFS Group, L.P., Kahului Airport, Tax Map Key: (2) 3-8-01:019 (Portion).
12. Issuance of a Revocable Permit for Ticket Counter Space in Main Lobby, L & L Management, Inc. dba Big Island Air Tours, Kapalua Airport, Tax Map Key: (2) 4-9-02: 055 (Portion).
13. Issuance of a Revocable Permit for a Helicopter Tour Reservations Counter and Office, K & S Helicopters, Inc., Hilo International Airport, Tax Map Key: (3) 2-1-12: 090 (Portion).

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.