

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

DATE: FRIDAY, DECEMBER 12, 2008
TIME: 9:00 A.M.
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HAWAII 96813

A. MINUTES

1. November 14, 2008 Minutes.

B. CONSERVATION AND ENFORCEMENT

1. Request Board Approval of a Memorandum of Agreement Between the County of Kauai and the Department of Land and Natural Resources for the Purpose of Identifying the Duties and Responsibilities to be Borne by Both Parties Regarding DLNR's use of the Kipu/Maluhia Firing Range on the Island of Kauai

C. FORESTRY AND WILDLIFE

1. Request to Conduct a Public Hearing Regarding Withdrawal from the Poamoho Section of Ewa Forest Reserve for Set Aside to the Proposed Poamoho Natural Area Reserve, at Poamoho, Island of Oahu
2. Approval in Concept for the Re-designation of the Kapapala Koa Management Area, TMK (3) 9-8-001:014 Comprising Approximately 1,257 Acres, to the Kau Forest Reserve, Kau District, Hawaii
3. Approval in Concept for the Re-designation of the Makua-Keaau Public Hunting Area, TMK (1) 8-3-001:009 & 018, Comprising Approximately 584 Acres, to the Makua-Keaau Forest Reserve, Ohikilolo Valley, Waianae District, Oahu
4. Memorandum of Agreement Between the Division of Forestry and Wildlife and the Honolulu Fire Department
5. Approval to Conduct Public Hearings to Amend Hawaii Administrative Rules Chapter 13, §13-122, "Rules Regulating Game Bird Hunting, Field Trials and Commercial Shooting Preserves," and §13-123, "Rules Regulating Game Mammal Hunting."

6. Amendment No. 4 of Timber Land License No. H-101 Held by Tradewinds Forest Products, LLC.
7. Request to Amend Prior Board Action of June 13, 2008 Under Item C-3: "Request Approval of Contract with Patrick and Sheila Conant to Participate in State Forest Stewardship Program".

D. LAND DIVISION

1. Forfeiture of Revocable Permit No. S-7282, Lara Butler dba Keapana Horsemanship, Permittee, Wailua, Kawaihau, Kauai, TMK: (4) 3-9-02: portion 20.
2. Issuance of Revocable Permit to Richard Abigania, Kapaa, Kawaihau, Kauai, TMK: (4) 4-5-15:17 & 30.
3. Consent to Assign General Lease No. S-5436, Minnie H.E. Kaawaloa, Assignor, to Jesse K. Kaawaloa, Assignee, Lot 36, Kalapana Section, Kikala-Keokea, Puna, Hawaii, TMK: (3) 1-2-43:36.
4. Consent to Assign General Lease No. S-5445, Robert P. Keliioomalulu Sr., Assignor, to Primo Puulani Keliioomalulu, Assignee, Lot 3, Kapoho Section, Kikala-Keokea, Puna, Hawaii, TMK: (3) 1-2-43:45.
5. Forfeiture of General Lease No. S-4453, Jonathan P. and Mary Nani Spies, Lessee Lot 24, Panaewa Farm Lots, 2nd Series, Waiakea, South Hilo, Hawaii, TMK: (3) 2-4-49:08.
6. Rescind Prior Board Action of September 14, 2007 (Item D-6), to Rescind Its Prior Actions of January 10, 2003 (Item D-16), Issuance of a Term, Non-Exclusive Easement to William and Louise Pape for Access and Utility Purposes at Kuwaikahi Gulch, Manowaiapae and Kihalani, North Hilo, Hawaii, TMK: (3) 3-5-04:35.
7. Grant of Term, Non-Exclusive Easements to The Nature Conservancy for Educational "Respecting Coral Reefs" Sign Purposes, Puako, Lalamilo, South Kohala, Hawaii, TMK: (3) 6-9-01:02 por. & 6-9-06:03 por.
8. Set-Aside of an Easement to County of Hawaii for Emergency Road Purposes, Puako, South Kohala, Hawaii, TMK: (3) 6-9-001:017 por. & 6-9-006:051 por.
9. Consent to Partial Assignment and Assumption of Rights and Obligations under Grant of Non-Exclusive Easement, WB Kukio Resorts, LLC, Assignor, to Kona Water Service Company, Inc., Assignee, Kukio 1st, North Kona, Hawaii TMK: (3) 7-2-04:04 por. & 7-2-06:17 por.
10. Consent to Assign General Lease No. S-5645, Kukio Utility Company, LLC, Assignor, to Kona Water Service Company, Inc., Assignee, Kukio 1st, North Kona, Hawaii, TMK: (3) 7-2-04:22 (formerly 7-2-04:04 por.)

11. Amendment of Grant of Perpetual, Non-Exclusive Easement to Rutter/KW Kohanaiki LLC for Access and Utility Purposes, LOD No. S-28,762, Kohanaiki, North Kona, Island of Hawaii, TMK: (3) 7-3-09: portion of Mamalahoa Trail.
12. Cancellation of General Lease No. S-5640 to the Kona Christian Academy, Incorporated and Issuance of Direct Lease to Makua Lani Christian School for Educational Purposes, Papaakoko, Honokohau, 2nd, North Kona, Hawaii, TMK: (3) 7-4-06:01.
13. Final Approval of the Acquisition of County Lands and Set Aside to the Department of Education for Addition to the Existing Naalehu School Campus, Kaunamano, Kau, Hawaii, TMK: (3) 9-5-09:15.
14. Issuance of Right-of-Entry Permit to Department of Land and Natural Resources, Division of Forestry and Wildlife on Lands Encumbered by Revocable Permit No. S-7054 and Revocable Permit No. S-7271, Kapapala, Ka'u, Hawaii, TMK: (3) 9-8-01:03, & 13.
15. Consent to Lease of Lands under Governor's Executive Order No. 2958 to Kihei Youth Center, Waiakoa, Kula (Kihei), Maui, TMK: (2) 3-9-006:011 por.
16. Amend Prior Board Action of January 25, 2008 Item D-4 Authorize a One-Year Holdover for Grant of Easement No. S-5182, Lahaina Yacht Club and Grant of Term, Non-Exclusive Easement to Lahaina Yacht Club for Maintenance and Repair of Existing Concrete Pillars and Improvements Purposes, Lahaina, Maui, TMK: (2) 4-5-1: Seaward of 5.
17. Amend Prior Board Action of September 14, 2007, Agenda item D-10, Grant of a Perpetual, Non-Exclusive Easement to Keehi Memorial Organization for Seawall, Drainage Channel, Landscaping and Gazebo Structure Purposes, Situated at Keehi Lagoon, Honolulu, Oahu, TMK: (1) 1-1-03:004 (seaward).
18. Consent to Assign of Grant of Non-Exclusive Easement No. S-5201, Makena Barrett White, Assignor, to Geraldine Joy Sarsale & Elizabeth Antonio Sarsale, Assignee, Amend Grant of Non-Exclusive Easement No. S-5201; Makiki, Honolulu, Oahu, TMK: (1) 2-5-003:069.
19. Amend Prior Board Action of March 14, 2008, Item D-6, Grant of Term Non-Exclusive Easement to Sarajejan A. Tokunaga, Trustee, for Seawall and Filled Land Purposed, Kaneohe, Oahu, TMK: (1) 4-5-047:seaward of 116.
20. Grant of Term, Non-Exclusive Easement to James Campbell Company, LLC, for Encroachment Purpose, Nanakuli, Waianae, Oahu, TMK: (1) 8-9-008:001 portion.
21. Amendment of Grant of Easement bearing Land Office Deed No. 27464 to Chevron U.S.A. Inc. for a Brine Water Discharge Pipe Purposes; Honouliuli, Ewa, Oahu, TMK: (1) 9-1-014: seaward of 010.

22. Grant of Perpetual, Non-Exclusive Easement to Board of Water Supply for Drainage and Flowage Purposes, Aiea, Ewa, Oahu, TMK: (1) 9-9-009:013 (portion)

E. STATE PARKS

1. Annual Renewal of Revocable Permits (RP's) on the Islands of Kauai, Hawaii and Oahu, Hawaii

F. AQUATIC RESOURCES

1. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to the Monument Co-Trustee Representatives of the U.S. Department of the Interior, U.S. Fish and Wildlife Service; U.S. Department of Commerce, National Oceanic and Atmospheric Administration; and State of Hawai'i Department of Land and Natural Resources, for Access to State Waters to Conduct Conservation and Management Activities.

H. ADMINISTRATION

1. Request for Final Approval to Adopt Chapter 13-1, Subchapter 7, HAR, Relating to the Civil Resource Violations System, and to Amend and Compile Chapter 13-1, HAR, Relating to Practice and Procedure of the Department

I. HISTORIC PRESERVATION

1. Request for Approval of an Agreement for Grants, Subsidies, and Purchases of Services between the Board of Land and Natural Resources and the Central Union Church

K. OFFICE OF CONSERVATION & COASTAL LANDS

1. Conservation District Use Application (CDUA) HA-3480 for the Subdivision of One Lot into Two at Ainakea, North Kohala, Hawaii, by Charles Anderson and Terry Harrison, TMK (3) 5-3-006:021
2. Conservation District Use Application (CDUA) OA-3452 Request for an After-the-Fact Permit for the Construction of a Driveway and Associated Grading, as well as for the Stabilization of an Existing Cut on the Hillside, at Keaalu, Kaneohe, Koolaupoko District, Oahu, by Joyce and William Chandler, TMKs (1) 4-4-017:111 and 35.
3. Contested Case Hearing Request by Michael Kumukauoha Lee Regarding Amendments to Conservation District Use Permit No. OA-2670 for Construction of a Marina Entrance Channel Located at Honouliuli, Ewa, Oahu, Portion of Plat (1) 9-1-012

4. Conservation District Enforcement File No. HA 09-09 Regarding Alleged Unauthorized Stockpiling of Material by William Cory Foulk and Kona Bali Kai, Within the Conservation District Located Seaward of 76-6346 Alii Drive, Honolulu, North Kona, Island of Hawaii, TMK: (3) 7-6-015:023 (seaward)

L. ENGINEERING

1. Appointment of Olinda-Kula Soil and Water Conservation Director
2. Approval for Award of Construction Contract - Job No. F54B659A, Wailua River State Park Opaekaa Falls Overlook Site Improvements, Wailua, Kauai, Hawaii

M. OTHER

1. Issuance of Revocable Permit to GP Roadway Solutions, Inc., Storage of Guardrails, Concrete Barriers, and related Highway Safety Equipment and Supplies at Kawaihae Harbor, South Kohala, Hawaii
2. Amendment No. 1 to State Lease No. DOT-A-06-0001 Application for Additional Space Resort Air, LLC Honolulu International Airport
3. Issuance of Direct Lease to Mid Pac Petroleum LLC, Kawaihae Harbor, Kawaihae 1st, South Kohala, Island of Hawaii Tax Map Key: 3rd Division, 6-1-03: Portions of 24
4. Issuance of a Sublease to Hoomaikai LLC., a Hawaii Limited Liability Company for a Gift Shop and Related Retail and Office Uses at the No. 1 Capitol District (formerly the Hemmeter Building), Honolulu, Oahu
5. Issuance of a Direct Lease Smoky Mountain Helicopters, Inc. Port Allen Airport
6. Issuance of a Replacement Lease U.S. Department of Commerce National Oceanic and Atmospheric Administration Lihue Airport

N. COMMISSION ON WATER RESOURCE MANAGEMENT

1. Briefing by the staff of the Commission on Water Resource Management (CRWM) on the September 25, 2008 Decision by the CWRM to Amend Interim Instream Flow Standards for the East Maui Surface Water Hydrologic Units of Honopou, Hanehoi, Piinaau, Waiokamilo, and Wailuanui.

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