

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

DATE: THURSDAY, MAY 13, 2010
TIME: 9:00 A.M.
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HAWAII 96813

A. MINUTES

1. March 25, 2010 Minutes
2. April 8, 2010 Minutes (TO BE DISTRIBUTED.)
3. April 19, 2010 Minutes (TO BE DISTRIBUTED.)

B. CONSERVATION AND ENFORCEMENT

1. Request Board Approval to Enter into a Letter of Agreement between the Department of Land and Natural Resources and the Department of Justice, Drug Enforcement Administration (DEA)
2. Request Board Approval to Enter Into a Joint Enforcement Agreement between the Department of Land and Natural Resources and the National Marine Fisheries Service, Office of Law Enforcement (NMFS/OLE)
3. Permission to Extend Contract No. 57948 One Additional Year for DOCARE's Enforcement Management System (EMIS), Statewide Funded by DOCARE Operating Funds

C. FORESTRY AND WILDLIFE

1. Request Approval of Contract with the Hui Ku Maoli Ola, LLC to Participate in the State Forest Stewardship Program
2. Authorization for the Chair to Sign a Memorandum of Agreement between the US Army Garrison of Hawaii and the Department of Land and Natural Resources

3. Request for Approval of Expenditure of Funds and Authorization to Negotiate and Sign Contracts to Implement the Project, "Reforestation of Leeward East Maui" (RFP SPF10-1) to the Tri-Isle Resource Conservation and Development Council, Inc.
4. Request for Approval to Enter into a 2-Year Contract with the Zoological Society of San Diego to Provide Services to Operate the Endangered Bird Captive Propagation Facility on Maui, the Maui Bird Conservation Center, and to Provide Expert Avicultural Services to Conduct Related Forest Bird Propagation Projects at the Keauhou Bird Conservation Center on the Island of Hawaii and Throughout the State.
5. Request for Approval of a Memorandum of Agreement between the Division of Forestry and Wildlife, through its Board of Land and Natural Resources and the University of Hawaii, Institute for Astronomy for Emergency Access to Skyline Trail and Polipoli Access Road, Kahikinui and Kula Forest Reserves, Maui
6. Request for Approval of Federal Funds Sub-Grant to Maui Coastal Land Trust for Purchase of Nu'u Makai Wetland Reserve
7. Progress Briefing to the Board of Land and Natural Resources Regarding Hawaii's **"Statewide Assessment of Forest Conditions and Resources Strategy"**

D. LAND DIVISION

1. Grant of Perpetual Non-Exclusive Easement to Kauai Island Utility Cooperative (KIUC) for Access and Utility Purposes Over Governor's Executive Order No. 97 to the County of Kauai, for Wailua Park Purposes and Authorize the Issuance of a Right-of-Entry for Planning, Construction and Management Purposes, Wailua, Lihue, Kauai, Tax Map Key: (4) 3-9-02: Portion 04
2. Extinguish Two Reservations to the State of Hawaii Covering a Perpetual Non-Exclusive Access Easement and a Perpetual Non-Exclusive Trail Easement Within Land Patent Grant S-15952 issued to The Avataric Ruchirasala of Adidam, Wailua, Kawaihau, Kauai, Tax Map Key: (4) 4-2-007: affecting Parcel: 007
3. Grant of Perpetual, Non-Exclusive Easement to Maxwell Klutke for Access and Utility Purposes, Kapaa Homesteads, 1st and 2nd Series, Kawaihau, Kauai, Tax Map Key: (4) 4-6-33:portion 7
4. Amend Prior Board Action of January 8, 2010, Item D-6, Grant of Perpetual, Non-Exclusive Easement to Motor Supply, Limited, for Access and Utility Purposes over a Portion of Maile Street at the Wailoa River State Recreation Area, Waiakea, South Hilo, Hawaii Tax Map Key: 3rd/2-2-29:01 (por.)

5. Consent to Extension of Lease Term, General Lease No. S-4308, Hilo Sheet Metal, Inc., Lessee, Lot 4, Hilo Industrial Development, Pohaku Street Section, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-58:02
6. Consent to Extension of Lease Term, General Lease No. S-4306, Sears, Roebuck and Co., Lessee, Lot 2, Hilo Industrial Development, Pohaku Street Section, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-58:04
7. Authorize the Chairperson of the Department of Land and Natural Resources to Negotiate the Terms and Conditions, and Sign a Memorandum of Agreement between the Department and Kamehameha Schools for the Remediation of Hawi No. 3 Reservoir (HI ID #00050), Hawi, Hawaii County, located at TMK Nos. (3) 5-5-003:001, 004 & 005
8. Issuance of Revocable Permit to Hawaii Explosives & Pyrotechnics, Inc., Mauna Kea Beach Hotel, South Kohala, Hawaii Tax Map Key: (3) 6-2-2: portion seaward of 4
9. Request that the Board Grant in Part Petition for Contested Case Hearing by Steve Baczkiewicz, Wesley McGee, and Raymond McGee for a Contested Case Hearing as to Enforcement Action as to Steve's Ag Services, Ltd., Steve Baczkiewicz, Contract Milling, Wesley McGee, and Raymond McGee (Loggers) Involving the Removal of Koa and Other Timber Resources and Road Construction on State Unencumbered Lands, Alika and Papa 1, South Kona, Hawaii, Tax Map Key: (3) 8-8-1:8 and for Authorization to Select and Appoint a Hearing Officer
10. Cancellation of Revocable Permit Number S-6930 to Harry K. and Pearl O. Pahukoa for Agriculture Purposes, and Issuance of a New Revocable Permit to Pearl Pahukoa for Agriculture Purposes at Wailua Homesteads, Wailua, Koolau, Hana, Maui, Tax Map Key:(2) 1-1-004:006
11. Issuance of Revocable Permit to Jeanine Thomason (Event Manager) for The Maui Film Festival at Wailea 2010 Event, at Wailea Beach, Maui, Hawaii: Tax Map Key:(2) 2-1-008: seaward of 109
12. Cancellation of Grant of Non-Exclusive Easement Bearing Land Office Deed No. S-28038 to Christian C. and Julia C. Low and Grant of a Term, Non-Exclusive Easement to Anthony and Christine Riecke-Gonzales for Waterline Purposes, Hamakuapoko, Makawao, Maui, Tax Map Key: (2) 2-4-013: Por. 078
13. Cancellation of Governor's Executive Order Nos. 2054 and 2400 and Reset Aside to the Department of Land and Natural Resources, Division of Boating and Ocean Recreation, Together with the Offshore Mooring Area known as the Lahaina Roadstead Mooring Area, for Lahaina Small Boat Harbor Purposes, Waianae, Puako and Pakala, Lahaina, Maui, TMK: (2) 4-6-01: 2, 14 and 17

14. Issuance of Revocable Permit to Oahu Hawaiian Canoe Racing Association for Canoe Race Event at Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-37:por. 21
15. Rescind Prior Board Action of December 9, 2005, Item D-10, Consent to Assign General Lease No. S-4908, Dannielle Ululani (von Hiram) Beirne and Francis Daniel Beirne, Assignors, to Francis Daniel Beirne, Donald F. Beirne and Clayton Beirne, Assignees, Maunalaha Homesites, Maunalana, Honolulu, Oahu, Tax Map Key (1) 2-5-024:003
16. Consent to Assign and Amendment of Area and Term of Grant of Non-Exclusive Easement No. S-5602, SPRINTCOM, INC. Assignor, to STC TWO LLC, Assignee, Kailua, Koolaupoko, Oahu, TMK: (1) 4-2-98:portion of 047
17. Sale of Reclaimed Land to Fordyce Smith Marsh, Jr and Noelani Fowler; Amendment of Grant of Non-Exclusive Easement S-5973; Kaneohe, Koolaupoko, Oahu, Tax Map Key: (1) 4-4-037:seaward of 012
18. Amend General Lease No. S-5806 for Private Noncommercial Pier Purposes; Sevath S. Tanaka Trust, Lessee; Kaneohe, Koolaupoko, Oahu; TMK (1) 4-5-1:seaward of 39
19. Consent to Assign Grant of Non-Exclusive Easement, Bishop of North American Region of Sukyo Mahikari, Assignor, to Iglesia Ni Cristo (Church of Christ), Assignee, Wahiawa, Oahu, Tax Map Key: (1) 7-4-022:portion of 050.
20. Issuance of a Temporary Right-of-Entry Permit to City and County of Honolulu, Department of Transportation Services, Over State Lands Encumbered by Revocable Permit No. S-7359, Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-017:097 por.
21. Issuance of Revocable Permit to Envisions Entertainment & Productions, Inc., for Aerial Fireworks Display at Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-057:seaward of 29.

E. STATE PARKS

1. Request for a Special Use Permit from the World Triathlon Corporation to Use the Hapuna Beach State Recreation Area in South Kohala, Hawaii, for the 2010 Rohto Ironman 70.3 Hawaii
2. Five Year Extension of Lease to Friends of Iolani Palace, 2010 to 2015, for portions of the Iolani Palace State Monument, Oahu
3. Issuance of Revocable Permit to Ms. Grace Anthony for Agricultural Purposes, Ahupua'a O Kahana State Park, Oahu

F. AQUATIC RESOURCES

1. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Education Permit to Alison Rieser, University of Hawaii, for Access to State Waters to Conduct a Marine Conservation Field Studies Course
2. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to Charles Littnan, NOAA Fisheries, Pacific Islands Fisheries Science Center, for Access to State Waters to Conduct Hawaiian Monk Seal Foraging Habitat Assessment Activities.
3. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Education Permit to Vincent Collins, National Oceanic and Atmospheric Administration, Papahānaumokuākea Marine National Monument, for Access to State Waters to Conduct an Interdisciplinary Educators Program

J. BOATING AND OCEAN RECREATION

1. Recommendation for Final Approval for Adoption of Rule Amendment to Chapter 13-231, Section 13-231-26 Hawaii Administrative Rules, As Relating to Allowing One Personal Partner to Reside on the Principle Owners Vessel.

K. CONSERVATION AND COASTAL LANDS

1. Request to Appeal Conservation District Use Permit KA-3525 for Landscaping (Fence Replacement, Brush & Pasture Management and Habitat Improvement) Located at Lepeuli, Hanalei, Kauai, TMK: (4) 5-1-003: 003

The Board may go into Executive Session pursuant to §92-4 & § 92-5(a)(4), Hawaii Revised Statutes (HRS), in order to consult with its attorney on questions and issues relating to departmental permits, and questions and issues pertaining to the board's powers, duties, privileges, immunities and liabilities.

2. Conservation District Use Application MO-3537 for the State of Hawaii, Department of Transportation (DOT) Proposed Kawela Bridge Project, Located at Kawela, Molokai, TMK: (2) 5-4-001:027
3. Decision on Standing for a Contested Case Request by 1) Kale Gumapac and Kanaka Council Moku o Keawe, and 2) Michael Kumukauoha Lee Regarding Conservation District Use Permit (CDUP) HA-3495 for Hawai'i Oceanic Technology, Inc. to establish an Open Ocean Fish Farm offshore of Malae Point, North Kohala, Hawaii.

L. ENGINEERING

1. Approval to Execute Supplemental Contract No. 1 to Contract No. 57977 for Job No. B41CM72C, Kahului Small Boat Harbor Improvements, Phase II, Kahului, Maui, Hawaii
2. Appointment of West Kauai Soil and Water Conservation District Director
3. Certification of Elections and Appointment of Hamakua Soil and Water Conservation District Directors

M. OTHER

1. Issuance of Direct Lease - Goldwings Supply Service, Inc. Honolulu International Airport
2. Issuance of Direct Lease - Pleasant Aircraft Leasing, LLC. Honolulu International Airport
3. Issuance of a One-Year Right-of-Entry to Hawaiian Electric Company, Inc. to Conduct Engineering Studies, at Kalaeloa Barbers Point Harbor, Honouliuli, Ewa, Oahu
4. Issuance of Lease by Direct Negotiation Together with a Right-of-Entry to Pacific Ocean Producers, LLC, Multi-User Building Lot and Improvements Consisting of Units FV7A-H, Domestic Commercial Fishing Village, Pier 38, Honolulu Harbor, Oahu
5. Request for Proposals Pertaining to the Contract for a Fuel Facilities Lease at Kalaeloa Airfield
6. Issuance of a Revocable Permit to Big Island Energy Co. LLC dba Akana Petroleum, at Kawaihae Harbor, Kawaihae 1st, South Kohala, Island of Hawaii, Tax Map Key No. 3rd/6-1-03: 32
7. Issuance of Non-Exclusive Rent-A-Car Concessions Honolulu International Airport

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.