

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

DATE: FRIDAY, DECEMBER 9, 2011
TIME: 9:00 A.M.
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HAWAII 96813

A. MINUTES

1. Approval of October 28, 2011 Minutes
2. Approval of November 10, 2011 Minutes

C. FORESTRY AND WILDLIFE

1. Request Approval to Initiate the Competitive Sealed Proposal Process and Authorize the Chairperson to Issue a Request for Proposals and Award and Execute a Contract for the Construction of Approximately Three Miles of Ungulate-Proof Fence on Leeward Haleakala and

Request Approval of Declaration of Exemption from Chapter 343, HRS, Environmental Assessment Requirements for the Project

2. Request Approval to Initiate the Competitive Sealed Proposal Process, Authorize the Chairperson to Issue a Request for Proposals, and Award and Execute a Contract to Build Approximately 10 Miles of Ungulate-Proof Fence on Mauna Kea to Protect Palila Critical Habitat and

Request Approval of Declaration of Exemption from Chapter 343, HRS, Environmental Assessment Requirements for the Project

3. Approval of Right-Of-Entry and Release of Liability Agreements for the Division of Forestry and Wildlife to Conduct Animal Control Activities for the East Molokai Watershed Partnership on Private Lands at Kapualei and Kawela, Moloka'i, Tax Map Key Nos.: (2) 5-4-003:001, (2) 5-4-003:028, and (2) 5-6-006:001 and

Request for Delegation of Authority to the Chairperson to (1) Negotiate, Approve, and Execute Right-Of-Entry and Release of Liability Agreements for the Division of Forestry and Wildlife to Conduct Animal Control Activities on Private Lands; and (2) Determine and Approve Chapter 343, HRS Environmental Compliance Requirements, Including Approval of Declarations of Exemptions from

Environmental Assessment(s) for the Division of Forestry and Wildlife for Agreements with Private Landowners Related to Animal Control Activities

4. Request to Authorize the Chairperson to Approve a Memorandum of Understanding Between Moanalua Gardens Foundation, Inc., a Hawaii Nonprofit Corporation and the State of Hawaii, Department of Land and Natural Resources, Division of Forestry and Wildlife to Allow Moanalua Gardens Foundation, Inc. to Carry Out Educational Programs and Assist with Improvements to Kamananui (Moanalua) Valley, Oahu

D. LAND DIVISION

1. Amend Prior Board Action of September 23, 2011 Item D-2, Issuance of Revocable permit to Donna Nunes-Hoopii for Residential Purposes, Kapaa, Kawaihau, Kauai, Tax Map Key: (4) 4-5-011: 010
2. Cancellation of Revocable Permit No. S-7682; Re-issuance of new Revocable Permit to Volcano Island Honey Company, LLC, for apiary purposes at Lalamilo, South Kohala, Hawaii, Tax Map Key: 3rd/ 6-9-001: portion of 015.
3. Resubmittal: Status Report on Prior Board Action of January 8, 2010, Item D-12; Confirm Prior Board Action to Cancel Revocable Permit No. S-4350 and Issue Direct Lease to Hawaii Conference Foundation for Church and Landscaping Purposes; Authorize Chairperson to Sign Permit Applications Required for Project, Puako, Lalamilo, South Kohala, Hawaii, Tax Map Key: 3rd/ 6-9-02: 7, 8, 9 por. & 10 por.
4. Amend Prior Board Action of October 23, 1981, Agenda Item F-3, Direct Sale of Highway Remnants, Kaupulehu, North Kona, Hawaii, Tax Map Key:(3) 7-2-05, 06, and 07: R-19, R-20, R-21, R-23, R-24-A, R-24-B, R-26, R-27, R-28, R-29, and R-31.
5. Cancellation of Revocable Permit No. S-6941, Julio Resurreccion, Permittee and Set Aside to the Division of Forestry and Wildlife, Keopu 2, North Kona, Hawai'i, Tax Map Key:3rd/7-5-01:22.
6. Request for Additional Time to Cure Notice of Default, General Lease No. S-5188, Brad Radcliffe Anderson, Cord Dominis Anderson, and D.G. Anderson, Lessee, Auhaueae, North Kona, Hawaii, Tax Map Key: (3) 7-5-09:43.
7. Rescind Prior Board Action of July 8, 2011, Item D-6, for the Issuance of a Revocable Permit to Eric Miller for Pasture Purposes, Waiohonu-Kakio, Hana, Maui, Tax Map Key: (2) 1-4-012:003.
8. Issuance of Revocable Permit to Charles Gale for Pasture Purposes, Waiohonu-Kakio, Hana, Maui, Tax Map Key: (2) 1-4-012:003.

9. Cancellation of Revocable Permit No. S-7626 to Pearl Pahukoa, and Request for Waiver of Level One (I) Hazardous Waste Evaluation Requirement, Wailua, Koolau, Hana, Maui, Tax Map Key:(2) 1-1-004:006.
10. Cancellation of Land License No. S-340 to Hana Trucking & Equipment Co., and Request for Waiver of Level One (I) Hazardous Waste Evaluation Requirement, Kawaipapa, Hana, Maui, Tax Map Key: (2) 1-3-006:015.
11. Issuance of Revocable Permit to Rikelle L. Inzano, for a Team Building Sand Sculpture Event for Amplifon USA, Inc. at Wailea Beach, Honuaula, Wailea, Maui, Tax Map Key: (2) 2-1-008: seaward of 109.
12. Rescind Prior Board Action of October 23, 2009, Item D-6, that involved the Issuance of Revocable Permit to John and Yvonne Medeiros for Pasture Purposes, Waiakoa-Alae 3 & 4 Homesteads, Makawao, Maui, Tax Map Key: (2) 2-2-013:029.
13. Issuance of Revocable Permit to Felix and Roxanne Vellina for Intensive Agriculture Purposes, Kahakuloa Valley, Wailuku, Maui, Tax Map Key: (2) 3-1-004: 092, 095 and 097.
14. Grant of Two (2) Perpetual, Non-Exclusive (Re-Locatable) Easements and Grant of a Right of Entry to Kahoma Land, LLC, and General Finance Group, Inc., Collectively "Kahoma", for Access and Utility Purposes, Wahikuli, Lahaina, Maui, Hawaii, Portions of Tax Map Keys (2) 4-5-21:04 and 22.
15. Issuance of Right-of-Entry Permit to Geolabs, Inc. on Lands Encumbered by Revocable Permit No. 7212, Honolulu, Oahu, Tax Map Key: (1) 1-1-003:por.003.
16. Issuance of Revocable Permit to Honolulu Seawater Air Conditioning, LLC, Sand Island, Honolulu, Oahu, Tax Map Key: (1) 1-5-041:seaward of 006.
17. Cancellation of Governor's Executive Order No. 3576 and Reset Aside to Department of Accounting and General Services for Kalanimoku Building and Law Enforcement Memorial Purposes, Honolulu, Oahu, Tax Map Key: (1) 2-1-033:025.
18. Sale of Remnant to Richard R. Kelley Living Trust, Honolulu, Oahu, Tax Map Key: (1) 3-1-038:042.
19. Amend Character of Use Provision in General Lease No. S-4513, Oahu Special Schools Association, Lessee, Fort Ruger, Honolulu, Oahu, Tax Map Key: (1) 3-1-042:034.
20. Grant of Perpetual, Non-Exclusive Easement to Board of Water Supply for Drainage Purposes; Issuance of Construction and Management Right-of-

Entry; Kahuku, Koolauloa, Oahu, Tax Map Key: (1) 5-6-006:037 & 055 portions.

21. Grant of Perpetual, Non-Exclusive Easement to The Gas Company LLC for Gas Pipeline Purposes, Kapolei, Ewa, Oahu, Tax Map Key: (1) 9-1-017:portion of 071.
22. Issuance of Revocable Permit to Wallace K. Lean III, Kalauao, Ewa, Oahu, Tax Map Key: (1) 9-8-011:006.

E. STATE PARKS

1. Request for Approval to Continue Twenty-Eight (28) Revocable Permits for Use of State Parks Lands on the Islands of Kaua'i, O'ahu, Maui, and Hawai'i for the following: Kaua'i: Na Pali Kayak Inc., Kayak Kaua'i, Rick Haviland, (Na Pali Coast State Wilderness Park for commercial kayak landings), Clancy Greff, Na Pali Sea Tours, Inc., Lady Ann Cruises Inc., (Na Pali State Wilderness Park inflatable boat landings), Wailua Marina Restaurant (Wailua River State Park restaurant), The Lodge at Koke'e (Koke'e State Park lodging accommodations/retail and restaurant use), Ka Imi Naauao o Hawai'i Nei, Hawai'i United Methodist, Kaua'i Christian Fellowship, Camp Hale Koa Association, (Waimea Canyon State Park non-profit recreation-residences/camps), Hawai'i Conference Foundation (Koke'e State Park non-profit camp), Sukhothai Corp. (Waimea Canyon State Park mobile food vendor), O'ahu: Rick Ralston (Pu'u 'Ualaka'a State Wayside recreational/residential use), Wesley and Joan Cash (Kawainui Marsh State Park Reserve, pasture use), Curtis K. Hong (Diamond Head State Monument food and beverage vending), Pepsi Bottling Group (Diamond Head State Monument beverage vending), Jose Gaceta (Ahupua'a O Kahana State Park, pasture use), Erlinda Molina Villanueva (Ahupua'a O Kahana State Park, agricultural use) Maui: Maui Ice and Soda Works, Ltd. (Wai'anapanapa State Park beverage vending), Island Inspirations, LLP (Makena State Park food service vending, Hawai'i: SMCA, Inc. (Hapuna Beach SRA food and beverage vending), Diamond Parking Services, LLC, ('Akaka Falls State Park parking management), Hawai'i Pack and Paddle, Kona Boys, Inc., Iwa Kalua, Adventures In Paradise, LLC (Kealakekua Bay State Historical Park, commercial kayak tours).
2. Requesting Approval of the Issuance of License Agreement #760 between the Department of Hawaiian Home Lands (DHHL) and the Department of Land and Natural Resources for Pala'au State Park, Molokai, TMK: (2) 5-2-13:006.
3. Preliminary Approval in Concept for the Department to Acquire Certain Private Lands for Park Purposes, Waikapu, Wailuku, Maui, Tax Map Key: (2) 3-8-007:101 por.

F. AQUATIC RESOURCES

1. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to Commanding Officer Frank K. Dreflak, National Oceanic and Atmospheric Administration (NOAA) Ship OSCAR ELTON SETTE, for Access to State Waters to Conduct Shipboard Support Activities.
2. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to Commanding Officer Michael F. Ellis, National Oceanic and Atmospheric Administration (NOAA) Ship HI'IALAKAI, for Access to State Waters to Conduct Shipboard Support Activities.

H. ADMINISTRATION

1. Non-Action Item Open Discussion by Board Members about Issues, Policies, etc. affecting the Department of Land and Natural Resources (DLNR) or Board of Land and Natural Resources (BLNR)

J. BOATING AND OCEAN RECREATION

1. Recommend the Board Approve the Issuance of Commercial Use Permits According to the Provisions of §13-231-50 to §13-231-70, HAR, for Commercial Catamaran Activities Taking Place on Waikiki Beach and Near Shore Waters to the Following Operators: Waikiki Cruises, Welakahao Catamaran, Inc., King Parsons Enterprises, Woodbridge, Inc., Kepoikai, Ltd., Island Beach Activities, Inc., and Anela Kai Catamaran, Inc.
2. Cancellation of Revocable Permit (RP) B-93-13 to Kaneohe Canoe Club (KCC) and Issuance of RP to Kaneohe Cultural Foundation (KCF), Located at Heeia Kea Small Boat Harbor, Heeia, Koolaupoko, Kaneohe, Oahu, Tax Map Key: 4-6-006-72, 69 por.
3. Request Approval to Initiate Rule-Making Process to Amend Title 13, by Adopting a New Section 13-256-73.13, "Ahu o Laka Safety Zone" Prohibiting the Possession of Alcohol, Disorderly Conduct and Prohibiting Persons Under the Influence of Alcohol, Narcotics or Drugs from Remaining in or Entering The Safety Zone on Three-day Weekends Involving a State Holiday

K. CONSERVATION AND COASTAL LANDS

1. Conservation District Use Application (CDUA) HA-3601 for Agriculture Pasture Fencing by the Yunis Family Trust Located at Pepekeo, South Hilo, Island of Hawaii, TMK: (3) 2-8-008:100

2. Conservation District Use Application (CDUA) MO-3597 for Mesic Native Forest Restoration and Fencing by Dunbar Ranch Partners Located at Kainalu Ranch, Puniuohua/Kainalu, Molokai, Island of Molokai, TMKs: (2) 5-7-003:053 and portion of (2) 5-7-005:022

L. ENGINEERING

1. Appointment of Dan Clegg as Central Maui Soil and Water Conservation District Director
2. Authorization to Enter Into Memoranda of Agreement between the State of Hawaii, Department of Land and Natural Resources, and State of Hawaii, Department of Transportation, and Other Documents Regarding the Implementation of Ferry System Improvements at Lahaina, Maalaea, and Manele Small Boat Harbors
3. Appointment of Dudley Kubo as South Oahu Soil and Water Conservation District Director
4. Authorization to Enter Into an Inter-Governmental Agreement with the City and County of Honolulu, Department of Environmental Services for the Transfer of Ownership of the Waimanalo Wastewater Treatment Plant, Honolulu, Oahu, Hawaii
5. Authorization to Enter Supplemental Agreement No. 1 to Contract No. 59183 for Job No. B31XM82B, Manele Small Boat Harbor Ferry System Improvements
6. Certification of Election of Susan Cuffe as Hana Soil and Water Conservation District Director

M. OTHER

1. Issuance of a Direct Air Cargo Lease, Aeko Kula, Inc. dba Aloha Air Cargo, Hilo International Airport, Hilo, Hawaii, TMK: (3) 2-1-12: portion of 9
2. Issuance of a Revocable Permit to Klayton Koa, Adjacent to Pier 52, Honolulu Harbor, Oahu, TMK: (1)1-5-41:200 (portion)
3. Issuance of Right-of-Entry Permit to Hawaiian Electric Company, Inc., on Lands Encumbered by Governor's Executive Order No. 3542, Honolulu Harbor, Honolulu, Oahu, TMK: (1) 2-1-001:001 (portion)
4. Issuance of a Hangar Facility Lease to Jack Harter Helicopters, Inc. Lihue Airport, Island of Kauai, State of Hawaii, TMK: (4) 3-5-01: portion of 8
5. Issuance of Right-of-Entry Permit to Avalon Health Care, Incorporated on Lands Encumbered by Executive Order 3504, Kaneohe, Hawaii State Hospital, Oahu, TMK: (1) 4-5-023:002, to Conduct Environmental Studies.

The 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.

IF YOU WANT 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 ASSISTANCE OR ACCOMMODATIONS (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.