

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

DATE: FRIDAY, OCTOBER 26, 2012  
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 14, 2012 Minutes
2. Approval of September 28, 2012 Minutes

**C. FORESTRY AND WILDLIFE**

1. Request to Declare Axis Deer on Hawaii Island to be Destructive to Agriculture, Native Plants, and Wildlife; and

Request to Authorize the Destruction of Axis Deer on Hawaii Island, Without Limitation on the Number Taken, for a Period of Five Years from September 14, 2012, Through September 13, 2017, Without Requiring Permits, Pursuant to Section 13-124-7(g), Hawaii Administrative Rules

2. Request for Approval of the Division of Forestry and Wildlife Placement of Act 82, 2003 Session Laws Hawaii, Warning and Management Signs at Ohai Loop Trail and Waipoli Road on the Island of Maui; Mauna Loa Observatory Road, Manuka Loop Trail, Mauumae, Ala Kahakai, Muliwai Trail, Onomea Trail and Road, and Pololu Trail on the Island of Hawaii

3. Request for Authorization to Negotiate and Sign a Contract(s) to Furnish Helicopter Transportation Services for Department of Land and Natural Resources Division of Forestry and Wildlife, Oahu; and

Request Approval of Declaration of Exemption to Chapter 343, HRS, Environmental Compliance Requirements for This Procurement

4. Request Approval for Selection of the Competitive Sealed Proposal Process and Authorize the Chairperson to Award, Execute, and Extend Contract(s) to Install Ungulate-Proof Fencing Within the Ewa, Kaipapau and Hauula Forest Reserves and Sacred Falls (Kaluanui) State Park, and Adjacent Lands Contingent on Landowner Approval, TMKs (1) 5-2-01:01 por., 5-3-11:01 por., 5-3-11:09 por., 5-4-06:01 por., 6-3-01:01 por., 7-2-01:06 por., and 7-6-01:01 por., Oahu; and

Request Approval of Declaration of Exemption to Chapter 343, HRS, Environmental Compliance Requirements for This Project

5. Request to Issue an Invitation for Bids and Award a Contract for Construction of a Bathroom and Installation of a Septic System for the Olinda Rare Plant Facility, TMK: (2) 2-4-13:05, Makawao, Maui; and

Request Approval of Declaration of Exemption to Chapter 343, HRS, Environmental Compliance Requirements for This Procurement

**D. LAND DIVISION**

1. Amend Prior Board Action of August 10, 2012 Agenda Item D-2, Consent to Assign General Lease No. S-4308, Hilo Sheet Metal, Inc., Assignor, to Kalawe's Auto Repair, LLC, Assignee, Consent to Mortgage but Deny a Request for an Extension of Lease Term, Waiakea, South Hilo, Hawaii, Tax Map Key: 3<sup>rd</sup>/2-2-58:02, by Changing the Approved Assignee and Mortgagor to KAR Property, LLC.
2. Enforcement of Violation on Unencumbered Public Lands, Unauthorized Land Clearing, Construction of Perimeter Fence and Removal of Ohia Timber by Connections New Century Public Charter School, Kukuau, South Hilo, Hawaii; TMK (3) 2-5-06:141 portion.
3. Rescind Prior Board Action of August 12, 2010, Agenda Item D-8, Agreement in Concept for the Issuance of a Direct Lease to North Kohala Community Resource Center, Kahei, North Kohala, Hawaii, Tax Map Key: 3<sup>rd</sup>/5-5-03:25.
4. Cancellation of Governor's Executive Order No. 3706 to the Department of Land and Natural Resources, Division of Boating and Ocean Recreation and Reset Aside to DLNR, Division of State Parks for park purposes, Ka'awaloa, Kealakekua, Kiloa, Waipunaula, Kalama 1, 3, 4 and 5, Liloa and Kahauloa 1, South Kona, Hawai'i; TMKs: (3) 8-2-04:15; and seaward of: 8-1-10 and 11; and 8-2-02, 04, 05 and 06.
5. Grant of an After- the-Fact Term, Non-Exclusive Easement to Association of Apartment Owners of Leilani Kai, for Pool and Pool Deck, Encroachment Purposes, Assess Administrative Costs of \$590; Waiohuli-Keokea, Kula, Maui, Tax Map Key: (2) 3-9-008: Portion of 001.
6. Grant of a Term, Non-Exclusive Easement to the Puamana Community Association for Five (5) Shoreline Encroachment Areas, and Assessment of a \$500.00 Fine and \$940.00 in Administrative Costs Against the Puamana Community Association for Shoreline Encroachments, Puamana, Lahaina, Maui, Tax Map Key: (2) 4-6-028: seaward of 001.

7. After-the- Fact Approval for Aerial Fireworks Display on October 5, 12 and 19, 2012 and Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Beach on Every Friday From October 26, 2012 to September 27, 2013, Waikiki, Honolulu, Oahu, Tax Map Key:(1) 2-3-037:021 (Portion).
8. Extending the Cure Period for Notice of Default, General Lease No. 5376; Shawn C. Kadooka and Dominic K. Kadooka, Lessee, Waimanalo, Koolauapoko, Oahu, Tax Map Key: (1) 4-1-008:079.
9. Issuance of Construction Right-of-Entry Permit to Department of Transportation Relating to Replacement of Maipalaoa Bridge under Federal Aid Project No. BR-093-1-(21), Lualualei, Waianae, Oahu, Tax Map Key: (1) 8-7-005:portion of 004.
10. Sale of a Lease at Public Auction for Industrial Use Purposes, Moanalua, Honolulu, Oahu, Tax Map Key: (1) 1-1-064:006.
11. Consent to Merger of Hilo Hawaiian Associates, Lessee, General Lease No. S-3961, into TN Group Hawaii, Inc. (whose name later changed to Hilo-Hawaiian Associates, Inc.); Agreement in Concept for an Extension of Lease Term, Hilo-Hawaiian Associates, Inc., Lessee, Waiakea, South Hilo, Hawaii, Tax Map Key: 3<sup>rd</sup>/2-1-03:05.

**E. STATE PARKS**

1. Request for Approval of the Placement of Act 82, SLH 2003 Signs at Wailuku River State Park-Boiling Pots and Rainbow Falls Sections and Lava Tree State Monument, Hawaii

**J. BOATING AND OCEAN RECREATION**

1. Petition of Gordon Leslie for the Issuance of a Regular Mooring Permit for Kealakekua Bay, Hawaii

**K. OFFICE OF CONSERVATION AND COASTAL LANDS**

1. Appointment and Selection of a Hearing Officer to Conduct All Hearings for a Contested Case Regarding Enforcement File KA 13-10 Unauthorized Use of a Single Family Residence For Transient Rental Purposes by David Kuraoka Located at Ha`ena, Hanalei, Kaua`i, Tax Map Key: (4) 5-9-002:059
2. Appointment and Selection of a Hearing Officer to Conduct All Hearings for a Contested Case Regarding Enforcement File KA 13-08 Unauthorized Use of a Single Family Residence For Transient Rental Purposes by Gary D. Stice, Paraluman Stice, Ligaya Stice, Apolina Stice Located at Hâ`ena, Hanalei, Kaua`i, Tax Map Key: (4) 5-9-002:022

3. Conservation District Use Application (CDUA) HA-3630 For the Queen Ka'ahumanu Highway Frontage Road: Hulikoa Drive to Kohanaiki Way and Subdivision of Land by Kohaniki Shores, LLC Located at Kohanaiki, North Kona, island of Hawai'i, portion of TMK: (3) 7-3-009:018

#### **L. ENGINEERING DIVISION**

1. Approval to Execute Supplemental Agreement #3 to Contract for Professional Services, Contract No. 58307, for Job No. D00AO67A, Kawai Nui Marsh Levee Project, Oahu, Hawaii, TMK: (1) 4-2-16:1
2. Request Approval and Adoption of the Dam Safety Penalties Schedule for Processing of Minor Civil Resource Violations of the Hawaii Revised Statutes Chapter 179D and the Hawaii Administrative Rules Chapter 190.1; And Request Delegation to the Chairperson of the Administrative Processing of Minor Civil Resource Violations Under the Civil Resource Violation System in Accordance with the Dam Safety Administrative Penalties Schedule
3. Approval of an Application for a DLNR DAM Safety Construction/Alteration Permit for Maunaolu 530 Non-Potable Reservoir Drainage Improvements (OA-0149) Makaha, Oahu, TMK: (1) 8-4-29:135

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.

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