

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

DATE: FRIDAY, MAY 11, 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 November 10, 2011 Amended Minutes
2. Approval of April 20, 2012 Minutes

**C. FORESTRY AND WILDLIFE**

1. Request Approval for Selection of Competitive Sealed Proposal Process and Authorize the Chairperson to Award and Execute a Contract for Development of Geodatabases for the Native Ecosystems Protection and Management Section, Statewide
2. Progress Briefing for Research Projects, Educational Tours and Administrative Challenges of the Hawaii Experimental Tropical Forest, Hawai'i, TMK's (3) 3-7-001:002; (3) 3-7-001:012; (3) 7-1-001:001; (3) 7-1-001:004; (3) 7-1-001:006; (3) 7-1-001:007; (3) 7-1-002:001; (3) 7-1-002:002; (3) 7-1-002:008; (3) 7-1-002:013.
3. Issuance of Management Right-of-Entry to Ahahui Malama I Ka Lokahi, Kailua, Koolaupoko, Oahu, Tax Map Key: (1) 4-2-016:015; (1) 4-2-013:022 and 005
4. Review and Approval of Project Recommendations for Funding from the Fiscal Year 2012 Legacy Land Conservation Program (Land Conservation Fund)
5. Request to Approve Memorandum of Agreement Regarding Public Use of and Access to a Portion of the Alleged Historic Trail Crossing Land Owned by Haleakala Ranch Company. District of Makawao, Ahupua'a of Kalialinui, Maui, TMK: (2) 2-3-005:004.
6. Request for Final Approval to Adopt Hawaii Administrative Rules, Chapter 13-140, "Legacy Land Conservation Program Rules", for the Administration of the Legacy Land Conservation Program and Procedures and Criteria for the Legacy Land Conservation Commission, Including the Following Subchapters:

Subchapter 1. General Provisions – To Set Forth the Purpose of the Program, Contains a Standard Provision Relating to Severability, Defines Terms Regularly Used in the Proposed Chapter, and Delegates Authority from the Department to the Division for the Administration of the Legacy Land Conservation Program (LLCP).

Subchapter 2. Program Administration – To Establish the LLCP, Sets Forth the Administration of Grants and Planning Activities for the Program, and Clarifies the Availability of the LLCP Records for the Public.

Subchapter 3. Legacy Land Conservation Commission Practice and Procedure – To Clarify the Procedures of the Commission, Including Meeting Administration, Quorum, Communications, and Requirements Related to the Sunshine Law.

Subchapter 4. Land Acquisition Grants – To Set Forth the Procedures, Eligibility Requirements, and Post-Award Requirements for Land Acquisition Grants Through the LLCP. The Subchapter Includes Provisions Relating to Deed Restrictions, Reporting Requirements, Grant Disbursement, and Other Policies Formed to Protect the State’s Interests in Administering Public Funds Under Chapter 173, HRS.

Subchapter 5. Criteria for Land Acquisition Grants – To Set Forth the Procedures, Eligibility Requirements, and Post-Award Requirements for Land Acquisition Grants Through the LLCP. The Subchapter Includes Provisions Relating to Deed Restrictions, Reporting Requirements, Grant Disbursement, and Other Policies Formed to Protect the State’s Interests in Administering Public Funds Under Chapter 173, HRS.

Subchapter 6. Operations, Maintenance, and Management Grants – To Set Forth the Procedures, Eligibility Requirements, and Post-Award Requirements for Operations, Maintenance, and Management Grants Through the LLCP.

Subchapter 7. Criteria for Operations, Maintenance, and Management Grants – To Set Forth the Statutory Priorities and the Criteria That the Commission Applies in Advising the Department and the Board and Making Recommendations to the Board Regarding Land Acquisition Grants. The Subchapter Includes Provisions Relating to Grant Disbursement, Monitoring, and Other Policies Formed to Protect the State’s Interests in Administering Public Funds Under Chapter 173, HRS.

Subchapter 8. Enforcement – To Describe How the Board May Act Upon Breach by an Awardee of Contractual Agreements or Deed Restrictions, and Clarifies That Statutory Provisions and Contractual Agreements or Deed Restrictions will be Enforced by the Board.

7. Amendment No. 3 and Extension of Timber Land License No. 2007-H-01 Held by Hawaii Island Hardwoods, LLC.

**D. LAND DIVISION**

1. Issuance of Revocable Permit to Kukuipahu Ranch, LLC for Pasture Purposes; Awalu & Haena, North Kohala, Hawaii, TMK: 3<sup>rd</sup>/5-6-01:01.

2. Consent to Mortgage of Sublease K-4 with Estoppel Certificate, General Lease No. S-5619, Natural Energy Laboratory of Hawaii Authority, Lessee, Cyanotech Corporation, Sublessee/Mortgagor, Pacific Rim Bank, Mortgagee, Kalaoa 1<sup>st</sup>-4<sup>th</sup>, North Kona, Hawaii, Tax Map Key: 3<sup>rd</sup>/ 7-3-043: 063.
3. Grant of Perpetual, Non-Exclusive Easement to County of Hawaii for Sewer Line Purposes and Grant of Perpetual Easement to the Water Board of the County of Hawaii, for Water Line Purposes, Keopu-Honuauula, North Kona, Hawaii, Tax Map Key: 3<sup>rd</sup>/7-5-22:175 portion.
4. Issuance of Right-of-Entry Permit to Maui's Original Hawaiian Corporate Games Inc., for a Team Building Sandcastle Sculpting Event at Wailea Beach, Honuauula, Wailea, Maui, Tax Map Key: (2) 2-1-008: seaward of 109.
5. Amend Grant of Non-Exclusive Easement for Gas Lines Purposes filed under Land Office Deed No. 28331 by Expanding Easement Area; Issuance of Right-of-Entry for Access Purposes, Honolulu, Oahu, Tax Map Key: (1) 1-2-021:portions of 035, 036, 039, 041, and 043 and (1) 1-5-042:portion of 002.
6. Request to Extinguish an Existing Drainage Easement, Gannett Pacific Corporation; Applicant, Honolulu, Oahu, Tax Map Key: (1) 2-1-047:004.
7. Amend Prior Board Action of January 13, 2006, item D-12, by Adding Hawaiian Telecom, Inc. as an Applicant; Grant of Perpetual, Non-Exclusive Easement to Hawaiian Electric Company, Inc. for Access and Utility Purposes, Auwaiolimu, Honolulu, Oahu, Tax Map Key: (1) 2-2-003: portion of 013.
8. Request Approval of Plans for Construction of New Residence, Patricia Moore, Diamond Head View Lots Unit Two, Increment One, Lot 42, Honolulu, Oahu, Hawaii, Tax Map Key: (1) 3-1-048:050.
9. Consent to Stock Purchase Agreement and Assignment and Assumption Agreement Regarding General Lease No. S- 4095 between Olomana Golf Links, Inc. and Hawaii OGL LLC; Revise the Monthly Rent for Revocable Permit No. 7517 for Golf Course Nursery Operations, Waimanalo, Koolaupoko, Oahu, Tax Map Key:(1) 4-1-013:010 & 012.
10. Request to Write-Off Uncollectible Accounts on Oahu.
11. Request Approval of Plans for Construction of New Residence, Carol A Chun Trust, Diamond Head View Lots Unit Two, Increment One, Lot 43A, Honolulu, Oahu, Hawaii, Tax Map Key: (1) 3-1-048:051 and

Authorize the Chairperson to Provide the City and County of Honolulu with an Updated List of Fort Ruger and Diamond Head View Lots whose Building Height Restrictions Expired.

## **F. AQUATIC RESOURCES**

1. Request Approval for the DLNR Chairperson to Amend an Agreement for the Exchange and Use of Confidential Fisheries Information with the National Marine Fisheries Service (NMFS) for Fisheries Management Purposes
2. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to Megan Donahue, University of Hawaii, Hawaii Institute of Marine Biology, for Access to State Waters to Conduct Bioerosion Study Activities
3. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Education Permit to Judith Lemus, University of Hawaii, Hawaii Institute of Marine Biology, for Access to State Waters to Document Fieldwork and Conduct Researcher Interviews
4. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to Dr. Kelly Gleason, Maritime Archeologist, National Oceanic and Atmospheric Administration, Papahānaumokuākea Marine National Monument, for Access to State Waters to Conduct Maritime Heritage Activities
5. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to Loren Scott Godwin, NOAA Office of National Marine Sanctuaries, Papahānaumokuākea Marine National Monument, for Access to State Waters to Conduct Reef Assessment and Monitoring Activities
6. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to Loren Scott Godwin, National Oceanic and Atmospheric Administration, Papahānaumokuākea Marine National Monument, for Access to State Waters to Conduct Invasive Species Survey Activities.

## **I. HISTORIC PRESERVATION**

1. Request Approval to Issue an Invitation for Bids and Authorize the Chairperson to Award, Execute, and Extend Contract(s) for the Unbudgeted Purchase of Four New Midsize 4WD Sports Utility Vehicles and One New Energy Efficient Hybrid 2WD Passenger Vehicle for the State Historic Preservation Division

## **J. BOATING & OCEAN RECREATION**

1. Sale of Concession By Sealed Bid For a Mobile Concession Located at the Ala Wai Small Boat Harbor, Island of Oahu, Hawaii, TMK no. (1) 2-3-037:012 (portion)

**K. CONSERVATION AND COASTAL LANDS**

1. Time Extension Request for Conservation District Use Permit (CDUP) OA-3068 for Kawainui Marsh Improvements by the Division of Forestry and Wildlife Located at Kailua, Koolaupoko, Oahu, Tax Map Key: (1) 4-2-013:005 & 022 and Plat (1) 4-2-016

**L. ENGINEERING**

1. Certification of Election of Roy Oyama as a Director of the West Kauai Soil and Water Conservation District
2. Authorization to Enter Into Agreements With the Private Property Owners of 2402 Kula Kolea Place; 2408 Kula Kolea Place & 2423 Kula Kolea Place and Declare Project Exempt From Requirements of Hawaii Revised Statutes (HRS) Chapter 343, and Hawaii Administrative Rules (HAR) Title 11, Chapter 200 for the Removal and Disposal of Boulders, Honolulu, Oahu, Hawaii

**M. OTHER**

1. Issuance of Direct Lease to Hyak Aviation LLC, Honolulu International Airport, TMK no.: (1)1-1-72:11 (portion)
2. Request to Rescind Prior Land Board Action Under Item M-1, February 10, 2012, and Request for Approval of Revised Amendment No. 1 to Restaurant and Lounge Concession Agreement No. DOT-A-11-0006 at Lihue Airport, TMK: (4) 3-5-01: Portion of 8

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.