

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

DATE: FRIDAY, FEBRUARY 25, 2011
TIME: 9:00 A.M.
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HAWAII 96813

A. MINUTES

1. December 1, 2010 – Amended Minutes
2. December 9, 2010 – Amended Minutes
3. January 13, 2011 – TO BE DISTRIBUTED.
4. January 27, 2011 – TO BE DISTRIBUTED.
5. February 11, 2011 – TO BE DISTRIBUTED.

C. FORESTRY AND WILDLIFE

1. Request for Approval of Grant of Two Access and Utility Easements by the Maui Coastal Land Trust Over a Portion of Tax Map Key (2) 3-2-010:001, Situate at Waihee and Waiehu, Wailuku, Maui, which is Encumbered by a Conservation Easement; Possible Executive Session Pursuant to Hawaii Revised Statutes Section 92-5(a)(4)
2. Request for Approval of Incidental Take License and Habitat Conservation Plan for Kauai Island Utility Cooperative, Island of Kauai
3. Request for Approval of Incidental Take License and Habitat Conservation Plan for the Construction of the Advanced Technology Solar Telescope at the Haleakala High Altitude Observatory Site, Maui, Hawaii

D. LAND DIVISION

1. Issuance of Right-of-Entry Permit to United States Department of Agriculture (USDA), Forest Service for Data Collection Purposes on State Lands at Puna, South Hilo, Laupahoehoe, North Kohala, South Kohala, and Kau, Island of Hawaii, Tax

- Map Key: (3) 1-2-009:044, (3) 2-1-013:002, (3) 2-6-018:013, (3) 4-9-013:001, (3) 5-9-003:004, (3) 6-6-001:002, and (3) 9-6-002:005.
2. Sale of Remnant to Ronald Reilly, Trustee of the Ronald Reilly Revocable Living Trust, Kaumana House Lots, South Hilo, Hawaii, Tax Map Key: 3rd/2-5-05:82.
 3. Issuance of Revocable Permit to Peter H. Jose and Richard A. J. Jose for pasture purposes, Keehia, Hamakua, Hawaii, Tax Map Key: (3) 4-1-004:031.
 4. Approve the Withdrawal of Approximately 1,401.91 Acres from General Lease No. S-4471, Parker Ranch, Inc., Lessee, Parcel 5, Government Lands of Kaohe III, Hamakua, Hawaii, Tax Map Key: 3rd/4-4-15:02 (por.);

Approval in Concept of the Set-Aside to the Department of Land and Natural Resources, Division of Forestry and Wildlife, of such 1,401.91 Acres for Addition to the Mauna Kea Forest Reserve, Grant of Perpetual Non-Exclusive Easement in Favor of DOFAW over a Portion of Approximately 337.741 Acres of Remaining Lease Lands for Access and Utility Purposes; and Issuance of Immediate Management Right-of-Entry, Parcel 5, Government Lands of Kaohe III, Hamakua, Hawaii, Tax Map Key: 3rd/4-4-15:02 (por.); and

Consent to Extension of Lease Term, General Lease No. S-4471, Parker Ranch, Inc., Lessee, for Approximately 337.741 Acres of Remaining Lands of Parcel 5, Kaohe III, Hamakua, Hawaii, Tax Map Key: 3rd/4-4-15:02 (por.).

5. Re-Submittal Consent to Extension of Lease Term, General Lease No. S-4474, Parker Ranch, Inc., Lessee, for Parcels 14-A and 14-B, Government Land of Puu Kawaiwai, Panoluukia and Kapia, South Kohala, Hawaii, Tax Map Keys: 3rd/6-2-01:03, 15.
6. Rescind Prior Board Action of November 9, 1990, Item F-2; Conveyance of Remnants to County of Hawaii; Issuance of Immediate Management Right-of-Entry to the County of Hawaii, Holualoa 1st and 2nd Partition, North Kona, Hawaii, Tax Map Key: (3) 7-6-16:13 and Road Remnant A.
7. Amend Prior Board Action of December 9, 2010(Item D-4), Consent to Mortgage with Estoppel Certificate, Meri-Jo Abrams Manuel, as Successor Trustee of the Lakala Trust, Lessee, Lahaina, Maui, Tax Map Key: (2) 4-5-1:seaward of 55.
8. Amend Prior Board Action of June 10, 2010 (D-11), Grant of Term, Non-Exclusive Easement to Stanley Gerald Dunn, Trustee of the Stanley Gerald Dunn Revocable Living Trust Dated February 27, 2003 for Seawall Purposes, Lahaina, Maui, Tax Map Key: (2) 4-5-003:025 Seaward.
9. Issuance of Revocable Permit to Hawaii Explosives and Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Beach, Waikiki, Honolulu, Oahu, Tax Map Key:(1) 2-3-037:021 portion.

10. Amend Prior Board Action of December 1, 2010, Item D-3, Designation of Certain Select Properties for Income Generation to Support the Management of Lands under the Jurisdiction of the Board and Department of Land and Natural Resources; relating to various TMKs on the Islands of Oahu, Maui, Hawaii and Kauai as articulated in Exhibit B attached hereto and incorporated herein.

F. AQUATIC RESOURCES

1. Request for Approval to Enter into a New FY 12 Federally-Funded (\$330,000) Contract Between the Department of Land and Natural Resources (DLNR) and the University Of Hawaii (UH) for the Collaborative Administration of the Hawaii Fish Aggregating Device (FAD) System
2. Request for Approval to Add Federal Funding (\$385,291) and Extend through FY12 the Department of Land and Natural Resources (DLNR)/University of Hawaii (UH) Contract No. 55137 for the Project Titled Evaluating the Effectiveness of Restricted Fishing Areas for Improving the Bottomfish Fishery
3. Request for Approval to Add Federal Funding (\$52,000) and Extend through FY12 an Existing Project Agreement (Contract No. 52851) between the Board of Land and Natural Resources (BLNR) and the Research Corporation of the University of Hawaii (RCUH) for the Division of Aquatic Resources' Uluu Tagging Project
4. Request for Approval to Add Federal Funding (\$336,561) and Extend through FY12 a Project Agreement (Contract No. 58627) between the Board of Land and Natural Resources (BLNR) and the Research Corporation of the University of Hawaii (RCUH) for the Division of Aquatic Resources' Maui/Oahu Marine Resources Assessment Project
5. Request for Approval to Enter into a New FY12 Federally Funded Project Agreement for \$465,000 between the Board of Land and Natural Resources (BLNR) and the Research Corporation of the University of Hawaii (RCUH) for a Division of Aquatic Resources Project Titled "Investigation of Estuarine Habitats"
6. Request for Approval to Enter into a New FY12 Project Agreement for \$678,000 (\$543,750 Federal, \$134,250 Commercial Fisheries Special Fund) between the Board of Land and Natural Resources (BLNR) and the Research Corporation of the University of Hawai'i (RCUH) for the Division of Aquatic Resources' Hawai'i Marine Recreational Fishing Survey Project
7. Request for Approval to Temporarily Close the Bottomfish Fishing Season for All State Marine Waters in the Main Hawaiian Islands and to Delegate Authority to the DLNR Chairperson to Set This and Future Closure Dates

8. Request for Approval of Special Activity Permit 2011-54 for Dr. Donald Kobayashi, Pacific Islands Fisheries Science Center, NOAA, to Conduct Research on State Regulated Deep-7 Bottomfish in the Main Hawaiian Islands

J. BOATING AND OCEAN RECREATION

1. Petition of Seabird Cruises, Inc. for Waiver of Minimum Gross Receipts Requirement for Reissuance of Commercial Use Permit for Maalaea Small Boat Harbor, Maui

K. CONSERVATION AND COASTAL LANDS

1. Conservation District Use Application (CDUA) HA-3568 for the Thirty Meter Telescope by the University of Hawaii at Hilo, at Mauna Kea Science Reserve, Ka`ohe Mauka, Hamakua District, Island of Hawai`i, TMK: (3) 4-4-015:009
2. Request Decision-making by the Board (a) On its Own Motion to Hold a Contested Case Hearing or Grant Requests by Mauna Kea `Anaina Hou, Fred Stone, KAHEA Environmental Alliance, Kukauakahi (Clarence Ching), and Sierra Club for a Contested Case Hearing, and (b) Appoint a Hearings Officer and Delegate to the Chairperson the Authority to Select Said Hearings Officer to Conduct All Hearings for One (1) Contested Case Hearing, with Respect to Conservation District Use Application (CDUA) HA-3568 for the Thirty Meter Telescope by the University of Hawaii at Hilo, at Mauna Kea Science Reserve, Ka`ohe Mauka, Hamakua District, Island of Hawai`i, TMK: (3) 4-4-015:009

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.

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.