

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

DATE: FRIDAY, MAY 24, 2013
TIME: 9:00 A.M.
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HAWAII 96813

A. MINUTES

1. Approval of April 12, 2013 Minutes
2. Approval of April 26, 2013 Minutes

D. LAND DIVISION

1. Resubmittal: Enforcement Action and Imposition of Fine against Ku'i Palama for Unauthorized Waste Disposal and Trespassing on State Unencumbered Lands; Indefinite Closure and Remediation of State Unencumbered Lands; Request to the Department of the Attorney General to Commence Criminal and/or Civil Proceedings to Recover Costs for Remediation of Unencumbered State Lands at Hanapepe, Kauai, Tax Map Key: (4) 1-8-005:008.
2. Request for Issuance of Right-of-Entry Permit to Kauai Bodyboarding Association for Bodyboarding Contest on June 22, 2013 at Shipwreck Beach, Poipu, Kauai, Tax Map Key: (4) 2-9-001: seaward of 002.
3. Cancellation of Governor's Executive Order Nos. 3134 and 3371 and Reset Aside to the Department of Land and Natural Resources, Division of Boating and Ocean Recreation for Nawiliwili Small Boat Harbor Purposes at Nawiliwili, Lihue, Kauai, Tax Map Key: (4) 3-2-03. And

Cancellation of Governor's Executive Order Nos. 1747, 2419 and 3114 and Reset Aside to the Department of Land and Natural Resources, Division of Boating and Ocean Recreation for Kukuiula Small Boat Harbor Purposes at Kukuiula, Koloa, Kauai, Tax Map Key: (4) 2-6-03: 61 and (4) 2-6-11: 12 and 18.
4. Request for Issuance of Right-of-Entry Permit to Hawaii Sand Festival c/o Julian Miller, for a Sand Castle / Sand Art Contest at Hanalei Bay Beach, Hanalei (Makai), Hanalei, Kauai, Tax Map Key: (4) 5-5-001: seaward of 011, 012, & 013.

5. Request for Issuance of Right-of-Entry Permit to Gan Eden LLC on Vacant Unencumbered State Beach Lands for Beach Access and Clearing at Wainiha Hui, Wainiha, Hanalei, Kauai, Tax Map Key: (4) 5-8-009:047.
6. Consent to 100% Stock Transfer in Hilo Trading Co. Ltd., Lessee under General Lease No. S-4786, from Steven I. Hironaka, Karen R. M. Hironaka and Roy T. Kaneko, Transferor, to Kimberly Snuggerud, Transferee, and Consent to Mortgage, Hilo Trading Co., Ltd. Mortgagor and First Hawaiian Bank, Mortgagee, Waiakea, South Hilo, Hawaii, Tax Map Key: 3rd/2-1-03:08.
7. Deny Request for Mutual Cancellation and Issuance of New Direct Lease, General Lease No. S-3722, Hawaii Pacific Baptist Convention, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-4-057:023.
8. Cancellation of Revocable Permit No. S-7550 to Anna Marie Palomino and Donald Rowen Bowker (dba. Ho'olawa Farms), and Request to Waive Level One (1) Hazardous Waste Evaluation Requirement, Ho'olawa, Hamakualoa, Makawao, Maui, Tax Map Key: (2) 2-9-001:033.
9. Rescind Prior Board Action of October 29, 2009, Item D-7, Issuance of Revocable Permit to Moses K. Kauhaahaa Jr., for Agriculture Purposes, Kahakuloa Valley, Wailuku, Maui, Tax Map Key: (2) 3-1-004: 009 and 014.
10. Issuance of Right-of-Entry Permit to the AOA Maui Sunset onto Unencumbered Government Lands to Remove Seaweed from Shoreline, Waiohuli-Keokea, Maui; Tax Map Key: (2) 3-9-001: seaward of 001.
11. Grant of Term, Non-Exclusive Easement to Bathtub Beach, LLC for Revetment and Steps Purposes; Assess Administrative Cost of \$500, Laie, Koolauloa, Oahu, Tax Map Key: (1) 5-5-002: seaward of 034.
12. Grant of Two (2) Term, Non-Exclusive Easements to Sutton Family Partners for Seawall and Rock Pile Purposes; Issuance of Two (2) Management Right-of-Entry Permits; Assess Administrative Cost of \$500 per Easement, Mokuleia, Waialua, Oahu, Tax Map Key: (1) 6-8-010: seaward of 014 & 015.
13. Grant of Term, Non-Exclusive Easement to Gregory Michaels for Seawall and Concrete Footing Purposes; Issuance of Management Right-of-Entry; Assess Administrative Cost of \$500, Mokuleia, Waialua, Oahu, Tax Map Key: (1) 6-8-010: seaward of 021.
14. Issuance of Right-of-Entry Permit to Paradigm Construction LLC on Unencumbered Lands for Realigning a Swale for Drainage Purpose, Waipahu, Ewa, Oahu, Tax Map Key: (1) 9-4-166:026.

E. STATE PARKS

1. Request to Approve License No. N6274293RP00066 with the Department of the Navy for Non-Federal use of Real Property at 'Aiea Bay State Recreation Area, 'Aiea, O'ahu.
2. Request for a Sole Source Approval for a Proposed Three-Year Lease for the Operation of an Interpretive and Merchandising Kiosk in Diamond Head State Monument, O'ahu and the determination that the exception in Chapter 102-2(b)(10) applies to Pacific Historic Parks.

J. BOATING AND OCEAN RECREATION

1. Request Approval to Initiate Rule-Making Proceedings (Including Public Hearing) to (1) Amend and Compile Hawaii Administrative Rules, Chapter 13-231, Operation of Boats, Small Boat Harbors, and Permits; Chapter 13-251, Waikiki and Kaanapali Ocean Waters; and Chapter 13-253, Registration and Permit Fees; and (2) Amend Hawaii Administrative Rules, Section 13-256-3 Commercial operator permit requirements and Section 13-256-4 Commercial vessel and water sports equipment registration requirements, in Order to Update, Revise, and Reorganize Rules Relating to Commercial Activities in State Navigable Waters and at Boat Harbors and Facilities Under the Department's Jurisdiction. Attached to this Agenda and Incorporated Herein are the Proposed Changes to Chapter 13-231 (Exhibit "B-1"), Chapter 13-251 (Exhibit "B-2"), Chapter 13-253 (Exhibit "B-3"), and Sections 13-256-3 and 13-256-4 (Exhibit "B-4").
2. Approval in Principle for Issuance of Direct Lease to Maui Dry Dock & Boat Storage, LLC for a Vessel Haul out, Boat Storage, and for Purposes of General Commercial Marine Services, Kahului Harbor, Wailuku, Maui, Tax Map Key: (2) 3-7-001:023 and Por. 21.

K. CONSERVATION AND COASTAL LANDS

1. Conservation District Use Application (CDUA) KA-3649 for the Repair and Reconstruction of the Moanakai Seawall/Revetment by the County of Kaua'i Located Makai of Tax Map Key: 4-5-002:023 & Plat (4) 4-5-001:

L. ENGINEERING

1. Declare Project Exempt From Requirements of Chapter 343, HRS, and Title 11, Chapter 200, Hawaii Administrative Rules Job No. H56C695A Diamond Head State Monument State Parks Energy Efficiency and Conservation Projects Honolulu, Oahu, Hawaii.

2. Permission to Contract a Professional Services Consultant to Conduct Planning and Design Services for Improvements to the DLNR Administrative Building, Wailuku Maui.
3. Request Authorization to Select Consultants and Authorize the Chairperson to Negotiate and Execute Agreements with Consultants, Contractors and/or Government Agencies as Necessary to Administer HRS Chapter 179D, Entitled the Dam and Reservoir Safety Act of 2007.

M. OTHERS

1. Amendment to Prior Board Action of May 11, 2012, Item M-1, Issuance of a Direct Lease to Hyak Aviation LLC Honolulu International Airport Tax Map Key: (1) 1-1-072:11 (portion).
2. Amendment No. 1 to State Lease No. DOT-A-93-0007 Ten (10) Year Lease Extension Hawaii Aviation Contract Services, Inc. Honolulu International Airport Tax map Key: (1) 1-1-76:07.

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.