

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

DATE: FRIDAY, JULY 12, 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 May 10, 2013 Minutes
2. Approval of May 24, 2013 Minutes

C. FORESTRY AND WILDLIFE

1. Request for Delegation of Authority to the Chairperson to Negotiate, Approve, Execute, Amend, and Extend a Memorandum of Agreement with the City and County of Honolulu Board of Water Supply (BWS) Regarding Disbursement of Funding for Watershed Protection Activities on BWS Priority Watershed Areas on Oahu.
2. Update on “Hahai No Ka Ua I Ka Ululā`au – The Rain Follows the Forest – A Plan to Replenish Hawaii’s Source of Water”
3. Request for Delegation of Authority to the Chairperson to (1) Negotiate, Approve, Execute, Amend, and Extend Right-of-Entry and Release of Liability Agreements for the Division of Forestry and Wildlife to Conduct Conservation Management on Private Lands, Including Invasive Species and Fire Control, Restoration or Introduction of Native Species, Infrastructure Installation and Maintenance, and Monitoring; and (2) Determine and Approve Chapter 343, HRS Environmental Compliance Requirements, Including Approval of Declarations of Exemptions for the Division of Forestry and Wildlife for Agreements with Private Landowners Related to Conservation Management Activities.
4. Request to Extend the Closure of Kahauale‘a Natural Area Reserve, Island of Hawai‘i, to the Public Pursuant to HAR § 13-209-4.5 for Public Safety Purposes.

D. LAND DIVISION

1. RESUBMITTAL: After-the-Fact Consent to Assign Grant of Non-Exclusive Easement, Kenneth M. Rowell, Assignor, to Shirley A. Jensen, Trustee of the

Kenneth M. Rowell and Ellen A. Rowell Trust, Assignee, Wailua, Kawaihau, Kauai, Tax Map Keys: (4) 4-1-002:007 and (4) 4-1-009:002.

2. RESUBMITTAL: Request to Amend Prior Board Action of April 14, 2000, Agenda Item D-4, Set Aside to the DLNR - Division of Aquatic Resources, Freshwater and Marine Fisheries Development Program, and Issuance of Immediate Right-of-Entry; Request for a Revocable Permit to Darrell Horner for Aquaculture Purpose, Hanapepe, Waimea, Kauai, Tax Map Key: (4) 1-9-007:046.
3. Issuance of Right-of-Entry Permit to The Kauai Lifeguard Association on Unencumbered Beaches of Kauai District and within the Na Pali Coast State Wilderness Park for the placement and maintenance of Water Rescue Tubes, Various locations along the shoreline of Kauai and at the stream crossing at Hanakapiai Stream.
4. Approve Negotiated Development Agreement, and Proposed Plans and Specifications for Improvements for General Lease No. S-3961, Hilo-Hawaiian Associates, Inc., Lessee; Authorize the Extension, Amendment and Restatement of General Lease No. S-3961, Hilo-Hawaiian Associates, Inc., Lessee, for an Aggregate Term of 55 Years, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-1-03:05.
5. Consent to Sublease General Lease No. S-3961, Hilo-Hawaiian Associates, Inc., Lessee, to The Travel Professionals, Inc., Jama Enterprises, LLC, Aaron and Vinel Sugino dba Blue Kalo and Lorna Karvas dba Jaymielee's Styling Salon, Sublessees, Waiakea, South Hilo, Hawaii; Tax Map Key: (3) 2-1-003:005.
6. Rescind Prior Board Action of November 9, 2012, Item D-4, Sale of Storm Drainage Easement Reservations 1 and 2 in Favor of the State of Hawaii to Robert Glenn Bloom, Jr. and Bebi Latiefa Bloom, Paukaa, South Hilo, Hawaii, Tax Map Key: (3) 2-7-20:14.
7. Authorize an Immediate Right-of-Entry for Construction Purposes, and Grant of Perpetual, Non-Exclusive Easement to Department of Defense, Civil Defense Division, for Public Warning Siren Purposes, Haneoo, Hamoa, Hana, Maui, Tax Map Key: (2) 1-4-007: Portion of 009.
8. Issuance of Right-of-Entry Permit to Kaheawa Wind Power for the Redeployment of a Sonic Detection and Ranging (SODAR) Instrument for Data Collection Purposes at Ukumehame, Wailuku, Maui, Tax Map Key: (2) 3-6-001: Por. of 014.
9. Issuance of Right-of-Entry Permit to Hawaiian Dredging Construction Company on Lands Encumbered by Executive Order No. 3694, Kahului, Maui, Tax Map Key: (2) 3-8-001:019 por.
10. RESUBMITTAL: Impose a \$1,000.00 Fine and \$420.00 in Administrative Cost Against KRS Investments LLC, dba South Pacific Kayaks & Outfitters, and Tiki Team Adventures, for Unauthorized Commercial Activities Conducted on State Unencumbered Lands at Olowalu, Lahaina, Maui, at TMK: (2) 4-8-003:001.

11. Issuance of Revocable Permit to The Harry and Jeanette Weinberg Foundation Incorporated, for Storage, Parking, Roadway and Office Purposes; Cancellation of Revocable Permit No.S-7797, Kalihi-Kai, Honolulu, Oahu, TMK: (1) 1-2-021:037.
12. RESUBMITTAL: Issuance of Right-of-Entry Permit to Fireworks By Grucci, Inc., for Set up and Firing of Aerial Fireworks Display on July 24 & 25, 2013, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:021 (Portion).
13. RESUBMITTAL: Issuance of a Right-of-Entry Permit to Oahu Hawaiian Canoe Racing Association and the Lanikai Canoe Club for the Duke Kahanamoku Long Distance Canoe Race Event to be held on August 18, 2013, at Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of 021.
14. RESUBMITTAL: Withdrawal from Governor's Executive Order No. 1997; Grant of Perpetual, Non-Exclusive Easement to the City and County of Honolulu for Traffic Signal Equipment and Sidewalk Easement; Set Aside to the Department of Land and Natural Resources, Division of State Parks for Baseyard Purposes; Issuance of Management and Construction Right-of-Entry Permits; Diamond Head, Honolulu, Oahu, Tax Map Key: (1) 3-1-042:portions of 006 and 020.
15. RESUBMITTAL:
 - (1) Rescind Prior Board Action of June 4, 2004, Item D-12, Fee Simple Sale of Reclaimed (Filled) Land to Michael Gallagher and Ada Murakami, Niu, Honolulu, Oahu, TMK (1) 3-7-002:seaward of 008; and
 - (2)(a) Authorize Grant of 55-Year Term, Non-Exclusive Easement to Micheal Gallagher and Ada Murakami for Seawall and Filled Lands Purposes, Niu, Honolulu, Oahu; TMK (1) 3-7-002:seaward of 008; or alternatively,
 - (b) Enforcement Action Against Michael Gallagher and Ada Murakami as Owners of TMK (1) 3-7-002:008 for Unauthorized Encroachment, Niu, Honolulu, Oahu, TMK (1) 3-7-002:seaward of 008.
16. RESUBMITTAL: Amend Prior Board Action of March 8, 2013 (Item D-7) by Removing Reference to Governor's Executive Order No. 1423 in the Submittal; Sale of Remnants to Grant T. Hamachi, as Trustee of the Grant T. Hamachi Revocable Living Trust, dated November 19, 1999 and Toyoko Hamachi, as Trustee of the Toyoko Hamachi Revocable Living Trust, dated November 19, 1999; Withdrawal from Governor's Executive Order Nos. 1598 and 1423, Waimanalo, Koolaupoko, Oahu; Tax Map Key: (1) 4-1-025:036 portion and 052.
17. RESUBMITTAL: Amend Prior Board Action of July 27, 2012, (Item D-6) by Adding Legal Reference to the Submittal; Grant of Term, Non-Exclusive Easement to Frank H. Barton Trust and Elsie M. Barton Trust for Pier, Seawall, and Landscaping Area Purposes in Kaneohe, Koolaupoko, Oahu, Tax Map Key: (1) 4-4-037:seaward of 033.
18. Amend Prior Board Action of March 14, 2008, Item D-6 by Revising the Easement Area, Consideration, Commencement Date, and Legal Reference; Rescind Prior

Board Action of December 12, 2008, Item D-19; Grant of Term, Non-Exclusive Easement to Sarajeon A. Tokunaga, Trustee, for Seawall and Filled Land Purposes, Kaneohe, Oahu, Tax Map Key (1) 4-5-047:seaward of 116.

19. Amend Prior Board Action of April 8, 2010 (Item D-13) by Removing Applicant's Requirement to Provide Written Historical Documentation and Current Photographic Documentation of the Subject Tunnel; Issuance of Direct Lease to the City and County of Honolulu for Emergency Operating Center Purposes, Lualualei, Waianae, Oahu, Tax Map Key: (1) 8-7-06: 002 (por) and 008.
20. Authorize the Chairperson to Execute Condominium Property Regime Documents; Hale Mohalu II Affordable Rental Housing Project on the State Land Set Aside by Governor's Executive Order No. 4349 to Hawaii Housing Finance and Development Corporation; Waimano, Ewa, Oahu; TMK (1) 9-7-019:035.
21. Issuance of (1) a right-of-entry permit for construction of an overhead guideway; (2) a grant of a perpetual non-exclusive easement for an overhead guideway; and (3) the issuance of a direct lease for a park-and-ride facility on State lands in East Kapolei, Honouliuli, Ewa, Oahu, TMK (1) 9-1-17:97 por., to City and County of Honolulu for its planned rail transit project.

E. STATE PARKS

1. Request for Permission for the Diamond Head State Monument Foundation to Construct an Exercise Park along the Fort Ruger Pathway, Diamond Head State Monument, O'ahu.

F. AQUATIC RESOURCES

1. Request for Approval of a No-Cost Extension through August 22, 2014 for Contract No. IFB DAR-2012-002 (Amendment No.1) Between the Department of Land and Natural Resources (DLNR) and Pioneer Machinery, Inc. for the Casting/Manufacturing of Concrete Artificial Reef Habitats.
2. Request for Approval to Hold Public Meetings and Hearings to Adopt a New Chapter Under Hawaii Administrative Rules ("HAR") as Title 13 Chapter 95.1, Island-Based Fisheries Rules, to Establish New Bag and Size Limits for Maui and Lana'i Island Fisheries.

J. BOATING AND OCEAN RECREATION

1. Issuance of a Revocable Permit to Na Kalai Wa'a, South Kawaihae Small Boat Harbor, Kawaihae, Island of Hawaii, Tax Map Key: (3) 6-1-003: portion.

2. Cancellation of Revocable Permit BH-07-38 and Issuance of a new Revocable Permit to The Island of Hawaii YMCA, South Kawaihae Small Boat Harbor, Kawaihae, Island of Hawaii, Tax Map Key: (3) 6-1-003: portion.
3. Approval of Request for Contested Case Hearings by Maurice Rosete, Patrick Kirkland, Robert Jeralds, Donald Krispin, and Jonathan Alexander; Denial of Request for Contested Case Hearing by Sierra Masters and Delegate to the Chairperson the Authority to Select a Hearing Officer to Conduct the Contested Case Hearings Regarding the Enforcement Actions Brought Against the Individuals Listed Above.

K. CONSERVATION AND COASTAL LANDS

1. Conservation District Use Application (CDUA) HA-3661 for a Single Family Residence by Kainaliu Kahakai LLC Located at Honua`ino, North Kona, Hawai`i, Tax Map Key: (3) 7-9-006:014.

L. ENGINEERING

1. Certification of Election of Arryl Kaneshiro And Appointment of Edward Kawamura, Jr. to Serve as Directors of the East Kauai Soil and Water Conservation District.
2. Authorization to Issue Procurement Solicitations and Award of Contracts Under Hawaii Revised Statutes Chapter 103D for Various Capital Improvements Program projects Listed in Exhibit 1. Attached to this Agenda and Incorporated Herein are the Various Capital Improvements Program Projects (Exhibit 1).
3. Certification of Election of Lynn P. McCrory And Appointment of Lance Dunbar to Serve as Directors of the Molokai-Lanai Soil and Water Conservation District.

M. OTHERS

1. Issuance of a direct Lease to Super Foods, Inc. 3219 Ualena Street, Honolulu International Airport Tax Map Key: (1) 1-1-14:18 (portion).
2. Amendment to Prior Board Action of February 8, 2013, Item M-2, Issuance of a Direct Lease to Commercial Shelving, Inc., 2835 & 2845 Ualena Street Honolulu International Airport, To Delete the Specific Termination Date, Tax Map Key: (1) 1-1-04-:03 (portion) & (1) 1-1-04-:05.
3. Amendment to Prior Board Action of February 8, 2013, Item M-5, Issuance of a Direct Lease to Sharp 29 Corporation 2909 Ualena Street, Honolulu International Airport, To Delete the Specific Termination Date, Tax Map Key: (1) 1-1-04:11.

4. Amendment to Prior Board Action of February 8, 2013, Item M-4, Issuance of a Direct Lease to Mid Pacific Steel, Inc. 3169 Ualena Street, Honolulu International Airport, To Delete the Specific Termination Date, Tax Map Key: (1) 1-1-14-:104 & 106.

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.