

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

DATE: FRIDAY, AUGUST 23, 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
3. Approval of June 14, 2013 Minutes
4. Approval of June 28, 2013 Minutes
5. Approval of July 12, 2013 Minutes

B. CONSERVATION AND ENFORCEMENT

1. Request Approval to Seek the Governor's Approval to Indemnify the City and County of Honolulu Department of Parks and Recreation for the Use of Koko Head Shooting Complex on September 21-22, 2013 for National Hunting and Fishing Day Celebration.

C. FORESTRY AND WILDLIFE

1. Request Approval to Issue an Invitation for Bid and Authorization to Award, Execute, Amend, and Extend a Contract(s) to Install Ungulate-Proof Fencing for Maui District Including Hana Forest Reserve, Koolau Forest Reserve, Hanawi Natural Area Reserve and Molokai Forest Reserve, TMKs (2) 1-2-004:07, por; 1-3-001:001, por; 6-1-001:002, por.

And

Request Approval of Declaration of Exemption to Chapter 343, HRS, Environmental Compliance Requirements for These Projects.

2. Authorization for the Chairperson to Negotiate and Sign a Memorandum of Agreement (MOA) with PATH Peoples Advocacy for Trails Hawai'i (PATH), for the

Purpose of Cooperative Management and Maintenance of Selected Trails Suitable for Public Use in the Makāula - `O`oma Section of the Honua`ula Forest Reserve, North Kona District, Island of Hawai`i, TMK: (3) 7-3-01:02

And

Request Approval of Declaration of Exemption to Chapter 343, HRS, Environmental Compliance Requirements for the Subject MOA.

3. Request Approval for Selection of the Competitive Sealed Proposal Process and Authorize the Chairperson to Award, Execute, Amend, and Extend Contract(s) to Install Ungulate-Proof Fencing within Manukā Natural Area Reserve, TMKs (3) 8-9-006-001, 8-9-006-002, 8-9-006-014 por., 9-1-001-006 por. and 9-1-001-007 por., Ka`u and South Kona, Hawai`i

And

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

D. LAND DIVISION

1. Issuance of Right-of-Entry Permit to The Rotary Club of West Kauai on Unencumbered Lands for a Community Service Project to Remove Stairs that are Functionally Obsolete and Clean the Area; Waimea Valley, Waimea, Kauai, Tax Map Key: (4) 1-6-003:056 (portion).
2. Issuance of Right-of-Entry Permit onto Unencumbered State Beach Land to Essex House Condominium Corporation dba Kauai Marriott Resort & Beach Club for Beach Cleaning and Maintenance, Stream Mouth Maintenance, Storm Maintenance and Leveling of Recreational Areas; Kalapaki Beach, Kalapaki, Lihue, Kauai, Tax Map Key: (4) 3-5-002:seaward of 002.
3. Issuance of Right-of-Entry Permit to John Willard of Maui Surf Ohana at Haneo, Hamoa, Hana, Maui, Tax Map Key: (2) 1-4-007: Portion of 009.
4. Consent to Sublease, General Lease No. S-5284-A, Hawaiian Cement, Lessee, to Haleakala Solar Inc., Sublessee, Pulehunui, Maui, Tax Map Key: (2) 3-8-008:031 por.
5. Issuance of Right-of-Entry Permit to 808 For Life Promotions LLC at Kihei, Kamaole, Kula, Maui, Tax Map Key: (2) 3-9-005: Seaward of 052.
6. Approval in Principle for Acquisition of Private Lands situate at Honokohau and Honolua, Lahaina, Maui, identified as Tax Map Key No.: (2) 4-1-001:010.

7. Request that the Board Grant Petition for Contested Case Hearing by KRS Investments LLC, dba South Pacific Kayaks & Outfitters, and Tiki Team Adventures, for a Contested Case Hearing as to Enforcement Action Against KRS Investments LLC, dba South Pacific Kayaks & Outfitters, and Tiki Team Adventures Involving Unauthorized Commercial Activities Conducted on State Unencumbered Lands at Olowalu, Lahaina, Maui, Tax Map Key: (2) 4-8-003:001 and for Authorization to Select and Appoint a Hearing Officer.
8. Issuance of Right-of-Entry Permit to Waikiki Beach Activities, Ltd for Beach Activities Purposes to be held on September 6, 2013 at Duke Kahanamoku Beach, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:portion of 021.
9. 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 Michael 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.
10. Grant of Perpetual, Non-Exclusive Easement to the City and County of Honolulu for Drainage Purposes, Issuance of Management Right-of-Entry; Kaneohe, Koolaupoko, Oahu, Tax Map Key: (1) 4-4-021:Seaward of 038.
11. Cancellation of Governor's Executive Order No. 3837 Setting Aside State Lands to Department of Defense for Oahu Veterans Center, Aiea, Ewa, Oahu, Tax Map Key: (1) 9-9-003:035, 9-9-012:005, 046 & 047.

E. STATE PARKS

1. Denial of Request for Contested Case Hearing by Martin E. Hsia Regarding BLNR Agenda Item E-1, June 14, 2013, Regarding the Request for Approval to Remove Various Improvements Located Within Easements Within Diamond Head State Monument and Appurtenant to Diamond Head View Lots, Unit 1, Lots 1 and 1A, Kapahulu, Honolulu, O'ahu, Tax Map Key: (1) 3-1-047:048 and 049.
2. Denial of Request for Contested Case Hearing by Lela Malina Hubbard Regarding BLNR Agenda Item E-1, April 26, 2013, Regarding the Request for Authorization for the Construction and Use of a Burial Tomb on the Grounds of the Royal Mausoleum State Monument for Abigail K. Kawanakoa and Delegation of Authority to the Chairperson to Issue a Construction Right of Entry for said Tomb at Mauna 'Ala, Kawanakoa, Nu'uuanu Valley, O'ahu, Tax Map Key: (1) 2-2-021: 012 (por.).

3. Issuance of Right-of-Entry Permit for Site Access Purposes to Michael Meister, Pupukea Paumalu State Park Reserve, Paumalu, Ko'olauloa, O'ahu, Tax Map Keys: (1) 5-9-006:038 (por.) and (1) 5-9-005:038 (por.).

F. AQUATIC RESOURCES

1. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Native Hawaiian Practices Permit to Mr. Nainoa Thompson, Polynesian Voyaging Society, for Access to State Waters to Conduct Training Sails for Apprentice Navigators Using Non-Instrumental Navigation Activities.
2. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Native Hawaiian Practices Permit to Ms. Pelika Bertelmann, Nā Maka o Papahānaumokuākea, for Access to State Waters to Conduct Cultural Monitoring Activities.
3. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Special Ocean Use Permit to Ms. Cynthia Vanderlip, Kure Atoll Conservancy, for Access to State Waters to Conduct Photography and Anthropogenic Item Collection Activities.
4. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to Dr. Russell Brainard, Coral Reef Ecosystem Division, National Oceanic and Atmospheric Administration, for Access to State Waters to Conduct Reef Assessment and Monitoring Research Activities.

J. BOATING AND OCEAN RECREATION

1. Petition for a Declaratory Ruling by William Gibson Regarding the Expiration of His Regular Mooring Permit for the Honokohau Small Boat Harbor.

K. CONSERVATION AND COASTAL LANDS

1. Proposed Rule Amendment HA 13-02 Request for Public Hearing and Small Business Impact Determination: Petition to Amend Title 13, Chapter 5, Hawaii Administrative Rules (HAR) to Redesignate Land That Lies Within the Limited Subzone into the General Subzone, Ho'okena, South Kona, Hawai'i County, Tax Map Key: (3) 8-6-013:009.

L. ENGINEERING

1. Certification of Election of Greg Hendrickson as Kona Soil and Water Conservation District Director.

2. Certification of Election of Larry Jefts and Appointment of See Ba Thee to Serve as Directors of the West Oahu Soil and Water Conservation District.
3. Appointment of Kapua Sproat Fonoimoana as Windward Oahu Soil and Water Conservation District Director.

M. OTHERS

1. Amendment to Prior Board Action of May 11, 2012 (Item M-1), as Amended on May 24, 2013 (Item M-1), Issuance of a Direct Lease to Hyak Aviation LLC, Honolulu International Airport to Change the Terms of the Annual Ground Lease Rent TMK: (1) 1-1-072: 11 (Portion).
2. Issuance of a Fueling Facility Lease Hawaii Fueling Facilities Corporation Kona International Airport at Keahole TMK: (3) 7-3-43: Portion of 003.
3. Issuance of Direct Lease to Island Movers, Inc. Honolulu International Airport TMK: (1) 1-1-72:5 (Portion).
4. Amendment No. 5 to Lease No. DOT-A-92-0014 Restaurant and Lounge Concession, Additional Premises Host International, Inc., Kahului Airport TMK: (2) 3-8-01:19 (Portion).
5. Issuance of a Direct Cargo Facility Lease Gooch, Inc. DBA Hawaii Inspection Services Honolulu International Airport TMK: (1) 1-1-03: 015.

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.