

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

DATE: FRIDAY, AUGUST 28, 2009
TIME: 9:00 A.M.
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HAWAII 96813

A. MINUTES

1. July 22, 2009 Minutes
2. August 14, 2009 Minutes (TO BE DISTRIBUTED.)

B. CONSERVATION AND RESOURCES 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 the Koko Head Shooting Complex on September 19 & 20, 2009 for National Hunting and Fishing Day Celebration
2. Request Board Approval to Enter into a Joint Enforcement Agreement between the Department of Land and Natural Resources, Division of Conservation and Resources Enforcement, and the National Marine Fisheries Service, Office of Law Enforcement

C. FORESTRY AND WILDLIFE

1. Request for Approval of the Safe Harbor Agreement for Reintroduction of Nene at Haleakala Ranch, Island of Maui.
2. Request for Approval to Release the Draft "Short-Term Seabird Habitat Conservation Plan: Kaua'i Island Utility Cooperative (KIUC), "Island of Kaua'i, for Public Review. *Attachment materials are available. See bottom of agenda.*
3. Request for Approval to Release the "Kahuku Wind Power Draft Habitat Conservation Plan," Island of O'ahu, Hawai'i. *Attachment materials are available. See bottom of agenda.*
4. Amend Prior Board Action of January 11, 2008, Item D-3: "Acquisition of Private Lands and Set-Aside to Division of Forestry and Wildlife (DOFAW) for Addition to the Upper Waiakea Forest Reserve at Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-4-008:003."

Acceptance of Hearing Officer's Report on a Public Hearing for Seven Proposed Changes to the Forest Reserve System on the Island of Hawaii.

Approval and Recommendation to the Governor for and Executive Order to Amend Governor's Proclamation Dated December 22, 1928 to Change the Status of the Lands within Hilo Forest Reserve Defined as TMK (3) 2-4-008:003, Comprising Approximately 1,336 acres at Waiakea, South Hilo, Hawaii, from Private to Public (State) Ownership Under the Control and Management of the Department of Land and Natural Resources Division of Forestry and Wildlife.

Confirm and Adopt Prior Board Actions and Recommend to the Governor the Issuance of Executive Orders for: 1) Addition of approximately 110 acres to Hilo Forest Reserve (Laupahoehoe, North Hilo, Hawaii; 2) Withdrawal of approximately 182 acres from Hilo Forest Reserve at Piihonua, South Hilo, Hawaii 3) Cancellation of Governor's Proclamation dated April 17, 1917 that established Panaewa Forest Reserve at Waiakea and Keaau, South Hilo and Puna, Hawaii, under which approximately 1,125 acres remain; 4) Withdrawal of approximately 4.4 acres from the Waiakea and Keaau, South Hilo, Hawaii; 5) Addition of approximately 1,261 acres to the Waiakea Forest Reserve, South Hilo, Hawaii; and 6) Addition of approximately 1,257 acres to Ka'u Forest Reserve at Kapapala, Hawaii.

5. Amend Prior Board Action of March 13, 2009, item D-5: "Approve in Principle to Set Aside to the Department of Land and Natural Resources, Division of Forestry and Wildlife, for Waimanalo Forest Reserve Purposes; Rescind Prior Approval dated June 26, 1992, Item F-9; Authorize the Division of Forestry and Wildlife to Conduct an After-the-fact Public Hearing Relating to Waimanalo Forest Reserve at Kailua, Kaneohe, and Waimanalo, Koolaupoko, Oahu, Tax Map Key (1) 4-1-008:013, (1) 4-1-010:074, 091, & 093 4-2-005:001, and 4-2-010: portion of 001."

Acceptance of Hearing Officer's Report on a Public Hearing for Five Proposed Changes to the Forest Reserve System on Oahu.

Approval and Recommendation to the Governor for an Executive Order to Amend Governor's Proclamation dated January 3, 1923 Changing the Status of the Lands within Waimanalo Forest Reserve Defined as TMK (1) 4-2-010: portion of 001, Comprising Approximately 1,544 acres, from Private to Public (State) Ownership Under the Control and Management of the Department of Land and Natural Resources Division of Forestry and Wildlife.

Approval and Recommendation to the Governor the Issuance of Executive Orders for: 1) Addition of approximately 456 acres to Waimanalo Forest Reserve, Koolaupoko District, Oahu; 2) Removal of approximately 28 acres from Pupukea Forest Reserve, Koolauloa District, Oahu; and 3) Set Aside 28 acres to the Department of Land and Natural Resources Division of State Parks, Koolauloa District, Oahu.

Confirm and Adopt Prior Board Action and Recommend to the Governor the Issuance of Executive Orders for: 1) Cancellation of Governor's Executive Order 4172, dated August 28, 2006 for the Makua-Keaau Public Hunting Area, Waianae District, Oahu and 2) Addition of approximately 584 acres to Makua-Keaau Forest Reserve, Waianae District, Oahu.

6. Request for Approval to Clarify Location of the Puna Trail under the Jurisdiction of the Na Ala Hele Trail and Access Program and to enter into a Memorandum of Agreement between W. H. Shipman for the Joint Management of the Puna Trail situate at Kea'au, Tax Map Key: 1-6-1 various parcels.

D. LAND DIVISION

1. Cancellation of Governor's Executive Order No. 3449 to the Department of Water, County of Kauai and Reset Aside to the Department of Land and Natural Resources, Division of Forestry and Wildlife for Remote Automatic Weather Station (RAWS), Together With Easements 1, 2, and 3 For Water Pipeline Purposes and Issuance of Construction and Management Right-of-Entry, Hanapepe, Waimea, Kauai, Tax Map Key: (4) 1-8-12: 32.
2. Consent to Stock Transfer and Control in Sunrise Capital, Inc. Lessee under General Lease No. S-4946 and Revocable Permit No. S-7256, from Sunrise Capital, Inc., Transferor, to Integrated Aquaculture Hawaii, LLC, Transferee, Kekaha, Kauai, Tax Map Key: (4) 1-9-10:37; 1-9-10:34, 35, 38, and 1-9-11:7. (The General Lease and Revocable Permit will continue to be owned by and held in the name of Sunrise Capital, Inc. Consent is requested to a "deemed" transfer of the General Lease and Revocable Permit by reason of recent acquisition of most of the stock of Sunrise Capital, Inc., by Integrated Aquaculture Hawaii, LLC, and a resulting change in control of the stock ownership of Sunrise Capital, Inc.)
3. Grant of Term Non-exclusive Easement to Coco Palms Ventures LLC, for Access Purposes and Cancellation of Grant of Easement Bearing Land Office Deed No. S-12850 assigned to Coco Palms Ventures LLC for Road Right-Of-Way Purposes, Wailua, Kawaihau, Kauai, Tax Map Key: (4) 4-1-003:017 (por.).
4. Forfeiture of Revocable Permit No.S-5274, Michael R. Salling, Permittee, Kapaa Town Lots, Kawaihau (Puna), Kauai, Tax Map Key: (4) 4-5-09:10.
5. Rescind Prior Board Action of May 23, 2003, under Item D-14, Sale of Remnant to Richard Scott and Aren Blake Scott, Portion of Kapaa Town Lots, Kawaihau, Kauai, Tax Map Key: (4) 4-5-12: Portion 03.
6. Consent to Assign General Lease No. S-5434, Stephen N. Santos, Assignor, to Oleander K. Csisko, Assignee, Kikala-Keokea, Puna, Hawaii, Tax Map Key: (3) 1-2-43:34.
7. Set Aside to County of Hawaii; Issuance of Management and Construction Right-of-Entry for Park and Other Community Related Purposes, Kikala-Keokea Residential Subdivision, Kikala and Keokea, Puna, Hawaii, Tax Map Key: (3) 1-2-43: 68.
8. Consent to Sublease General Lease No. S-3583, Yamada Consolidated, Inc., Lessee, to Suisan Company, Limited, Sublessee, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-37:52, 92, & 93.

9. Consent to Assign General Lease No. S-3875, Paradise Auction, Ltd., Assignor, to Alternative Energy Marketing, Inc., Assignee, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-50:93.
10. Amend General Lease No. S-5513, Condition 20, Relating to Mortgage; Consent to Mortgage with Estoppel Certificate, Hospice of Hilo, Lessee/Mortgagor, Piihonua, South Hilo, Hawaii, Tax Map Key: (3) 2-3-032:011.
11. Sale of Remnant to Concept Construction, Inc., Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-4-57:por. 01.
12. Mutual Cancellation of General Lease No. S-5965, Chin A. Ho for Intensive Agriculture Purposes, North Hilo, Hawaii, Tax Map Key: 3rd/3-4-03:11, 38 & 39.
13. Grant of Perpetual, Non-Exclusive Easement to Hawaii Electric Light Co., Inc. and Hawaiian Telcom, Inc.; Immediate Construction Right-of-Entry for Utility Purposes, Halaula, North Kohala, Hawaii, Tax Map Key: (3) 5-3-010:056 por.
14. Request for Approval of Special Installment Agreement for Payment of Percentage Rent under General Lease No. S-5721 to Kona Blue Water Farms, LLC, Kalaoa 1st through 4th, North Kona, Hawaii, Tax Map Key: (3) 7-3-43:seaward of Kalaoa.
15. Mutual Cancellation of Lease of Non-Exclusive Easement S-5252 and Issuance of Term, Non-Exclusive Easement to Meri-Jo Abrams Manuel, Trustee of the Lakala Trust for Wooden Deck and Concrete Piers Purposes, Lahaina, Maui, Tax Map Key: (2) 4-5-001:055.seaward of Tax Map Key: (2) 4-5-001:006.
16. Amend Prior Board Action of July 14, 2000, Item D-1, April 27, 2007, Item D-13, and February 13, 2009, Item D-4, Rescind Prior Land Board Approval and Set Aside to Housing and Community Development Corporation of Hawaii for a Senior Project with Assisted Living and /or Health Support Services and a Management Right-of-Entry, Kaakaukui, Honolulu, Oahu, Tax Map Key: (1) 2-1-051:portion 009.
17. Issuance of Revocable Permit to Waikiki Roughwater Swim, Inc. for 40th Annual Waikiki Roughwater Swim at Duke Kahanamoku Beach, Waikiki, Honolulu, Oahu, Tax Map Key:(1) 2-3-037:021 portion.
18. Issuance of Revocable Permit to Hilton Hawaiian Village for Beach Activities at Duke Kahanamoku Beach, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:portion of 021.
19. Issuance of Revocable Permit to Hawaii Explosives Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Beach, Waikiki, Honolulu, Oahu, Tax Map Key:(1) 2-3-037:021 portion.
20. Grant of Term, Non-Exclusive Easement to Beecom Hawaii LLP for Revetment Purposes, Waialae-Iki, Honolulu, Oahu, Tax Map Key: (1) 3-5-058:seaward of 010.

21. After-the-Fact Consent to Assign General Lease No. S-4297, Miguel A. Ramirez & Valerie S. Ramirez, Assignor, Miguel A. Ramirez, Assignee; Miguel A. Ramirez, Assignor, Miguel A. Ramirez & Valerie S. Ramirez, Assignee, Waimanalo, Koolaupoko, Oahu, Tax Map Key: (1) 4-1-010:004.
22. Sale of Remnant to Dana K. Lum Revocable Living Trust, Brenda M.H. Blake, Wanda L. Hanson and Lana L.L.K. Min; Kaneohe, Koolaupoko, Oahu Tax Map Key: (1) 4-5-038:013.
23. Amend Prior Board Action of July 22, 2009 (Item D-14), Grant of Term, Non-Exclusive Easement to George W. Playdon Jr. for Seawall Purposes; Mutual Cancellation of Grant of Non-Exclusive Easement S-5195, Kaluanui, Koolauloa, Oahu, Tax Map Key: (1) 5-3-008:seaward of 008.
24. Issuance of Right-of Entry Permit to University of Hawaii on Lands Encumbered by Governor's Executive Order No. 1716, Keawaula, Waianae, Oahu, Tax Map Key: (1) 6-9-003:Portion of 002.

E. STATE PARKS

1. Request from the Good News Jail and Prison Ministry to use the Large Pavilion at the Wailoa River State Recreation Area in Hilo, Hawaii for a Fundraiser Luau.
2. Request for a Special Use Permit from the Federation of American Natives to Hold the Fifth Annual Hilo Inter-Tribal PowWow on Portions of Wailoa River State Recreation Area, Hilo, Hawaii.
3. Establishment of a Volunteer Curatorship Agreement for Kiholo State Park Reserve, North Kona, Island of Hawaii

F. AQUATIC RESOURCES

1. Information Regarding two (2) Amendments to Papahanaumokuakea Marine National Monument Permits for a Native Hawaiian Practices Permit No. 2009-039 to Charles N. Thompson, Polynesian Voyaging Society, to Conduct Traditional Hawaiian Wayfinding Activities from April 1, 2009-December 31, 2009 and for a Conservation and Management Permit No. 2009-020 to Commanding Officer John Caskey, National Oceanic and Atmospheric Administration (NOAA) Ship HI'IALAKAI, to Conduct Shipboard Support Activities from June 1, 2009-December 31, 2009 for Amendment Activities to be Conducted Outside of State Waters
2. Request for Authorization and Approval to Issue a Papahanaumokuakea Marine National Monument Native Hawaiian Practices Permit to Hi'ilei Kawelo, Paepae o He'eia, for Access to State Waters to Conduct Cultural Reef Assessment Activities

3. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Native Hawaiian Practices Permit to Mahina Duarte and Matt Ramsey, for Access to State Waters to Conduct 'Ōpihi Population Assessment Activities

J. BOATING AND OCEAN RECREATION

1. Amend Board Action of July 11, 2008, Agenda Item J-1, Authorizing Issuance of a Request for Qualifications / Request for Proposals for Public Lands at Ala Wai Small Boat Harbor ("AWSBH"); Approve Selection of Developer for Exclusive Negotiations of a Development Agreement and Lease for the Fuel Dock and Haul-out/Repair Sites at AWSBH, Kalia, Honolulu, Hawaii; Authorize the DLNR Chairperson to Negotiate and Enter the Development Agreement and Lease. Tax Map Key Nos: (1) 2-3-37:20-, (1) 2-6-10:05, 16 and portions of parcel 3.
2. Consent to Assignment, Mortgage, and Amendment Extending Lease Term, for Harbor Lease No. H-83-2, from Kona Fuel and Marine, Inc., Assignor, to Kona Marine Holdings, LLC, Assignee, Kealakehe, North Kona, Island of Hawaii, Tax Map Key: (3) 7-4-008-040.

K. CONSERVATION AND COASTAL LANDS

1. Conservation District Use Application (CDUA) MO-3503 for an After the Fact Cement Boat Launch Ramp by Hui Malama O Moomomi, Submerged Land, Located at Moomomi, Molokai, Offshore of Plat (2) 5-002-005
2. Conservation District Use Application (CDUA) MA-2515 for Nuu Pond Habitat Restoration by Maui Coastal Land Trust, Located at Kaupo, Maui, TMK: (2) 1-8-001:001 (portion)
3. Request for a Contested Case by Mauna Kea Anaina Hou, The Sierra Club-Hawaii Chapter, The Royal Order of Kamehameha I, Kahea, Dwight J. Vicente, and Clarence Kukauakahi Ching, in Regards to the Mauna Kea Comprehensive Management Plan, Located at Mauna Kea, Hawaii, TMKs: (3) 4-4-015:009 & 012
4. Time Extension Request for Conservation District Use Permit (CDUP) OA-3230 for a Temporary Bypass Road and Replacement of the North Kahana Stream Bridge by State of Hawaii Department of Transportation- Highways Division, Located at Ahupuaa O Kahana State Park, Koolauloa, Oahu, TMK: (1) 5-2-005:003 (portion)

L. ENGINEERING

1. Certification of Election and Appointment of South Oahu Soil and Water Conservation District Directors
2. Approval of Supplemental Agreement for Contract No. 55752 for Professional Services, Kawaihae Small Boat Harbor (South) Improvements Kohala, Island of Hawaii, Hawaii

3. Approval for Award of Construction Contract for Job No. B71DO73A, Ala Wai Small Boat Harbor, Sewer Infrastructure Improvements, Honolulu, Oahu
4. Approval for Award of Construction Contract for Combined Projects: Job No. J00CF82B, Waimea State Recreational Pier ADA Barrier Removal Project, Kauai, Hawaii and Job No. J00CF09A, Ahukini State Recreational Pier ADA Barrier Removal Project, Kauai, Hawaii
5. Approval for Award of Construction Contract for: Job No. J00CM61A, Mokuleia Shoreline Access ADA Barrier Removal Project, Kapalua, Maui, Hawaii
6. Approval for Award of Construction Contract for Combined Projects: Job No. J00CB45A, Maalaea SBH ADA Barrier Removal Project, Maui, Hawaii and Job No. J00CB46A, Lahaina SBH ADA Barrier Removal Project, Maui, Hawaii
7. Application for a DLNR Dam Safety Construction/Alteration Permit Permit No. 34 - Opaepala Reservoir No. 1 (HI00018) Reservoir Repair, Haleiwa, Oahu
8. Approval of Supplemental Agreement for Contract No. 58129 Job No. F80B662A, Na Pali Coast State Park, Rockfall Mitigation, Phase 1, Kalalau Beach Park, Kauai, Hawaii

M. OTHER

1. Issuance of Lease by Direct Negotiation to Seafood Hawaii, Inc. Parcel 3, Domestic Commercial Fishing Village, Pier 38, Honolulu, Harbor, Oahu
2. Amendment to Prior Land Board Action of July 14, 2006, Under Agenda Item M-1, Regarding Issuance of Direct Lease to Paradise Inn Hawaii, LLC, dba Tsukiji Fish Market Restaurant, Parcel 6, Domestic Commercial Fishing Village, vicinity of Pier 38, Honolulu Harbor, Honolulu, Oahu

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.