

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

DATE: THURSDAY, APRIL 8, 2010  
TIME: 9:00 A.M.  
PLACE: KALANIMOKU BUILDING  
LAND BOARD CONFERENCE ROOM 132  
1151 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813

**A. MINUTES**

1. March 11, 2010 Minutes
2. March 25, 2010 Minutes (TO BE DISTRIBUTED.)

**B. CONSERVATION AND ENFORCEMENT**

1. Request Board Approval to Enter Into a Federal/State Recreational Boating Safety Cooperative Agreement between the Department of Land and Natural Resources and the United States Coast Guard

**C. FORESTRY AND WILDLIFE**

1. Request for Authorization to Negotiate and Sign a Contract(s) to Furnish and Deliver Fencing Material for the Division of Forestry and Wildlife, Statewide

**D. LAND DIVISION**

1. Denial of Request for Contested Case Hearing By Ms. Waldeen K. Palmeira.

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.

2. Mutual Cancellation of General Lease No. S-5479, Tatsuo and Elsie Nishi and Nikola and Claudia Nishi, Lessees, Waimea Valley, Waimea, Kauai, Tax Map Key: (4) 1-5-03: 01.

3. Mutual Cancellation of General Lease No. S-5561 to Pamela Kay Grant, Kalaheo, Koloa, Kauai, Tax Map Key: (4) 2-4-01: 05 & 2-4-02: 01.
  
4. Grant of Perpetual Non-Exclusive Easement to Kauai Island Utility Cooperative (KIUC) for Access and Utility Purposes Over Governor's Executive Order 4217 to the County of Kauai, for Firestation Purposes and Issuance of a Right-of-Entry for Planning, Construction and Maintenance. Wailua, Lihue, Kauai, Tax Map Key: (4) 4-6-14: 26.
  
5. Amend Prior Board Action of August 28, 2009 (D-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<sup>rd</sup>/2-2-50:93.
  
6. After-the-Fact Consent to Sublease under General Lease No. S-4309, Western Pacific Investments, Lessor, to WESCO Distribution, Inc., a Delaware corporation, as Sublessee; Consent to Extension of Lease Term, General Lease No. S-4309 Western Pacific Investments, Lessee, Waiakea, South Hilo, Hawaii, Tax Map Key: 3<sup>rd</sup>/2-2-58:32.
  
7. Issuance of Revocable Permit to MC&A, Inc. for a Beach Volleyball Activities (Games) for The Abbott Diabetes Group at Wailea Beach, Wailea, Maui, at Tax Map Key:(2) 2-1-008: seaward of 109.
  
8. Amend Prior Board Action of July 30, 2004, Item D-10; Request for Construction Right-of-Entry and Perpetual, Non-Exclusive Easement to the City and County of Honolulu for Bus Bay Purposes; Diamond Head, Honolulu, Oahu; TMK (1) 3-1-042:portion of 010; and  
 Amend Prior Board Action of November 19, 2004, Item D-46; Request for Grant of Perpetual, Non-Exclusive Easement; Issuance of Construction and Management Right-of-Entry to the City and County of Honolulu for Bus Shelter Purposes; Honolulu, Oahu; TMK (1) 2-1-025:portion of 003.
  
9. Amendment of General Lease No. 4337, Hawaii State Chapter of the American National Red Cross, Lessee; Diamond Head, Honolulu, Oahu, Tax Map Key: (1) 3-1-042:029.
  
10. Set Aside to City and County of Honolulu, Board of Water Supply for Reservoir Site Purposes; Amend Prior Land Board Action of August 27, 1976, Item F-25, Waahila, Palolo, Honolulu, Tax Map Key: (1) 3-3-056:portion of 002.

11. Cancellation of Governor's Executive Order No. 2643 and Reset Aside to the Department of Land and Natural Resources, Division of Boating and Ocean Recreation for Heeia Kea Small Boat Harbor Purposes, Heeia, Kaneohe, Koolaupoko, Oahu, Tax Map Key: (1) 4-6-06: 64, 67 and 69.
12. Grant of Term, Non-Exclusive Easement to Burt T. Kaminaka Trust and Miriam K. Kaminaka Trust for Boat Ramp, Seawall, Gazebo and Lanai Purposes, Kahaluu, Koolaupoko, Oahu, Tax Map Key: (1) 4-7-030:seaward of 019.
13. Issuance of Direct Lease to the City and County of Honolulu for Emergency Operating Center Purposes, Lualualei, Waianae, Oahu, Tax Map Key: (1) 8-7-006:002 (por) and 008.
14. Re-Submittal of Enforcement Action as to Steve's Ag Services, Ltd., Steve Baczkiewicz, Contract Milling, Wesley McGee, and Raymond McGee involving Removal of Koa and other Timber Resources and Road Construction on State Unencumbered Lands, Alika and Papa 1, South Kona, Hawaii, Tax Map Key: (3) 8-8-1:8.
15. Issuance of Revocable Permit and Immediate Construction Right-of-Entry to Stable Road Beach Restoration Foundation, Inc., Sprecklesville, Wailuku, Maui, Seaward of Tax Map Key(s): (2) 3-8-002:071, 074, 077, 078 and 094.
16. Napili Kai, Ltd. Request to Waive Payment Requirement for Grant of Term, Non-Exclusive Easement to Napili Kai, Ltd. for Walkway and Landscaping Purposes, Kaanapali, Maui, Tax Map Keys: (2) 4-3-2:seaward of 26, 27, 28. ***(SUBMITTAL TO BE DISTRIBUTED)***

**E. STATE PARKS**

1. Selection of Projects for Federal Grant Awards through the Land and Water Conservation Fund Program for Fiscal Year 2009
2. Request to Use Diamond Head State Monument Once a Year for Two Years for a Two-Day Diamond Head Crater Celebration

**F. AQUATIC RESOURCES**

1. Request for Approval to Temporarily Close the Bottomfish Fishing Season for All State Marine Waters Surrounding the Existing Bottomfish Restricted Fishing Areas in the Main Hawaiian Islands from May 1 through August 31, 2010.

2. Request for Approval of the Division of Aquatic Resources' Review Policy of Special Activity Permits Involving the Take of Coral and Live Rock. (***SUBMITTAL TO BE DISTRIBUTED.***)
3. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to Dr. Robert Toonen, University of Hawaii, Hawaii Institute of Marine Biology, for Access to State Waters to Conduct Reef Invertebrates Genetic Survey Activities. (***SUBMITTAL TO BE DISTRIBUTED.***)
4. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to Dr. Brian Bowen, University of Hawaii, Hawaii Institute of Marine Biology, for Access to State Waters to Conduct Reef Fish Genetic Survey Activities. (***SUBMITTAL TO BE DISTRIBUTED.***)
5. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to Whitlow Au, University of Hawaii, Hawaii Institute of Marine Biology, for Access to State Waters to Deploy and Service Ecological Acoustic Recorders (EARs). (***SUBMITTAL TO BE DISTRIBUTED.***)
6. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to Carl Meyer, University of Hawaii, Hawaii Institute of Marine Biology, for Access to State Waters to Conduct Top Predator Movement Research Activities. (***SUBMITTAL TO BE DISTRIBUTED.***)
7. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to Ryan Nichols, NOAA Fisheries, Pacific Islands Fisheries Science Center, for Access to State Waters to Conduct Fish Growth Study Research Activities. (***SUBMITTAL TO BE DISTRIBUTED.***)
8. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to Derek Smith, University of Hawaii, Hawaii Institute of Marine Biology, for Access to State Waters to Conduct Biological Studies on Maritime Heritage Sites. (***SUBMITTAL TO BE DISTRIBUTED.***)
9. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to Loren Scott Godwin, National Oceanic and Atmospheric Administration, Papahānaumokuākea Marine National Monument, for Access to State Waters to Conduct Invasive Species Survey Activities. (***SUBMITTAL TO BE DISTRIBUTED.***)
10. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Education Permit to Daniel Dennison, National Oceanic and Atmospheric Administration, Papahānaumokuākea Marine National Monument, for Access to State Waters to Conduct Filming Activities. (***SUBMITTAL TO BE DISTRIBUTED.***)

11. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to Dr. Greta Aeby, University of Hawaii, Hawaii Institute of Marine Biology, for Access to State Waters to Conduct Coral and Fish Disease Research Activities. (***SUBMITTAL TO BE DISTRIBUTED.***)

*The Board may go into Executive Session pursuant to Sections 92-4 and 92-5(a)(4), Hawaii Revised Statutes (HRS), in order to consult with its attorney on questions and issues relating to departmental permits, Chapter 343, HRS, and personnel matters, as pertaining to the Board's powers, duties, privileges, immunities and liabilities.*

## **K. OFFICE OF CONSERVATION AND COASTAL LANDS**

1. Conservation District Use Application (CDUA) HA-3530 for Security Gates on Private Access Road for Keawaiki Beach Lots, by Charles Bundrant, Located at Kahauloa, South Kona, Hawai‘i, TMKs: (3) 8-3-005:001, 020, and 021
2. Annual Status Update on the Development of Sub Plans and Management Actions Identified in the Mauna Kea Comprehensive Management Plan, Mauna Kea, Hamakua District, Island of Hawaii, TMKs: (3) 4-4-015:009&012

## **L. ENGINEERING**

1. Approval to Issue Invitations for Bids for Federal Transit Administration Funded Maui County Ferry Improvement Projects with State Department of Transportation General Provisions and other Appropriate Documents and Forms
2. Certification of Election and Appointment of East Kauai Soil and Water Conservation District Directors
3. Application for a DLNR DAM Safety Construction/Alteration Permit Permit No. 38- Kapalaalaea Reservoir (HI000094) Outlet Pipe Repair, Paia, Maui
4. Request for Authorization to Enter into Supplemental Agreements for Contract #57779 for Professional Services, Dam Safety Inventory and Database, Statewide; Contract #56302 for Professional Services, Dam Safety Investigations for the Island of Oahu; Contract #56248 for Professional Services, Dam Safety Investigations for the Island of Kauai; Contract #56249 for Professional Services, Dam Safety Investigations for the Island of Maui; Contract #57551 for Professional Services, Dam Safety Permit and Certificate to Impound Procedures and Guidelines, Statewide
5. Application for a DLNR DAM Safety Construction/Alteration Permit Permit No. 42 - Upper Kapahi Reservoir (HI00013) Gate and Catwalk Repair, Kapaa, Kauai
6. Application for a DLNR DAM Safety Construction/Alteration Permit Permit No. 43 - Wailua Reservoir (HI00060) Gate and Catwalk Repair, Wailua Homestead, Kauai

7. Approval for Award of Construction Contract for: Job No. F00CF46C, Baseyard Storage Building at Kokee State Park Waimea, Kauai, Hawaii

**M. OTHER**

1. Issuance of a Second Revocable Permit to Fourth Mate Productions, Inc. at Kalaeloa Barbers Point Harbor, Oahu

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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.