

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

DATE: FRIDAY, MAY 25, 2012  
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 27, 2012 Minutes

**C. FORESTRY AND WILDLIFE**

1. Request Approval to Authorize the Chairperson to Issue Invitation for Bids, Award, and Execute Contracts to Furnish and Deliver Seventeen (17) 4X4 Vehicles to Oahu, Kauai, Maui and Hawaii Division of Forestry and Wildlife Department of Land and Natural Resources And

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

2. Request Approval to Issue A Request for Proposals and Authorize the Chair to Award and Execute Contracts for the Management of FY2013 Statewide Youth Conservation Corps Program And

Request Approval of Declaration of Exemption to Chapter 343, HRS, Environmental Compliance Requirements for the FY2013 Statewide Youth Conservation Corps Program

**D. LAND DIVISION**

1. Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Set up and Firing of Aerial Fireworks Display at Shipwreck Beach on June 25, 2012, Poipu, Kauai, Hawaii, Tax Map Key: (4) 2-9-01: seaward of 2.
2. Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Set up and Firing of Aerial Fireworks Display at Shipwreck Beach on June 30, 2012, Poipu, Kauai, Hawaii, Tax Map Key: (4) 2-9-01: seaward of 2.

3. Grant of Term, Non-Exclusive Easement; Issuance of Immediate Management Right-of-Entry to the County of Hawaii for Nanawale Spigot Facility and Related Purposes, Kaniahiku, Puna, Hawaii, Tax Map Key: 3<sup>rd</sup>/1-4-001: portion of 004.
4. Consent to Assign General Lease No. S-3619, Mauna Kea Electric, Inc., Assignor, to Mattos Electric, LLC, Assignee; Amendment of the Terms and Conditions Regarding Allowed Use, Assignments, Subleases, Insurance and Bond Requirements for General Lease No. S-3619; Lot 39 Kanoelehua Industrial Lots, Waiakea, South Hilo, Hawaii; TMK: 3<sup>rd</sup>/2-2-49:13.
5. Issuance of Land Patent in Confirmation of a Portion of Land Commission Award No. 9971, Apana 5 to W.P. Leleiohoku, situate at Paalaea, District of Hamakua, Island of Hawaii, Tax Map Key: (3) 4-5-006:004.
6. Grant of Perpetual, Non-Exclusive Easement to Henk Brouwer Rogers and Akemi Matsumoto Rogers for Primary Access Purposes, Hale Piula, Puuwaawaa, North Kona, Hawaii, Tax Map Key: (3) 7-1-001: portions of 006 & 007. And

Grant of Term, Non-Exclusive Easement to Henk Brouwer Rogers and Akemi Matsumoto Rogers for Secondary Access Purposes, Hale Piula, Puuwaawaa, North Kona, Hawaii, Tax Map Key: (3) 7-1-001: portions of 006 & 007.

7. Establish Lease Rent Under General Lease No. S-5619, Natural Energy Laboratory of Hawaii Authority (NELHA), Lessee, at \$480 Per Annum Plus Fifty Percent (50%) of the Net Operating Income for the Period July 3, 2011 to July 2, 2021; Amend General Lease No. S-5619 to Modify the Character of Use Provision to Include Telecommunication Purposes, and Extend the Lease Term for an Additional Twenty (20) Years for a Total Term of Sixty-Five (65) Years; Government Lands at Hamanamana, Kalaoa 1<sup>st</sup>- 4<sup>th</sup>, and Ooma 1<sup>st</sup> & 2<sup>nd</sup>, North Kona, Hawaii, Tax Map Keys: 3<sup>rd</sup>/7-3-43: 5, 41, 42, 51, 63, 66-94, 98, 100, 101, 102, and 106 (formerly designated as 7-3-43: and 7-3-09: 23 and 24).
8. Consent to Assign Grant of Non-Exclusive Easement No. S-5798, Frederic W.C. and Mary F.C. Constant, Assignor, to Maui Happy Place, LLC., Assignee; Amendment of Grant of Non-Exclusive Easement No. S-5798 to Allow Easement to Run with the Land Identified as Tax Map Key No.: (2) 2-1-006:006 situate at Honuaula, Makawao, Maui, Further Identified as Tax Map Key: (2) 2-1-006: Por. of 098.
9. Amend Prior Board Action of May 13, 2010 (Item D-12), By Correcting the Owned Parcel's Tax Map Key Number from (2) 2-4-013:028 to (2) 2-4-014:028; for the Cancellation of Non-Exclusive Easement Bearing Land Office Deed No. S-28038 to Christian C. and Julia C. Low and Grant of a Term, Non-Exclusive Easement to Anthony and Christine Riecke-Gonzales for Waterline Purposes, Hamakuapoko, Makawao, Maui, Tax Map Key: (2) 2-4-013:Por. 078.

10. 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 19, 2012, at Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:portions of 021.
11. RESUBMITTAL - Request Approval of Plans for Construction of New Residence, Patricia Moore, Diamond Head View Lots Unit Two, Increment One, Lot 42, Honolulu, Oahu, Hawaii, Tax Map Key: (1) 3-1-048:050
12. (1) Report on an Agreement for an Easement for Encroaching Seawall and Filled Lands; (2) Rescind Prior Board Action of April 27, 2012, Item D-14, Regarding Enforcement Action Against TLM Partners Ltd. for, Inter Alia the Removal of the Encroaching Seawall and Filled Lands; situated at Niu, Honolulu, Oahu, Tax Map Key (1) 3-7-002:seaward of 009; and (3) Dismiss And/Or Permit the Withdrawal of TLM Partners Ltd's Petition for Contested Case Hearing Regarding the Prior Board Action of April 27, 2012, Item D-14.
13. Acquisition of Private Lands and Set Aside to Division of Forestry and Wildlife for addition to the Hamakua Wildlife Sanctuary at Kailua, Koolaupoko, Oahu, Tax Map Key (1) 4-2-003:017.
14. Second Amendment of Lease to Delete Performance Bond Requirement of Non-Exclusive Easement S-5210 to Michael A. Miki and Mary E. Lau-Miki, Griffith T. Yanagi and Olivia C. Yanagi for Seawall and Stairway Purposes, Koolauloa, Oahu, Tax Map Key: (1) 5-3-010:seaward of 017.
15. Mutual Cancellation of General Lease No. 3811, HI 120 Properties, Inc, Lessee; Sale of Remnant to CP Kam Properties, LLC, Kalauao, Ewa, Oahu, Tax Map Key: (1) 9-8-013:015.
16. (1) Status of Outstanding Delinquencies and Termination of the Development Agreement Between the State of Hawaii and West Wind Works, LLC, for the former Ewa Feedlot site at Campbell Industrial Park, Honouliuli, Ewa, Oahu, Hawaii, Tax Map Key: (1) 9-1-031:001  
  
(2) Termination of the Development Agreement between the State of Hawaii and West Wind Works, LLC, for the former Ewa Feedlot site at Campbell Industrial Park, Honouliuli, Ewa, Oahu, Hawaii, Tax Map Key: (1) 9-1- 031:001.
17. Issuance of Revocable Permit to Lose and Meliame Unga for General Agriculture Purposes, Waialeale, Koolauloa, Oahu; Tax Map Key: (1) 5-8-001:038.
18. Withdrawal from Governor's Proclamation dated December 22, 1928, as Revised, Setting Aside Hilo Forest Reserve, and Set-Aside to the Department of Transportation for Public Highway Purposes; Issuance of Immediate Construction and Management Special Use Permit; Issuance of Immediate Construction and Management Right-of-Entry; Piuhonua, South Hilo, Hawaii, TMKs: 3<sup>rd</sup>/ 2-5-01:02 por., 2-5-01:06 por., 2-5-01:08 por., 2-5-02:01 por. and 2-5-02:14 por.

19. Amend General Lease No. S-5478, Office of Hawaiian Affairs, Lessee, Waialua, Oahu, Tax Map Key: (1) 6-6-009:023 by Expanding Character of Use and Sublease Provisions in Lease Including the Authority to Assess Sublessees Reasonable Rental, Maintenance, and Utility Fees and Consent to Sublease to Haleiwa Farmers' Market Association, Inc. for Farmers' Market Purposes which Fulfills the "Prior Approval" Provision in Section 11 of the General Lease.

**F. AQUATIC RESOURCES**

1. Request for Approval to Hold Public Meetings and Hearings Pursuant to HRS Chapter 91, to Amend Hawaii Administrative Rules (HAR) Title 13, Chapters 54, "Puako Bay and Puako Reef Fisheries Management Area," and 57, "Keauhou Bay Fisheries Management Area;" To Repeal HAR Title 13, Chapter 60.3, "West Hawai'i Regional Fisheries Management Area, Hawai'i;" To Adopt a New Chapter 60.4, "West Hawai'i Regional Fishery Management Area, Hawai'i;" and To Amend Title 13, Chapter 75, "Rules Regulating the Possession and Use of Certain Gear" As Attached as Exhibit A of this Agenda

**J. BOATING & OCEAN RECREATION**

1. Issuance of a Revocable Permit to Ace Towing Service, Inc. to Provide Vehicle Towing Services and Occupy a Site for a Vehicle Storage Yard, Located at the Ala Wai Small Boat Harbor (AWSBH), Honolulu, Oahu, TMK: (1) 2-3-037: (por)
2. Request for Authorization to Amend the Memorandum of Agreement (MOA) that was Approved by the Board on August 12, 2011 with the Department of Transportation Regarding the Maintenance, Planning, Installation, and Monitoring of Ten Day Use Moorings in Hilo Bay as well as Another One Hundred Day Use Moorings Statewide.
3. Request that the Board of Land and Natural Resources (Board) Authorize the Extension of a Construction and Management Right-of-Entry for a Temporary Sewage Bypass Line to be Placed within the Ala Wai Canal to the City and County of Honolulu (CCH), Waikiki, Honolulu, Hawaii, Tax Map Keys: (1) 2-3-034: 035:, 036:, 037:, (1) 2-7-036:, (1) 2-6-017 and any other State Lands Adjacent and Within the Ala Wai Canal Surrounding Area
4. Delegation of Authority to the Division Administrator to Exempt Janitorial Service, Electrical, Plumbing, Refuse Pick-Up, and Collection and Removal of Water-Borne Debris Contracts from the Requirements of Chapter 343, HRS, and Title 11, Section 200-8, HAR

**K. CONSERVATION AND COASTAL LANDS**

1. Conservation District Enforcement (MA-09-54) in Regards to Alleged Unauthorized Seawall and Stairs by Henry and Diane Schweitzer, Located at 4885 Lower Honoapi'ilani Road, Lahaina, Maui, Hawaii TMK: (2) 4-3-015:001

2. Conservation District Use Application (CDUA OA-3609) for a 30-Foot Telecommunications Tower, With Management Plan by Verizon Wireless, Located at Ko'olau Golf Course 45-550 Kionaole Road, Kane'ohe, Oahu, TMK: (1) 4-5-042:001

## **L. ENGINEERING**

1. Declare Project Exempt from Requirements of Chapter 343, HRS, and Title 11, Chapter 200, Hawaii Administrative Rules for Job No. B72DO71C, Keehi Small Boat Harbor, Pier 300 Improvements, Honolulu, Oahu, Hawaii
2. Appointment of Thomas Oi as a Director of the East Kauai Soil and Water Conservation District
3. Request Approval of Updates to the Inventory of Dams for the State of Hawaii by Adding MA-0134 Kaopala Basin, KA-0135 Hanamaulu Filed 21 Reservoir, HA-0136 Waikoloa Reservoir No. 3, OA-0137 Oahu Reservoir 155, MA-0138 Kahakapao Reservoirs, MA-0139 Maui Field 290 Reservoir, MA-0141 Kehalani Offsite Retention Basin, MA-0142 Middle Field 14 Reservoir, MA-0143 Kaili Ili Reservoir, MA-0144 Mahinahina Reservoir, MA-0140 Ukumehame Reservoirs, KA-0145 Kauai Lagoons, KA-0146 Halaula Reservoir, HA-0147 Punawai Reservoir, OA-0148 Helemano 11 Reservoir, OA-0149 Maunaolu Reservoir, MA-0150 Wailuku Water Reservoir 6, MA-0151 Wailuku Water Reservoir 10, and MA-0152 Waikamoi Reservoirs and Removing HA-0026 Lalakea Reservoir, HA-0027 E-13 Reservoir, KA-0028 Puu Ka Ele Reservoir, HA-0052 Kehena Reservoir and OA-0148 Helemano 11 Reservoir and Authorize the Chairperson to Approve Additions and/or Removals of Dams to the Inventory of Dams for the State of Hawaii for Future Changes to the Inventory

## **M. OTHER**

1. Authorizing the Department of Transportation to Dispose of a Portion of Old Volcano Road, TMK: (3) 1-7-009: Road.
2. Lease of Federal Property for Lehua Elementary School at Pearl City Peninsula, Oahu; Lease No. N62478-11-RP-00003, TMK: 9-7-16:001
3. Amendment No. 3 to Concession Agreement No. DOT-A-10-0008 Tiare Enterprises, Inc., Retail Concession at Hilo and Kona International Airports, TMK: (3) 7-3-043:portion of 1
4. Request to Amend Prior Land Board Action Under Item M-4, March 23, 2012, Amendment No. 10 to Concession Agreement No. DOT-A-03-0001, Traveler Services Concession, Lenlyn Limited, Honolulu International Airport, TMK: (1) 1-1-03:portion of 1

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.