

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

DATE: FRIDAY, DECEMBER 14, 2007  
TIME: 9:00 A.M.  
PLACE: KALANIMOKU BUILDING  
LAND BOARD CONFERENCE ROOM 132  
1151 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813

**A. MINUTES**

1. Amend Minutes of October 26, 2007, Item K-1.
2. November 16, 2007 Minutes.

**C. FORESTRY AND WILDLIFE**

1. Subject: Carnegie Institution Contract for the Collection and Analysis of Remotely Sensed Hyperspectral and LiDAR (a Laser Based Data Collection System) Imagery for Wao Kele o Puna, the Kapapala Koa Canoe Log Management Area, and a Portion of Ka'u Forest Reserve.
2. Subject: Request for Amendment of the Hawaii Invasive Species Contract 53599 to Resolve Conflicting Terms in the Scope of Services and Copyright Ownership by Amending the Special Conditions #26

**D. LAND DIVISION**

1. Request to Approve Revised Application and Qualification Questionnaire for Agricultural, Pasture, Business, Commercial, Industrial and Resort Leases.
2. Issuance of Right-of-Entry Permit to U.S. Army Corps of Engineers on State Unencumbered and Encumbered Lands, Islands of Oahu, Maui, Kauai; TMK: (1) 3-9-11:7; (1) 4-1-14:1, 9, 10; (1) 5-2-2:1; (1) 5-6-1:2; (2) 2-1-1:3; (2) 5-8-15:11, (2) 6-1-1:2; (4) 1-5-1:1; (4) 3-9-1:2; (4) 4-2-1:1, 2; (4) 4-4-1:1, 2; (4) 4-6-1:1; (4) 5-4-1:1.
3. Consent to Assign General Lease No. S-5824, Andy B. Alfiler and Mary G. Alfiler, Assignor, Andy B. Alfiler and Mary G. Alfiler, and LBD Coffee, LLC Assignee, Kapaa, Kauai, Tax Map Key: (4) 4-6-05:11.
4. Grant of Perpetual, Non-Exclusive Easement to Francis U. Merriman for Access and Utility Purposes, Waioli, Hanalei, Kauai, TMK: (4) 5-5-08:02, and 5-6-02:01.

5. Approval of Lease of Private Property with Leroy Ridgeway Jr. and Ms. Faviola Ridgeway on Behalf of the Department of Health, Clean Air Branch for Air Monitoring Purposes, Keahialaka, Puna, Hawaii, TMK: (3) 1-3-28:portion of 38.
6. Consent to Assign General Lease No. S-4640, Michael G. Mentnech, Assignor, to Sunny Stewart and Mya Paw'U, Assignee, Waiakea, South Hilo, Hawaii, TMK: (3) 2-4-49:23
7. Sale of Remnant State Lands, Abandoned Railroad Right-of-way to Hilo Meishoin, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-4-57: portion of 01.
8. Amend Prior Board Action of June 22, 2007, Agenda Item D-4, Cancellation of Revocable Permit No. S-7174 to J.J. Andrade Slaughterhouse, Inc., and Issuance of Month-to-Month Revocable Permit to Jill J. Andrade dba R.J. Ranch for Pasture Purposes; Kawela and Papaki, Hamakua, Hawaii, TMK: (3) 4-6-02:07.
9. Amend Prior Board Action of September 28, 2001, Agenda Item D-17, Grant of Perpetual, Non-Exclusive Easement to R.R. Midkiff Luakaha Family Limited Partnership and Elizabeth Midkiff Myers, Trustee Under that Certain Unrecorded Revocable Trust of Elizabeth Midkiff Myers dated April 24, 1989, as Amended, for Waterline, Reservoir and Fire Pump Station Purposes at Nuuanu, Oahu, TMK: (1) 1-9-07:por. 02.
10. Acquisition of Government Lands and Set Aside to (1) Department of Transportation for Manifested Cargo and Passenger Operations, and (2) Department of Business, Economic Development and Tourism, Foreign-Trade Zone Division for Foreign Commerce, Portion of Kaakaukui, Honolulu, Oahu, TMKs: (1) 2-1-15:por. 09, 19, 15, 21, 25, 26, 27, 28, 29, 30, 31, 32, 33, 36, 37, 38, 39, 42 & 46.
11. Issuance of Revocable Permit to King Center, Ltd. for Parking Purposes, Honolulu, Oahu; TMK: (1) 2-3-18:45.
12. Enforcement of Violation of Unencumbered Public Lands for Unauthorized Commercial Activity by Nita Kalamafoni at Duke Kahanamoku Beach, Waikiki, Oahu, TMK: (1) 2-3-37:21.
13. Consent to Assign General Lease No. S-4901, Leina'ala M. Lopes and Carolyn Leina'ala Kahili, Assignor, to Leina'ala M. Lopes, Carolyn Leina'ala Kahili, Wilfred A. Lopes and Darren Kealii Lopes, Assignees, Maunalaha Homesites, Maunalaha, Honolulu, Oahu, TMK: (1) 2-5-24:12.
14. Amend Prior Board Action of January 28, 2005, Item D-8, Grant of a 55-Year Non-Exclusive Easement for Seawall Purposes to Kauilani, LLC, Honolulu, Oahu, TMK: (1) 3-6-02:02 seaward.
15. Amend Prior Board Action of December 8, 2006, Item D-14, Approval in Principle of an Exchange between the State of Hawaii and Tiana Partners and Hawaiian Humane Society for State-Owned Springing Executory Interest in Land at Niu,

Honolulu, Oahu, Tax Map Keys: (1) 3-7-04:01, 02 & 20 and Privately-Owned Land at Niu, Honolulu, Oahu, Tax Map Key: (1) 3-7-04:02, and

Rescind Prior Board Action of October 28, 1994 Under Agenda Item F-13, Amendment to Prior Board Action of February 12, 1988 (Agenda Item F-24) Relating to an Agreement to Partition Land at Niu Valley, Honolulu, Oahu; Accept Quitclaim to a Portion of Property; Issue Quitclaims to the Remainder of Property; and Set Aside to the Division of Forestry and Wildlife, TMK 3-7-04: 01, 02 & 20.

To Reflect Parties' Intent to Exchange Present and Future Interests in Land Situated at Niu, Honolulu, Further Identified as Tax Map Keys: (1) 3-7-04:01, 02, 20 and 21

16. Rescind Prior Board Action of August 26, 2005, Agenda Item D-13, Sale of Remnant to G&I Watumull Limited Partnership, Waimanalo, Koolaupoko, Oahu, TMK: (1) 4-1-09:274.
17. Sale of Lease at Public Auction for Intensive Agriculture Purposes, Waimanalo, Koolaupoko, Oahu, TMK: (1) 4-1-10:40.
18. Enforcement of Violation of Unencumbered Public Lands, Unauthorized Landscaping and Removal of Sand and Plants on State Land by David and Maureen Cross, Kailua, Koolaupoko, Oahu; TMK: (1) 4-3-17:33.
19. Grant of Term, Non-Exclusive Easement to Walter K. Quan, Andrew K. Quan, Thomas A. Quan for Filled Land, Steps and Seawall Purposes, Kahaluu, Koolaupoko, Oahu, TMK: (1) 4-7-10:36 seaward.
20. Cancellation of Grant of Non-Exclusive Easement Bearing General Lease No. S-5172 to Stanley Chun and Katherine S. Chun and Grant of Term, Non-Exclusive Easement to Gilbert K. Chun and Leialoha K. Chun for Seawall Purposes, Kahaluu, Koolaupoko, Oahu; TMK: (1) 4-7-19:26 seaward.
21. Sale of Reclaimed Land to the Dorothy Ikeda Family Trust, and Amend the Prior Board Action of November 8, 1963 Under Agenda item F-8, Kaneohe, Oahu, TMK: (1) 4-7-19:78 por.
22. Grant of Perpetual, Non-Exclusive Easement to Department of Defense, for Civil Defense Warning and Communication Siren Purposes, and Issuance of a Construction & Management Right-of-Entry Permit, Hauula, Koolauloa, Oahu, Tax Map Key: (1) 5-3-001:039 (por.)
23. Grant of Perpetual, Non-Exclusive Easement to Hawaiian Electric Company, Inc. and Hawaiian Telcom, Inc. for Access and Utility Purposes and Issuance of Construction and Management Right-of-Entry, Waianae, Oahu, Tax Map Key: (1) 8-5-028:042 por.

24. Set Aside to City and County of Honolulu for Park Purposes; Issuance of Construction and Management Right-of-Entry, Lualualei, Waianae, Oahu; TMK: (1) 8-6-01:06.
25. Mutual Cancellation of General Lease No. S-4612 Issued to Del Monte Fresh Produce (Hawaii) Inc. for Pineapple Cultivation Purposes, Waikele, Oahu, TMKs: (1) 9-4-12:01, 02, 03.
26. Sale of Lease at Public Auction for Intensive Agriculture Purposes, Waikele, Oahu, TMK: (1) 9-4-12:01, 02, 03. 27.
27. Report of Board of Education Action Regarding Acquisition of Private Lands and Set Aside to Department of Education for Expansion of Haaheo Elementary School, Wainaku, South Hilo, Hawaii, TMK: (3) 2-6-32:01 por. & 27.

**E. STATE PARKS**

1. Approval to Issue Three (3) Revocable Permits at Ahupua'a 'O Kahana State Park, Ko'olauloa, Oahu for Residential and Agricultural Purposes TMK: (1) 5-2-02: por.1
2. Request to Enter into a Revocable Permit for the Operation of the Kokee Concession, Kokee State Park, Kauai
3. Request Continuance of 96 Revocable Permits Issue for Recreation-Residence Use in Koke'e and Waimea Canyon State Parks, Waimea, Kaua'i
4. Annual Renewal of Revocable Permits (RPs) on the Island of Kauai and Oahu

**F. AQUATIC RESOURCES**

1. Enforcement Action Against Maui Snorkel Charters, Inc. for Damaging Coral within the Molokini Shoal Marine Life Conservation District
2. Request for Approval to Add Funding (\$158,155) and Increase Scope of Services of a Research Corporation of the University of Hawaii Stream/Estuarine Studies Project Agreement (Contract No. 51059) in FY08
3. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to the Monument Co-Trustee Representatives of the U.S. Department of the Interior, U.S. Fish and Wildlife Service; U.S. Department of Commerce, National Oceanic and Atmospheric Administration; and State of Hawai'i Department of Land and Natural Resources, for Access to State Waters to Conduct Conservation and Management Activities.

## **I. HISTORIC PRESERVATION**

1. Request for Approval to Enter into a Reburial Agreement with FRC Waikiki, LLC for the Human Skeletal Remains Reinterred on their Property at Waikiki Ahupua'a, Kona District, Island of O'ahu at [TMK (1) 2-6-13: 1,3,4,7,8,9,11,12]
2. Request for Approval to Enter into a Reburial Agreement with WBC CPR, LLC for the Human Skeletal Remains Reinterred on their Property at Waikiki Ahupua'a, Kona District, Island of O'ahu at [TMK (1) 2-6-002: 1,2,3]
3. Request for Approval to Enter into a Reburial Agreement with BBC Corporation for the Human Skeletal Remains Reinterred on their Property at Wai'ala'e Ahupua'a, Kona District, Island of O'ahu at [TMK (1) 3-5-004: 015]
4. Request for Approval to Enter into an In Situ Burial Agreement with Falko Partners, LLC for the Human Skeletal Remains Found on their Property at Waipake Ahupua'a, Ko'olau District, Island of Kauai [TMK (4) 5-1-03:06]
5. Request for Approval to Enter into a Reburial Agreement with Jeffrey Borges, Martine Borges and Troy and Jennifer Lindell for the Human Skeletal Remains Reinterred on their Property at Waipouli Ahupua'a, Kawaihau District, Island of Kauai at [TMK (4) 4-3-009:049]
6. Request for Approval to Enter into a Reburial Agreement with PMK Development, LLC for the Human Skeletal Remains Reinterred on their Property at Nu'uuanu Ahupua'a, Kona District, Island of O'ahu at [TMK (1) 2-1-009: 11, 13, 18 and 2-1-010: 001, 004]
7. Request for Approval to Enter into a Reburial Agreement with John and Deborah Mullins for the Human Skeletal Remains Reinterred on their Property at Malaekahana Ahupua'a, Ko'olauloa District, Island of O'ahu at [TMK (1) 5-6-001:018]

## **J. BOATING & OCEAN RECREATION**

1. Request for Approval to Repeal Hawaii Administrative Rule, (HAR), 13-242-13

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

1. Conservation District Use Application SSBN MA-07-04 for a Small-Scale Beach Nourishment Project (Board Consent for Chair Approval), at Laulea Cove, Spreckelsville, Maui, Cirrus, LLC - TMK: (2) 3-8-2:072
2. After-The-Fact Conservation District Use Application OA-3431 for an Erosion Control Wall, for the Completion of an Unfinished Portion of the Wall, and for On-Going Maintenance of the Wall, along Ka'elepulu Stream, Kailua, Oahu, Mr. Read Spencer - TMKs (1) 4-2-50:75 and (1) 4-2-49:87

3. Conservation District Use Application OA-3433 for the Kaneohe Ranch & Castle Foundation Administrative Complex Located at Castle Junction, 1199 Auloa Road, Kailua, Oahu, Kaneohe Ranch and Castle Foundation - TMK (1) 4-5-35:003
4. Conservation District Use Application MA-3426 to Construct the Proposed Kapalua Coastal Trail Project, Honolua and Honokahua Districts, Kapalua, Maui, Maui Land & Pineapple Company - TMKs: (2) 4-2-004:010, 015, 016, 017, 032, 034
5. Request for a Deviation from Conditions Previously Approved by the Board of Land and Natural Resources Prohibiting Rental and/or Commercial Use on 14 Conservation District Use Permits for Single Family Residences at Haena, Island of Kauai, Counsel Randy Vitousek - TMK: (4) 5-9-002:018 Ann C. Harthorn/Edwin Cryer; (4) 5-9-002:021 Gary Bart; (4) 5-9-002:022 Apolonia & Gary D. Stice; (4) 5-9-002:035 Marcia-Toro/Carmen & Charo Rasten; (4) 5-9-002:039 Caroline Simpson; (4) 5-9-002:041 E. Brian Smith; (4) 5-9-002:043 Barbara & Stephen Baker; (4) 5-9-002:044 Udo Helferich; (4) 5-9-002:050 James S. Greenan; (4) 5-9-005:051 Diane & Willi Faye/Lindsey C. Faye/Diane D. Faye; (4) 5-9-002:061 Elizabeth Taylor Tiernan/William Van Dyk; (4) 5-9-003:046 Pieter S. Myers; (4) 5-9-005:021 Caprise & Mark Moran; and (4) 5-9-002:052 Nan Guslander/Whit & Hillary Preston

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" regarding the request for deviation from the prohibition against rental and/or commercial use of the subject properties.

#### **L. ENGINEERING**

1. Permission to Hire a Consultant to Update the State Water Projects Plan
2. Request for Authorization to Hire Consultant(s) and Authorize the Chairperson to Negotiate Agreements with a Consultant(s) to Conduct Hearings and Coordinate Work for the Promulgation of Administrative Rules and Procedures as Required by the "Hawaii Dam and Reservoir Safety Act of 2007," Chapter 179D HRS – Dams and Reservoirs

#### **M. OTHER**

1. Modification No. 1 to Lease No. DOT-A-06-0016 U.S. Federal Aviation Administration Kona International Airport at Keahole
2. Issuance of Direct Lease – Rotor Wing Hawaii, Inc., Lihue Airport, Kauai

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://www.hawaii.gov/dlnr/chair/meetings/index.htm>

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.