



Kanepuu DOUP - Fence

WILLIAM W. PATY, CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

DEPUTIES

JOHN P. KEPPELER, II
OGNA L. HANAIKE

AQUACULTURE DEVELOPMENT
PROGRAM
AQUATIC RESOURCES
CONSERVATION AND
ENVIRONMENTAL AFFAIRS
CONSERVATION AND RESOURCES
ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION PROGRAM
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
P.O. BOX 621
HONOLULU, HAWAII 96809

FILE NO.: LA-11/14/91-2535
180-Day Exp. Date: 5/12/92
DOCUMENT ID.: 534

APR 15 1992

Ms. Barrie Morgan
The Nature Conservancy of Hawaii
1116 Smith Street #201
Honolulu, Hawaii 96817

Dear Ms. Morgan:

Subject: Conservation District Use Application for
Protective Fencing at Kanepuu Preserve, Lanai

We are pleased to inform you that your Conservation District Use Application for a protective fencing at Kanepuu, Lanai was approved on March 27, 1992 subject to the following conditions:

1. The applicant shall comply with all applicable statutes, ordinances, rules and regulations of the Federal, State and County governments, and applicable parts of Section 13-2-21, Administrative Rules, as amended;
2. The applicant, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim or demand for property damage, personal injury and death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit;
3. The applicant shall comply with all applicable Department of Health Administrative Rules;
4. Before proceeding with any work authorized by the Board, the applicant shall submit four (4) copies of the construction plans and specifications to the Chairperson or his authorized representative for approval for consistency with the conditions of the permit and the declarations set forth in the permit application. Three (3) of the copies will be returned to the applicant. Plan approval by the Chairperson does not infer approval required of other agencies. Compliance with Condition 1 remains the responsibility of the applicant;

5. That the applicant shall keep to a minimum all cutting or removal of native (desired) vegetation in the project area;
6. That no live trees shall be used to tack, tie, anchor, or otherwise used in the construction of the fences;
7. That the applicant shall be held responsible for the removal of all litter and debris generated from the construction and maintenance of the fence line and use of the area;
8. During the installation of the fence, a Lana'i resident (such as Mr. Sol Kaopuiki) who is sensitive to the protection of historic sites, shall be present to ensure that historic sites are avoided;
9. That the applicant coordinate the implementation and maintenance of the fencing project with the Division of Forestry and Wildlife (Maui Forester) to ensure all aspects of the project (i.e. access, fire control, etc.) are attended to in an acceptable manner;
10. Any work or construction to be done on the land shall be initiated within one (1) year of the approval of such use, and all work and construction must be completed within three (3) years of the approval of such use;
11. That all exposed and disturbed ground shall be revegetated within thirty (30) days unless otherwise provided for in a plan on file with and approved by the Department;
12. That the applicant notify the Department in writing when construction activity is initiated and when it is completed;
13. That in issuing this permit, the Department and Board has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Department may, in addition, institute appropriate legal proceedings;
14. That all representations relative to mitigation set forth in the accepted Environmental Assessment for this proposed use are hereby incorporated as conditions of this approval;
15. That failure to comply with any of these conditions shall render this Conservation District Land Use application null and void; and
16. Other terms and conditions as prescribed by the Chairperson.