

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

DATE: FRIDAY, December 7, 2018
TIME: **9:15 A.M.**
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HAWAI'I 96813

In some of the matters before the Board, a person may wish to request a contested case hearing. If such a request is made before the Board's decision, then the Board will consider the request first – before considering the merits of the item before it. A person who wants a contested case may also wait until the Board decides the issue, then request the contested case after the decision. It is up to you. Any request must be made orally by the end of the meeting and followed up in writing within ten days. If no request for contested case is made, the Board will make a decision. The Department will treat the decision as final and proceed accordingly.

C. DIVISION OF FORESTRY AND WILDLIFE

1. Request Approval for selection of the Competitive Sealed Proposal process and Authorize the Chairperson to Award, Execute, and Extend Contracts for a Feasibility Study on using tracker dogs to detect Endangered Hawaiian Tree-Snail predators in forest areas;

and

Request Approval of Declaration of Exemption from Chapter 343, Hawai'i Revised Statutes, Environmental Compliance Requirements for the subject project.

2. Request to Restrict access to portions of the 'Āhihi-Kina'ū Natural Area Reserve, Maui, for a period of up to two years (November 9, 2018 - November 8, 2020), pursuant to Hawaii Administrative Rules § 13.209-4.5, Tax Map Keys: 2-1-4:073 (portion) and 2-1-004:113.
3. Request Approval of Statewide Forest products price list for Resources sold from lands managed by the Division of Forestry and Wildlife. (Attached).

4. Request for Approval for Selection of a Competitive Sealed process for a Carbon Certification project in Kahikinui Forest Reserve and Na Kula Natural Area Reserve, Hana, Maui County, Tax Map Keys: (2) 1-8-001:006 portion.

D. LAND DIVISION

1. Consideration of Court-Ordered Management Plan in Civil No. 14-1-1085-04, CLARENCE CHING and MARY MAXINE KAHAULELIO v. SUZANNE CASE, in her official capacity as Chairperson of the Board of Land and Natural Resources and State Historic Preservation Officer, BOARD OF LAND AND NATURAL RESOURCES, DEPARTMENT OF LAND AND NATUARL RESOURCES.

The Board may go into Executive Session pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, in order to consult with its attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities.
(No Staff Submittal)

2. Decision making regarding Sierra Club's Petition Requesting a Contested Case Hearing regarding the Holdover of Revocable Permits S-7263 (TMK (2) 1-1-001:044), S-7264 (TMKs (2) 1-1-001:050, 2-9-014:001, 005, 011, 012, and 017) and S-7265 (TMK (2-1-1-002: por. 002) to Alexander & Baldwin, Inc., and S-7266 (TMK (2) 1-2-004:005 and 007) to East Maui Irrigation Company, Limited, for Water Use on Maui.

The Board may go into Executive Session pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, in order to consult with its attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities.
(No Staff Submittal)

E. DIVISION OF STATE PARKS

1. Establish a Volunteer Agreement with Protectors of Paradise at the Makua-Keawa'ula Section of Ka'ena Point State Park, Wai'anae, O'ahu TMK: (1) 8-1-001:004, por.006, and por.007 and 8-2-001:001, 022

F. DIVISION OF AQUATIC RESOURCES

1. Enforcement Action against TWOL, LLC for Stony Coral and Live Rock Damage Resulting from the October 10, 2017 CFV Pacific Paradise Grounding within the Waikīkī-Diamond Head Shoreline Fisheries Management Area, O'ahu.
2. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to the Monument Co-Trustees: the U.S. Department of the Interior, U.S. Fish and Wildlife Service; U.S. Department of Commerce, National Oceanic and Atmospheric Administration; and the Office of Hawaiian Affairs for Access to State Waters to Conduct Conservation and Management Activities and Authorize General Conservation and Management Activities by the Department of Land and Natural Resources, Divisions of Aquatic Resources & Forestry and Wildlife.
3. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to Commanding Officer Collin Little, National Oceanic and Atmospheric Administration (NOAA) Ship HI'IALAKAI, for Access to State Waters to Conduct Shipboard Support Activities.
4. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to Commanding Officer Hector Cassanova, National Oceanic and Atmospheric Administration (NOAA) Ship OSCAR ELTON SETTE, for Access to State Waters to Conduct Shipboard Support Activities.

J. DIVISION OF BOATING AND OCEAN RECREATION

1. Request Approval to Initiate Rule-Making Proceedings, Including Public Hearing, to Amend and Compile Title 13, Hawai'i Administrative Rules (HAR), Chapters 13-234, Fees and Charges, and 13-253, Catamaran Registration Certificate, Other Registration, and Commercial Use Permit Fees for the Purpose of Revising Fee and Charge Requirements and Increasing Boating and Ocean Recreation Fees and Charges, Including, but Not Limited to, Mooring Fees, State Boating Facility-Related Fees, Commercial Use Permit Fees, Ramp Decal Fees, and Passenger Cruise-Related Fees.

The proposed rules can be reviewed in person at a Division of Boating and Ocean Recreation (DOBOR) district office from 8:00 am to 3:30 pm, Monday through Friday, except state Holidays as follows: Hawai'i District: Honokōhau Small Boat Harbor 74-380 Kealakehe Parkway Kailua-Kona, HI 96740; Kaua'i District: Nāwiliwili Small Boat Harbor 2494 Niūmalu Road Līhu'e, HI 96766; Maui District: Mā'ālaea Small Boat Harbor 101 Mā'ālaea Boat Harbor Road Wailuku, HI 96793; O'ahu District: Ke'ehi Small Boat Harbor 4 Sand Island Access Road Honolulu, HI 96819.

The proposed rules can be reviewed online at: <http://ltgov.hawaii.gov/the-office/administrative-rules>. The proposed rules can also be viewed online at: <http://dlnr.hawaii.gov/dobor/draft-rules>.

Location and contact information for DOBOR offices is available online at: <http://dlnr.hawaii.gov/dobor>

L. ENGINEERING

1. Delegation of Authority to the Chairperson to Enter into a Project Collaboration Agreement with the Hawaiian Electric Company, Inc. for the Dredging and HECO Cable Removal Project within the Hawaiian Electric Easement in the Ala Wai Canal, O'ahu, Hawai'i.
2. Delegation of Authority to the Chairperson to: (1) Procure, Award and Enter into Contracts and Sign Necessary Related Documents to Implement and Administer Projects and Activities in Support of and Required by the Cooperating Technical Partners (CTP), Grant and/or the Community Assistance Program- State Support Services Element (CAP-SSSE) Grant; (2) Declare a Project Exempt from the Preparation of an Environmental Assessment, or Approve an Environmental Assessment and Issue a finding of No Significant Impact, if appropriate.

The Board may go into Executive Session pursuant to Section 92-5(a) (4), Hawaii Revised Statutes, 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 9:00 A.M. THE DAY OF THE MEETING.

Public Testimony: e-mail: blnr.testimony@hawaii.gov

The Sunshine Law gives the public the opportunity to submit testimony, but it is your responsibility to submit written testimony in a timely manner, to give Board members sufficient time to consider written testimony, **please submit the testimony no later than 24 hours prior to the Board Meeting.**

Any late written testimony will be retained as a part of the record, but we cannot assure that Board members will receive it with sufficient time for review prior to decision-making.

Meeting materials are available for public review in advance of the meeting on our Website:

<http://www.dlnr.Hawaii.gov/meetings> or **in person** at 1151 Punchbowl Street, Rm 131, Honolulu, Hawaii 96813.

INDIVIDUALS REQUIRING SPECIAL ASSISTANCE OR AUXILIARY AIDS OR SERVICES (e.g., sign language interpreter, wheel chair accessibility, or parking designated for the disabled) AT THE BLNR MEETING, PLEASE CONTACT STAFF AT LEAST 72-HOURS PRIOR TO THE MEETING AT (808) 587-0404 SO THAT ARRANGEMENTS CAN BE MADE.