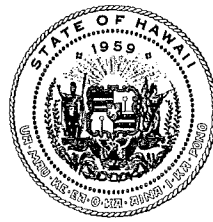


LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

DIVISION OF FORESTRY AND WILDLIFE
19 EAST KAWILI STREET
POST OFFICE BOX 4849
HILO, HAWAII 96720
PH: (808)974-4221 FAX: (808)974-4226

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

February 10, 2010

Mr. Ed Ung
Rock Island riders
P.O. Box 1072
Keaau, HI 96749

Dear Mr. Ung,

Subject: Special Use Permit Procedures for the Rock Island Riders, for its Mauna Kea 200 ATV/Dirt Bike Event within the Waiakea, Upper Waiakea and Mauna Kea Forest Reserves

In reference to your letter of January 6, 2010, requesting a preliminary permit to layout and prepare the course for our approval, I have prepared this summary of work that needs to be accomplished before a Special Use Permit is issued for this event.

- I. Rock Island Riders (RIR) submits 120 days prior to the event to the Division of Forestry and Wildlife (DOFAW) for Review**
 - A. A Letter of Request to have the event.
 - B. A preliminary map indicating the proposed routes.
 - C. Routes subject to approval by DOFAW. There will be no more new routes.
 - D. Supply a name and local telephone number of one contact person who can be reached during this preparation period and event.
- II. DOFAW Staff Reviews the Letter of Request and Proposed Routes**
 - A. Specific sections and roads that may conflict with other resources are reviewed by DOFAW Staff. Changes are made accordingly and reviewed with RIR.
 - B. If routes are not satisfactory, adjustments must be made.

III. DOFAW Issues a Pre-Work Permit and Waiver to RIR Prior to the Event for Brush Clearing and Event Preparation

- A. RIR shall utilize only existing roadways that are approved by DOFAW for its event.

Routes in the Waiakea and Upper Waiakea F.R. that are not located on plantation grid roads will not be used unless approved by DOFAW.

RIR will not cut or create new sections of roadways.

- B. RIR will submit to DOFAW a list of names of all participants that would be engaged in brush clearing work and event preparation.

Additional names of participants can be submitted, if needed. Procedures will be setup to accommodate last minute volunteers.

The names of participants will be kept at the front office and used to check off participating workers as they come in for permits.

Each participant will acquire a permit with the attached special conditions and sign a waiver agreement.

All field participants must have a permit, conditions, and waiver in their possession.

- C. No use of heavy equipment.
- D. This pre-work permit does not allow RIR to ride outside of the approved proposed route areas.
- E. This pre-work permit does not allow RIR permission to implement or administer the Mauna Kea 200 ATV/Dirt Bike Event.

IV. RIR Collect and Submit Pre-Event Documents for DOFAW Review and Approval

- A. Submit documents to DOFAW 60 days prior to the event.
- B. Payment of a \$ 2500.00 refundable deposit for restoration fees of the area. After the event, DOFAW will inspect the area with RIR to ensure all ribbon, past year ribbon, signs, litter, and equipment is removed from the area and any resource rehabilitation work that needs to be completed.
- C. Certificate of Liability Insurance. Department of Land and Natural Resources (DLNR) shall be added to the Rock Island Riders liability insurance coverage as

an additional insured for this event, for \$1,000,000 at no cost to the Department of Land and Natural Resources.

Submit to DOFAW 30 days prior to the event.

- D. RIR agrees to indemnify and hold the DLNR harmless from any and all expenses incurred as a result of any action, claim, suit, or judgment arising from injury to person or property resulting from or related to this event. Each RIR participating in brush clearing and event preparation will acquire a permit and sign a waiver agreement.
- E. Submit to DOFAW, permission from other landowners or agencies for use of their jurisdictional areas for the event. Some landowners that may be affected are State Parks, Pohakuloa Training Area, Hawaiian Home Lands, State Highways, Hawaii County Police, and local Mountain Biking Club.
- F. Submit a separate Plan of Operations for the entire event.
- G. Submit a separate plan that includes risk assessment, emergency planning and fire contingencies for the event.
- H. The Fire Contingency Plan for the event should at a minimum identify locations of spotters in areas with high concentrations of ignitable fuels, management at fueling stations, and a method of immediate fire containment and call out procedure.
- I. RIR will post signs at all the affected Hunter Check In Stations concerning the pre-work activities, including the station located on Saddle Rd. at mile marker 8.

V. DOFAW Reviews Documents and Final Route Location

- A. The more time we have to review the material the better, and then we can assist and help you meet the necessary safety criteria.
- B. The final approved route map will be signed by DOFAW.
- C. If any of the above requirements are not met, the requested Special Use Permit will not be issued and RIR must make proper arrangements with officials to cancel the event.

VI. DOFAW Issues a Special Use Permit for the Mauna Kea 200 ATV/Dirt Bike Event

- A. A Special Use Permit is issued no less than 20 days prior to the event.

- B. If extreme fire danger is encountered within Mauna Kea Forest Reserve, the event will need to be cancelled during the proposed event dates. DOFAW will be monitoring the conditions and will be informing RIR of possible closures.
- C. RIR reviews the SUP and accepts the required conditions in the permit.
- D. RIR administers the event.

VII. RIR Ensures All Ribbon, Past Year Ribbon, Signs, Litter, and Equipment is Removed from the Area and Resource Rehabilitation Work has been Completed.

- A. RIR will have 30 days to meet this condition.
- B. DOFAW and RIR will inspect the area together at the end of this time.
- C. DOFAW returns RIR deposit of \$2500.00 if this condition is met.
- D. DOFAW retains the deposit and performs the required clean up.


VIII. RIR and DOFAW have a Critique of the Event

- A. RIR contact person will meet with DOFAW no more than 45 days after the event.
- B. The event is reviewed and improvements, suggestions, and doing things differently are made.

IX. If RIR Violates Any of the Conditions of the Pre-Work or Special Use Permits that are not corrected within 30 days upon written notification, RIR Shall Not be Eligible to Apply for another Permit until the Expiration of Two Years from the Date of the Last Permit.

Should you agree to the above terms and conditions, please start working on the required pre-work documents that is needed before a Pre-Work Permit and Special Use Permit can be issued. If you have any questions, please contact Irving Kawashima at our Forestry and Wildlife Office at (808) 974-4221.

Sincerely,


Roger H. Imoto
Hawaii Branch Manager