MINUTES FOR THE
MEETING OF THE
BOARD OF LAND OF NATURAL RESOURCES

DATE: THURSDAY JUNE 9, 2016
TIME: 9:00 A.M.
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HAWAI'I 96813

Member James Gomes called the meeting of the Board of Land and Natural Resources to order at 9:03 a.m. The following were in attendance:

MEMBERS

James Gomes
Thomas Oi
Ulalia Woodside
Chris Yuen
Stanley Roehrig
Keone Downing

STAFF

Russell Tsuji/LAND
Jason Redulla/DOCARE
Tiger Mills/OCCL
Russell Takahara/ENG
Andrew Choy/DOCARE
Thomas Friel/DOCARE
Dave Smith/C-1

OTHERS

Linda Chow/AG
Duane Kurisu/D-4
Sandy Pfund/D-4
Gerald Kaneshiro/D-1
Ross Smith/DOT-AIR
Ivan Nishiki/DAGS
Donna Leong/D-4
Allison Wong/D-5
Fedrick Burg/K-1

Member Gomes noted that the following two items would be withdrawn.

ITEM L-4 Request Acceptance of the Final Environmental Assessment and Approval for the Issuance of a Finding of No Significant Impact (FONSI) for the Department of Land and Natural Resources, Kekaha Kai State Park Phase II Improvements, North Kona, Hawai'i.

Withdrawn

ITEM M-2 Approval to Execute an Agreement and Mortgage with the United States Department of Commerce, Economic Development Administration (EDA) for the construction of a Business Recovery Center within the Interior of the Extension Hawaii Emergency Management Agency Building B303 Located at the Diamond Head State Monument Tax Map Key (1) 3-1-042-006.

Not amended

APPROVED BY THE BOARD
AT ITS MEETING HELD ON
JUL 22 2016

Sandy Pfund with the Office of Strategic Development for City and County of Honolulu added that Hale Maleola is a transitional navigation center. The people that are currently there are cycling through and about 50 of them are in permanent housing.

Member Oi added that the state yields a lot of land to the county and majority of the time nothing gets done. Member Oi expressed concerns about how the site is at a flood zone.

Kurisu responded that currently working with the city a conclusion has been made after discussion with all social services agencies; the need now is long term, affordable housing.

Pfund said that Kurisu has done well with entities in assisting with the housing first initiative and providing social services and employees to help the individuals.

Member Woodside asked how the environmental impacts will be addressed during this process. Kurisu explained that they have reached out to seek what issues occur, if there are, they will address them as best as they can.

Member Woodside asked if the city needs to do 343. Pfund said it was not need to due to the governor's proclamation.

Member Woodside expressed concern about the difficulty of the area and asked if the city was prepared for oversight. Pfund responded that they have looked at the sewer water impacts. Kurisu added that they would do their due diligence in satisfying their concerns.

Member Yuen commented that regardless of the governor's proclamation the general environmental codes are still in place. Pfund added that they were not going to waive life safety.

Member Roehrig asked what the history of toxic waste was in this parcel. Kurisu responded that they hired the consultant but have not begun.
Member Roehrig asked what they were going to check for. Kurisu explained that when they do the phase 1, they do a hazardous material survey, if there are potential issues, a phase 2 is implemented.

Member Roehrig asked where they are going to get their equipment to do the testing. Pfund responded that they worked with DOH which came out and provided their analysis and testing plan through a lab based on the phases.

Member Oi felt that if they were going to do phase 1 and test the soil, they would not let children in without doing proper testing.

Member Downing asked how much land the state gave the city and how much more do they have to put homeless on. Pfund responded that the state gave 3 acres, there is a plan to expand it by 12 more units because in that area because of the high traffic, we have limited it to only adults.

Member Gomes noted that the Hawaii all-star paint ball games had been there at 2014.

Kurisu added that we are the facilitators and this is a community project.

Unanimously approved as submitted (Roehrig, Oi)

ITEM D-5 Mutual Cancellation of General Lease No. S-5149 and Issuance of Direct Lease to Honolulu Academy of Arts for Youth Education and Art Center Purposes, Kulaokahua, Honolulu, Oahu, Tax Map Key: (1) 2-4-002:020.

Member Downing asked if they were ok with the method of payment. Tsuji responded that they had to manage the lease and rather make it annual.

Allison Wong, interim director of the Honolulu Museum of Art, introduced herself. She added that the lease renewal is to leverage their fundraising efforts.

Unanimously approved as submitted (Roehrig, Woodside)

ITEM B-1 Request Approval to Seek the Governor's Approval to Indemnify the City And County of Honolulu Department of Parks and Recreation For The Use Of The Koko Head Shooting Complex On September 17-18, 2016 For National Hunting And Fishing Day Celebration.

Andrew Choy, Hunter education conveyed item B-1.

Member Yuen suggested that next year they bring it to the board to delegate to the chair for approval.

Unanimously approved as submitted (Woodside, Roehrig)

ITEM D-1 Request to Close a Portion of the Ala Wai Canal Waters between Kalākaua Avenue and Ala Moana Boulevard from September 1 to 10, 2016 to Support Security Requirements of the International Union for the Conservation of Nature-World Conservation Congress to be held in Honolulu, O'ahu.

Jason Redulla, deputy chief DOCARE, introduced himself. Redulla added that DOCARE had been meeting regularly in the past months with state and federal law enforcement agencies; this conference is important, this is a worldwide media event, various invitations have been sent out to different heads of state.

Member Gomes asked why was this conservation congress never held in the US and why Hawaii was picked. Redulla responded that it is the first time held in the US, we do not know the background. Tsuji responded that under the former administrators they pushed to bring the conference to Hawaii, the state has contributed millions.

Member Downing asked what would happen if they don't do the security to the canal. Tsuji responded that they could close it without spending funds. Redulla added that the federal gov. has been in discussions and currently we are on stand-by.

Member Roehrig asked what key issues the IUCN were going to discuss that could bring protestors.
Tsuji said that DOCARE and LAND were not involved in the programing efforts of this conference.

Member Roehrig was not satisfied on voting on this now and what is the level of risk that the board should be considering.
Member Yuen added that the issue is that heads of state could attend and we will not know until the last minute, currently they want security nailed down in anticipation.

Thomas Friel, DOCARE chief, introduced himself and added that DOCARE is preparing for worst case scenarios.

Member Downing asked if the board should add the water ways between Kalakaua and McCully Bridge. Redulla did not consider closing them to lessen the impact to the public.

Gerald Kaneshiro with the Major Events Division at HPD testified that they want to be ready, since this is a worldwide event, a lot of planning needs to be done.

Unanimously approved as submitted (Oi, Woodside)

ITEM D-2 Request for Issuance of Right-of-Entry Permit to Hawaii Sand Festival c/o Julian Miller, for a Sand Castle / Sand Art Contest at Hanalei Bay Beach, Hanalei (Makai), Hanalei, Kaua'i, Tax Map Key: (4) 5-5-001: seaward of 11, 12, & 13.

Member Oi asked if LAND could go and check who was in charge of this area.

Unanimously approved as submitted (Oi, Yuen)

ITEM D-3 Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Set Up, Firing, and all other Pre-display and Post-display activities for the 2016 Mauna Kea Beach Hotel Fourth of July Aerial Fireworks Display on July 4, 2016, on unencumbered State lands, 'Ōuli, South Kohala, Hawai'i, Tax Map Key: (3) 6-2-002: seaward of parcel 004.

Member Roehrig commented that this was a pristine beach with lots of children and swimmers in the water.

Member Downing commented that as a board we have to look at a fee to be charged for fireworks; the fee is not similarly established as the amount of land being charged.

Member Roehrig asked Member Downing asked what he thought of making a plan to limiting trash from fireworks display. Member Downing responded that they could change from shooting more inland.

Unanimously approved as submitted (Downing, Roehrig)

ITEM K-1 Time Extension Request for Conservation District Use Permit OA-3579 for the Honolulu Seawater Air Conditioning (HSWAC), LLC Project by Frederic Berg Located Upon Submerged Land, Makai of Kaka'ako Waterfront Park, Offshore of Plat (1) 2-1-060.

Tiger Mills, OCCL introduced herself and Item K-1. It appears the time extension request has been made as the review process for the Department of Health has not yet been completed.

Member Gomes asked why the Department of Health is taking so long to review the project. Mills was unsure why DOH was takes so long and referred to the applicant, Frederic Berg.

Frederic Berg of the Honolulu seawater air-conditioning LLC. introduced himself. Berg added that there are numerous regulatory requirements, and this is a new concept that has not previously been done in Hawai'i.

Member Gomes asked if they had options to expedite this. Burg responded that they recognize the uniqueness of the project and they are working with staff at DOH to address their concerns.

Unanimously approved as submitted (Yuen, Woodside)

ITEM C-1 Request for Approval to Extend Access Restrictions to Portions of 'Āhihi-Kīna'u Natural Area Reserve, Maui, for a Period of up to Two Years (August 1, 2016 – July 31, 2018).

Written testimony was submitted by OH.

Dave Smith, administrator for DOFAW, introduced himself and Item C-1.

Member Downing asked how long the project would take. Smith responded that they have to identify particular items first, it could be completed prior to two years.

Member Gomes expressed support for what is being done up there.

Unanimously approved as submitted (Roehrig, Yuen)

ITEM C-2 Request for Approval of the Final Environmental Assessment and Issuance of a Finding of No Significant Impact for the Kōke'e Timber Management Area Forest Management Plan Implementation on the Island of Kaua'i;

Request for Authorization to Solicit a Request for Information (RFI) to Assess the Interest of the Forest Industry Market; and

Request for Authorization to Solicit a Competitive Sealed Process/Request for Proposal (RFP) for the Potential issuance of New Timber Land License (s) in the Kōke'e Timber Management Area.

Chow indicated that there was a slight change from agenda title as to what the submittal title says.

Chow said the recommendation need to be amended so that in recommendation #2 rather than authorizing the Chairperson issue a finding of no significant impact, it would be as the Board to issue the finding of no significant impact.

Unanimously approved as amended (Downing, Woodside)

ITEM C-3 Request Approval of the Laupāhoehoe Forest Management Plan, Acceptance of the Final Environmental Assessment for the Subject Plan and Issuance of a Finding of No Significant Impact for the Proposed Project, TMKs (3) 3-7-001:002 and (3) 3-7-001:012, Hawai'i.

No changes, no public testimony.

Unanimously approved as submitted (Roehrig, Woodside)

ITEM L-1 Appointment of Kimo Falconer to Serve as a Director of the West Maui Soil and Water Conservation District.

Russell Takara, Engineering division-ENG, introduced himself and Item L-1.

Unanimously approved as submitted (Oi, Woodside)

ITEM L-2 Appointment of JoLoyce Kaia and Annette Smith to Serve as Directors of the Hana Soil and Water Conservation District.

No changes, no public testimony.

Unanimously approved as submitted (Woodside, Oi)

ITEM L-3 Declare Project Exempt From Preparation of Environmental Assessment Requirements of Chapter 343, HRS, and Title 11, Chapter 200, Hawaii Administrative Rules, for Job No. F37C614E, Diamond Head State Monument Sewer Lift Station Replacement, Honolulu, O'ahu, Hawai'i.

Member Roehrig asked if there was a risk for the Sewer to go into the ocean. Takara responded that it was inside Diamond Head.

Unanimously approved as submitted (Roehrig, Downing)

ITEM L-5 Declare Project Exempt From Preparation of Environmental Assessment Requirements of Chapter 343, HRS, and Title 11, Chapter 200, Hawai'i Administrative Rules, for Job No. J00CM60A, Kahakapao Recreational Area ADA Improvements, Ha'ikū, Maui, Hawai'i.

No changes, no public testimony.

Unanimously approved as submitted (Oi, Downing)

ITEM L-6 Declare Project Exempt From Preparation of Environmental Assessment Requirements of Chapter 343, HRS, and Title 11, Chapter 200, Hawaii Administrative Rules, for Job No. J00CF34B, Lava Tree State Monument Trail Improvements, Pāhoa, Hawai'i, Hawai'i.

Unanimously approved as submitted (Roehrig, Yuen)

ITEM L-7 Declare Project Exempt From Preparation of Environmental Assessment Requirements of Chapter 343, HRS, and Title 11, Chapter 200, Hawaii Administrative Rules, for Job No. F80C661C, Kalalau Trail Rockfall Mitigation, Nāpali Coast Wilderness Park, Kaua'i, Hawai'i.

Member Yuen asked where the rock wall mitigation is being done. Takara did not know where and said that they would let the board know where.

Unanimously approved as submitted (Roehrig, Oi)

ITEM L-8 Declare Project Exempt From Preparation of Environmental Assessment Requirements of Chapter 343, HRS, and Title 11, Chapter 200, Hawaii Administrative Rules, for Job No. J45CO49B, Diamond Head State Monument Rockfall Mitigation – Phase 2 (FY2015), Honolulu, O'ahu, Hawai'i.

Unanimously approved as submitted (Oi, Woodside)

ITEM L-9 Declare Project Exempt From Preparation of Environmental Assessment Requirements of Chapter 343, HRS, and Title 11, Chapter 200, Hawaii Administrative Rules, for Job No. J45CS41B-2, Rockfall Mitigation Improvements Booth Road, Honolulu, Oāhu, Hawai'i.

Unanimously approved as submitted (Woodside, Roehrig)

ITEM M-8 Issuance of an Industrial Land Lease by Notice at Public Auction (Space No. 800-119C), Hilo International Airport, Tax Map Key: (3) 2-1-12: Portion of 90.

Item Withdrawn

ITEM M-9 **Amend Prior Board Action of April 8, 2016, Item M-10, Replace Space No. 410-106 with Space No. 411-106, Issuance of a Revocable Permit, Civil Air Patrol, Līhu'e Airport, Tax Map Key: (4) 3-5-01: Portion of 8.**

Item Withdrawn

ITEM M-3 **Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, James D. Collins and Joshua J. Lang, Honolulu International Airport, Tax Map Key: (1) 1-1-76: Portion of 20.**

ITEM M-4 **Consent to Assignment of State Lease No. DOT-A-11-0009 from Decker-Boznak, Audrey and Rudolph to K & S Helicopters, Inc., Kalaeloa Airport, Island of O'ahu, Tax Map Key: (1) 9-1-13: Portion of 32.**

ITEM M-5 **Issuance of a Revocable Permit for Aircraft Parking, Daniel K. Pacyau, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32.**

ITEM M-6 **Issuance of an Air Cargo Lease by Notice at Public Auction, New Cargo Building (Space No. 139-110A), Hilo International Airport, Tax Map Key: (3) 2-1-12: Portion of 90.**

ITEM M-7 **Issuance of an Air Cargo Lease by Notice at Public Auction, New Cargo Building (Space No. 139-110B), Hilo International Airport, Tax Map Key: (3) 2-1-12: Portion of 90.**

ITEM M-10 **Issuance of a Revocable Permit for Space in the Main Terminal for Equipment Storage, Vanderlande Industries Inc., Līhu'e Airport, Tax Map Key: (4) 3-5-01: Portion of 8.**

ITEM M-11 **Issuance of a Revocable Permit for Spaces in the Main Terminal for Storage and Check In Desk for Porter Service, S A S Services Group, Inc., Līhu'e Airport, Tax Map Key: (4) 3-5-01: Portion of 8.**

Ross Smith, DOT-AIR introduced himself and Item M-3 through M-11. Smith requested to withdraw M-8 and M-9 for errors.
Smith added that in M-4, space # 407110 should be 407110A.

Member Yuen asked if they have let others stay by auction or direct negotiation. Smith responded they did by direct negotiation with Aloha Air cargo, Hawaiian Airlines, and Trans Air.

Member Yuen asked what other operators there were. Smith responded that there were no others wanted to negotiate.

Unanimously approved as amended (Roehrig, Oi)

There being no further business, Member Jimmy Gomes adjourned the meeting at 10:54 a.m. Recording(s) of the meeting and all written testimonies submitted at the meeting are filed in the Chairperson's Office and are available for review. Certain items on the agenda were taken out of sequence to accommodate applicants or interested parties present.

Respectfully submitted,

Ku'ulei Moses
Land Board Secretary

Approved for submittal:

Suzanne D. Case
Chairperson
Department of Land and Natural Resources