

APPROVED BY THE BOARD  
AT ITS MEETING HELD ON

**APR 28 2017**

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

DATE: FRIDAY FEBRUARY 10, 2017  
TIME: 9:00 A.M.  
PLACE: KALANIMOKU BUILDING  
LAND BOARD CONFERENCE ROOM 132  
1151 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813

Acting Chairperson James Gomes called the meeting of the Board of Land and Natural Resources to order at 9:00 a.m. The following were in attendance:

**MEMBERS**

Suzanne Case (after 10:25 am)  
James Gomes  
Chris Yuen  
Keone Downing

Thomas Oi  
Stanley Roehrig  
Sam Gon

**STAFF**

Sam Lemmo/OCCL  
Alan Carpenter/State Parks  
Dana Yoshimura/DOBOR  
Finn McCal/DOBOR

Barry Cheung/LAND  
Cal Miyahara/LAND  
Gordon Heit/LAND  
Alyson Yim/Engineering

**OTHERS**

Bill Wynhoff/ Deputy AG  
Colleen Suyama/K2  
Ali Mehrazarin/K2  
Dan Ramsauer/J2

Robert Stellmacher/D4  
Jim Ditmar/J1  
Ross Smith/DOT-AIR

There were no minutes to approve.

**ITEM K-2 Conservation District Use Application (CDUA) MA-3776 Regarding the County of Maui - Department of Environmental Management (DEM) Makai Hāna Landfill Clean-up and Closure Project, Located in the Hāna District, Island of Maui, on Tax Map Key: (2) 1-3-006:012.**

Sam Lemmo, Administrator-OCCL, presented Item K-2. He explained that the plan was to move materials from the Hāna old landfill site to the new landfill site.

Colleen Suyama, with Munekiyo Hiraga was present to answer any questions.

Member Gon asked if they were okay with the recommendations. Suyama confirmed.

Acting Chair Gomes asked if soil testing was done.

Ali Mehrazarin, the consulting engineer for this project explained that they have a program where they would test the soil once they get to the bottom. They have to meet standards established by the state DOH. Acting Chair Gomes asked that precautions be taken to avoid spreading weeds.

**Unanimously approved as submitted (Oi, Gon)**

**ITEM K-1 Time Extension Request OA-17-06 on the construction deadlines for Conservation District Use Permit (CDUP) OA-3719 for the Māmala Bay Seafood Mariculture Facility at the Reef Runway Borrow Pit at Ke‘ehi Lagoon, Honolulu, Tax Map Key (1) 1-1-003:005 (submerged lands).**

Sam Lemmo-OCCL reviewed Item K-1. The Board had approved this in 2014. There is still an issue with the DOT and FAA regarding the airport runway and possible issues with birds. The applicant still hopes they can resolve this issue.

There were no changes and no public testimony.

**Unanimously approved as submitted (Gon, Roehrig)**

**ITEM L-1 Appointment of Garret Hew to Serve as a Director of the Olinda-Kula Soil and Water Conservation District.**

**ITEM L-2 Appointment of Scott Meidell to Serve as a Director of the Central Maui Soil and Water Conservation District.**

Alyson Yim with Engineering-ENG presented items L-1 and L-2.

The Board had no questions, there was no public testimony.

**Unanimously approved as submitted (Gon, Roehrig)**

**ITEM J-1 Declare Project Exempt from Requirements of Chapter 343, HRS, and Title 11, Chapter 200, Hawai‘i Administrative Rules; Issuance of Right-of-Entry Permit to Benevolent and Protective Order of ELKS, Honolulu Lodge 616, for Maintenance and Repair of Seawall Walkway, Waikīkī, Honolulu, O‘ahu, Tax Map Key: (1) 3-1-032:006.**

Dana Yoshimura, Property Manager-DOBOR presented Item J-1.

In response to Member Oi’s question, Jim Ditmar representing the Elks said, they plan to put concrete in impervious bags to stabilize the walkway. This walkway was built in 1899 when the ocean was further out. The ‘Ewa corner has been eroded.

Member Downing commented that the railings are slippery in the area.

**Unanimously approved as submitted (Downing, Oi)**

**ITEM D-4 Issuance of a Perpetual, Non-Exclusive Easement to Hawaiian Electric Company, Inc. and Hawaiian Telcom, Inc. for Utility Purposes; Cancellation of Revocable Permit Nos. S-7600 and S-7606; Waimānalo, Ko‘olaupoko, O‘ahu; Tax Map Key: (1) 4-1-010:095 portion.**

Gordon Heit, Hawaii Island District Land agent conveyed item D-4.

Barry Cheung, Oahu Land agent detailed exhibit 1b and 1c.

Robert Stellmacher with HECO was available for questions.

**Unanimously approved as submitted (Gon, Oi)**

**ITEM D-2 Grant of Perpetual, Non-Exclusive Easement to County of Hawai‘i, Department of Water Supply for Water Pipeline Purposes, Ponahawai, South Hilo, Hawai‘i, Tax Map Key: (3) 2-5-006:142.**

Gordon Heit presented item D-2.

There was no public testimony.

**Unanimously approved a submitted (Oi, Gon)**

**ITEM D-1 Consent to Assignment of General Lease No. S-4307, Automotive Warehouse, Inc., as Assignor, to CQ Pacific, LLC, as Assignee; portion of Waiākea Houselots Extension, Hilo, Hawai‘i, Tax Map Key: (3) 2-2-058:003.**

Gordon Heit presented this agenda item.

No changes, no public testimony.

**Unanimously approved as submitted (Roehrig, Yuen)**

**ITEM D-3 After-the-Fact Issuance of Right-of-Entry Permit to Waikīkī Beach Activities, Ltd. for Beach Activities Purposes on January 24, 2017, Waikīkī, Honolulu, O‘ahu, Tax Map Key: (1) 2-3-037: Portion of 021.**

Cal Miyahara presented Item D-3. The applicant had a right-of-entry for another date, but then changed the date just before the Jan. 27<sup>th</sup>, meeting, so this had to be an after-the fact approval. Miyahara mentioned there was a typo: the fee should be \$500, not \$300.

**Unanimously approved as amended. (Gon, Oi)**

**ITEM J-2 Installation of Offshore Mooring Buoy, in Mā‘alaea Bay Near Kihei Offshore Mooring Zone Boundaries and Declare Project Exempt From Requirements of Chapter 343, HRS, and Title 11, Chapter 200, Hawai‘i Administrative Rules for Pyro Spectaculars North, Inc. Kihei, Maui, Hawai‘i.**

Finn McCall representing the Engineering Branch with DOBOR presented Item J-2. The applicant has a permit from the Army Corps of Engineers. Member Gon asked, whether this was temporary or permanent; McCall answered it was permanent. In response to a question from Member Downing, Dan Ramsauer, representing the applicant, Pyro Spectaculars, stated that the proposed mooring is adjacent to, but approximately 2000’, from the current mooring zone, and about 3200’ from the shore. McCall said the current mooring zone is not heavily used because it is too shallow. Ramsauer said, that currently only paddlers are using the mooring zone; it was established a long time ago and is obsolete.

Ramsauer said, that they will not store equipment or explosives on the barge. At the firing site, they anchor. They have 2-3 divers to clean up after a show. They do not shoot fireworks with plastic casing; only paper casing.

Member Oi asked who gave permits for their shows. Ramsauer answered, that they needed an event permit from DLNR and a permit from the Maui County Fire Department, and from the Coast Guard. The event permit comes from DOBOR. Board members questioned whether there was another permit from DLNR that this should be getting. These offshore fireworks displays have not been coming to the Board. Ramsauer said, that they will do whatever they are told regarding permitting.

Member Roehrig cited H.A.R. § 13-252-6, prohibiting littering into the water.

Member Downing suggested that they get a mooring for their firing site rather than dropping anchor.

In response to a question from Member Yuen, Ramsauer said the applicant hires an off-duty DOCARE officer to enforce their safety zone.

Member Yuen asked some questions about the DOBOR “event permit”, which does not come to the Board. According to McCall, these include swimming and long-distance paddling events.

Member Roehrig indicated that the Board might have put conditions on paddling competitions, specifically prop guards, if they had come to the Board for a permit.

**Unanimously approved as submitted (Downing, Oi)**

**ITEM M-1 Issuance of a Direct Lease to Aviation Academy Hawaii LLC, Honolulu International Airport, Tax Map Key: (1) 1-1-76: 3.**

Ross Smith, DOT Airports, presented items M-1 through M-5. Smith explained that no one had bid on this site when it was put up for public auction. Member Yuen questioned why the direct lease was for a rent of \$64,000/yr., while the upset at the auction was \$77,000. Smith replied that the upset was based on appraisal, but the negotiated lease was based on DOT facility rates.

Member Yuen asked, how DOT knew there was no interest in this building. Do they have a formal waitlist? Smith replied, that for some things, like T-hangars, there was a waitlist. For other things, people talk to the airport manager all the time. Because this building was built for a certain type of aircraft, a “tail-dragger”, there is limited interest in this building.

Member Roehrig asked, what the significance was that the school was FAA certified? Smith didn’t know the actual requirements but it would have to meet some minimal standards of the FAA. There is also informal flight instruction.

**ITEM M-2 Issuance of a Revocable Permit for Storage Space, Kamaka Air, Inc., Moloka‘i Airport, Tax Map Key: (2) 5-2-04: Portion of 8.**

**ITEM M-3 Issuance of a Revocable Permit for a Ticket Counter in the Air Taxi Terminal, Manuiwa Airways, Incorporated, Hilo International airport, Tax Map Key: (3) 2-1-12: Portion of 90.**

**ITEM M-4 Issuance of a Revocable Permit for Aircraft Parking, Robert R. Huber, Kona International Airport, Tax Map Key: (3) 7-3-43: Portion of 40.**

**ITEM M-5 Issuance of a Revocable Permit for Office Space in the Main Terminal for Airline Operations, Westjet, Kona International Airport, Tax Map Key: (3) 7-3-43: Portion of 40.**

There were no changes and no public testimony.

**Unanimously approved as submitted (Roehrig, Yuen)**

10:25 AM

Chair Case arrived

**ITEM E-1** Amendment of General Lease No. SP0130, Corwin Acoba and Joanne Acoba, Lessees, Waimea Canyon State Park, Lot 86, Kokee Cap Site Lots, Waimea (Kona), Kaua'i, Hawai'i, Tax Map Key: (4) 1-4-004:059. The Purpose of the Amendment is to Correct the Termination Date to Read December 31, 2028; and to Correct the Rent Reopening Date to Read the end of December 2018.

Consent to Assign General Lease No. SP-0130, Corwin Acoba, husband of Joanne Acoba, Assignor, to Joanne Acoba, Assignee, Waimea Canyon State Park, Lot 86, Kōke'e Camp Site Lots, Waimea (Kona), Kauai, Hawai'i, Tax Map Key: (4) 1-4-004:059.

**ITEM E-2** Amendment of General Lease No. SP0173, Lawrence C. Cabrinha, (Trustee), Lessee, Waimea Canyon State Park, Lot 15, Pu'u Ka Pele Park Lots, Waimea (Kona), Kaua'i, Hawai'i, Tax Map Key: (4) 1-4-002:023. The Purpose of the Amendment is to Correct the Termination Date to Read December 31, 2028; and to Correct the Rent Reopening Date to Read the end of December 2018.

Consent to Assign General Lease No. SP-0173, Lawrence C. Cabrinha, individually and as Trustee of the Lawrence C. Cabrinha Revocable Living Trust dated February 12, 1992, as amended, as Assignor, to Lawrence C. Cabrinha and Ruth A. Cabrinha, Trustees of the Lawrence C. Cabrinha and Ruth A. Cabrinha Revocable Living Trust dated December 22, 2016, as Assignees, Waimea Canyon State Park, Lot 15, Pu'u Ka Pele Park Lots, Waimea (Kona), Kaua'i, Hawai'i, Tax Map Key: (4) 1-4-002:023.

**ITEM E-3** Amendment of General Lease No. SP0164, Jan Tenbruggencate, Lessee, Waimea Canyon State Park, Lot 44, Pu'u Ka Pele Park Lots, Waimea (Kona), Kaua'i, Hawai'i, Tax Map Key: (4) 1-4-002:040. The Purpose of the Amendment is to Correct the Termination Date to Read December 31, 2028; and to Correct the Rent Reopening Date to Read the end of December 2018.

Consent to Assign General Lease No. SP-0164, Jan Tenbruggencate, as Assignor, to Everett Kalani Haumea and Toby Palani Vidinha, as Assignees, Waimea Canyon State Park, Lot 44, Pu'u Ka Pele Park Lots, Waimea (Kona), Kaua'i, Hawai'i, Tax Map Key: (4) 1-4-002:040.

Alan Carpenter Assistant Administrator for the Division of State Parks-PARKS presented items E-1 through E-3.

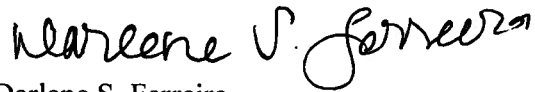
Member Downing asked, whether there were any cabins open for rental by the public. Carpenter explained, that the tenants for most cabins could renew by statute. There were a number that were awarded by public auction a few years ago. There are some vacant lots; State Parks is considering offering them through public auction. There are also cabins available for short-term rent through Koke'e Lodge.

**Unanimously approved as submitted (Oi, Gon)**

Member Yuen made a motion to adjourn, Member Roehrig seconded. All voted in favor.

There being no further business, Chair Case adjourned the meeting at 10:31 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,



Darlene S. Ferreira  
Land Board Secretary

Approved for submittal:



Suzanne D. Case  
Chairperson  
Department of Land and Natural Resources