

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

DATE: FRIDAY, MAY 10, 2019  
TIME: **9:15 A.M.**  
PLACE: KALANIMOKU BUILDING  
LAND BOARD CONFERENCE ROOM 132  
1151 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813

**MEMBERS**

Suzanne Case  
Stan Roehrig

Jimmy Gomes  
Sam Gon

**STAFF**

Russell Tsuji-Land  
Bridgette Agustin-DAR  
Richard Howard-DOBOR

Brian Nielson-DAR  
David Gulko-DAR

**OTHERS**

Julie China/AG  
Olivia Pham/DOT-HAR  
James Yamashiro/DOT-HWY  
Ruby Grant/M13

Ross Smith/DOT/Air  
Eric Leong/OT/HAR  
Kevin Simon/DOT-HWY

**1905100125/00:01:13**

Chair Case called the meeting to order at 9:15 am. Member Gomes read the contested case statement.

**ITEM D-5 AND ITEM M-7 ARE BEING WITHDRAWN**

**1905100125/00:02:36**

**ITEM A-1** Approval of Meeting Minutes for January 25, 2019.

**ITEM A-2** Approval of Meeting Minutes for February 8, 2019.

Board Discussion

**Item A-2:** Gon submitted minor edits.

Public Testimony-None

**MOTION**

**ITEM A-1: Approved as submitted (Gon, Gomes) unanimous.**

**ITEM A-2: Approved as amended (Gomes, Gon) unanimous.**

**1905100125/00:02:36**

**ITEM F-1** Request for Approval to Enter into a Special Trust Funded Contract for Goods and Services based upon Competitive Sealed Bids, not to Exceed \$949,399.00, between the Department of Land and Natural Resources (DLNR) and Williams Scotsman, Inc. (DBA Hawaii Modular Space), to Provide Services to Deliver and Install a Portable Modular Office Complex for the Anuenue Fisheries Research Center; After Considering the Potential Effects of the Proposed Project as provided by Chapter 343, HRS, and Chapter 11-200, HAR, declare that this Project will likely have Minimal or No Significant Effect on the Environment and is therefore Exempt from the Preparation of an Environmental Assessment.

Brian Nielson, Division of Aquatics. Presented the submittal. Amended the submittal to strike pages 5 through 7.

**Board Discussion**

The Board commented that this is a great idea and they reviewed DAR's bidding process and commended them for getting it done quickly. Case noted she just came back from Okinawa where there are doing work similar work and it is world-class and felt that DAR is doing a great job. Nielson invited The Board members to visit the Fisheries Research Center.

Public Testimony-None

**MOTION**

**Approved as submitted (Gon, Gomes) unanimous.**

**1905100125/00:09:47**

**ITEM M-14** Issuance of Revocable Permit for the Department of Customer Services, City and County of Honolulu to replace existing Revocable Permit H-14-2758, situated at Pier 60, Honolulu Harbor, Oahu, Tax Map Key: (1) 1-2-23:40 and 70 (Portions). Governors Executive Order No. 3708.

Olivia Pham, DOT-Harbors. Presented the submittal

**Board Discussion**

Roehrig asked what the City & County was not going to do with the abandon vehicles? Pham replied City and County has to work with the Federal Government. Roehrig asked if and when they sale them if we can get a share of the proceeds.

Public Testimony-None

**MOTION**

**Approved as submitted (Roehrig, Gomes) unanimous.**

**1905100125/00:13:34**

**ITEM M-15** Acquisition of (1) Lands and Restrictions of Access to the Department of Transportation, Highways Division, for Highway Purposes, relating to North South Road, Federal Aid Project No. STP-8930(3), at Honouliuli, Ewa, Oahu, Hawai'i, Tax Map Key Nos: (1) 9-1-16:183, Portion of 142, 179, 220, 222, 223; (1) 9-1-17: Portion of 101, 111,112,138; (1) 9-1-18: 011, 013, Portions between (1) 9-1-17 and 18; (1) 9-2-2:009, Portion of 007; (1) 9-1-151: Portion of 001, 002; (1) 9-1-152: Portion 127, 129, 134 ,135, 138, 139, 142, 143, 149, 150,159-161; and (1) 9-1-153:Portion of 001-013:194;

and

(2) Grant of Perpetual, Non-Exclusive Easement to the Department of Transportation, Highways Division, for Highway purposes relating to North South Road, Federal Aid Project. STP-8930(3) at Honouliuli, Ewa, Oahu, Hawai'i, Tax Map Key No.: (1) 9-2-2: Portion of 007.

Kevin Simon and Jaimie Yamashiro, DOT Highways, present to answer any questions.

Board Discussion-None

Public Testimony-None

**MOTION**

**Approved as submitted (Gomes, Gon) unanimous.**

**1905100125/00:14:30**

**ITEM M-13** Issuance of Right-of-Entry Permit to University of Hawai'i Sea Grant College Program for Hydrological Investigation on Encumbered Government Lands at Port Allen Airport, Tax Map Key Nos: (4) 1-8-008: Portion of 004, 072 and 076.

Ross Smith, DOT-Airports presented the submittal. Ruby Grant, from UH Sea Grant program present to answer any questions.

Board Discussion

Gon asked will you investigate the spreading of silt from aircraft in the area? Grant, replied the study is to observe the water flow of water in the salt pans and where the water is coming from. We are looking to create a model that can be used as a base-line.

Public Testimony-None

**MOTION**

**Approved as submitted (Gon, Gomes) unanimous.**

**905100125/00:21:31**

- ITEM M-1** Issuance of a Revocable Permit for Passenger Ticketing Kiosks, Japan Airlines Co., Ltd., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 057 (Portion).
- ITEM M-3** Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Alan R. Wehmer, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32.
- ITEM M-4** Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Barbers Point Flight School, LLC, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32.
- ITEM M-5** Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Clarence K. and Corrine Kanae, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32.
- ITEM M-6** Issuance of a Revocable Permit for A T-Hangar for Storage and Maintenance of Aircraft, Larry Jefts, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32.
- ITEM M-8** Issuance of a Revocable Permit for Vehicle Parking Stalls to Support Package Delivery Operations, Fedex Ground Package System, Inc., Ellison Onizuka Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: Portion of 40.
- ITEM M-9** Issuance of a Revocable Permit for the Storage and Parking of Ground Service Equipment, United Parcel Service, Inc., Ellison Onizuka Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: Portion of 40.
- ITEM M-10** Issuance of a Revocable Permit for Ramp Space for the Parking of Ground Service Equipment for Use in Air Cargo Operations, Aeko Kula, LLC, Hilo International Airport, Tax Map Key: (3) 2-1-12: Portion of 90.
- ITEM M-11** Issuance of a Revocable Permit for a Ticket Counter in the Main Terminal to Accommodate a Helicopter Tour Operation, K & S Helicopters, Inc., Waimea-Kohala Airport, Tax Map Key: (3) 6-7-001: Portion of 08.



**ITEM M-12** Amend Prior Board Action of March 10, 2017, Agenda Item M-11, Cancellation of Governor Executive Order Nos. 1451, 1880, 1950, 2600, 2602, 2705, 2928, 3259 and 3500 and Reset Aside to State of Hawai'i, Department of Transportation, Airports Division for Līhu'e Airport Purposes, Līhu'e, Hawai'i.

The purpose of the Amendment is to: 1) Include Cancellation of Governor Executive Orders (GEOS) in the Recommendation Section, which information was inadvertently omitted, 2) Delete language referring to a Federal Aviation Administration Covenant, and 3) Provide clarification on jurisdiction of Airport Roads.

Ross Smith, Dot-Airports present to answer any questions.

Board Discussion-None

Public Testimony-None

**MOTION**

**Approve as submitted ITEM M-1, M-3, M-4, M-5, M-6, M-8, M-9, M-10, M-11, M-12 as submitted (Gomes, Gon) unanimous.**

**905100125/00:22:08**

**ITEM M-2** Issuance of a Direct Lease for an Airline Lounge, Korean Air Lines Co., Ltd., Central Concourse, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 050 (Portion).

Ross Smith, DOT-Airports, present to answer any questions.

Board Discussion

Roehrig questioned the use of a direct lease. Smith said Korean Airlines already has a lease there, which was not noted in the submittal. Roehrig asked how does this encourage competition? Smith replied there is competition as the airlines are looking to expand their lounges and have a bigger, better and upgrading their lounges.

Public Testimony-None

**MOTION**

**Approved as submitted (Gomes, Gon) unanimous.**

**905100125/00:26:02**

**ITEM D-2** Second Amendment to Prior Board action of September 28, 2018, Agenda Item D-3, *Cancellation of Governor's Executive Order No. 3586 and Reset Aside to Hawaii Housing Finance and Development Corporation ("HHFDC"); Issuance of Management Right-of-Entry to HHFDC for the*

*Development of a Mixed-Use Project Consisting of Multi-Family Affordable Rental Housing, Office Space/Civic Center, Parking, New Maui Bus Hub and Other Incidental Uses Purposes; Kahului, Maui, Tax Map Key: (2) 3-7-004:003.*

The purpose of the second amendment is to consent to HHFDC's issuance of the following Right-of-Entry ("ROE") permits after Executive Order No. 3586 is cancelled and the land is reset aside to HHFDC: (i) ROE permit to the Department of Education for existing operations of Adult Education and Lawnmower operations, and (ii) ROE permit to Group 70 International, Inc. for Site Investigation, Surveying, Master Planning, Environmental Review, and Special Management Area Assessment purposes for the Kahului Civic Center Mixed-Use project.

Russell Tsuji, Land Division. Provided a summary of the reasons for the Right-of-Entries. Staff is present to answer any questions.

Board Discussion-None

Public Testimony-None

**MOTION**

**Approve as submitted (Gomes, Gon) unanimous.**

**905100125/00:27:55**

**ITEM J-1** Issuance of a Revocable Permit to Honolulu Transpac, Ltd., for temporary support areas and Mooring Sites, for the 2019 Transpacific Yacht Race from Los Angeles, California to Honolulu, Hawai'i, situated at the Ala Wai Small Boat Harbor, Tax Map Key: (1)2-3-037:012 (Portion);

and

Declare Project Exempt from Requirements of Chapter 343, HRS And Title 11, Chapter 200, Hawaii Administrative Rules.

Richard Howard, Division of Boating and Ocean Recreation, presented the submittal. He had one amendment to a typographical error in the submittal. On page two, under Character of Use: replace "bi-annual" to "every other year".

Board Discussion-None

Public Testimony-None

**MOTION**

**Approved as amended (Gon, Gomes) unanimous.**

**905100125/00:26:02**

**ITEM J-2** Issuance of a Revocable Permit to Orca Societá Responsibilitá Limitata, for Purposes of Storing the Vessel "Maserati", situated at Ala Wai Small Boat Harbor, Honolulu, Island of Oahu, Hawai'i, Identified by Tax Map Key: (1) 2-6-010:003, 005 and 016 (Portion);

and

Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200, Hawaii Administrative Rules.

Richard Howard, DOBOR, presented the submittal.

Board Discussion

Public Testimony-None

**MOTION**

**Approved as submitted (Gomes, Gon) unanimous.**

**905100125/00:31:50**

**ITEM D-1** Amend Prior Board Action of January 12, 2018, Item D-7, *Resubmittal: Determination of Rent upon Reopening for Milolii-Hoopuloa Residential Leases, Phase III, Consisting of Five (5) General Leases for Residential Purposes at Milolii and Hoopuloa, South Kona, Hawai'i, Tax Map Keys: (3) 8-9-014: 050, 053, 056, and 060-061.*

The Purpose of the Amendment is to correct the general lease numbers referred therein to General Lease Nos.: S-5226, S-5227, S-5230, S-5235, and S-5236.

Russell Tsuji, Land Division, did not have anything else to add.

Board Discussion-None

Public Testimony-None

**MOTION**

**Approve as submitted (Gon, Gomes) unanimous.**

**905100125/00:32:32**

**ITEM D-3** Issuance of Right-of-Entry to TS Aloha, Inc. for the Kimo's Mala Longboard Surf Contest at Lahaina, Maui, Tax Map Key: (2) 4-5-004: seaward of 012.

Russell Tsuji, Land Division, presented the submittal.

Board Discussion-None

Public Testimony-None

**MOTION**

**Approved as submitted (Gomes, Gon) unanimous.**

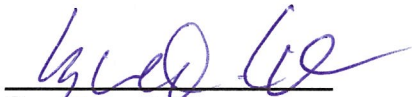
There being no further business, Chairperson Suzanne Case adjourned the meeting at 9:47 a.m. Recording(s) of the meeting and all written testimonies submitted at the meeting are filed in the Chairperson's Office and available for review. Certain Items on the agenda were taken out of sequence to accommodate applicants or interest parties present.

Respectfully submitted,



Darlene S. Ferreira  
Land Board Secretary

Approved for submittal:



Suzanne D. Case  
Chairperson  
Department of Land & Natural Resources