

DAVID Y. IGE  
GOVERNOR OF HAWAII



**APPROVED BY THE  
BOARD AT IT'S  
MEETING HELD**  
**ON  
FEBRUARY 14, 2020**

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**STATE OF HAWAII  
BOARD OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

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

DATE: FRIDAY, JANUARY 10, 2020  
TIME: **9:00 A.M. (CHANGE IN TIME)**  
PLACE: KALANIMOKU BUILDING  
LAND BOARD CONFERENCE ROOM 132  
1151 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813

**MEMBERS**

Suzanne Case  
Jimmy Gomes  
Tommy Oi  
Kaiwi Yoon

Sam Gon  
Chris Yuen  
Vernon Char

**STAFF**

Russell Tsuji-Land  
Kevin Moore-Land  
Ed Underwood-DOBOR  
Curt Cottrell-PARKS  
Richard Howard/DOBOR  
David Smith/DOFAW  
Maria Carnevale-DAR  
Carty Chang-Engineering  
Irene Sprecher-DOFAW

Michael Cain/OCCL  
Carlton Helm/DOCARE  
Brian Nielson/DAR  
Kristin Kelly-DAR  
David Penn-DOFAW  
Ian Hirokawa-Land  
Marigold Zoll-DOFAW  
Emma Yuen/DOFAW

**OTHERS**

Amanda Weston/AG

Ross Smith/DOT-AIR

Olivia Pham/DOT-HAR  
Keola Chock/B1  
Dana Yoshimura/J1  
Bruce Lum/J1  
Shar Chun-Lee/J1  
Rick Holliway/J1  
Christine Chun/J1  
David Watase/J1  
Kimo Chun/J1  
John Shockley/J1  
Kahealani Enoka/J1  
Elizabeth Enoka/J1  
Edwin Pestana/J1  
Michael Montgomery/J1  
Aletha Kaohi/J1  
Reyna Hayashi/C1  
Dan Nellis/C3

Stan Fujimoto-HHFDC  
Linda Warriner/D1  
Stu Minchew/J1  
Tom Iwai/J1  
Audrey Lee/J1  
Richard Wallsgrove/J1  
Kate Thompson/J1  
Margaret HO/J1  
Shelley Oates-Wilding/J1  
James Enoka/J1  
Ron Iwami/J1  
James Manaku/J1,D9,C2  
James Lock-Cook/J1  
Keone Downing/J1,D9  
Brad Seymour/D9  
Kahiau Wallace/C1

Chair Case called the meeting to order at 9:03 am. Member Gon read the standard contested case statement

**01.10.2020(1)00:03:19**

**ITEM A-1** Request Approval of meeting minutes for November 8, 2019.

Board Discussion

There were minor edits that were given to the Board Secretary.

Public Testimony-None

**MOTION**

**Approved with edits (Gon, Gomes) unanimous.**

**01.10.2020(1)00:04:11**

*Chair Case noted that Item E-3 has been withdrawn and would not be heard today.*

**01.10.2020(1)00:04:29**

**ITEM B-1** Request the Board of Land and Natural Resources to Delegate Authority to the Chairperson to sign a Use and Occupancy Agreement with the University of Hawaii, Honolulu Community College for use of the Marine Education Training Center to Conduct the DOCARE Academy for CREO I from January 21, 2020 through August 18, 2020.

Officer Carlton Helm, Division of Conservation and Enforcement, presented the submittal and made an amendment to the agenda title. Keola Chock, Dean of Honolulu Community College was present to answer any questions.

Board Discussion

Board supported the training of all aspects from Mauka to Makai for Conservation Enforcement, as the responsibilities are different from the Counties Police Force and that the training will be done locally.

Public Testimony-None

Amendment:

*Request the Board of Land and Natural Resources to Delegate Authority to the Chairperson to **ENTER INTO** a Use and Occupancy Agreement **FOR THE USE OF THE MARINE EDUCATION TRAINING CENTER AND A MEMBORANDUM OF AGREEMENT FOR CLASSSES ASSOCIATED** with the University of Hawaii, ~~Honolulu Community College~~ for use of the Marine Education Training Center to Conduct the DOCARE Academy for CREO I from January 21, 2020 through August 18, 2020.*

MOTION

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

**01.10.2020(1)00:08:50**

**ITEM K-1** Appointment of a Hearing Officer to Conduct All Hearings for One (1) Contested Case Hearing (OA 20-01) Regarding the Alleged Unauthorized Structures Within the Conservation District by Gary and Cynthia Stanley Located at Sunset Beach, Ko'olauloa, Oahu, Submerged Lands Seaward of Tax Map Key: (1) 5-9-002:034.

Michael Cain, Office of Conservation and Ocean Recreation presented the submittal

Board Discussion-None

Public Testimony-None

MOTION

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

**01.10.2020(1)00:09:44**

**ITEM D-1** Linda J. Harding Warriner's Request for Reconsideration of the Board's Prior Board Action of October 25, 2019, Item D-1, *After-the-Fact Consent to Assignment of 100% Membership Interest in Lessee Pixar Development, LLC from John Kenneth Purdy to Hotel Coral Reef, LLC; After-the-Fact Consent to Quitclaim Assignment of Membership Interest in Lessee Pixar Development, LLC from Michael F. Harrah to Hotel Coral Reef, LLC; Assess Lease Assignment Premium Against John Kenneth Purdy and Linda J. Harding Warriner (the prior lessee), Jointly and Severally; After-the-fact Consent to Real Property Mortgage and Financing Statement, Pixar Development, LLC, Mortgage, and First*

*Hawaiian Bank, Mortgagee (2010 Mortgage); General Lease Nos. S-3832 and S-5578, Pixar Development, LLC, Lessee, Kapaa Town Lots, Kapaa, Kawaihau, Kauai, Tax Map Keys: (4) 4-5-011:046 and 4-5-012:005.*

Linda J. Harding Warriner requests reconsideration of that portion of the Board's action of October 25, 2019, Item D-1, that assessed a premium of \$56,470.50 plus interest against her based on an assignment of General Lease No. S-5578 that occurred on March 31, 2005.

Kevin Moore, Land Division, presented the submittal. Linda Warriner is present to answer questions.

Board Discussion

The discussion with Warriner regarding the history of the lease provided the history of the conveyances of the lease.

Public Testimony-None

**MOTION**

**Approved as submitted (Gomes, Yuen) 6-Ayes, Char abstained.**

**01.10.2020(1)00:22:31**

**ITEM F-1** Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to Commanding Officer Tony Perry III, National Oceanic and Atmospheric Administration (NOAA) Ship OSCAR ELTON SETTE, for Access to State Waters to Conduct Shipboard Support Activities.

Maria Carnevale, Division of Aquatics, presented the submittal.

Board Discussion

The Board asked after almost a decade have they had any issues? Carnevale said no issues.

Public Testimony-None

**MOTION**

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

**01.10.2020(1)00:26:17**

**ITEM J-1** Issuance of a Revocable Permit to Diamond Parking Services, LLC, for Management of Parking Concession Purposes, at Ala Wai Small Boat Harbor, Honolulu, Island of Oahu, Hawaii, identified by Tax Map Keys: (1) 2-6-010:003 (POR); (1) 2-3-037:012 (POR), 37 (POR), 024, 030 and 0031;

and

Approve Amendment of Existing Parking Plan for the Ala Wai Small Boat Harbor, Honolulu, Island of Oahu, Hawaii identified by Tax Map Keys: (1) 2-6-010:003 (POR); (1) 2-3-037:012 (POR); 37 (POR); 024; 030 and 0031

and

Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.

Ed Underwood, Division of Boating and Ocean Recreation, presented the submittal.

#### Board Discussion

There was a robust discussion regarding the amendment to the parking plan and finding a solution.

#### Public Testimony

The following were opposed to the amendment to the parking plan: Dana Yoshimura, , Stu Minchew, Bruce Lum-Save Ala Moana Beach Park, Tom Iwai-Friends of Kewalos, Shar Chun-Lee, Audrey Lee-Malama Ala Moana, Rick Holliway, Richard Wallsgrove (1:06), Christine Chun, Kate Thompson, Dave Watase-Protect Our Watershed, Margaret Ho, Kimo Chun, Shelley Oates-Wilding, John Shockley, James Enoka, Kahealani Enoka, Ron Iwami, Elizabeth Enoka James Manaku, Edwin Pestana, James Lock Collins III-Access Surf, Michael Montgomery, Keone Downing, Save Our Surf.

#### Amendment:

*Remove Recommendation #3;*

*DOBOR to engage with the community stake holders, Keone Downing, Save Our Surf to coordinate stake holders.*

#### **MOTION**

**Approve as amended (Oi, Yuen) unanimous.**

**11:30 am: Break**

**11:35 am: Back in Session**

**01.10.2020(2)00:00:24**

**ITEM E-2** Request for a Right-of-Entry to Install a Statue of Kaua'i King Kaumuali'i at Pā'ula'ula, Russian Fort Elizabeth State Historical Park, Waimea, Kaua'i, Tax Map Key: (4) 1-7-005:003.

Curt Cottrell presented the submittal.

#### Board Discussion

The Board asked for clarification of the location of where the statue would be placed. Kaohi noted that it would be placed mauka of the Fort. Board also asked if State Historic Preservation had been consulted. Kaohi replied yes.

Public Testimony

Aletha Kaohi Friends of Kaumuali'i, requested the approval of the submittal.

**MOTION**

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

**01.10.2020(2)00:09:42**

**ITEM F-2** Request for Approval to Enter into a Federally Funded Contract for Year One (1), of a 3-Year Grant. Year One Will Not Exceed \$181,226, Between the Board of Land and Natural Resources and Cascadia Research Collective, to Provide Services to Support State Efforts to Manage Endangered Species; to Understand the Health, Threats, and Status of the Insular False Killer Whale Population and Other Endangered Species in Hawaii. Declaration of Exemption for Contract Actions Under HRS Chapter 343 and HAR Chapter 11-200.

Brian Nielson and Kristen Kelly, Division of Aquatics, presented the submittal.

Board Discussion

The Board requested a report on the first contract.

Public Testimony-None

**MOTION**

**Approved as submittal (Gon, Char) unanimous.**

**01.10.2020(2)00:12:31**

**ITEM D-9** Issuance of Right-of-Entry Permit to Seymour Resources Hawaii, Inc. on Lands Formerly Encumbered by Revocable Permit No. S-7310 to the East Kauai Water Users' Cooperative, for Irrigation System Located on a Portion of Government Lands within the Drainage Basins of the North Fork Wailua River and Kapaa Stream, Kawaihau, Kauai, Tax Map Key: Various; and

Request Waiver of Requirement for Conducting a Level One Hazardous Waste Evaluation Prior to Termination of Revocable Permit No. S-7310 to the East Kauai Water Users' Cooperative, Former Permittees.

Ian Hirokawa, Land Division, presented the submittal.

Board Discussion

The Board asked if Seymour was interested in a long-term relationship? Brad Seymour replied yes. Hirokawa noted that the system serves the Co-op users and agriculture parcels. Further discussion on maintaining the ditch for water flow until someone takes over and does it hamper Seymour's ability to bid on the project.

Public Testimony

James Manaku, noted the need to preserve the water for the farmers.  
Keone Downing, supports the submittal.

**MOTION**

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

**01.10.2020(2)00:27:31**

**ITEM C-1** Annual Review of Grants from the Land Conservation Fund for each Project that has been Pending for over Five Years -For Discussion and Possible Action:

- (a) LLCP 13-02, DLNR Division of State Parks, Ulupō Heiau Buffer, Ko'olaupoko, O'ahu, Tax Map Key: (1) 4-2-103:032 (portion).
- (b) LLCP 14-02, Ho'āla 'Āina Kūpono, Hakipu'u Lo'i Kalo, Ko'olaupoko, O'ahu, Tax Map Keys: (1) 4-9-003:003 and (1) 4-9-003:004.
- (c) LLCP 14-03, Kōkua Kalihi Valley, Ho'oulu Ola, Kona, O'ahu, Tax Map Key: (1) 1-4-020:044

David Smith, Division of Forestry and Wildlife, and David Penn, presented the submittal.

Board Discussion

The Board asked if the applicants would like to speak.

Public Testimony

Reyna Hayashi, Trust for Public Land, and Kahiau Wallace support Ho'āla 'Āina Kūpono, Hakipu'u Lo'i Kalo, Ko'olaupoko.

**MOTION**

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

**01.10.2020(2)00:36:29**

**ITEM C-3** Request approval of settlement between Department of Land and Natural Resources and Dole Food Company Inc, regarding real property acquired for addition to the 'Ewa Forest Reserve, Pa'ala'a-Uka and Wahiawa, O'ahu, Tax Map Key (1) 7-1-002:011.

David Smith and Marigold Zoll, Division of Forestry and Wildlife, presented the submittal. Dan Nellis, Dole, is present to answer questions.  
Yuen Motioned to go into Executive Session, Gon Seconded the Motion, unanimous.  
The Board will also break for lunch.

12:15 pm: Executive Session/Lunch  
1:00 pm: Back in Session

**01.10.2020(3)00:04:47**

*Continuation of Item C-3*

Board Discussion

The Board provided comments regarding the motion to approve. The Attorney General's office favored the proposed settlement.

Public Testimony

Trust for Public Lands, present for any questions

**MOTION**

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

**01.10.2020(3)00:09:11**

**ITEM M-17** Issuance of Month-to-Month Permit to Hawaii Planing Mill, LTD., dba HPM Building Supply, situated at Kawaihae Harbor, Hawaii, Tax Map Key: (3) 6-1-003:034 (Portion), Governor's Executive Order No. 1759.

**ITEM M-18** Issuance of Month-to-Month Permit to P&R Water Taxi LLC, situated at Pier 2, Kahului Harbor, Maui, Tax Map Key: (2) 3-7-010:003 (Portion), Governor's Executive Order No. 2635.

**ITEM M-19** Issuance of Month-to-Month Permit to Marine Spill Response Corporation, situated at Pier 1, Kahului Harbor, Maui, Tax Map Key: (2) 3-7-001:002 (Portion), Governor's Executive Order No. 3005.

Olivia Pham, DOT-Harbors, present to answer any question on Items M-17, M-18 and M-19.

Board Discussion-None

Public Testimony-None

**MOTION**

**Approved as submitted Items M-17, M-18 and M-19 (Gon, Gomes) unanimous.**

**01.10.2020(3)00:10:25**

**ITEM D-6** Consent to Issuance of a Construction and Management Right-of-Entry by Hawaii Housing Finance and Development Corporation ("HHFDC") to County of Maui for Site Investigation, Planning, Design, Construction, Operation and Management of the New Maui Bus Hub on a Portion of Land Set Aside by Governor's Executive Order 4590 to HHFDC; Kahului, Island of Maui, Tax Map Key: (2) 3-7-004:003 (por.).

Kevin Moore, Land Division presented the submittal.

Board Discussion-None



Public Testimony-None

**MOTION**

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

**01.10.2020(3)00:11:01**

**ITEM M-20** Consent to Issue Revocable Permits for Lands under Governor's Executive Order No. 4533 to Fisher Hawaii Inc., One Love Ministries, and Hawaiian Dredging Construction Company, Inc., in Kakaako, Honolulu, Oahu, Tax Map Key: (1) 2-1-051:041 (Portion)

Stan Fujimoto, HHFDC presented the submittal.

Board Discussion-None

Public Testimony-None

**MOTION**

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

**01.10.2020(3)00:13:48**

**ITEM C-2** Request for delegation of authority to the Chairperson to: 1) Approve, procure, award, sign, execute, amend, and extend contracts valued less than \$1,000,000 procured through Chapter 103d, Hawaii Revised Statutes; 2) Declare these contracts exempt from the preparation of an environmental assessment (EA) or approve an environmental assessment and issue a finding of no significant impact, if appropriate.

Emma Yuen, Division of Forestry and Wildlife, presented the submittal.

Board Discussion

The Board discussed the number of contracts that came through the department over \$500,000.00 and under 1 million. Yuen replied, that there are not very many.

Public Testimony

James Manaku, felt that the decision should be made by the whole Board and not just a single person.

*Amendment:*

- 1. Contracts and RFP's \$500,000 and over procured through Chapter 103d (HAR) will be brought to the Board*
- 2. Delegation of Authority to Chairperson for RFP's below \$500,000.*

**There was a MOTION to approve as submitted by Oi and seconded by Yuen.**

**After further discussion an amendment was suggested and agreed upon.**

**MOTION**

**Approved as amended (Oi, Yuen) unanimous.**

**01.10.2020(3)00:27:02**

**ITEM J-2** Request Approval to Repeal Hawaii Administrative Rule, (HAR) Chapter 13-251, Subchapter 1, Catamaran Captain, Canoe Captain, Canoe Second Captain, Surfboard Instructor, Sailboard Instructor and Commercial Motorboat Operator Permits, Subchapter 2, Suspension or Revocation of Operator Permits, Subchapter 3, Violation of Operator Permit Provisions, and Subchapter 7, Special Operating Restrictions, to remove all Certification Requirements, regarding Catamaran Captain, Canoe Captain, Canoe Second Captain, Surfboard Instructor, Sailboard Instructor and Commercial Motorboat Operator Permits.

The Proposed Rules can be reviewed in person at The Division of Boating and Ocean Recreation (DOBOR), O'ahu District Office, 4 Sand Island Access Road Honolulu, HI 96819, from 8:00 am to 3:30 pm, Monday through Friday, except State Holidays.

The current version of HAR Chapter 13-251 can be reviewed online at: <http://ltgov.hawaii.gov/the-office/administrative-rules>.

Ed Underwood, Division of Boating and Ocean Recreation, presented the submittal.

**Board Discussion**

The discussion regarding competency tests, man-power and requirements for commercial permits, and how to solve the problem in Waikiki.

**Public Testimony**

Keone Downing, recommended denying the request and noted that DOBOR could develop replacement regulations to address the issues and through the procurement process and outsourcing certifications.

**Amendment:**

*Grant authority to DOBOR approval to initiate the repeal process.*

**MOTION**

**Approved as amended (Gon, Char) 5-Ayes, Gomes with Reservations, 2-Nay (Oi, Yuen)**

**01.10.2020(3)01:04:48**

**ITEM M-1** Amendment No. 2 to Hangar Lease No. DOT-A-13-0016 to Amend The "Character of Use" from Private to Commercial Business Use, Hyak

Aviation LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-072:081 and (1) 1-1-072:082 (Portion).

- ITEM M-2** Issuance of a Directly Negotiated Fueling Facilities Lease for Storage and Delivery of Aviation Fuel, Par Hawaii Refining, LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-2-025:019, (1) 1-1-003 (Portion), (1) 1-1-070 (Portion), (1) 1-2-023 (Portion), (1) 1-2-025 (Portion), and (1) 1-5-041 (Portion).
- ITEM M-3** Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, South Pacific Flying Club, LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-076: Portion of 22.
- ITEM M-4** Issuance of a Revocable Permit for Office, Warehouse and Parking for the Storage of Catering Supplies for Airline Operations, Southwest Airlines Co., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003:015 (Portion).
- ITEM M-5** Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Juan E. Ariza, IV, Kawaihapai Airfield, Waialua, Hawaii, Tax Map Key: (1) 6-8-014:017 (Portion).
- ITEM M-6** Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Angus J. MacFeeley, Kawaihapai Airfield, Waialua, Hawaii, Tax Map Key: (1) 6-08-014:017 (Portion).
- ITEM M-7** Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Bert N. Gilling, Kahului Airport, Tax Map Key: (2) 3-8-001: Portion of 211.
- ITEM M-8** Issuance of a Revocable Permit for the Installation and Operation of an Automated Teller Machine to Central Pacific Bank, Kahului Airport, Tax Map Key: (2) 3-8-011: Portion of 73.
- ITEM M-9** Issuance of a Revocable Permit for Office Space, Schuman Aviation Company, Ltd., Molokai Airport, Tax Map Key: (2) (2) 5-2-04: Portion of 8.
- ITEM M-10** Issuance of a Revocable Permit for Office Space, K & S Helicopters, Inc. dba Paradise Helicopters, Hana Airport, Tax Map Key: (2) 1-3-003-022 (Portion).
- ITEM M-11** Issuance of a Revocable Permit for Cargo Space for Storage and Maintenance of Ground Service Equipment, Hawaiian Airlines, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043:003 (Portion).

- ITEM M-12** Issuance of a Revocable Permit for a Ramp Office, Flex Unit, Equipment Parking, and Kiosk Spaces, Hawaiian Airlines, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043:003 (Portion).
- ITEM M-13** Issuance of a Revocable Permit for a Field Office and Vehicle Parking, SSFM International, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043:003 (Portion).
- ITEM -14** Issuance of a Revocable Permit for Vehicle Parking, AIRMD, LLC dba Lifesave, Waimea-Kohala Airport, Tax Map Key: (3) 6-7-001: Portion of 08.
- ITEM M-15** Amendment No. 2 to Heliport Lease No. DOT-A-15-0007, Request Two Additional Helipad Spaces for Commercial Helicopter Operations, Mauna Loa Helicopter Tours, LLC, Lihue Airport, Tax Map Key: (4) 3-5-001:136 (Portion).
- ITEM M-16** Issuance of Parking Concession Agreement for the Management and Operation of the Automobile Parking Facility to ABM Aviation, Inc. at Kahului Airport, Tax Map Key: (2) 3-8-001; Hilo International Airport, Tax Map Key: (3) 2-1-012; Lihue Airport, Tax Map Key: (4) 3-5-001.

Ross Smith, DOT-Airports present to answer questions for Items M-1 through M-16.

Board Discussion

**ITEM M-2:** Smith clarified for the Board regarding the difference between the Consortium Group direct lease. There are other private fuel leases.

**ITEM M-11:** Did Aloha Cargo request for more space as well? Smith replied no. Hawaiian needs more space due to Kona's renovation.

**ITEM M-16:** The Board questioned why this was a direct concession agreement with no competitive process. How did DOT determine that we should just go with this operator, how did DOT come up with the percentages that the State would receive? There was a robust discussion regarding the lack of competition and percentage rates.

Public Testimony-None

MOTION

**ITEM M-16, DEFERRED (Yuen, Char) unanimous.**

**Approve ITEMS M-1, M-2, M-3, M-4, M-5, M-6, M-7, M-8, M-9, M-10, M-11, M-12, M-13, M-14 and M-15 (Yuen, Gon) unanimous.**

**01.10.2020(3)01:21:15**

**ITEM C-4** Request for approval to adopt amendments to and compile Hawai'i Administrative Rules, Title 13, Subtitle 5, Part 1, Chapter 104, "Rules Regulating activities within Forest Reserves" by:

A. Adding Subchapter 4, "fees and charges", that establishes fees and charges relating to Forest Reserves;

B. Making other substantive amendments, including adding, amending, and removing various definitions; amending penalty, abandoned and unattended property, fire use restrictions, closing of areas, vehicles and transportation, and general, camping, collecting, commercial, and access permit provisions; and conforming certain sections of Chapter 13-104, HAR, to other Administrative Rules promulgated by the Division of Forestry and Wildlife; and

C. Making non-substantive amendments to numerous sections for the purposes of clarity, consistency, and style.

Request for delegation of authority for permits and other actions under Hawai'i Administrative Rules, Title 13, Subtitle 5, Part 1, Chapter 104, "Rules Regulating activities within Forest Reserves", to the Chairperson, the Administrator, and District Managers of the Division of Forestry and Wildlife.

The Proposed Rules can be reviewed in person at the Division of Forestry and Wildlife office at 1151 Punchbowl St., Room 325. Honolulu, Hawaii, 96813 for 8:00 am to 3:30 pm Monday through Friday, except Holidays.

The current version of HAR Chapter 13-104 can be reviewed online at:  
<http://ltfgov.hawaii/the-office/administrative-rules>

Irene Spector, Division of Forestry and Wildlife, presented the submittal with three minor changes; amended definition of camping; different type of shelters on a temporary basis; & removing the service charge for checks. Jan Pauly is present to answer any questions.

Board Discussion-None

Public Testimony-None

**MOTION**

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

**01.10.2020(3)01:24:33**

**ITEM D-2** Consent to Assign General Lease No. S-5434, Sandra H. Apele-Kipapa, Assignor, to Haunani Ponilani Kipapa, Assignee, Kikala-Keokea, Puna, Hawaii, Tax Map Key: (3) 1-2-043:034.

**ITEM D-3** Lessee's Request for Early Termination of General Lease No. S-5942, Roseannamary L.K. Robinson, Lessee, Kikala and Keokea, Puna, Hawaii, Tax Map Key: (3) 1-2- 43:044.

**ITEM D-5** Issuance of Right-of-Entry Permit to Maui's Original Hawaiian Corporate Games, Inc., for Sand Sculpting Competition Purposes, Wailea, Honuaula, Maui; Tax Map Key: (2) 2-1-023: Seaward of 003.

**ITEM D-7** Issuance of Right-of-Entry Permit to Hawaii Amateur Surfing Association, for Event Operations Purposes Related to the 2020 Hawaii Amateur Surfing Association Honolua Legends of the Bay Amateur Surfing Contest, a Two-Day Event on January 11 and 12, 2020, with a Holding Period of January 11 through March 31, 2020, at Honolua, Lahaina, Maui, Tax Map Key: (2) 4-1-001: Portion of 010.

*Amendment:*

*Correct the applicant's name to "Hawaii Amateur Surfing Association" throughout the document.*

**ITEM D-8** Second Amendment of Prior Board Action dated October 10, 1986, Item F-9, as amended by October 25, 2019, Item D-9; *Request of the City and County of Honolulu, Board of Water Supply, for Executive Order Setting aside 6MG Reservoir Site Together with Electrical Transmission Line, Waterline and Roadway Easement at Kahana Valley, Kahana, Koolauloa, Oahu*, Tax Map Key: Portions of (1) 5-2-001 & 5-2-002

The purpose of this amendment is to seek Board's Authorization for Issuance of an Executive Order to Withdraw 1.644 acres for the 6MG Reservoir Site from Governor's Executive Order No. 3518.

Kevin Moore, Land Division, present to answer any questions for Items D2-, D-3, D-5, D-7 and D-8. *amended Item D-7.*

Board Discussion-None

Public Testimony-None

### **MOTION**

**Approve as submitted for Items D2-, D-3, D-5, and D-8. ITEM D-7, as amended (Oi, Gomes) unanimous.**

**01.10.2020(3)01:25:55**

**ITEM E-1** Selection of Projects for Federal Grant Awards through the Land and Water Conservation Fund Program with Fiscal Years 2017 and 2018 Funds: Statewide Comprehensive Outdoor Recreation Plan Update; Paving of Park Road and Parking Lots at Mālaekahana State Recreation Area - Kalanai Section, O'ahu; Construction of New Restrooms at Mākena State Park, Maui; and Construction of Replacement Playgrounds at Five (5) City and County of Honolulu Parks.

Curt Cottrell, State Parks, presented the submittal.

Board Discussion-None

Public Testimony-None

**MOTION**

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

Break: 1:26:30

Back: 1:32:38

**01.10.2020(3)01:25:55**

**ITEM F-3** Papahānaumokuākea Marine National Monument permittees briefing regarding activities conducted in 2019. **(NON-ACTION ITEM)**

**Presentations**

**Marie Carnevale, Division of Aquatics**

**1:37:32**

Liquid Robotics- Chuck Shaver

**1:54:32 2:37:30**

Makai I Waa (Mokumanamana)

Lehua AhSam

**2:38:01 3:04**

Dr. Kosakai

**ITEM L-1** Hawaii Dam Safety Program Briefing. **(NON-ACTION ITEM)**  
**Deferred to next meeting (January 24, 2020)**

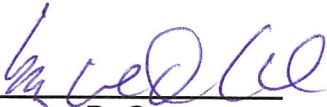
There being no further business, Chair Case, adjourned the meeting at 4:00 pm. Recording(s) of the meeting and all written testimonies submitted at the meeting are filed in the Chairperson's Office and available for review. Certain Items on the agenda were taken out of sequence to accommodate applicants or interest parties present.

Respectfully submitted,



Darlene S. Ferreira  
Land Board Secretary

Approved for submittal:



Suzanne D. Case  
Chairperson  
Department of Land and Natural Resources