

**APPROVED AS SUBMITTED**

**BY THE BOARD AT ITS  
MEETING HELD ON  
APRIL 24, 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

**DAVID Y. IGE**  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

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

DATE: February 28, 2020  
TIME: **9:00 A.M.**  
PLACE: KALANIMOKU BUILDING  
LAND BOARD CONFERENCE ROOM 132  
1151 PUNCHBOWL STREET  
HONOLULU, HAWAI'I 96813

**MEMBERS**

Suzanne Case  
Sam Gon  
Vernon Char

Tommy Oi  
Chris Yuen  
Kaiwi Yoon

**STAFF**

Russell Tsuji-Land  
Ian Hirokawa-Land  
Alan Carpenter-Parks  
Mike Millay-DOFAW  
Ed Underwood-DOBOR

Sam Lemmo-OCCL  
Curt Cottrell-Parks  
Mike Fujimoto-DAR  
David Smith-DOFAW

**OTHERS**

Colin Lau/AG  
Davis Yogi/DOTHAR  
Eric Leong/DOT-HAR

Ross Smith/DOT-Air  
Reid Yoshida/D15  
Daniel Brieck/D14

Olivia Pham/DOT-HAR  
Chris Kobayashi/D15  
Nathaniel Tin-Wong/D15  
Wayne Tanaka/D15  
Kapua Sproat/D15  
Chris Kobayashi/D15  
Fred Pascual/D1  
Jennifer Jasper/D5  
Matt Bradden/D5  
Bernard Carvalho/D5  
Moke Okami/D5  
Stephanie Pascual/D12, D13

Francis Cheng/D14  
Bobby Watari/D15  
Jo Kaona/D15  
Nick Ernst/D15  
Mike Moule/D15  
Reid Yoshida/D15  
Cameron Kruse/D1  
Tina Soblenski/D5  
Michael Dahilig/D5  
Mike Higa/D5  
Kristen Asato/D11

02.28.2020/00:00:42

Chair Case called the meeting to order at 9:01 am. Member Gon read the standard contested case statement.

02.28.2020/00:01:52

**ITEM D-1** Grant of Perpetual Non-Exclusive Easement to Kauai Island Utility Cooperative for Utility Purposes; Immediate Construction and Management Right-of-Entry Permit to Kauai Island Utility Cooperative, Mana, Waimea, Kauai, Tax Map Key: (4) 1-2-002: portion of 001.

Russell Tsuji, Land Division, presented the submittal.

Board Discussion-None

Public Testimony-None

**MOTION**

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

02.28.2020/00:02:51

**ITEM D-6** Cancellation of Governor's Executive Order No. 1108 and Reset Aside to the County of Kauai for Park and Road Right-of-Way Purposes; Issuance of Immediate Construction and Management Right-of-Entry Permit to the County of Kauai, Kapaa House Lots, Kawaihau, Kapaa, Kauai, Tax Map Keys: (4) 4-6-015:021, 022 and 023.

Board Discussion-None

Public Testimony-None

**MOTION**

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

02.28.2020/00:03:41

**ITEM D-15** Amend Prior Approval as Amended of Item D-1, May 24, 2019, *Grant of Term, Non-Exclusive Easement to Wai'oli Valley Taro Hui, Inc. for Surface Water Diversion and Irrigation Purposes, Wai'oli, Hanalei, Kauai, Tax Map Key: (4) 5-6-002:001 (portion).*

The Purpose of the Amendments is to:

- 1) Change the Term of the Approved Easement from 55 years to Perpetual;
- 2) Increase the Area of the Approved Easement from Approximately 1.15 Acres, More or Less to Approximately 6.627 Acres, More or Less; and
- 3) Add Tax Map Key: (4) 5-5-008:018 to the Approved Easement.

Ian Hirokawa, Land Division, presented the submittal.

#### Board Discussion

The Board discussed how to move this from an RP for the use of the water to a lease.

#### Public Testimony

Reed Yoshida, representing Wai'oli Valley Taro Hui. Provided the history of the taro growing in the valley and the use of the water system.

Kapua Sproat, has provided legal support for the Hui to navigate through the State system to procure the easement and will continue to support as they work towards obtaining a water lease.

Michael Dahlilig, County of Kaua'i, relayed information regarding the efforts to help clean up the easement.

Chris Kobayashi, Nathaniel Tin- Wong, and Jo Kaona, spoke in support of the easement.

#### **MOTION**

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

02.28.2020/00:43:58

**ITEM D-5** Consent to Lease State Lands Under Governor's Executive Order No. 4566 to the Kapaa Foursquare Church, dba: New Hope Kauai, Kapaa, Kawaihau, Kauai, Tax Map Keys: (4) 4-5-008:008 & 009.

Russell Tsuji, Land Division, presented the submittal.

#### Board Discussion

There was a very robust discussion regarding a direct Lease to the Applicant and the types of public services that will be available and concerns regarding the change of use without public input. The Lease is very vague and does not require the Lessee to comply with the services that they will provide.

#### Public Testimony

Michael Dahilig & Matt Bradden, County of Kauai, provided information on the use by the Applicant and explained the County's reason for a direct Lease.

Jennifer Jasper opposed the Lease and requested a contested case.

Chair Case made the motion to go into Executive Session and Member Oi seconded the motion. 6-Ayes.

02.28.2020/01:36:18  
10:37 am: Executive Session

02.28.2020/01:58:14  
11:05 am: Back in session.

Member Char recused himself from this matter.

Member Yuen made the motion to deny the contested case and Member Oi second the motion. 6-Ayes <Please check this—I don't think Vernon voted on this.>

Resume Public Testimony:

Tina Sobolenski, opposes the lease.

Bernard Carvalho, Pastor Mike Higa, Moke Okami, testified in support of the Lease.

#### **MOTION**

**Defer (Oi, Yuen) 6-Ayes. (Char recused)**

02.28.2020/02:49:14  
**ITEM D-14** Grant of Perpetual, Non-Exclusive Easement for Underground Wireline and Related Facilities Purposes and Issuance of Construction and Management Right-of-Entry; Kaneohe, Koolaupoko, Oahu; Tax Map Key: (1) 4-5-047: seaward of 127.

Russell Tsuji, Land Division, presented the submittal.

Board Discussion-None

Public Testimony-None

**MOTION**

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

02.28.2020/02:51:14

**ITEM D-12** Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Special Event Aerial Fireworks Display at Duke Kahanamoku Lagoon on April 7, 2020, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portion of 021.

Russell Tsuji, Land Division, presented the submittal.

Board Discussion

The Board previously requested information regarding if the debris from the fireworks caused any harm to the marine environment. Tsuji conveyed that DAR, responded to the question.

Public Testimony-None

**MOTION**

**Approved as submitted (Oi, Char) 6 Ayes, Gon abstained**

02.28.2020/02:52:09

**ITEM D-13** Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for aerial Fireworks Display at Duke Kahanamoku Beach Every Friday From June 19, 2020 to June 11, 2021, Waikiki, Honolulu, Oahu, TMK: (1) 2-3-037: portion of 021.

Russell Tsuji, Land Division presented the submittal

Board Discussion-None

Public Testimony-None

**MOTION**

**Approved as submitted (Oi, Yuen) 6 Ayes, Gon abstained**

02.28.2020/02:53:11

**ITEM D-11** Second Amendment of Grant of Perpetual, Non-Exclusive Easement, Land Office Deed No. S-28,331, for Gas Lines Purposes and Issuance of Construction Right-of-Entry Permit at Honolulu, Oahu; Tax Map Key: (1) 1-2-021: portion of 035.

The purpose of the amendment is to expand the easement area.

Russell Tsuji, Land Division presented the submittal

Board Discussion-None

Public Testimony-None

**MOTION**

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

02.28.2020/02:53:51

**ITEM M-13** Issuance of Month-to-Month Permit to HC&D, LLC, for accessory to concrete making, storage of aggregates, truck parking, and maintenance of settlement tanks used for recycling waste water, situated at Keehi Industrial Lots, Honolulu Harbor, Oahu, Tax Map Key: (1) 1-2-023:050, Governor's Executive Order No. 3708.

**ITEM M-14** Issuance of Month-to-Month Permit to HC&D, LLC, for loading and unloading, stockpiling, storage, transfer and distribution of rock aggregates and sand, situated at Keehi Industrial Lots, Oahu, Tax Map Key: (1) 1-2-023: Portion of 100, Governor's Executive Order 3708.

Eric Leong, DOT-Harbors, presented Items M-13 & M-14.

Board Discussion

Asked if this was Maritime related. Leong replied, it is used for aggregate storage and gets shipped in and out of the harbor. Davis Yogi conveyed that they were in the process of updating their RP's and bringing up to fair market rent.

**ITEM M-15** Issuance of Month-to Month Permit to Healy Tibbitts Builders, Inc. for storage yard of marine construction equipment, materials, supplies, trade fixtures and other items accessory to marine construction business, situated at Pier 9, Kalaeloa Barbers Point Harbor, Oahu, Tax Map Key: (1) 9-1-014-:037, 024 (Portion), Governor's Executive Order No. 3383.

**ITEM M-16** Issuance of Month-to Month Permit to Petrospect, Inc. for container storage of petroleum product inspection equipment, situated at Pier 21, Honolulu Harbor, Oahu, Tax Map Key: (1) 1-5-039:007 (Portion), Governor's

**ITEM M-17** Issuance of Four (4) Month-to-Month Permits to Hawaii Stevedores, Inc., for Office trailer, bike rack, G-van storage, and portable restroom for Applicant's customer service representatives, situated at Pier 2, Kahului Harbor, Maui, Tax Map Key: (2) 3-7-008:002 (Portion)

**ITEM M-18** Request Approval to Proceed with Acquiring Lands for Honolulu Harbor, Island of Oahu, Department of Transportation, Harbors Division for Public purpose and Delegate to the Chairperson of the Board of Land and Natural

Resources the Authority to Initiate work to acquire the lands for Final Board approval. Tax Map Key: (1) 1-2-025:036.

Davis Yogi, DOT Harbors, Eric Leong & Oliva Pham present to answer questions for Items M-13, M-14, M-15, M-16, M-17 and M-18. It was noted that an amendment be made to Submittals Titles for M-13, M-14, M-15, M-16, M-17 and M-18 to be consistent with the Agenda titles and that for M-18, the Tax Map Key on the agenda title also be are be amended.

Public Testimony-None

### **MOTION**

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

02.28.2020/03:02:45

**ITEM M-2** Issuance of a Revocable Permit for Vehicle Parking, Ford Audio-Video Systems, LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 66 (Portion).

**ITEM M-3** Issuance of a Revocable Permit for a Construction Staging Area for Materials, Hako Plumbing, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 15 (Portion)

**ITEM M-4** Issuance of a Revocable Permit for Aircraft Parking, Kamaka Air, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: 23 Portion.

**ITEM M-5** Issuance of a Revocable Permit for Warehouse Storage, Larry D. Biggs, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-4: 21 (Portion).

**ITEM M-6** Issuance of a Revocable Permit for Staging Construction Equipment for the Rail Transit Project, Shimmick/Traylor/Granite, JV, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-004:001.

**ITEM M-7** Issuance of a Revocable Permit for Wheelchair Passenger Seating Area, United Airlines, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 042 (Portion).

**ITEM M-8** Issuance of a Revocable Permit for the Installation and Operation of an Automated Teller Machine, Video Vend, Inc. dba ATM Pacific, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 65 (Portion)

**ITEM M-9** Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Angus J. MacFeeley, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: 21 (Portion).

Smith asked to amend the Tax Map Key to (1) 9-1-13:21 to (1) 9-1-13:32 (Portion).

**ITEM M-10** Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Juan E. Ariza, IV, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: 32 (Portion).

**ITEM M-11** Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Snowbird Air LLC, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: 32 (Portion).

**ITEM M-12** Issuance of a Revocable Permit for Aircraft Parking, Fly Maui LLC, Kahului Airport, Tax Map Key: (2) 3-8-01: 019 (Portion).

Ross Smith, DOT-Air, present to answer questions for Items M-2, M-3, M-4, M-5, M-6, M-7, M-8, M-9, M-10, M-11 and M-12

Board Discussion-None

Public Testimony-None

**MOTION**

**Approved as submitted, Items M-2, M-3, M-4, M-5, M-6, M-7, M-8, M-10, M-11 and M-12.**

**Approved as amended Item M-9 (Oi, Yuen) unanimous.**

**ITEM M-1** Issuance of a Land Lease for Seaplane Operations by Notice of Public Auction, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-3: 001 (Portion) and (1) 1-1-3: 005 (Portion).

Ross Smith, DOT-Airports presented the submittal.

Board Discussion

The Board asked to clarify what the Direct Lease was for. Smith conveyed it was to park and store the plane and has been vacant for 2-years, and plan to go out to auction.

Public Testimony-None

**MOTION**

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

02.28.2020/03:09:27

**ITEM K-1** Time Extension Request for Conservation District Use Permit (CDUP) MA-3814 for the Lahaina Small Boat Harbor Ferry Pier Improvements by Department of Land and Natural Resources, Division of Boating and Ocean



Recreation, Located at Lahaina, Maui, Hawaii Tax Map Key: (2) 4-6-001:002 and 014.

Sam Lemmo, Office of Conservation and Coastal Lands, presented the submittal.

Board Discussion-None

Public Testimony-None

**MOTION**

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

02.28.2020/03:10:45

**ITEM J-1** Approve Installation of Five (5) Day Use Mooring Buoys Outside of an Established Offshore Mooring Area, Hilo, Island of Hawaii, Hawaii, for DLNR – Division of Boating and Ocean Recreation

and

Declare Five (5) Day Use Moorings Buoys Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200.1, Hawaii Administrative Rules.

Board Discussion

The Board asked if these were currently used for boats to anchor? Underwood noted that this was a DOT mitigation project for the channel, conveyed that he did not know, that DOT was to work with the community to determine depth and if there would be damage to the coral if an anchor was dropped. There were several more questions regarding the decision making of the locations.

Public Testimony-None

*Amendment:*

*Defer (1) mooring off Richardson's Ocean Park for more information about why this site was chosen.*

**MOTION**

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

02.28.2020/03:18:11

**ITEM J-2** Approve Installation of an Offshore Mooring Outside of an Established Offshore Mooring Area by After-the-Fact Permit under HAR § 13-235-9, Keauhou Bay, Kailua-Kona, Island of Hawaii, Hawaii, for Lawrence Peebles.

LOCATION:

Kailua Kona, Keauhou Bay: 19° 33.4230' N, 155° 57.4645' W

Edward. Division of Boating and Ocean Recreation, presented Items J-1 and J-2.

Board Discussion

The question of commercial moorings in Keahou Bay was raised. Underwood said this is a recreational mooring.

Public Testimony-None

**MOTION**

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

02.28.2020:03:21:24

**ITEM F-1** Request Approval to add Funding and Extend through September 30, 2021 an existing Federally funded Project Agreement between the Department of Land and Natural Resources (DLNR) and the Research Corporation of the University of Hawaii (RCUH) for the Division of Aquatic Resources (DAR) Research Project entitled “Investigation of Estuarine Habitats”.

**ITEM F-2** Request Approval to add Funding and Extend through September 30, 2021 an existing Federally funded Project Agreement between the Department of Land and Natural Resources (DLNR) and the Research Corporation of the University of Hawaii (RCUH) for the Division of Aquatic Resources (DAR) Research Project entitled “Statewide Marine Resources Assessment”.

**ITEM F-3** Request Approval to add Funding and Extend through September 30, 2021 an existing Federally funded Project Agreement between the Department of Land and Natural Resources (DLNR) and the Research Corporation of the University of Hawaii (RCUH) for the Division of Aquatic Resources (DAR) Research Project entitled “Hawaii Marine Recreational Fishing Survey”.

Mike Fujimoto, Division of Aquatics, presented the submittals for F-1, F-2 & F-3.

Board Discussion-None

Public Testimony-None

**MOTION**

**Approved as submitted Items F-1, F-2 and F-3 (Gon, Oi) unanimous.**

02.28.2020:03:22:39

**ITEM D-2** Issuance of Right-of-Entry Permit to Roman Catholic Church in the State of Hawaii, Saint Theresa School, onto Unencumbered State Lands for Parking Purposes, Kekaha House Lots, Kekaha, Waimea, Kauai, Tax Map Keys: (4) 1-3-004:054 and (4) 1-3-011:001.

**ITEM D-3** Amend Prior Board Action of February 23, 2018, Item D-3, *Request to Extinguish a Twenty (20) Foot Wide Ditch Right-of-Way Easement Reserved to the State of Hawaii Under Land Patent Grant No. 12,829, Traversing Private Property Owned By Michael Clark and Denise Adesso at Wailua Houselots, Wailua, Kauai, Tax Map Key: (4) 4-1-013: Portions of 046.*

The purpose of the amendment is to change the applicant from Michael Clark and Denise Adesso to W. Noel Rodman, due to the recent sale of the private property containing the ditch right-of-way.

**ITEM D-4** Grant of Term, Non-Exclusive Easement to Matine A. Borges, Jeffrey D. Borges, Michelle M. Borges, Monique M. Borges, Jennifer A. Lindell, and Troy M. Lindell, as Joint Tenants, for Shoreline Revetment Encroachment Purposes; Issuance of Immediate Management Right-of-Entry Permit for Shoreline Revetment Purposes, Waipouli, Kawaihau, Kauai, Tax Map Key: (4) 4-3-009: Seaward of 049.

**ITEM D-7** Mutual Cancellation of Revocable Permit No. S-7739 (RP S-7739), Lance Laney, Permittee and Waiver of Phase I Environmental Site Assessment Required under RP S-7739; Issue New Revocable Permit to Lance Laney, Hanalei for Pasture Purposes, (Halelea), Kauai, Tax Map Key: (4) 5-4-002:033.

Russell Tsuji, Land Division, presented the submittal. He made the amendment to strike 3<sup>rd</sup> page of Exhibit B and strike Exhibit C.

Board Discussion-None

Public Testimony-None

**MOTION**

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

**ITEM D-8** Rescind Prior Board Action of June 14, 2013, Agenda Item D-7, *Consent to Approval of Self-financed Improvements and Extension of Lease Term, General Lease No. S-5373 Harold F. Rice, Jr. dba FR Cattle Co., Lessee;* and Cancel the Extension of General Lease No. S-5373 dated February 15, 2015, Lalamilo, Lihue, Koaliula and Waiaka 1, South Kohala, Hawaii Tax Map Key: 3<sup>rd</sup>/6-6-01:02 and 77.

**ITEM D-9** Grant of Perpetual, Non-Exclusive Easement to Hawaii Electric Light Company, Inc. for Pad Mounted Electrical Equipment Purposes, Ooma 1st, North Kona, Hawaii, portions of Tax Map Keys: (3) 7-3-043:113portion.

**ITEM D-10** Issuance of Right-of-Entry Permit to Maui's Original Hawaiian Corporate Games, Inc., for Beach Olympic Games Competition Purposes, Wailea, Honuaula, Maui; TMK (2) 2-1-023: Seaward of 007.

Russell Tsuji, Land Division did not have anything to add to Items D-2, D-3, D-4, D-8, D-9 and D-10.

Board Discussion-None

Public Testimony-None

**MOTION**

**Approve as submitted Items D-2, D-3, D-4, D-8, D-9 and D-10 (Oi, Gon) unanimous.**

02.28.2020:03:24:50

**ITEM E-1** Forfeiture of General Lease No. SP-0112, James Hackett, Lessee, Recreation Residence Lot 91 of Waimea (Kona), Island of Kaua'i, Hawai'i, Tax Map Key No: (4)1-4-004:048.

Curt Cottrell, State Parks, presented the submittal.

Board Discussion-None

Public Testimony-None

**MOTION**

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

02.28.2020:03:25:27

**ITEM E-2** Request Approval to initiate Rule-Making Proceedings, including Public Hearings, to adopt Amendments to Section 13-146-6 (Fees) and Compile Hawai'i Administrative Rules (HAR) Chapter 13-146; for Fee Increases to State Park Camping, Lodging, and Pavilion Rental Fees; Parking and Entrance Fees for Designated State Park properties.

The Proposed Rules can be reviewed in person at the Division of State Parks, 1151 Punchbowl Street, Room 310, Honolulu, HI, 96813 from 8:00 am to 3:30 pm, Monday through Friday, except State Holidays.

The current and proposed versions of HAR Section 13-146-6 can be reviewed online at:

<https://dlnr.hawaii.gov/dsp/administrative-rules/>

via the Lieutenant Governor's website at:

<http://ltgov.hawaii.gov/the-office/administrative-rules/>

and

<https://dlnr.hawaii.gov/dsp/files/2020/01/Parking-and-Entrance-Fees-Draft-5-Ramseyer-Format-vrs-SBRRB-January-2020-Exhibit-A.pdf>

Curt Cottrell and Alan Carpenter, State Parks, presented the submittal.

#### Board Discussion

The Board asked about the different locations and fees and what areas are still free.

Public Testimony-None

#### **MOTION**

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

02.28.2020:03:50:28

**ITEM C-1** Request approval to Authorize the Chairperson to Negotiate, enter into, Amend, Extend, and Terminate a Trail Partnership Agreement between Na Ala Hele, Hawaii's Statewide Trails and Access Program, and Japan's Kagoshima Prefectural Government's Amami Island Trails Program.

Mike Millay, Division of Forestry and Wildlife, presented the submittal.

#### Board Discussion

The Board found the partnership interesting and Millay conveyed the benefit of the partnership.

Public Testimony-None

#### **MOTION**

Approved as submitted (Char, Gon) unanimous.

**ITEM C-2** Amend prior Board action of February 9, 2018 Item C-1 request Delegation of Authority to the Chairperson to Approve Memoranda of Understanding / Agreements, Contracts for Goods and Services, and Cooperative Agreements, that Award Grant Funds to the Division of Forestry and Wildlife, subject to the review and approval by a Deputy Attorney General.

The purpose of the amendment is to apply this delegation to the

Department.

Mike Millay, Division of Forestry and Wildlife, presented the submittal.

Board Discussion-None

Public Testimony-None

**MOTION**

Approved as submitted (Gon, Oi) unanimous.

**ITEM C-3** Acceptance of Hearing Officer's report on a Public Hearing for two proposed withdrawals from the Forest Reserve System on the Island of Hawai'i.

Approval and recommendation to the Governor issuance of Executive Orders for the withdrawal of Tax Map Key: (3) 4-4-016: portion of 003, comprising approximately 2.9 acres, from Mauna Kea Forest Reserve, Kaohe IV, Hāmākua, Hawai'i and subsequent set-aside to the State of Hawai'i Department of Transportation for highway maintenance base yard purposes.

Approval and recommendation to the Governor issuance of Executive Orders for the withdrawal of the Gilbert Kahele Recreation Area, Tax Map Key: (3) 4-4-016: portion of 003, comprising approximately 32.572 acres, from Mauna Kea Forest Reserve, Kaohe IV, Hāmākua, Hawai'i and subsequent set-aside to the County of Hawai'i for park purposes.

Grant of perpetual, non-exclusive access and utility easement to the Department of Transportation over Tax Map Key nos.: (3) 4-4-016: portion of 003 and (3) 4-4-016: portion of 012;

and

Grant of perpetual, non-exclusive access and utility easement to the County of Hawai'i over Tax Map Key: (3) 4-4-016: portion of 012.

Mike Millay, Division of Forestry and Wildlife, presented the submittal. David Smith, DOFAW, relayed the purpose of the request.

Board Discussion-None

Public Testimony-None

**MOTION**

Approved as submitted (Char, Gon) unanimous

There being no further business, Chair Case, adjourned the meeting at 12:58 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 Ferreira*

Darlene S. Ferreira  
Land Board Secretary

Approved for submittal:

*Suzanne D. Case*

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Suzanne D. Case  
Chairperson