

DAVID Y. IGE  
GOVERNOR OF HAWAII



**APPROVED AS AMENDED**  
**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

**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: March 13, 2020  
TIME: **9:00 A.M.**  
PLACE: KALANIMOKU BUILDING  
LAND BOARD CONFERENCE ROOM 132  
1151 PUNCHBOWL STREET  
HONOLULU, HAWAI'I 96813

**MEMBERS**

Suzanne Case  
Tommy Oi  
Chris Yuen  
Kaiwi Yoon

Jimmy Gomes  
Sam Gon  
Vernon Char

**STAFF**

Russell Tsuji-Land  
Rob Hauff-DOFAW

Sam Lemmo-OCCL

**OTHERS**

Bill Wynhoff/AG  
Olivia Pham/DOT-HAR  
Onaona Thoene/K1  
Brandon Miranda/M1

Ross Smith/DOT-AIR  
Karen Chun/DOT-Hwys  
Brian Wong/D2  
Delzelle Miranda/M1

The meeting was called to order by Chair Case at 9:00 am. Member Gon read the standard contested case statement.

03.13.2020/00:02:00

**ITEM A-1** Request Approval of meeting minutes for January 28, 2020.

Board Discussion-None

Public Testimony-None

**MOTION**

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

03.13.2020/00:02:017

**ITEM M-3** Acquisition of: (1) Fee simple parcels to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Honoapiilani Highway Realignment, Phase IA, Project No. NH-030-1(35), at Lahaina, Maui, State of Hawaii, Tax Map Key No: (2) 4-5-21: Portion of 003.

Karen Chun, DOT-Highways, present to answer any questions.

Board Discussion-None

Public Testimony-None

**MOTION**

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

03.13.2020/00:03:027

**ITEM D-3** Consent to the Assignment and Assumption of General Lease No. S-5841, Honolulu, LLC, Assignor, to Souske Properties LLC, Assignee, Kapalama-Kai, Honolulu, Oahu, Tax Map Key: (1) 1-5-042:002.

Russell Tsuji, Land Division, presented the submittal.

Board Discussion-None

Public Testimony-None

**MOTION**

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

03.13.2020/00:04:10

**ITEM D-2** Consent to Sublease of Non-Exclusive Easement No. S-5474, Waikoloa Beach Association, Lessee/Sublessor, to Nanea Kai, Inc., Sublessee, Anaehoomalu, South Kohala, Hawai'i, Tax Map Key: (3) 6-9-007: seaward of 011.

Russell Tsuji, Land Division, presented the submittal. Brian Wong, representative from Waikoloa Beach Association is present to answer any questions.

Board Discussion-None

Public Testimony-None

**MOTION**

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

03.13.2020/00:05:26

**ITEM M-4** Issuance of three (3) Month-to-Month Permits to Hawaii Stevedores, Inc., situated at Pier 1, Hilo Harbor, Hawaii, Tax Map Key No: (3) 2-1-009:007 (P), Governor's Executive Order No. 3962.

**ITEM M-5** Issuance of two (2) Month-to-Month Permits to The Gas Company, LLC, situated adjacent to Pier 2, Kahului Harbor, Maui, Tax Map Key No: (2) 3-7-010:003 (P), Governor' s Executive Order No. 2635.

Olivia Pham, DOT-Harbors, present to answer any questions.

Board Discussion-None

Public Testimony-None

**MOTION**

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

03.13.2020/00:07:10

**ITEM M-1** Issuance of a Hangar Facilities Lease for Air Charter and Air Medical and Related Services, Wing Spirit Inc, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-72: 23.

Ross Smith, DOT-Airports, presented the submittal.

Board Discussion-None

Public Testimony-None

**MOTION**

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

03.13.2020/00:08:03

**ITEM K-1** Conservation District Enforcement HA 20-17 Alleged Unauthorized Transient Rental by Mr. Christopher Gorham Arai and Ms. Tess Marie

Lusher Located at 87-3173 Mapuna Road, Kona Paradise Kaohe 4<sup>th</sup>, South Kona, Hawai'i Tax Map Key: (3) 8-7-019:031.

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

#### Board Discussion

There was a discussion regarding circumstances with the representative for Arai.

#### Public Testimony

Onaona Thoene, representative for Arai noted that they were willing to pay the fines for the violation and administrative fees and requested that the fine of \$5,000.00 regarding the application to the County be waived.

#### *Amendment:*

*Waive Recommendation #2, for \$5,000 of the submittal.*

#### **MOTION**

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

03.13.2020/00:20:57

**ITEM M-2** Issuance of a Fixed-Base Operator Lease, Airborne Aviation, Inc., Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 008.

Ross Smith, DOT-Airports, presented the submittal

#### Board Discussion

Chair Case recused herself. They provide services for DLNR.

The Board discussed the decision by Airports not to go out to bid for this.

*The Board asked Smith to provide within 60-days a report for Lihue Airport on who the FBO's are and evidence that they qualify as an FBO.*

#### Public Testimony

Brandon Miranda & Delzelle Miranda, applicants provided background on the work that they do. They addressed the written testimony submitted and explained the difference in what they do and the tour helicopter's. They also do repairs and maintenance. Their work is basically in utility and conservation work and not tours.

#### **MOTION**

**Approved as submitted (Yuen, Oi) 6-Ayes, Chair Case recused.**

03.13.2020/00:41:10

**ITEM C-1** Request approval to authorize the Chairperson to Enter into a Memorandum of Understanding between the State of Hawaii Department of Land and Natural Resources, Division of Forestry and Wildlife and the United States

Department of Interior, U.S. Fish and Wildlife Service, for providing firefighting assistance.

Rob Hauff, Division of Forestry & Wildlife, presented the submittal

Board Discussion-None

Public Testimony-None

**MOTION**

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

03.13.2020/00:42:07

**ITEM D-1** Amend Prior Board Action of October 14, 2016, Item D-2, *Grant of Perpetual, Non-Exclusive Easement to Kauai Island Utility Cooperative for Utility Purposes; and Immediate Management and Construction Right-of-Entry, Kekaha, Waimea, Kauai, Tax Map Key: (4) 1-2-002: portions of 001, 009, and 040.*

The purpose of the amendment is to change the consideration for the easement from a one-time payment of fair market rent as determined by independent appraisal to nominal consideration of \$500.

Russell Tsuji, Land Division, presented the submittal.

Board Discussion

There was a question regarding the lights. Tsuji conveyed that this is only for an easement and right-of entry, and not for the installation of lights.

Public Testimony-None

**MOTION**

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

03.13.2020/00:42:10

**ITEM D-4** Issuance of Right-of-Entry Permit to Waikiki Community Center for Beach Activities Purposes to be held on April 25 and 26, 2020 at Duke Kahanamoku Beach, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of 021.

Russell Tsuji, Land Division, presented the submittal.

Board Discussion-None

Public Testimony-None

**MOTION**

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

There being no further business, Chair Case, adjourned the meeting at 9:45 am. 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