



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

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HONOLULU, HAWAII 96809

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

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

DATE: SEPTEMBER 11, 2020
TIME: 9:00 A.M.
LOCATION: Online via ZOOM, Livestream via YouTube

A. MINUTES

1. Request approval of the July 10, 2020 Board of Land Natural Resources meeting minutes.
APPROVED

D. LAND DIVISION

1. Grant of Term, Non-Exclusive Quitclaim Easement to Anthony B. Aruda and Corinne S. Aruda in their capacities as successor co-trustees in and under that certain unrecorded Alfred Aruda Revocable Living Trust Agreement dated July 19, 1976; Anthony B. Aruda and Corinne S. Aruda in their capacities as the successor co-trustees in and under that certain unrecorded Mary T. Aruda Revocable Living Trust Agreement dated July 19, 1976; and Lisa R. Brown, Trustee under that certain unrecorded Lisa R. Aruda Brown Revocable Living Trust dated December 3, 1991, for Pedestrian and Equestrian Access Purposes; Kanahena, Makawao, Maui; Tax Map Key: (2) 2-1-004: 123 (Por.).

The Board may go into Executive Session pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, in order to consult with its attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities. **DEFERRED**

2. Issuance of Request for Cancellation of Revocable Permit No. S-7785 (RP S-7785) to JINTA, LLC; Waiver of Phase I Environmental Site Assessment Requirement Under RP S-7785; Issuance of Revocable Permit to Jackson Wong Inc. for Landscaping and Business Parking Lot Purposes; Grant of Term, Non-Exclusive Easement to Jackson Wong, Inc. for Portion of Encroaching Building Addition; and Sale of Lease at Public Auction; Hanapepe, Waimea, Kauai; Tax Map Key: (4) 1-9-010: 042. **APPROVED AS AMENDED: Approved Staffs' Recommendations but Conditioned Recommendation NUMBER 7 on going forward with the Auction of a 30-year Lease upon Staff researching the actual Zoning Maps from the County to confirm the subject Parcel is Zoned Open.**

3. Direct Lease to Regenerations International Botanical Garden for Intensive Agricultural Use Purposes; Issuance of Immediate Management Right-of-Entry Permit; Kapaa, Kawaihau, Kauai; Tax Map Keys: (4) 4-6-005: 007 & 008. **APPROVED**
4. Amend Prior Board Action of July 13, 2018, Item D-6, *Grant of Term, Non-Exclusive Easement to Kahanu Family Limited Partnership for Seawall Purposes; Kuau, Hamakuapoko, Maui; Tax Map Key (TMK): (2) 2-6-010: Seaward of 017.*

The purpose of the amendment is to 1) increase the easement area from the previously approved 1390 square feet to 1613 square feet (surveyed easement area) and 2) change the applicant from Kahanu Family Limited Partnership to Sea & Believe LLC. **APPROVED**

5. Quitclaim of State's Interests, if any, in a 1.576 Acre (more or less) Remnant Parcel, Described as a Portion of Old Cane Haul Road, to Hawaii Housing Finance and Development Corporation (HHFDC); Wahikuli, Lahaina, Maui; Tax Map Key: (2) 4-5-021: 013. **APPROVED**
6. Grant of Perpetual, Non-Exclusive Easement to Hawaiian Electric Company, Inc. for Utility Purposes; Issuance of Construction Right-of-Entry; Kalihi, Honolulu, Oahu; Tax Map Key: (1) 1-2-026: Portions of 010. **APPROVED**
7. Grant of Term, Non-Exclusive Easements to New Cingular Wireless PCS, LLC for the Installation, Operation and Maintenance of Small Cell Wireless Facilities on Lands and under the Direct Management of the Department of Land and Natural Resources; Grant of Term, Non-Exclusive Easements to Hawaiian Electric Company, Inc. and Hawaiian Telcom, Inc. for Electrical Transmission and Telecommunications Transmission Purposes, Respectively, at the following locations:

Keehi Small Boat Harbor, Kalihi-Kai, Honolulu, Oahu; Tax Map Key (TMK): (1) 1-2-025: 113 (Por.);

and

Ala Wai Small Boat Harbor, Kalia, Waikiki, Honolulu, Oahu; Tax Map Key: (1) 2-3-037: 012 (Por.).

Authorize Negotiation and Issuance of Master License Agreement and Site License Agreement to New Cingular Wireless PCS, LLC for the Installation, Operation and Maintenance of Small Cell Wireless Facilities on Land and Improvements under the Direct Management of the Department of Land and Natural Resources; Grant of Term, Non-Exclusive Easements to Hawaiian Electric Company, Inc. and Hawaiian Telcom, Inc. for Electrical Transmission and Telecommunications Transmission Purposes, Respectively, at the following location:

Diamond Head State Monument, Kapahulu, Waikiki, Honolulu, Oahu; Tax Map Key: (1) 3-1-042: 006 (Por.). **APPROVED**

8. Status Report Regarding Deed to the State for Submerged Lands and Improvements Thereon by the Doris Duke Foundation for Islamic Art (DDFIA); Waikiki, Honolulu, Oahu; Tax Map Key: (1) 3-1-041: 005.

Approval in Principle of Memorandum of Understanding Regarding a Possible Construction Project Regarding the Property. **APPROVED**

9. Amendment of Grant of Non-Exclusive Easement S-5601 to Robert W.S. Chang and Carol L.H. Chang, Trustees under Unrecorded Robert W.S. Chang and Carol L.H. Chang Revocable Living Trust dated December 23, 1986 and Ryan K. Chang for Seawall Purposes; Waialae Iki, Honolulu, Oahu; Tax Map Key: (1) 3-5-022: Seaward of 002.

The purpose of this amendment is to modify the easement condition regarding consent to assignment, eliminate the requirement of posting a performance bond, and add a new condition requiring the prior written approval of the Chairperson to mortgage the easement area. **APPROVED**

10. Acquisition of Private Land, Issuance of Immediate Management Right of Entry, and Set Aside to the Division of Forestry and Wildlife for Natural Area Reserve Purposes; Niu, Honolulu, Oahu; Tax Map Key: (1) 3-7-003: 003. **APPROVED**
11. Approval of Proposed Repair and Modification of Existing Seawall and Steps Covered by Non-Exclusive Easement GL S-6083 to Waimanalo Paradise, LLC, a Delaware limited liability company, Waimanalo, Koolauapoko, Oahu, Tax Map Keys: (1) 4-1-002: Seaward of 021 & 022 (formerly 007). **APPROVED**

J. DIVISION OF BOATING AND OCEAN RECREATION

1. After-The-Fact Consent to Sublease under Harbor Lease No H-83-2, Kona Marine Holdings, LLC, Lessee, to: Reel Action LLC., Kiholo Inc., and Wahine Charters, LLC, Sublessees; Kealakehe, Kailua-Kona; Tax Map Key: (3) 7-4-008: 040. **DEFER**
2. Approve GKM, Inc., to Sell Fuel to its Subtenants Under Harbor Lease No. H-82-4, at A Rental Rate of Five Percent (5%) of Gross Fuel Receipts; Situated at Honokohau Small Boat Harbor, Kailua-Kona, Kealakehe, Island of Hawaii, Tax Map Key: (3) 7-4-008:042 (Por.). **DEFER**

- ~~3. Sale of Concession by Sealed Bid for a Five-Year Parking Contract to Operate a Parking Concession; Situated at the Honokohau Small Boat Harbor, Kealahou, Kailua-Kona, Hawaii; Tax Map Key: (3) 7-4-008: 003 (Por.);~~

~~and~~

~~Declare Project Exempt from Requirements of Chapter 343, Hawaii Revised Statutes and Title 11, Chapter 200.1, Hawaii Administrative Rules. **WITHDRAWN**~~

4. Sale of Concession by Sealed Bid for a Five-Year Parking Contract to Operate a Parking Concession; Situated at Ala Wai Small Boat Harbor Honolulu, Oahu; Tax Map Keys: (1) 2-6-010: 003 (Portion), (1) 2-3-037: 012 (Portion) 024: 027: 033,; 035, and: 037,

and

Declare Project Exempt from Requirements of Chapter 343, Hawaii Revised Statutes and Title 11, Chapter 200.1, Hawaii Administrative Rules. **APPROVED**

M. OTHERS

1. Grant of Non-Exclusive Easements to Hawaiian Electric Company, Inc. for Underground Power Lines and Issuance of Immediate Construction Right-Of-Entry Permit; Daniel K. Inouye International Airport; Tax Map Keys: (1) 1-1-003: 009 (Portion), (1) 1-1-003: 010 (Portion), and (1) 1-1-003: 035 (Portion). **APPROVED**
2. Issuance of a Revocable Permit for a Construction Staging Area for Equipment and Materials to Nan, Inc.; Daniel K. Inouye International Airport; Tax Map Key: (1) 1-1-003: 021 (Portion). **APPROVED**
3. Issuance of a Revocable Permit for Cargo Area Ramp Space for Equipment Storage, Trans Executive Airlines of Hawaii, Inc.; Ellison Onizuka Kona International Airport at Keāhole; Tax Map Key: (3) 7-3-43: Portion of 040. **APPROVED**
4. Issuance of Three (3) Month-to-Month Revocable Permits to McCabe, Hamilton & Renny, Company, Limited., for Maintenance Shop, Clerk Office, and Container Office, situated at Pier 5, Kalaeloa Barbers Point Harbor, Oahu; Tax Map Key: (1) 9-1-014: 024 (Por.); pursuant to Governor's Executive Order No. 3383. **APPROVED**
5. Issuance of Month-to-Month Permit to Hawaii Stevedores, Inc., for an Office Trailer; situated at Pier 1, Kahului Harbor, Maui; Tax Map Key: (2) 3-7-010: 006 (Por.); pursuant to Governor's Executive Order No. 2986. **APPROVED**

6. Issuance of Construction Right-of-Entry (CROE) to Hawaii Fueling Facilities Corporation, to Perform Work on Harbors Lands to Install a Fuel Pipeline within a Portion of Pier 43, Kapalama Container Terminal Project; Honolulu Harbor, Oahu; Tax Map Key: (1) 1-2-025: 017 (Por.); pursuant to Governor's Executive Order No. 4206. **APPROVED**
7. Dedication of Land to the Department of Transportation, Highways Division, for Highway Purposes relating to Fort Weaver Road Realignment Federal Aid Secondary Project (FASP) No. S-RS-0760(2), situated at Honouliuli, Ewa, Oahu; Tax Map Key: (1) 9-1-012: 087. **APPROVED**
8. Request for: (1) Acquisition of Lands to the Department of Transportation, Highways Division, for Highway Purposes relating to Farrington Highway Project No. STP-0930-1 (006); Mokuleia and Kamananui, Waialua, Oahu; Tax Map Keys: (1) 6-8-006: Portions of 010, (1) 6-8-007: Portions of 002, and (1) 6-7-001: Portions of 026. **APPROVED**
9. Issuance of Construction Right-of-Entry, Grant of Easement (Perpetual, Non-Exclusive Easement) to Hawaiian Electric Company, Inc., for the Installation and Operation of New Underground Lines and related Facilities needed to Service Kapalama Container Terminal; Honolulu Harbor, Oahu; Tax Map Key: (1) 1-2-025: Portions of 002, 009, 011, 012, 016, and 017. **APPROVED**
10. Request for (1) Fee Simple Parcel to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Fort Barrette Road Operational Improvements, Project No. 901A-01-19, at Honouliuli, Ewa, Hawaii, Tax Map Key: (1) 9-1-013: Road (Por.). **APPROVED**