



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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: OCTOBER 23, 2020
TIME: 9:00 A.M.
LOCATION: Online via ZOOM, Livestream via YouTube

A. MINUTES

1. Request approval of the August 28, 2020 Board of Land Natural Resources meeting minutes.
APPROVED AS AMENDED

C. FORESTRY AND WILDLIFE

1. Request to Conduct a Public Hearing regarding a Set Aside of Approximately 1,260 acres as the Waiea Natural Area Reserve, Tax Map Key: (3) 8-6-001:003, South Kona, Hawai'i
APPROVED

D. LAND DIVISION

1. Amend Prior Board Action of March 13, 2020, Item D-1, *Amend Prior Board Actions of October 14, 2016, Item D-2, Grant of Perpetual, Non-Exclusive Easement to Kauai Island Utility Cooperative for Utility Purposes; Grant of Immediate Management and Construction Right-f-Entry, Kekaha, Waimea, Kauai, Tax Map Keys: (4) 1-2-002: portions of 001, 009 and 040. The purpose of the amendment was to change the consideration for the easement from a one-time payment of fair market rent to nominal consideration of \$500.*

The purpose of this amendment is to delete all references to Tax Map Key: (4) 1-2-002: portion of 001 and to update/correct supplemental information pertaining to the encumbrances on the parcels referenced in the "Current Use Status" relating to the easement area. **APPROVED**

2. Amend Prior Board Action of August 23, 2020 Item D-2, Authorization of Sale of Lease at Public Auction for Business and/or Commercial Purposes, Hanapepe Town Lots, Waimea, Kauai, Tax Map Key: (4) 1-9-005:007

The purpose of the amendment is to clarify that the minimum upset annual rent for the lease should be based on land and improvements. **APPROVED**

3. Amend Prior Board Action of October 12, 2001, Item D-4, Sale of Lease at Public Auction for Business/Commercial Purposes, Hanapepe Town Lots, 1st Series, Hanapepe, Waimea, Kauai, Tax Map Key: (4) 1-9-005:049.

The purpose of the amendment is to: change the lease term from 10 to 30 years; clarify that the appraisal for the upset rent will be conducted by an independent appraiser procured by the State instead of a staff appraiser; provide for the upset rent appraisal to set rent for the first 10 years of the term with a known step-up for the second 10 years; and provide that the lease rent shall be reopened at the end of the 20th year of the lease term. **APPROVED**

4. Issuance of Revocable Permit to Bank of Hawaii, for Business Purposes, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-049:022. **APPROVED**

5. Annual Renewal of Revocable Permit No. 7915; Resorttrust Hawaii, LLC, Permittee; Waialae, Honolulu, Oahu, Tax Map Key: (1) 3-5-023:041. **APPROVED AS AMENDED.**

Add Condition 5 in the Recommendation section as follow: the Board asked the staff and the hotel with Chairperson approval, to work together to (i) delineate the Mauka boundary of the State parcel that abuts the Hotel property; and (ii) assure appropriate signage indicating the public is welcome on the reclaimed portion of the State parcel (i.e., grassy area) Mauka of the shoreline.

6. Intentionally Left Blank

7. Cancellation of Governor's Executive Order No. 4323 to City and County of Honolulu for Public Park Purposes; Issuance of Right-of-Entry Permit to Hui O Hauula for Due Diligence and Site Maintenance Purposes, Hauula, Koolauloa, Oahu, Tax Map Key: (1) 5-4-014:003. **APPROVED**

8. Annual Renewal of Revocable Permit 7570 with Amendments or Cancellation of Revocable Permit No. 7570 and Reissuance of New Revocable Permit to Hawaii Motorsports Association Inc., Permittee; to Include Additional Conditions, Kahuku, Koolauloa, Oahu, Tax Map Key: (1) 5-8-002:002. **APPROVED**

9. Approval of the Department's Draft East Kapolei Strategic Master Development Plan for the State-Owned Parcels Identified as Tax Map Keys: (1) 9-1-016:008, 9-1-017:097, 9-1-018:008 & 014, Situated at Honouliuli, 'Ewa, O'ahu; and

Authorize the Chairperson to Execute a Contract for an Environmental Impact Statement for the Development of the Subject Parcels in Accordance with the Department's East Kapolei Strategic Master Development Plan. **APPROVED**

10. Annual Renewal of Revocable Permits on the Island of Oahu. See Exhibit 2 for list of Revocable Permits. **APPROVED AS AMNDED**
*Amended the submittal for RP5408 to reflect that the pier/dock was **situated seaward of (1) 4-1-001:011.***

E. STATE PARKS

1. Request approval to Amend Revocable Permit No. 0554, Republic Parking, LLC, Permittee; Hā'ena State Park, Hā'ena, Hanalei, Kaua'i, Hawai'i, Tax Map Key: (4) 1-4-001:007 portion.

The purpose of this amendment is to update the terms of the revocable permit to incorporate the increased fees set in HAR Chapter 13-146, Section 13-146-6 and increase the monthly percentage rent. **APPROVED**

2. Request approval to Amend Revocable Permit No. 0555, Republic Parking, LLC, Permittee, Kōke'e and Waimea Canyon State Parks, Kona and Na Pali, Kaua'i, Tax Map Keys: (4) 1-4-001:013, 004, 003, and 002 (portion).

The purpose of this amendment is to update the terms of the revocable permit to incorporate the increased fees set in HAR Chapter 13-146, Section 13-146-6 and increase the monthly percentage rent. **APPROVED**

3. Request approval to Amend Revocable Permit No. SP0467, Diamond Parking Services, LLC, Permittee, Mākena State Park, Portions of Maluaka, Mooiki, Mooloa, Moouku, Nau, Honuaula, Makawao, Maui, Hawai'i, Tax Map Key: (2) 2-1-006:030 (portion).

The purpose of this amendment is to update the terms of the revocable permit to incorporate the increased fees set in HAR Chapter 13-146, Section 13-146-6 and increase the monthly percentage rent. **APPROVED**

4. Request approval to Amend Revocable Permit No. SP0545, Diamond Parking Services, LLC, Permittee, Akaka Falls State Park, Kahua, South Hilo, Hawai'i, Tax Map Key: (3) 2-8-011:018 (portion).

The purpose of this amendment is to update the terms of the revocable permit to incorporate the increased fees set in HAR Chapter 13-146, Section 13-146-6 and increase the monthly percentage rent. **APPROVED**

5. Request approval to Amend Revocable Permit No. SP0544, Diamond Parking Services, LLC, Permittee, Nu'uuanu Pali State Wayside, Nu'uuanu, Honolulu, O'ahu, Hawai'i, Tax Map Key: (1) 1-9-007:002 (portion).

The purpose of this amendment is to update the terms of the revocable permit to incorporate the increased fees set in HAR Chapter 13-146, Section 13-146-6 and increase the monthly percentage rent. **APPROVED**

6. Request approval to Amend Revocable Permit No. SP0408, Republic Parking, LLC, Permittee, Hapuna Beach State Recreation Area, Ouli and Lalamilo, Waimea, South Kohala, Hawai'i, Tax Map Keys: (3) 6-6-002:031, 035 portions.

The purpose of this amendment is to update the terms of the revocable permit to incorporate the increased fees set in HAR Chapter 13-146, Section 13-146-6 and increase the monthly percentage rent. **APPROVED**

7. Request approval to Amend Concession Contract No. IFB No. DLNR-SP-2017-01, Pro Park, Inc., Concessionaire, Diamond Head State Monument, Kapahulu, Waikiki, Honolulu, O'ahu, Hawai'i, Tax Map Key: (1) 3-1-042:026.

The purpose of this amendment is to update the terms of the concession contract to incorporate the increased fees set in HAR Chapter 13-146, Section 13-146-6 and increase the monthly percentage rent. **APPROVED**

8. Request approval to Amend Concession Contract IFB No. SP2011IVSM01, Republic Parking, LLC, Concessionaire, for 'Iāo Valley State Monument, Wailuku, Maui, Tax Map Keys: (2) 3-3-003:012 and 013 (portion).

The purpose of this amendment is to update the terms of the revocable permit to incorporate the increased fees set in HAR Chapter 13-146, Section 13-146-6 and increase the monthly percentage rent. **APPROVED**

J. DIVISION OF BOATING AND OCEAN RECREATION

1. Issuance of a Right-of-Entry Permit to Healy Tibbitts Builders, Inc. for Fast Lands to be Used for Parking Vehicles and Submerged Lands for the Mooring of a Tug Boat and up to Two (2) Skiffs, Situated at Ala Wai Small Boat Harbor, Honolulu, Island of Oahu, Hawaii, Identified by Tax Map Key (1) 1-2-3-037:012 (por.) and (1) 2-6-010:003 (por.);

and

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

2. Request approval to initiate rule-making proceedings, including public hearings, to amend and compile Title 13, Hawai'i Administrative Rules (HAR), Chapter 241, Numbering of Vessels, for the purpose of implementing vessel titling regulations in accordance with the Uniform Certificate of Title for Vessels Act

The proposed rules can be reviewed in person at a Division of Boating and Ocean Recreation (DOBOR) district office from 8:00 am to 3:30 pm, Monday through Friday, except state Holidays as follows: Hawai'i District: Honokōhau Small Boat Harbor 74-380 Kealakehe Parkway Kailua-Kona, HI 96740; Kaua'i District: Nawiliwili Small Boat Harbor 2494 Niumalu

Road Līhu'e, HI 96766; Maui District: Ma'ālaea Small Boat Harbor 101 Ma'ālaea Boat Harbor Road Wailuku, HI 96793; O'ahu District: Ke'ehi Small Boat Harbor 4 Sand Island Access Road Honolulu, HI 96819.

The proposed rules can be reviewed online at: <http://ltgov.hawaii.gov/the-office/administrative-rules>. The proposed rules can also be viewed online at: <http://dlnr.hawaii.gov/dobor/draft-rules>

Location and contact information for DOBOR offices is available online at: <http://dlnr.hawaii.gov/dobor/contact>

APPROVED

3. Request approval for the Division of Boating and Ocean Recreation (DOBOR) to enter into a Memorandum of Agreement (MOA) with Hawaii Marine Animal Response (HMAR) pursuant to section 200-19, Hawaii Revised Statutes (HRS), for installation and maintenance of receptacles for used fishing line and fishing tackle at He'eia Kea Small Boat Harbor (SBH), Island of O'ahu; and delegate authority to the Chairperson to enter into future MOAs with HMAR and other Non-Governmental Organizations (NGOs) to install and maintain additional fishing line and fishing tackle receptacles in DOBOR facilities statewide. **APPROVED**

K. OFFICE OF CONSERVATION AND COASTAL LANDS

1. Request to Amend the Hawai'i Administrative Rules (HAR) Title 13, Chapter 5 to Re-designate Land that Lies Within the Conservation District Hawai'i Loa Special Subzone to the Health and Wellness Special Subzone Requested by Castle Medical Center dba Adventist Health Castle (Proposed Rule Amendment OA-19-01) Located at Ka'eleuli, Kāne'ohe, Ko'olau Poko, O'ahu, Tax Map Key: (1) 4-5-035:010 **DEFERRED**

L. ENGINEERING

1. Request Authorization for the Chairperson to Enter into a Use and Occupancy Agreement with the Hawaii Department of Transportation regarding the Construction of Job No. H70C805B, Malaekahana State Recreation Area (SRA), Kahuku Section, Park Improvements – Phase 1, Oahu, Hawaii, Tax Map Key: (1) 5-6-01: Road. **APPROVED**

M. OTHERS

1. INTENTIONALLY LEFT BLANK
2. Issuance of a Revocable Permit for Aircraft Parking, Goldenaire, LLC, Daniel K. Inouye International Airport, Tax Max Key: (1) 1-1-076: Portion of 023. **APPROVED**
3. Issuance of a Revocable Permit for Aircraft Parking, Roosevelt Rastegar and Zsuzsa Rastegar, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-076: Portion of 023. **APPROVED**

4. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Snowbird Air, LLC, Kalaeloa Airport, Tax Map Key: (1) 9-1-013: Portion of 032. **APPROVED**
5. Issuance of a Revocable Permit for Airline Kiosks and Ramp Space for a Storage Shed, American Airlines, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 040. **APPROVED**
6. Issuance of a Revocable Permit for Office Space and Equipment Parking in the Main Terminal, Wing Spirit Inc., Hilo International Airport, Tax Map Key: (3) 2-1-012: Portion of 009. **APPROVED**
7. Request Approval for: 1) Acquisition of Private Lands; 2) Issuance of a Temporary Right-of-Entry Permit to the Department of Transportation for Management Purposes; and 3) Set Aside to the Department of Transportation for addition to Lihue Airport at Hanamaulu, Lihue, Kauai, Tax Map Key: (4) 3-7-002:001 (Portion); and Issuance of a Grant of a Perpetual, Non-Exclusive Easement and Temporary Right-of-Entry to Visionary LLC, a Virginia Limited Liability Company, for Access Purposes at Hanamaulu, Lihue, Kauai, Tax Map Key: (4) 3-5-001:158 (Portion). **APPROVED**
8. Request Authorization to acquire Land for the Department of Transportation, Highways Division for Highway Purposes, relating to Ala Moana Boulevard Elevated Pedestrian Walkway Project No. 92A-07-21, at Honolulu, Island of Oahu, Hawaii, Tax Map Key Nos: (1) 2-3-001:127, (1) 2-3-001:128, 129, 130, 131, (1) 2-3-002:059, (1) 2-3-002:106, 107, 108, 109, 110, (1) 2-3-005:001, (1)-2-3-005:004 **APPROVED**

BOARD BRIEFING: Homelessness and DLNR Lands