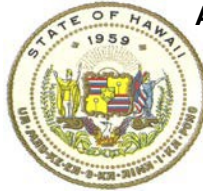


DAVID Y. IGE  
GOVERNOR OF HAWAII



**APPROVED AS  
AMENDED** *dav*  
**AT ITS BOARD MEETING  
HELD ON  
NOVEMBER 13, 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

**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

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

DATE: SEPTEMBER 25, 2020  
TIME: 9:00 A.M.  
LOCATION: Online via ZOOM, Livestream via YouTube

**MEMBERS**

Suzanne Case  
Jimmy Gomes  
Tommy Oi  
Sam Gon

Chis Yuen  
Vernon Char  
Kaiwi Yoon

**STAFF**

Russell Tsuji-Land  
David Smith-DOFAW  
Curt Cottrell-Parks  
Alan Carpenter-Parks  
Brian Neilson-DAR

Ian Hirokawa-Land  
David Penn-DOFAW  
Sang Kim- Parks  
David Gulko-DAR  
Ryan Okano-DAR

**OTHERS**

Lauren Chun/AG  
Gary Mauanakea-Forth/C1  
Kukui Maunakea-Forth/C1  
Wei Fang/C1  
Emily David/C1  
Dawn Chang/D2, D3  
Max Pichay/D2, D3  
Mahealani Wendt/D2, D3  
Norman Martin/D3  
Chris Harrington/D4

Daniel Oshiro-DOT-AIR  
Christopher LoBosco/C1  
David Austin/C1  
Tori-Lyn Smith/C1  
Brianna Yamada/C1  
Puna Kaneakua/D2, D3  
Janis Fuimoto/D2, D3  
Amanda Martin/D3  
Kirk Saiki/D2, D3

**09.25.2020/00:00:03**

Chair Case welcomed everyone, due to the COVID-19 pandemic, we are meeting on ZOOM, and live-streaming on YouTube. Written Testimony & Oral Testimony have been received in advance of the meeting. Member Gon read the standard contested case disclosure.

**ITEM A-2**

**09.25.2020/00:02:10**

**ITEM A-1** Request approval of the July 24, 2020 Board of Land Natural Resources meeting minutes.

Board Discussion

Board secretary amended the minutes to add in when Members were off-line.

Public Testimony-None

**MOTION**

**Approve as amended (Gon, Gomes) unanimous.**

**09.25.2020/00:03:12**

**ITEM C-1** Approve Dispositions of land that Wai'anae Community Re-Development Corporation acquired with a Grant from the Land Conservation Fund at Wai'anae, O'ahu, Tax Map Key No: (1) 8-6-008:004.

David Smith, Division of Forestry & Wildlife presented the submittal. David Penn, DOFAW, will address any technical questions. Christopher Lobosco (Federal), David Austin, Ma'o Farms, Wei Fang, present to provide support information.

Board Discussion

Chair Case provided the background on the project. Board questions included, what type of crops do they grow, annual income, how do they manage the crops not using pesticides, are they comfortable with the conditions. The questions were answered from the various participants.

Public Testimony

Gary Mauanakea-Forth, Ma'o Farms, gave the background information on the farm, how the community youth are engaged in education and farming, how crops feed the community. The project will provide a place for processing their crops and a place for training.

Kukui Maunakea-Forth, Tori-Lyn Smith, Emelin David, Breanne Yamada, provided testimony in support and the advantages it has had on our youth. Wei Fang and David Austin explained the challenges ahead.

**MOTION**

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

**09.25.2020/00:42:45**

**ITEM D-2** Grant of Term, Non-Exclusive Easement to Maui Mixer, dba Na Mahi'ai `O Keanae for Auwai Maintenance Purposes, Keanae, Koolau, Hana, Maui, Tax Map Key: (2) 1-1-003:028; Issuance of Right of Entry to the State of Hawaii Department of Agriculture for Staging Area for Emergency Auwai Stabilization Project, Keanae, Koolau, Hana, Maui, Tax Map Key: (2) 1-1-003:092.

Ian Hirokawa, Land Division, presented the submittal. Dawn Chang, Department of Agriculture, provided a presentation. Puna Kaneakua, (AECOM), provided a proposed diagram of Auwai stabilization.

### Board Discussion

The Board acknowledged the hard work everyone has put in to continue supporting the farmers.

### Public Testimony

Max Pichay, Janis Fujimoto, described the work that the community has been doing and are in support of the submittal.

### **MOTION**

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

**09.25.2020/00:59:29**

**ITEM D-3** Issuance of Construction Right of Entry to the State of Hawaii Department of Agriculture for Emergency Auwai Stabilization Purposes; Grant of Term, Non-Exclusive Easement to Na Moku Aupuni O Ko`olau Hui for Auwai Maintenance Purposes, Keanae, Wailua, Koolau, Maui, Tax Map Key: (2) 1-1-008:001.

Ian Hirokawa, Land Division, presented the submittal. Dawn Chang, DOA, noted this is specific to Keanae. Puna Kaneakua (AECOM) presented a picture of the Auwai and explained what they want to do to shore-up the Auwai.

### Board Discussion

Chang explained how the CIP was processed when asked by the Board. The Board members acknowledged all the good work and are happy to see it move forward.

### Public Testimony

Mahealani Wendt, Jerome Kekiwi, Amanda Martin, provided information on the work that needs to be done and support for the submittal.

### **MOTION**

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

10-minute Break

**09.25.2020/01:25:33**

**ITEM D-4** Denial of Petition for Contested Case Hearing filed August 3, 2020 by Petitioners Steve and Jennifer Livingston, Regarding Board Action of July 24, 2020 Agenda Item D-3, *Issuance of Revocable Permit to Tracy Hayward for Invasive Species Control Purposes, Waiohonu-Kakio, Hana, Maui, Tax Map Key: (2) 1-4-012:003*

*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.*

Russ Tsuji, presented the submittal.

Board Discussion-None

Public Testimony

Chris Harrington, supports the denial of the contested case.

**MOTION**

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

**ITEM D-5 HAS BEEN DEFERRED TO OCTOBER 9, 2020 MEETING**

**09.25.2020/01:29:50**

**ITEM D-6** Amend Prior Board Action of June 12, 2020, Item D-7, *Amend Grant of Perpetual, Non-Exclusive Easement to Hawaii Kai Marina Community Association for Maintenance of the Hawaii Kai Marina Entrance Channel and Sandbag Groin Purposes, Maunaloa, Oahu; Tax Map Key: (1) 3-9-002: seaward of Kalanianaʻole Highway near the bridge\**.

The amendment is to authorize an immediate construction right-of-entry permit (ROE) for the rock rubble groin structure.

Russ Tsuji, presented the submittal.

Board Discussion-None

Public Testimony-None

**MOTION**

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

**09.25.2020/01:34:30**

**ITEM E-1** Authorize the Chairperson to Approve Construction of a Native Hawaiian Burial Memorial at Nuʻuanu Pali State wayside; Issuance of a Right-of-Entry to the Office of Hawaiian Affairs for Construction related purposes, Honolulu, Kona Moku, Oʻahu, Tax Map Key: (1) 2-2-054:001por.

Curt Cottrell and Alan Carpenter presented the submittal. Ed Halealoha Ayau, told the story and history of how this project came to be.

Board Discussion

After the story by Ayau, the Board ask questions regarding the decedents of the ʻiwi kupuna. Ayau responded that they had no information at this time. There was concern that others would treat the area without respect. Ayau replied, that there will be protections in place as well as signage to educate those that this is a place of respect. Ayau's story was enlightening.

Public Testimony-None

**MOTION**

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

**09.25.2020/02:09:20**

**ITEM E-2** Authorize the Chairperson to Approve and Execute a Memorandum of Agreement between the Division of State Parks, the Division of Forestry and Wildlife, and the Department of Transportation for the Establishment of a Plant Protection Site and Seabird Mitigation Site and to Close the Enclosure to Public Access at Kōkeʻe State Park, Kauaʻi, Tax Map Key: (4) 5-9-001:016 por.; and

Authorize the Chairperson to Approve and Execute a Memorandum of Agreement between the Division of Forestry and Wildlife and the Department of Transportation for the Maintenance of a Plant Protection Site and Seabird Mitigation Site at Kōkeʻe State Park, Kauaʻi, Tax Map Key: (4) 5-9-001:016 por.; and

Immediate Right-of-Entry to Construct the Fence Enclosure at Kahuamaʻa Flats, Kōkeʻe State Park, Kauaʻi, Tax Map Key: (4) 5-9-001:016 por.

Curt Cottrell, State Parks, presented the submittal along with David Smith, DOFAW. Chris Takeno, DOT, present to answer any questions.

Board Discussion-None

Public Testimony-None

### **MOTION**

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

5-Minute Break

**09.25.2020/02:22:13**

**ITEM F-1** Request for Approval to outplant a Small Number of Coral Colony Modules grown at Anuenue Fisheries Research Center to determine viability of Restoring Damaged and Deceased Coral Assemblages at Hanauma Bay Marine Life Conservation District, Honolulu, Hawaii.

Brian Neilson, Division of Aquatics Resources and David Gulko presented the submittal. Neilson amended the Staff recommendation, to add a first paragraph, to declare that after considering the potential affects to the proposed project, this project will probably have minimal or no significant effect on the environment and therefore exempt from preparation of an Environmental Assessment.

### Board Discussion

Are there any other fast-growing species that would grow here that would not have an impact on our native system? Gulko explained why it would not be a good idea. It was suggested that DAR bring a blanket approval to the Board for the out planting. Gulko answered several questions regarding coral for the Board.

### Public Testimony

Lisa Bishop and Max Phillips, provided testimony in support of the submittal.

**MOTION**

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

**09.25.2020/03:12:44**

**ITEM M-1** Issuance of a Revocable Permit for Office Space for the purpose of Providing 24-Hour Emergency Medical Response Services, International Life Support, Inc. dba American Medical Response, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-72: 69 (Portion).

**ITEM M-2** Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Snowbird Air LLC, Daniel K. Inouye International Airport. Tax Map Key: (1) 1-1-76: Portion of 21.

**ITEM M-3** Issuance of a Revocable Permit for Aircraft Parking, Richard H. Cox III, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32.

**ITEM M-4** Issuance of an Industrial Land Lease by Notice of Public Auction, Area/Space Nos. 003-126 and 003-127, Kahului Airport, Tax Map Keys: (2) 3-8-079: Portion of 021, (2) 3-8-001: Portion of 019 and Portion of Former Haleakala Highway as shown on Tax Map, County of Maui, Zone 3, Section 8, Plat 79.

**ITEM M-5** Amendment No. 2 to State Lease No. DOT-A-00-0003 to Encumber Additional Airport Land for its Air Cargo Facility Lease, United Parcel Service, Inc., Hilo International Airport, Tax Map Key: (3) 2-1-012: Portion of 009.

**ITEM M-6** Amendment No. 2 to State Lease No. DOT-A-01-0004 to Encumber Additional Airport Land for its Air Cargo Facility Lease, United Parcel Service, Inc., Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 8.

Daniel Oshiro, Department of Transportation, Airports Division, present to answer any questions for Items M-1, M-2, M-3, M-4, M-5 and M-6.

Board Discussion-None

Public Testimony-None

**MOTION**

**Approved as submitted Items M-1, M-2, M-3, M-4, M-5 and M-6 (Oi, Gon) unanimous.**

**09.25.2020/03:14:00**

**ITEM M-7** Request for: (1) Acquisition of Lands and (2) Restrictions of Access to the Department of Transportation Highways Division, for Highway Purposes, Relating to Mokulele Highway, Puunene Avenue to Piilani Highway, Phase 1, Federal Aid Project No. NH-0900(59), at Pulehunui, Wailuku, Island of Maui, State of Hawaii, Tax Map Key Nos: (2) 3-8-008: Portions of Mokulele Highway, (2) 3-8-005: Portion of Mokulele Highway, and (2) 3-8-077: 009.

Board Discussion-None

Public Testimony-None

**MOTION**

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

There being no further business, Chair Case, adjourned the meeting. Recording(s) of the meeting and written testimonies received by the requested deadline can be found on-line with the submittal 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, Chair  
Board of Land and Natural Resources  
Department of Land and Natural Resources