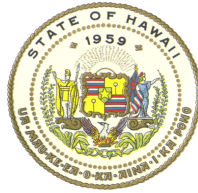


DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
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

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

DATE: May 14, 2021 9:00 A.M.
LOCATION: Online via ZOOM, Livestream via YouTube

Meeting materials are available for public review in advance of the meeting at:
<https://dlnr.hawaii.gov/meetings/blnr-meetings-2021/>

Considering the evolving COVID-19 situation, protecting the health and welfare of the community is of utmost concern. As such, the meeting will be held remotely, with board members, staff and applicants participating via an online meeting venue.

The meeting will be livestreamed at:
<http://youtube.com/c/boardoflandandnaturalresourcesdlnr>

TESTIMONY:

Interested persons can submit written testimony in advance of each meeting that will be distributed to Board Members prior to the meeting. Written testimony must be submitted no later than 24 hours prior to the meeting to ensure time for Board Members to review it. Late written testimony will be retained as part of the record, but we cannot assure Board Members will receive it with sufficient time for review prior to decision-making. Submit written testimony to blnr.testimony@hawaii.gov.

To provide live oral/video testimony during the online meeting, email your request to blnr.testimony@hawaii.gov at least 24 hours in advance, with your name, phone number, email address, computer identification name (check your device settings), and the agenda item on which you would like to testify. Once your request has been received, you will receive an email with the Zoom link via which to testify. You will need a computer with internet access, video camera and microphone to participate. If you require access by phone only, please indicate that in your email request. Testimony will be limited to a maximum of three (3) minutes per person per agenda item.

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.

Individuals requiring special assistance or auxiliary aids or services (e.g., sign language interpreter), please contact staff at least 72 hours prior to the meeting at 808.587.0404 so that arrangements can be made.

In some of the matters before the Board, a person may wish to request a contested case hearing. If such a request is made before the Board's decision, then the Board will consider the request first – before considering the merits of the item before it. A person who wants a contested case may also wait until the Board decides the issue, then request the contested case after the decision. It is up to you. Any request must be made in writing within ten days. If no request for contested case is made, the Board will make a decision. The Department will treat the decision as final and proceed accordingly.

C. DIVISION OF FORESTRY AND WILDLIFE

1. Request for Approval of the use of Two Data-sharing Agreement Templates for the purpose of protecting location information connected with threatened and endangered species found on private property and Delegation of Authority to DOFAW Administrator to Enter into Agreements.
2. Petition for a Contested Case Hearing filed by The Ka'ū Advisory Council regarding Board action of April 23, 2021, Agenda Item C-2, *Approve grant awards from available funds in the Land Conservation Fund, for:*

B. Ala Kahakai Trail Association, \$1,475,000, for the acquisition of approximately 1,841.3 acres at Ka'ū, Hawai'i (Kiolaka'a), Tax Map Key Numbers (3) 9-4-001:008, :009, :016, :017, and :023.

D. LAND DIVISION

1. Set Aside to Department of Accounting and General Services for Cemetery Purpose; Issuance of Immediate Management Right-of-Entry Permit; Hanapepe, Waimea, Kauai, Tax Map Key: (4) 1-8-008:018.
2. Grant of Term, Non-Exclusive Easement to Aukahi Farm LLC for Access and Utility Purposes, Poipu, Koloa, Kauai, Tax Map Key: (4) 2-8-014: portion of Hapa Road fronting Parcel 009.
3. Intentionally Left Blank
4. Consent to Quitclaim Assignment of an Undivided 20% interest in General Lease No. S-3611 from Kandy J. Carlsmith, Successor Trustee under that Certain Indenture of Trust Created March 26, 1955 by Nelle Wood Carlsmith for the Benefit of Carl Wendell Carlsmith, Edith Mattson Carlsmith and Donn Wendell Carlsmith, as Assignor, to Hawaii Planing Mill, Ltd. dba HPM Building Supply, as Assignee, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-032:021.

5. Consent to Extension of Lease Term, General Lease No. S-5721, Keahole Point Fish LLC, Lessee, Kalaoa 1st through 4th, North Kona, Hawaii, Tax Map Key: (3)7-3-043: seaward of Kalaoa.
6. Issuance of Construction Right-of-Entry Permit to Department of Hawaiian Home Lands for Construction of Gravity Sewer and Force Main Lines for the Pulehunui Wastewater System, Pulehunui, Maui, Tax Map Keys: (2) 3-8-008:001, 037 & 038.
7. Issuance of Revocable Permit to Mahalo 4593 LLC, a California Limited Liability Company, for Rock Revetment Purposes, Kahana, Lahaina, Maui, Tax Map Key: (2) 4-3-019: seaward of 046.
8. Issuance of Revocable Permit to Sea Engineering, Inc. for Staging Area Purposes; Moanalua, Honolulu, Oahu, Tax Map Key: (1) 1-1-064:006.
9. Enforcement Action for Unauthorized Encroachments and Commercial Activities on State Lands, Hawaii Administrative Rules Chapter 13-221, and Hawaii Revised Statutes, Section 171-6, against Chris Sanger and Duke's Lagoon LLC at Duke Kahanamoku Beach, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of 021.
10. Issuance of Revocable Permit to Yamas Automotive Repair LLC, Waipahu Industrial Park, Hoaeae, Ewa, Oahu, Tax Map Key: (1) 9-4-049:062por.

E. STATE PARKS

1. Request to Write-Off Uncollectible Account on the Island of Kaua'i. Jill Hana Neerings, General Lease No. SP0129 owing \$10,736.97

and

Request the Board to Authorize the Chairperson to submit Write-Offs for Review and Approval by the Attorney General pursuant to Hawai'i Revised Statutes Section 40-82.

F. DIVISION OF AQUATIC RESOURCES

1. Request for Approval to Hold a Public Hearing to amend and compile Hawaii Administrative Rules (HAR) Title 13 Chapters 51 and 95.1 to update Rules relating to the Kahului Harbor Fisheries Management Area, Maui, and Rules relating to the Take and Possession of 'Oama on the Island of Maui.

The proposed rule amendments can be reviewed in person, by appointment only, at the Division of Aquatic Resources (DAR) office on Oahu at 1151 Punchbowl St. Room 330, Honolulu, Hawaii 96813 from 8:00 am to 3:30 pm, Monday through Friday, except Holidays.

To schedule an appointment to review the proposed rules in person, email dlnr.aquatics@hawaii.gov.

The proposed rules, including a statement on the topic of the proposed rule amendment, can be reviewed online at: <https://ltgov.hawaii.gov/the-office/administrative-rules/proposed-changes/>.

The proposed rules can also be viewed online at: <http://dlnr.hawaii.gov/dar/rules-and-public-notices/>.

2. Enforcement Action against Wayne Keaulana Spatz for Unlawful Use of a Poisonous Substance for the take of Aquatic Life (Tahitian Prawns) in the Pāhe'ehe'e Stream located in Honomū, Island of Hawai'i, Hawai'i.
3. Approval of Petition for Contested Case Hearing by Jason Beevers Regarding Enforcement Action Against Jason Beevers for Unlawful Collection of Aquatic Life for Aquarium Purposes within the West Hawai'i Regional Fishery Management Area, Island of Hawai'i.
4. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Special Ocean Use Permit to Jordan Manley, Narrows Media, and Patagonia Films, for Access to State Waters to Film a Documentary about the Polynesian Voyaging Society Conducting Non-Instrument Navigation Activities.

I. STATE OF HAWAII HISTORIC PRESERVATION

1. Requests the Board's Approval to Authorize the Chairperson to Execute and Sign the Curatorship Agreement between the Board of Land and Natural Resources and Saint Louis School, regarding the State Inventory of Historic Places Kahalu'u Taro Lo'i site #50-80-10-01165, 'Ahuimanu Ahupua'a, District of Koolaupoko, Island of O'ahu. Tax Map Key: (1) 4-7- 051:012.

J. DIVISION OF BOATING AND OCEAN RECREATION

1. Approve Mediated Settlement of Rent Reopening Dispute in Harbor Lease No. H-78-5, La Mariana Sailing Club, Inc. Lessee, Ke'ehi Small Boat Harbor, Kalihi-Kai, Honolulu, Island of Oahu, Hawaii, Tax Map Key: (1) 1-2-023:052.
2. Amend Prior Board Action of January 8, 2021, Item J-4, Amend Prior Board Action of September 11, 2020, Item J-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, Island of Oahu, Identified by Tax Map Keys: (1) 2-6-010:003 (Portion), (1) 2-3-037:012 (Portion), :024, :027, :033, :035 and :037.

The purpose of the amendment was to replace Chapter 102-2 with Chapter 103D-302, Hawaii Revised Statutes to the Legal Reference of the Board Action.

The purpose of the current Amendment is to include Authorization to purchase parking equipment and to enter into a maintenance agreement with the winning bidder.

K. OFFICE OF CONSERVATION AND COASTAL LANDS

1. Conservation District Enforcement Case, OA 21-25 Regarding Alleged Unauthorized Structures Located Along the Shoreline Within the Conservation District, and on State Land, by Wells Trust and Maunalua Bay Beach Ohana, at 245 Portlock Road, Island of Oahu, Tax Map Keys: (1) 3-9-002:003 and (1) 3-9-002:029 (Seaward).
2. Conservation District Enforcement Case, OA 21-24 Regarding Alleged Unauthorized Structures Located Along the Shoreline Within the Conservation District, and on State Land, by Gohana LLC and Maunalua Bay Beach Ohana, at 251 Portlock Road, Island of Oahu, Tax Map Keys: (1) 3-9-002:002 and (1) 3-9-002:029 (Seaward).

L. ENGINEERING

1. Re-submittal of Dam Safety Enforcement Action on Ukumehame Reservoirs (MA-0140) for Failure to Comply with Notice of Deficiency, February 18, 2020 Dam Owner: West Maui Investors, LLC (Faraz Daneshgar) Location: Waikapu, Maui County Tax Map Key: (2) 4-8-002:066, (2) 4-8-002:015, (2) 4-8-002:017, (2) 4-8-002:027, (2) 4-8-002:064, (2) 4-8-002:118.

M. OTHERS

1. Issuance of a Revocable Permit for Parking of Ground Service Equipment for Airline Operations, Aero Micronesia, Inc. dba Asia Pacific Airlines, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003:001 (Portion).
2. Issuance of a Revocable Permit for an Office and Pilot Training Facilities, Kamaka Air, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-072:018 (Portion).
3. Issuance of a Revocable Permit for Storage and Staging of Equipment and Clean Soil, NCNS Environmental, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-4:006 (Portion).
4. Issuance of a Revocable Permit for a Construction Staging Area for materials, Paul's Electrical Contracting, LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003:001 (Portion).

5. Issuance of a Revocable Permit for Passenger Check-In and Office Space in the Diamond Head Terminal, Southwest Airlines Co., Daniel K. Inouye International Airport Tax Map Key: (1) 1-1-003:042 (Portion).
6. Issuance of a Revocable Permit for Commercial Use of a T-hangar for Storage and Maintenance of Aircraft, Windward Aviation, Inc., Kalaeloa Airport, Tax Map Key: (1) 9-1-013:151.
7. Issuance of a Revocable Permit for Aircraft Parking, Fly Maui LLC, Kahului Airport, Tax Map Key: (2) 3-8-01: 019 (Portion).
8. Issuance of a Revocable Permit for Aircraft Parking for Airline Carrier Operations, Southern Airways Express, LLC, Kahului Airport, Tax Map Key: (2) 3-8-01:019 (Portion).
9. Issuance of a Revocable Permit for Spaces in the Commuter Terminal to perform Airline Carrier Operations, Southern Airways Express, LLC, Kahului Airport, Tax Map Key: (2) 3-8-01:217 (Portion).
10. Issuance of a Revocable Permit for Office and Ticket Counter Space in the Terminal for Airline Carrier Operations, Southern Airways Express, LLC, Lanai Airport, Tax Map Key: (2) 4 9-02:055 (Portion).
11. Issuance of a Revocable Permit for Aircraft Parking for Airline Carrier Operations, Southern Airways Express, LLC, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43:003 (Portion).
12. Issuance of a Revocable Permit for Office and Ticket Counter Space for Airline Carrier Operations, Southern Airway Express, LLC, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: 003 (Portion).
13. Issuance of a Revocable Permit for Ramp Space for Airline Carrier Operations, Southern Airways Express, LLC, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: 003 (Portion).
14. Issuance of a Revocable Permit for Office Space, Southern Airways Express, LLC, Waimea-Kohala Airport, Tax Map Key: (3) 6-7-001:008 (Portion).
15. Issuance of a Revocable Permit for Aircraft Parking, West Hawaii Wings, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43:003 (Portion).