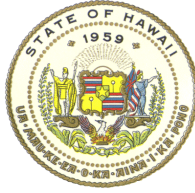


DAVID Y. IGE
GOVERNOR OF HAWAII



**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: AUGUST 13, 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, 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), Hawai'i 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.

A. MINUTES

1. Approval of the May 28, 2021, Meeting Minutes.

2. Approval of the June 10, 2021, Meeting Minutes.
3. Approval of June 25, 2021, Meeting Minutes.

C. DIVISION OF FORESTRY AND WILDLIFE

1. Request for Approval of Settlement between Department of Land and Natural Resources and Kona Hills LLC., regarding Trespass of Conservation Easement on the Kealakekua Mountain Reserve Property, Tax Map Key: (3) 8-2-012:001, Kealakekua, South Kona, Hawaii and;

Delegation of Authority to the Chairperson to Negotiate and Sign a Memorandum of Agreement between the State of Hawaii Department of Land and Natural Resources and the Kealakekua Mountain Reserve.

2. Authorize to Execute Agreements for the Realignment of Easement and Acceptance of Perpetual Non-Exclusive Gratis Public Trail Easements to Improve Access to the Ka'iwa Ridge Trail, Kailua, Koolaupoko, Oahu, Tax Map Key: (1) 4-2-002: portions of 016, (1) 4-3-007: Portions of 018 and 077.
3. Request to Approve location of the Historic Trail noted as the "Bridle Path" on Registered Map 603, where it crosses through lands identified as Tax Map Keys (2) 2-4-012: 040-045, Makawao District, Maui.

D. LAND DIVISION

1. Consent to Mortgage of Sublease K-36 with Estoppel Certificate of General Lease No. S-5619, Natural Energy Laboratory of Hawaii Authority (NELHA), Lessee, MATS4 LLC (MATS4), Sublessee/Mortgagor, First Hawaiian Bank, Mortgagee, Ooma 1st, North Kona, Hawaii, Tax Map Key: (3) 7-3-043:113.
2. Issuance of Right-of-Entry Permit to Department of Health, Clean Water Branch for the Water Quality Monitoring Project in Keehi Lagoon; Moanalua, Honolulu, Oahu; Tax Map Key: (1) 1-1-070: seaward and vicinity.
3. Rescind Prior Board Action of April 25, 1997, Item D-5, as Amended, *Request Board Approval, Extension of Time, Completion, Tenant Improvements, General Lease No. 5-5261, Sand Island Business Association, Sand Island Industrial Park, Honolulu, Oahu, Tax Map Key: 1-5-41.*

Issuance of Interim Revocable Permit to Sand Island Business Association (SIBA) for Office Trailer and Parking Purposes, Sand Island Industrial Park, Honolulu, Oahu, Tax Map Key: (1) 1-5-041:077 or portion.

Amendment of General Lease No. S-5261, SIBA, Lessee, Sand Island, Honolulu, Oahu. See Exhibit 1 for list of Tax Map Key parcel numbers.

The purpose of the amendment is to change SIBA's obligations with respect to the dedication of infrastructure improvements under the lease so that SIBA may retain control over such infrastructure until five years prior to lease termination on the condition that SIBA provide sufficient bonding to guarantee the dedication of the improvements to the City and County of Honolulu at lease expiration or earlier termination.

4. Decision making regarding:

- (1) Alexander & Baldwin, Inc (“A&B”) and East Maui Irrigation Company, LLC’s (“EMI’s”) July 22, 2021, Request for the Issuance of New Revocable Permits for Tax Map Keys (2) 1-1-001:044 & :050, (2) 2-9-014:001, 005, 011, 012 & 017, (2) 1-1-002:por. 002, and (2) 1-2-004:005 & 007 for Water Use on the Island of Maui; and
- (2) Sierra Club of Hawaii’s July 22, 2021, Request for a Contested Case Hearing to Challenge A&B/EMI’s July 22, 2021, Request for the Issuance of New Revocable Permits for Tax Map Keys (2) 1-1-001:044 & :050, (2) 2-9-014:001, 005, 011, 012 & 017, (2) 1-1-002:por. 002, and (2) 1-2-004:005 & 007 for Water Use on the Island of Maui’

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

I. STATE HISTORIC PRESERVATION DIVISION

1. Enforcement Action against Nichole Kanda, Cacilie Craft, and Garcia and Associates for Unpermitted Grading and Violations of Agreed-Upon Mitigation Commitments, Maka'ula Ahupua 'a, North Kona, Hawai'i Island, Tax Map Key: (3) 7-3-002:015

J. DIVISION OF BOATING AND OCEAN RECREATION

1. Issuance of Revocable Permit to Cherry Pit Sportfishing, Inc. for Storage and Recreational Purposes, Honokohau Small Boat Harbor,

Kealakehe, North Kona, Hawaii, Tax Map Key: (3) 7-4-008:003 (Por).; and

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

2. Consent to Assign Sublease Under Harbor Lease No. H-82-4, GKM, Inc., Lessee, Honokohau Food Service, Inc., Assignor, Harbor House Kona, LLC, Assignee, Kealakehe, Kailua-Kona, Hawaii, Tax Map Key: (3) 7-4-008:042.
3. Issuance of a Revocable Permit to Island Ice and Water Company LLC, for a Retail Operation of an Automated Ice Machine, Located at the Kahului Boat Ramp, Owa, Kahului, Hawaii, Tax Map Key: (2) 3-7-001:023 (por.); and

Declare the Project Exempt from requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.

4. Issuance of a Revocable Permit to Pacific Biodiesel Logistics, LLC, Maalaea Small Boat Harbor Maalaea, Waikapu, Wailuku, Maui Tax Map Key: (2) 3-6-001:002 (por).: and

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

K. OFFICE OF CONSERVATION AND COASTAL LANDS

1. Conservation District Enforcement Case OA 20-38 Regarding the Alleged Unauthorized Modification to an Emergency Erosion Control Structure, Noncompliance with an Emergency Permit, and Encroachment Upon State Land by COZY AT PUNALUU LLC, Douglas W Johnson, and Marie E Kramer Within the Conservation District Located Seaward of 53-223 Kamehameha Highway,

Punalu'u, Ko'olauloa, O'ahu Tax Map Key: (1) 5-3-002:035 (Seaward).

2. Submittal and Recommendation to the Governor to Accept the Final Environmental Impact Statement (EIS) for the Kā'anapali Beach Restoration and Berm Enhancement by the Department of Land and Natural Resources Located at Hanakao'o, Lahaina, Maui, Makai of Tax Map Keys: (2) 4-4-008:001, 002, 003, 005, 019 & 022; (2) 4-4-013:001, 002, 006, 007, 008 & 013

The draft FINAL EIS for the Kā'anapali Beach Restoration and Berm Enhancement can be reviewed at:
<https://dlnr.hawaii.gov/occl/kaanapali/>

M. OTHERS

1. Issuance of a Revocable Permit for a T-Hangar for storage and maintenance of Aircraft, Ai Vu and Philip Guisse, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 22.
2. Issuance of a Revocable Permit for a T-Hangar for storage and maintenance of Aircraft, Alex Ress, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 21.
3. Issuance of a Hangar Facilities Lease for Fixed-Wing General Aviation Operations by Notice of Public Auction, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-72: Portion of 23.
4. Issuance of a Revocable Permit for construction vehicle parking and construction staging area, Hensel Phelps Construction Co., Daniel K. Inouye International Airport, Tax Map Keys: (1) 1-1-002: Portion of 014 and (1) 1-1-003: Portion of 001.

5. Issuance of Amendment to Concession Lease No. DOT-A-92-0018 for additional food and beverage and storage space restaurant and lounge concession, Host International, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001.
6. Issuance of a Revocable Permit for a T-Hangar for storage and maintenance of Aircraft and office space, Daniel L. Chadbourne, Jr, Kahului Airport, Tax Map Key: (2) 3-8-1: Portion of 195.
7. Issuance of Amendment to Concession Lease No. DOT-A-92-0014 for an office space, Host International, Inc., Restaurant and Lounge Concession, Kahului Airport, Tax Map Key: (2) 3-8-001: Portion of 236.
8. Issuance of a Revocable Permit for Aircraft Parking, K & S Helicopters, Inc., Lanai Airport, Tax Map Key: (2) 4-9-02: Portion of 41.
9. Issuance of a Revocable Permit for office space in the terminal to perform Airline Carrier Operations, Southern Airways Express, LLC, Molokai Airport, Tax Map Key: (2) 5-2-04: Portion of 106.
10. Issuance of a Revocable Permit for ramp space for equipment parking, Aeko Kula, LLC dba Aloha Air Cargo, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 003.
11. Issuance of a Revocable Permit for Aircraft Parking, Seawings, LLC, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 003.
12. Request Approval to the Department of Transportation, Harbors Division to relinquish its Rights to use Drainage Easement 1 affecting Parcel A of the Former Kapalama Military Reservation, Tax Map

Key:(1) 1-2-025: Portion of 036, Governor's Executive Order Nos. 3947 And 4075.

13. Issuance of a Right-of-Entry to the Honolulu Fire Department, for use of The Ferry Terminal Building and area adjacent for Parking, situated at Pier 19, Honolulu Harbor, Island of Oahu, Tax Map Key: (1) 1-5-039: Portion of 063, Governors Executive Order No. 2903.
14. Request Authorization to acquire Land for the Department of Transportation, Highways Division, for Highway Purposes, Relating to Hana Highway, Replacement of Uaoa Bridge, Federal Aid Project No. BR-036-1(5), Uaoa, Hamakualoa, Makawao, Island of Maui, State of Hawaii Tax Map Key: (2) 2-8-02:018, Tax Map Key No. (2) 2-8-04:055, Tax Map Key: (2) 2-8-04:060, Tax Map Key: (2) 2-8-06:001 and Tax Map Key: (2) 2-8-Road.