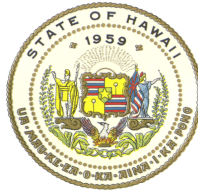


DAVID Y. IGE  
GOVERNOR OF HAWAII



**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: SEPTEMBER 10, 2021  
TIME: 9:00 A.M.  
LOCATION: Online via ZOOM, Livestream via YouTube

*Meeting materials are available for public review in advance of the meeting at:*

<http://www.dlnr.hawaii.gov/meetings>

*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](mailto:blnr.testimony@hawaii.gov).

To provide **live oral/video testimony** during the online meeting, **email your request to [blnr.testimony@hawaii.gov](mailto: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), 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.

#### **A. MINUTES**

1. Approval of the June 25, 2021, Meeting Minutes (*Deferred from 08.27.2021*)
2. Approval of the July 9, 2021, Meeting Minutes.
3. Approval of the July 23, 2021, Meeting Minutes

#### **C. DIVISION OF FORESTRY AND WILDLIFE**

1. (1) Approve and Delegate to the Chairperson the Authority to Execute a Settlement Agreement with O. Thronas, Inc. to resolve *O. Thronas, Inc. v. Board of Land and Natural Resources, State of Hawaii*, Civil No. 19-1-0029 in the Circuit Court of the Fifth Circuit, State of Hawai'i;
- (2) Approve the Issuance of a Right-of-Entry ("ROE") to O.Thronas, Inc. for removal of sand from Mānā Plains Forest Reserve for wetland restoration at Mānā, Waimea, Kaua'i, Tax Map Key: (4) 1-2-002: Portion 001.
- (3) Determine that no additional environmental review under Hawai'i Revised Statutes ("HRS") Chapter 343 is required.

Pursuant to HRS § 92-5(a)(4) 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.

#### **D. LAND DIVISION**

1. Amendment of Extended, Amended and Restated General Lease No. S-4212, Ruby & Sons Hospitality, LLC, Lessee, Government Lands Situate on the West Side of South Kihei Road, Kamaole, Wailuku (Kula), Maui, Tax Map Key: (2) 3-9-004:029.

The purpose of the amendment is to insert rent reopening and redetermination intervals that were inadvertently omitted from the lease and to correct the date of Board approval of the issuance of the lease referenced on its signature page.

2. Request for Issuance of Right-of-Entry Permit to Vares Contracting, Inc. for Purposes of Sand Pushing of One-Hundred Cubic Yards, More or Less, of Beach Quality Sand for Sand Dune and Beach Restoration, on Lands located at Kahana, Lahaina, Maui, Tax Map Key: (2) 4-3-005: Seaward of 029.
3. Approve and Delegate to Chairperson Authority to Execute Settlement Agreement with The Trash Man, LLC & John T. Guinan, Jr. Relating to Use of State Lands at Mapunapuna, Honolulu, Oahu, Under Board Action November 13, 2020, Item #D-1 - RESUBMITTAL: Enforcement of Sanitation Violation under Unencumbered Public Lands Rules, Hawaii Administrative Rules Chapter 13-221, and Section 171-6, Hawaii Revised Statutes, by The Trash Man, LLC, on State Lands at Mapunapuna, Honolulu, Oahu, Tax Map Key: (1) 1-1-064:006
4. Issuance of Right-of-Entry Permit to Eye Productions Inc. for Filming at the Beach fronting Kahala Hotel; Waialae, Honolulu, Oahu, Tax Map Key: (1) 3-5-023: portions of 041.
5. Grant of Two (2) Perpetual, Non-Exclusive Easements and Issuance of Construction and Management Right of Entry Permits to (1) City and County of Honolulu, for the use by the Board of Water Supply, for Access and Utility Purposes and for Underground Injection Control Area Purposes, (2) Hawaiian Electric Company, Inc. for Utility Purposes, Kalaeloa, Ewa, Oahu, Tax Map Key: (1) 9-1-031: portions of 001.

**J. DIVISION OF BOATING AND OCEAN RECREATION**

1. Issuance of a Revocable Permit to Secure Parking Hawaii LLC, for Management of Vehicular Parking in the Designated Areas located within the Ala Wai Small Boat Harbor, Honolulu, Island of Oahu, Identified by Tax Map Keys: (1) 2-6-010:003 (Portion), (1) 2-3-037: Portion of 012, :024, :027, :033, :035 and :037;

and

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

2. Issuance of a Revocable Permit to Manu O Ke Kai Canoe Club, for storage of Hawaiian Outrigger Canoes and Related Equipment and for Cultural Practices on Kawailoa, Waialua, Island of Oahu, Hawaii, Tax Map Key: (1) 6-2-003: Portion of 010;

and

Issuance of a Direct Lease to Manu O Ke Kai Canoe Club, for storage for Hawaiian Outrigger Canoes and Related Equipment and for Cultural Practices on Kawailoa, Waialua, Island of Oahu, Hawaii, Tax Map Key No. (1) 6-2-003: Portion of 010;

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. Approve and Delegate to Chairperson Authority to Execute Settlement Agreement with Mr. Norman Caris Relating to Use of Conservation District Lands at Aliomanu Estates, Kawaihau, Kauai, Under Board Action February 27, 2015, Item #K-1, Conservation District Enforcement Case (ENF) KA-14-58; Finding of Violation for Unauthorized (1) Construction of Erosion Control Structures, (2) Landscaping including grubbing and grading, and (3) Drainage Improvements Located in the Conservation District *Limited* and *General* Subzones, Aliomanu Estates, Kawaihau District, Kauai, Tax Map Key (4) 4-9-005:027

## **M. OTHERS**

1. Issuance of a Revocable Permit for a T-Hangar for storage and maintenance of aircraft, Gregory Baker, Kalaeloa Airport, Tax Map Key: (1) 9-1-013: Portion of 032.
2. Issuance of a Revocable Permit for Aircraft Parking, South Pacific Flying Club, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-076: Portion of 023.
3. Issuance of a Revocable Permit for Aircraft Parking, K & S Helicopters, Inc., Hana Airport, Tax Map Key: (2) 1-3-003: Portion of 022 and (2) 1-3-003: Portion of 036.
4. Issuance of Amendment No. 2 to Heliport Lease No. DOT-A-14-0009 to extend the lease term and to add a helipad with adjacent land for commercial helicopter operations, Island Helicopters Kauai, Inc., Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 148.
5. Issuance of a Revocable Permit for shared use of Baggage System, Southwest Airlines Co., Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 135.
6. Issuance of Month-to-Month Revocable Permit to Pacific Fishing & Supply, Inc., for the purpose of selling Fishing Supplies, Gear, and Equipment to Maritime-Related Companies

and Commercial Fishing Vessels, Situated at Pier 31, Honolulu Harbor, Island of Oahu, Tax Map Key: (1) 1-5-035: Portion of 012, Governor's Executive Order No. 4167.

7. Issuance of Two (2) Month-To-Month Permits to Hawaii Stevedores, Inc., for a Portable Office, Equipment Storage, and Container Office, at Pier 7, Kalaeloa Barbers Point Harbor, Oahu, Tax Map Key No: (1) 9-1-014: Portion of 024, Governor's Executive Order No. 3383.
  
8. Authorizing the Department of Transportation, Highways Division (DOT) to approve Revocable Permits HY-21-155 and HY-21-157 (RPs) at Liliha Street, Federal Aid Project No. U-097-1(1), Honolulu, Oahu, Hawaii, Tax Map Key: (1) 1-7-023:024.
  
9. Request for Acquisition of Land to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Interstate Route H-1, Addition and Modification of Freeway Access, Palailai Interchange to Makakilo Interchange (Kapolei Interchange Complex – Phase 1), Project No. IM-H1-1(257), at Honouliuli, Ewa, Island of Oahu, State of Hawaii Tax Map Key: (1) 9-1-016: Portion of 054.