

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: January 14, 2022  
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.*

**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 Board meeting minutes held October 8, 2021.

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

1. Request approval for Assignment of Living Pono Project as the Subcontractor for implementing the Pu'u Kukui Watershed Preserve Natural Area Partnership Agreement with Maui Land & Pineapple, Inc, Island of Maui, Tax Map Key: (2) 4-1-001:017, (2) 4-2-001: Portion of 001: (2) 4-1-004: Portion of 12, (2) 4-1-005:010, (2) 4-1-005-013, (2) 4-1-005:016, (2) 4-1-005:017, (2) 4-3-001: Portion of 001, (2) 4-3-001 Portion of 17.
2. Authorize the Division of Forestry and Wildlife (DOFAW) to enter into a Memorandum of Agreement (MOA) with the Department of Transportation (DOT), Airports Division for use of a 1.3-acre portion of land at Kahului airport, identified as a portion of Tax Map Key Number: (2) 3-8-001:019; Request Delegation of Authority to the Chairperson to Negotiate, Finalize and Execute the MOA Subject to Approval as to Form by The Department of the Attorney General, at Kahului, Maui, Hawaii.

## **D. LAND DIVISION**

1. Amend Prior Board Action of October 28, 2010, Item D-13, *Set Aside to State of Hawaii, Department of Transportation, Airports Division for Runway Protection Zone Preservation, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-037:041.*

The purposes of the amendment are to remove a condition requiring the Department of Transportation, Airports Division (DOTA), to compensate the Department of Land and Natural Resources for the set-aside of the land, to remove all other non-standard conditions for a set-aside under Section 171-11, Hawaii Revised Statutes, and to require DOTA to provide survey maps and descriptions according to State Department of Accounting and General Services' standards and at DOTA expense.

2. Quitclaim of State's Interests, if Any, in a 56-foot Wide Government Homestead Road and a 30-foot Wide Right-of-Way to Forest Reserve to the County of Hawaii, Honomu, South Hilo, Hawaii, Tax Map Key Nos.: (3) 2-8-010: Government Homestead Road and (3) 2-8-010: 011.
3. Set Aside to County of Maui for Public Parking, Beach Access and Ancillary Purposes; Board to Consider Two Alternatives for Set Aside Related to Subdivision Requirements, Set Aside of Either the Whole or a Portion of the Property Located at Keawakapu, Kamaole, Maui, Tax Map Key: (2) 3-9-004:001.
4. Resubmittal: Approve Evaluation Committee's Recommendation for Selection of Proposal Submitted by Ruby & Sons Hospitality, LLC in Response to Request for Qualifications / Request for Proposals for Lease of Public Lands; Kamaole, Wailuku, Maui, Tax Map Keys: (2) 3-9-004: 149.
5. Issuance of Right-of-Entry Permit to Hawaii Amateur Surfing Association, for an Amateur Two (2) Day Surf Event at Lipoa Point, Honolulu, Lahaina, Maui, Tax Map Key: (2) 4-1-001: Portion of 010.
6. Consent to Federal Interest in a One-Story Medical Building for the Life of the Improvement; General Lease No. 6056 to Waimanalo Health Center, Lessee; Waimanalo, Koolaupoko, Oahu, Tax Map Key: (1) 4-1-009:279 and 282, (1) 4-1-015:023.
7. Annual Renewal of Revocable Permit 7570; Hawaii Motorsports Association Inc., Permittee; Kahuku, Koolauloa, Oahu, Tax Map Key: (1) 5-8-002:002.
8. Authorize the Chairperson to Enter into Memorandum of Agreement Between The Office of Planning and Sustainable Development and the Department of Land and Natural Resources for the Use of Transit Oriented Development (TOD) CIP Funds for the East Kapolei TOD Conceptual Urban Design Plan.
9. **(Non-Action Item)** Report to the Board of Land and Natural Resources on Issues Encountered by Land Division in Processing Applications for Lease Extensions Statewide.
10. Denial of Petition for Contested Case Hearing filed by the Department of Hawaiian Home Lands on November 1, 2021, Regarding October 22, 2021, Agenda Item D-8, Adoption of Guidance to Appraisers for the Determination of the Upset Rent for Public Auctions for Water Leases for Consumptive Use Purposes Pursuant to Section 171-58, Hawaii Revised Statutes.

*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.*

11. Consideration of Petition for Contested Case Hearing filed by Tyler Ralston Regarding November 12, 2021, Agenda Item D-10, Annual Renewal of Revocable Permit 7915; Resorttrust Hawaii, LLC, Permittee; Waialae, Honolulu, Oahu, Tax Map Key: (1) 3-5-023:041.

*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.*

12. Grant of Term, Non-Exclusive Easement to Duke's Canoe Club, LLC dba Duke's Kauai for Access, Landscaping, Maintenance, Signage and Beautification Purposes, Nawiliwili, Lihue, Kauai, Tax Map Key: (4) 3-2-004: portions of 047.

Issuance of Right-of-Entry Permit to Duke's Canoe Club, LLC dba Duke's Kauai for Temporary Access, Landscaping, Maintenance, Signage and Beautification Purposes, Nawiliwili, Lihue, Kauai, Tax Map Key: (4) 3-2-004: portions of 047.

13. Cancellation of Revocable Permit No. S-7641, Bernadine A. Soares and Bernadette Uyesono, Permittees; Request for Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon Cancellation of Revocable Permit No. S-7641; Kapaa, Kawaihau, Kauai, Tax Map Key: (4) 4-5-015: portion of 037.

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

1. Denial of Petition for Contested Case Hearing filed on November 22, 2021, by Ka Malu O Kahālāwai, Nā Papa'i Wawae 'Ula'Ula, Kekai Keahi, and Kai Nishiki, regarding the Renewal of Commercial Use Permits for Noio Charters, Inc., Extended Horizons, Inc., Adventure Rafting, Inc., and Ocean Riders, Inc. for Mala Launch Ramp, Maui. Tax Map Key: (2) 4-5-005: 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.*

2. Approval of Keehi Small Boat Harbor Paving and Drainage Improvements project; Honolulu, Oahu, Hawaii, Tax Map Key: (1) 1-3-025: 113

Declare Construction Project Exempt from the Preparation of an Environmental Assessment; and  
Delegate Authority to Chairperson to Approve, Procure and Award Construction Contract and Enter Into Any Supplemental Agreements or Other Agreements Necessary to Implement the Construction Project.

3. Approve Installation of an Offshore Mooring Outside of an Established Offshore Mooring Area After-The-Fact, Makaiwa Bay, Kamuela, Island of Hawaii, Hawaii, Tax Map Key: (3) 6-8-024: seaward of 039 for Kawika Ruddle.

## **K. OFFICE OF CONSERVATION AND COASTAL LANDS**

1. **(Non-Action Item)** 2021 Annual Progress Report and Outcome Analysis Report (OAR) on the Mauna Kea Comprehensive Management Plan for the Mauna Kea Science Reserve, Ka'ohē Mauka, Hāmākua District, Hawai'i, Tax Map Keys: (3) 4-4-015:009 and 012. Presentation by the Center for Maunakea Stewardship on the OAR, observatory decommissioning, educational and outreach programs, the Maunakea Master Plan update, and land authorization schedule. Background materials available at [dlnr.hawaii.gov/occl/maunakea-management](http://dlnr.hawaii.gov/occl/maunakea-management)
2. Conservation District Use Application (CDUA) HA-3880 for the California Institute of Technology's (Caltech) Submillimeter Observatory (CSO) Decommissioning Project located within Ka'ohē, Hāmākua, Hawai'i, Tax Map Key: (3) 4-4-015:009. [Final Environmental Assessment](#) published December 2021.
3. Conservation District Use Application (CDUA) OA-3879 for Verizon Wireless' Lanikai Telecom Project located in Kailua, Ko'olaupoko, O'ahu, Tax Map Keys: (1) 4-3-005:068 and 070. [Final Environmental Assessment](#) published June 2021.

## **M. OTHERS**

1. Issuance of a Revocable Permit for two curbside Check-In Podiums as Part of its Signatory Airline Operations, American Airlines, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001.
2. Issuance of a Revocable Permit for a GSE Vehicle Maintenance Space as Part of its Signatory Airline Operations, American Airlines, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001.

3. Issuance of a Revocable Permit for Aircraft Parking, Hawaii Pacific Aviation, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 23.
4. Issuance of a Revocable Permit for Aircraft Maintenance, Office and Equipment Parking Areas, Omni Air International, LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 085 and (1) 1-1-003: Portion of 001.
5. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Hawaiian Airlift Company LLP, Kawaihāpai Airfield, Waialua, Hawaii, Tax Map Key: (1) 6-08-14: Portion of 017.
6. Issuance of a Revocable Permit for Passenger Check-In Kiosks, Delta Air Lines, Inc., Kahului Airport, Tax Map Key: (2) 3-8-1: Portion of 226.
7. Issuance of a Revocable Permit for Counter and Storage Space, PrimoVIP, Incorporated, Kahului Airport, Tax Map Key: (2) 3-8-001: Portion of 220.
8. Issuance of a Revocable Permit for Vehicle Parking, Lifenet, Inc., Waimea-Kohala Airport, Tax Map Key: (3) 6-7-001: Portion of 08.
9. Issuance of a Revocable Permit for Parking and Storage of Rental Car Vehicles, EAN Holdings, LLC, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 003.
10. Request for Acquisition of Lands to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Interstate Route H-1, Addition and Modification of Freeway Access, Kapolei Interchange Complex Phase 3, Federal Aid Project No. NH-H1-1(271), Sta. 178 + 05.40 to Sta. 202 + 74.69, at Honouliuli, Ewa, Island of Oahu, State of Hawaii, Tax Map Key Nos. (1) 9-1-015:079 and (1) 9-1-015:078.
11. Issuance of Month-to-Month Revocable Permit to Frank V. Coluccio Construction Company, Inc. for Construction Staging Area for Equipment and Materials, Parking for Field Office Trailer and Employee Parking, Storage of Pipes, Gravel, and Parking of Trucks. Situated at the Keehi Industrial Lots, Kalihi-Kai, Honolulu Harbor, Island of Oahu, Tax Map Keys: (1) 1-2-023: Portion of 040 and (1) 1-2-023: Portion of 072. Governor's Executive Order No. 3708.