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

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

MEMBERS
Suzanne Case
Sam Gon
Chris Yuen
Kaiwi Yoon

STAFF
Russell Tsuji-Land
Cal Miyahara-Land
Carty Chang-ENG
Curt Cottrell-Parks
Brian Neilson-DAR
David Sakoda-DAR
Trevor Fitzpatrick-OCCL

OTHERS
Cindy Young/AG
Travis Tomono/DOT HWYS
Norman Chen/M8
Scott Mommer/M8
Mallory Fujitani/M9
Christopher Woodward/M10
Stanley Fujimoto/M10
Shaoyu Lee/M11
Rich Kiyabu/M12
Tina Albao/M12
Roy Ikeda/M12
David Bissell/D1,D2
Bridget Hammerquist/D1,D2
Dave Nagata/D2
Debbie Lee-Jackson/D2

APPROVED BY THE BOARD
AT ITS MEETING HELD ON
MARCH 24, 2022
Chair Case called the meeting to order and noted that due to Covid-19 pandemic, the meeting is being held via Zoom and live-streamed on YouTube. Those who requested to provide oral and written testimony have done so in advance of the meeting.

Member Gon read the Standard Contested Case Statement.

ITEM A-1 Approval of the Board meeting minutes held September 24, 2021.

MOTION Approved as submitted (Gon, Canto) unanimous.

ITEM L-1 Authorize the Approval and Issuance of Dam Safety Permit for Miscellaneous Improvements at Waimanalo Reservoir (OA-0129) to the State of Hawaii, Department of Agriculture, Oahu, Hawaii, Tax Map Key: 4-1Gon, Car

Carty Chang, Engineering presented the submittal, Edwin Masuda (ENG), Kirk Saiki, and Kealohi Sandefur (DOA), available to answer questions.

Board Discussion
It was confirmed that the work is to bring the dam into compliance and the location of the dam is on State lands.

Public Testimony-None
12.10.202 (1)/00:12:09
MOTION
Approved as submittal (Gon, Yoon) unanimous.

12.10.202 (1)/00:13:33
ITEM M-1 Issuance of a Revocable Permit to Stage Fueling Vehicles for Aircraft Fueling Operations, FSM Group, LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001.

ITEM M-2 Issuance of a Revocable Permit for a Commercial T-Hangar for the storage and maintenance of Aircraft used for Flight Instruction, Keith G. Johnston dba Johnston Aviation, Kawaihapai Airfield, Tax Map Key: (1) 6-8-014: Portion of 017.

ITEM M-3 Issuance of a Revocable Permit for paved, improved land for Bus parking and staging as part of the consolidated rental car facilities operations, Robert’s Tours and Transportation, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1)-1-1-070-042.

ITEM M-4 Issuance of a Revocable Permit for maintenance storage to support airline carrier operations, Southern Airways Express, LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001.

ITEM M-5 Issuance of a Revocable Permit for a Ticket Counter and storage space in the terminal to perform Airline Carrier Operations, Southern Airways Express, LLC, Molokai Airport, Tax Map Key: (2) 5-2-004: Portion of 106.

ITEM M-6 Issuance of a Direct Lease for Land for a self-service fueling Facility, Air Service Hawaii, Inc, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.

Abby Lareau, DOT Airports, present to answer questions for Items M-1, M-2, M-3, M-4, M-5 and M-6.

Board Discussion—None

Public Testimony—None

12.10.202 (1)/00:13:54
MOTION
Approve as submitted (Char, Gon) unanimous.

12.10.202 (1)/00:14:14
ITEM M-7 Issuance of a Month-to-Month Permit to Honolulu Fishing and Supply LLC for Equipment Storage and Workshop, situated at Pier 31, Honolulu Harbor, Oahu, Tax Map Key No: (1) 1-5-035:Portion of 024 and (1) 1-5-035:Portion of 033, Governor’s Executive Order No. 4167.
Oliva Pham DOT Harbors, present to answer any questions. *Verbally amended monthly rent on page 2, it should read $747.40.*

Board Discussion-None

Public Testimony-None

12.10.202 (1)/00:14:44
MOTION
Approve as amended (Char, Yoon) unanimous.

12.10.2022 (1)/00:15:53
ITEM M-8 Authorization to Approve the Assignment of Lease HWY-96-1 from Honolulu Warehouse Company Limited (HW) to Home Depot and waive the 50% Premium Payment. Puuloa Interchange, U-078-1 (1), Tax Map Key: (1) 1-1-007:045, approximately 46,435 square feet.

The area is currently under a 47-year lease (1997 to 2044) to HW and is being used as a paved parking lot for the abutting Moanalua 99 Market. Home Depot, if approved as the assignee, shall continue to use the area for parking purposes for a forthcoming Home Depot store which will replace Moanalua 99 Market.

Travis Tomono, DOT Highways presented the submittal. Norman Cheng (Honolulu Warehouse), Randal Lejuwaan,

Board Discussion-None
The reason for the 50% premium payment was discussed in detail. Norman Cheng, Honolulu Warehouse provided an explanation.

Public Testimony-None

12.10.2022 (1)/00:33:52
MOTION
Approve as submitted (Gon, Char) unanimous.

12.10.2022 (1)/00:35:51
ITEM M-9 Consent to Issuance of Right-of-Entry to City and County of Honolulu, Department of Design and Construction for walkway and stairs purposes as part of proposed improvements under the Salt Lake Boulevard widening Phase 3 project. Tax Map Key: (1) 1-1-001: Portion of 041. Governor’s Executive Order No. 3439.

Mallory Fujitani, Hawaii State Public Library presented the submittal.

Board Discussion-None

Public Testimony-None
12.10.2022 (1)/00:36:15
MOTION
Approved as submitted (Char, Gon) unanimous.

12.10.2022 (1)/00:37:35
ITEM M-10 Consent to Issue Revocable Permits for Lands under Governor’s Executive Order No. 4533 to Fisher Hawaii Inc., One Love Ministries, and Hawaiian Dredging Construction Company, Inc. in Kakaako, Honolulu, Oahu, Tax Map Key: (1) 2-1-051: Portion of 041.

Christopher Woodward, Hawaii Housing Finance Development Corporation presented the submittal. Albert Palmer (HHFDC) present to answer any questions.

Board Discussion
It was clarified that these are under Revocable Permit until such a time HHFDC moves forward with their housing plan.

Public Testimony-None

12.10.2022 (1)/00:41:15
MOTION
Approved as submitted (Gon, Yoon) unanimous.

12.20. 12.20.202 (1)/00:41:45
ITEM M-11 Request Consent to Issue a Revocable Permit to the County of Hawaii, for Civil Defense and Hilo Emergency Operation Center purposes under Governor’s Executive Order No. 1562, to the Hawaii National Guard at 1046 Leilani Street, Hilo, Hawaii, Tax Map Key: (3) 2-1-012:003.

Stuart Tomasa, Department of Defense presented the submittal. Wade Ishii (DOD) present to answer any questions.

Board Discussion-None

Public Testimony-None

12.20. 12.20.202 (1)/00:42:43
MOTION
Approved as submitted (Yuen, Gon) unanimous.

12.20. 12.20.202 (1)/00:43:11
ITEM M-12 Consent to Lease of Lands to The Boys & Girls Club of Hawaii, for the purpose of Educational Supportive Services. Hawaii State Department of Education, Kauai District (Kapaa), Tax Map Key: (4) 4-6-014:031. Governor’s Executive Order No, 3374.

Roy Ikeda, Department of Education presented the submittal. Paddy Kauhane and Tina Albao (Boys & Girls Club) are present to answer any questions.
Board Discussion-None

Public Testimony-None

12.20.12.20.202 (1)/00:45:29
MOTION
Approved as submitted (Oi, Gon) unanimous

12.20.12.20.202 (1)/00:46:44

Cathy Gewecke, Division of Aquatic Resources presented the submittal. Brian Neilson (DAR) present to answer questions.

Board Discussion
Question regarding the refinements to the Cultural Protocols activities was asked. Gewecke replied she would get back to Member Gon.

Public Testimony- None

12.20.12.20.202 (1)/00:49:54
MOTION
Approved as submitted (Gon, Oi) unanimous.

12.20.12.20.202 (1)/00:50:21
ITEM F-2 Request for Approval to Hold a Statewide Public Meeting and Hearing to Amend and Compile Hawaii Administrative Rules (HAR) Chapters 13-75, “Rules Regulating the Possession and Use of Certain Fishing Gear”, and 13-60.4, “West Hawai‘i Regional Fishery Management Area, Hawai‘i”; to Amend: §13-75-1 (Definitions) to Amend the Definition of “Lay Net” to Clarify That a Lobster Net is a Type of Lay Net and to Add New Definitions for “Freshwater Stream”, “Lobster Net”, “Multi-Panel Lay Net”, and “Throw Net”; §13-60.4-3 (Definitions) to Add a New Definition for “Multi-Panel Lay Net”; §13-75-8 (Firearms) to Prohibit the Take of Sharks With Firearms; §13-75-12.2 (Akule Nets) to Clarify that Akule May be Taken With Legal Throw Nets; §13-75-12.4 (Lay Nets) to Establish a Lay Net Permit Requirement and Fee for the Use and Possession of Lay Nets, to Remove the Existing Lay Net Registration Requirement, and to Prohibit Leaving a Lay Net Unattended for Any Amount of Time; §§13-75-12.5 (State Waters Around Molokai, Special Rules), 13-60.4-5 (Activities Prohibited Within Selected Areas), and 13-60.4-6 (Lay Net Permit and Use Requirements) to Make Conforming Amendments to Special Lay Net Rules That Apply to Molokai and West Hawai‘i; §§13-
75-2 (Penalty) and 13-60.4-8 (Penalty) to Clarify the Authorized Penalties for Violations of These Chapters; to Adopt §§13-75-2.5 (Asset Forfeiture) and 13-60.4-8.5 (Asset Forfeiture) to Provide Notice of the State’s Authority to Utilize Civil Asset Forfeiture as an Enforcement Tool for Violations of These Chapters; and to Make Other Non-Substantive Amendments for Formatting and Style

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/.

David Sakoda, Division of Aquatics presented the submittal. Brian Neilson available for questions.

Board Discussion
There was a robust discussion regarding the lay-net, surround-net and gill-nets rules and how they are used.

Public Testimony-None

The Board approved DAR’s request, subject to the proposed HAR chapter 13-75 being modified to clarify that 1) each person may set only one lay net at a time and 2) surround net fishers must be in attendance of their nets at all times when using a gill net.

12.20.12.20.202 (1)/01:37:21
MOTION
Approved as submitted subject to clarification (Yuen, Gon) unanimous.

12.20.12.20.202 (1)/01:40:06
Member Oi Recused himself from Items D-1 and D-2

12.20.12.20.202 (1)/01:43:28
ITEM D-1 Denial of Petitions for Contested Case Hearing filed by Kia’l Wai`o Wai`ale`ale and Friends of Maha`ulepu on December 19, 2020, Regarding December 11, 2020, Agenda Item D-5, Continuation of Revocable Permit S-7340 to Kauai Island Utility Cooperative for Water Use.
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.

Blue Kaanehe, Land Division presented the submittal. Ian Hirokawa (Land) available to answer questions. Beth Tokioka, David Bissell, Dawn Huff, Dave Nagata (KIUC), present to answer questions.

Board Discussion
The Revocable Permit is due to expire. The merits of the submittal were discussed.

Public Testimony
Bianca Isaki opposes the submittal and stands by her written testimony. Brad Rockwell (KIUC) addressed the 100-yards of dry-stream bed. Bridget Hammerquist provided testimony on the merits of the request for contested case hearing.

12.10.2021(1)/02:05:52
Chair Case made the Motion to go into Executive Session, Member Gon seconded the motion. (6) Ayes, (1) Recused (Oi).

12.10.2021(1)/02:30:10
MOTION
Approved as submitted (Yuen, Char). (6) Ayes, (1) Recused (Oi)

12.10.2021(1)/02:31:42
Chair Case conveyed there was a request for a Contested Case hearing for Item D-2 (RP 3740) from Bridget Hammerquist and asked if there was anything to add. Hammerquist proceeded to provide information. Chair Case asked if there was anyone else who want to speak on the right to a contested case.

12.10.2021(1)/02:36.02
Member Yuen made the Motion to reject the request for contested case. Member Char seconded the motion. Unanimous.

12.10.2021(1)/02:36.54
ITEM D-2 Holdover/Continuation of Revocable Permits for Water Use on the Islands of Hawai`i and Kaua`i. See Exhibit A for list of Revocable Permits.

David Bissel (KIUC) provided testimony for RP 3740 continuation. Beth Tokioka & Dawn Huff available to answer questions.

Board Discussion
Kauai RP’s: The positive environmental effects of producing electricity without burning fossil fuels and the negative effects were discussed. Tsuji (Land) conveyed that if the water user is working towards a long-term disposition, if they are in good standing, they are allowed to continue on a RP until a decision is made regarding a lease. There were further comments after the motion for the KIUC RP was made.
Public Testimony
Bridget Hammerquist testified in opposition. Bissell (KIUC) responded to Hammerquist’ comments. Leinaala Ley (Earthjustice) testified in opposition and reserved the right to ask for a contested case hearing. Debbie Lee Jackson testified in opposition. Leinaala Lei requested a contested case.

12.10.2021(1)/03:25.34
Member Yuen made the Motion to go into Executive Session. Member Gon seconded the motion. Unanimous (Oi Recused)

12.10.2021(1)/03:50:40
Member Yuen made the Motion to deny the oral request for a contested case. Member Char seconded the motion. Unanimous

12.10.2021(1)/03:51:42
MOTION
Approved as submitted KIUC RP 7340 (Yuen, Char) 6-Ayes, 1- Abstain (Yoon)

12.10.2021(1)/03:59:19- Member Oi rejoined the meeting

12.10.2021(1)/04:00:03
Approved as submitted Lindner RP 7088 (Oi, Char) unanimously.

12.10.2021(1)/04:00:47 (Hawaii Island)
Board Discussion
Is HELCO ready to proceed to a lease? Kanahele conveyed they are hopeful to bring it to the Board sometime early next year.

12.10.2021(1)/04:04:08
MOTION
HELCO RP 7463 (Yuen, Yoon) unanimous.

12.10.2021(1)/04:04:08 (KAU)
Board Discussion
What are the remaining items needed for public auction? Kanahele replied, the appraisal.

12.10.2021(1)/04:04:08
MOTION
Approved as submitted Kau RP’s 7054, 7426, 7432,7267 and 7918 (Yuen, Canto) 6-Ayes (Gon Absent)

12.10.2021(1)/04:08:10 Break

12.10.2021(1)/04:25:14
ITEM D-3   Issuance of Construction and Management Right-of-Entry Permit to the Department of Transportation, Highways Division to Mitigate Sand Erosion at Wailua Beach, Wailua
House Lots, Kawaihau, Kauai, Tax Map Keys: (4) 4-1-004: Seaward of 001 and (4) 4-1-005: Seaward of 004.

Russell Tsuji, Land Division presented the submittal with an amendment. DOT Highways George Abcede, Randall Haraguchi, Randall Urasaki (consultants) will be available to answer questions.

**Board Discussion**
The pilot project design and outcomes expected were discussed in detail. If it doesn’t work, it will be removed. Michael Cain (OCCL) added to the discussion.

**Public Testimony-None**

**Amendment:**
*The Board amended the first sentence in recommendation 2.B by adding at the end to read “or if more testing is warranted”, provided that future rights of entry may only be issued while the Governor’s emergency proclamation is still in place.”*

**12.10.2021(1)/05:35:23**
**MOTION**
Approved as amended (Oi, Canto) 5-Ayes 1-Oppose (Yuen), (Gon Absent)

**12.10.2021(1)/05:34:21**
**ITEM D-4** Consent to Assign General Lease No. S-4956, Annie K. Tai See, also known as Annie Kaluhi Tai See and Annie Kaluhui Tai See, Assignor (Deceased), to Ronald David Tai See (son), Assignee, Miloli’i-Hoopuloa, South Kona, Hawaii, Tax Map Key: (3) 8-9-014:001.

**ITEM D-5** Amendment of General Lease No. S-6038 to Paa Pono Milolii, Lessee, for Community Enrichment & Historical Purposes, Miloli’i-Hoopuloa, South Kona, Island of Hawaii, Tax Map Key Nos.: (3) 8-9-014:038-041.

The purpose of the amendment is to add an additional seven lots to lease for expansion of Community Enrichment & Historical Center Purposes. Additional seven lots to include Tax Map Key Nos.: (3) 8-9-014:036, 042, 043, 044, 045, 046 and 047.

**Public Testimony**
Gail Garoutte available to answer any questions and supports the submittal.

**ITEM D-6** Consent to Assign General Lease No. S-5235, Orasa Kaiulani Fernandez, Assignor, to Wayne N. Dacalio, Don F. Dacalio, Morgan K. Dacalio Sr., and Morgan K. Dacalio Jr., Assignees, Miloli’i-Hoopuloa, South Kona, Hawaii, Tax Map Key: (3) 8-9-014:053.

Chair Case asked the Board member if there were any questions for Items D-4, D-5 or D-6. Russell Tsuji and Seiko Machida present to answer any questions.

**Board Discussion-None**
Public Testimony-None for Item D-4 and Item D-6

12.10.2021(1)/05:34:53
MOTION
Approved as submitted Item D-4, Item D-5 and Item D-6 (Yuen, Oi) 6-Ayes (Gon Absent)

12.10.2021(1)/05:34:53
ITEM D-8 Refund Rent from February 2020 through September 2021 for Revocable Permit Nos. 5834 and 5835 to Association of Apartment Owners of Hale Pau Hana, Kamaole, Kula, Maui, Tax Map Key: (2) 3-9-005: Portion of 001 and Seaward of 001.

Russell Tsuji, Land Division presented the submittal.

Board Discussion
Discussion regarding the appraisals were questioned. Tsuji provided the background on the difference.

Public Testimony-None

12.10.2021(1)/05:41:53
MOTION
Approved as submitted (Canto, Yuen) 6-Ayes (Gon Absent)

12.10.2021(1)/05:42:09
ITEM D-9 Issuance of Revocable Permit to Sandalwood Mountain Properties, Inc. for Parking Purposes; Termination of Revocable Permit No. 7900; Nuuanu, Honolulu, Oahu, Tax Map Key: (1) 2-2-010: portion of 021.

Russell Tsuji, Land Division presented the submittal.

Board Discussion-None

Public Testimony-None

12.10.2021(1)/05:43:37
MOTION
Approved as submitted (Yoon, Canto) 6-Ayes (Gon Absent)

12.10.2021(1)/05:43:42
ITEM D-10 Grant of Term, Non-Exclusive Easement to Hawaiian Electric Company, Inc. for Utility Purposes and Issuance of Construction Right-of-Entry Permit; Kewalo, Honolulu, Oahu, Tax Map Key: (1) 2-3-012:019.

Russell Tsuji presented the submittal. Albert Palmer (HHFDC) present to answer questions.

Board Discussion-None
Public Testimony - None

12.10.2021(1)/05:44:57
MOTION
Approved as submitted (Yoon, Char) 6-Ayes (Gon Absent)

12.10.2021(1)/05:45:10
ITEM D-11 Amend Prior Board Action of October 8, 2004, Item D-5, Grant of Term, Non-Exclusive Easement for Seawall and Reclaimed (fill) land to Harold and Julie Sharrer; Kahaluu, Koolaupoko, Oahu, Tax Map Key: (1) 4-7-19:24 seaward

The amendment is to Allow Payment of the Consideration in Installments.

Russell Tsuji presented the submittal. Julie Sharrer, applicant is present and provided background information for the request.

Board Discussion - None

Public Testimony - None

12.10.2021(1)/05:47:35
MOTION
Approved as submitted (Char, Yoon) 6-Ayes (Gon Absent)

12.10.2021(1)/05:48:11 Break

12.10.2021(1)/05:55:46 (Member Gon has rejoined the meeting)
ITEM E-1 Annual Renewal of Revocable Permits Statewide. See Exhibit A for list of Revocable Permits.

Curt Cottrell, State Parks presented the submittal.

Board Discussion
Kealakua Bay RP’s were discussed in depth. Alan Carpenter conveyed that the compromise would be to phase the character of use and pricing in and approve the RP’s for 6-month’s to allow dialog with the community and vendors.

Public Testimony
Leimana DaMate, on behalf of Aha Moku provided four recommendations stated in their written testimony.

Amendment:

Staff to report back in six-months to look at the fee schedule for tour operation and issues raised by Member Gon (cultural content, days and hours of operation at Napo’opo’o Pier
12.10.2021(1)/06:19:14
MOTION
Approved as amended (Yuen, Gon) unanimous.

12.10.2021(1)/06:20:00
ITEM E-2 Authorize the Department of Land and Natural Resources, Division of State Parks to Directly Negotiate a Fifteen (15) year Lease with the Hawai’i Conference Foundation, an Eleemosynary Organization, for Commercial Public Camping and Lodging Purposes at Lot 56 situated at Kōkeʻe, Waimea (Kona), Kauaʻi, Hawaiʻi, Tax Map Key: (4) 1-4-004:027 A, B.

Alan Carpenter, State Parks presented the submittal. Carpenter made an oral amendment to the submittal as follows: In year five (5) and onward, they will pay a nominal $480.00 or 5 percent whichever is greater.

Board Discussion-None

Public Testimony
Andrea Kaohi is available to answer questions for the applicant.

12.10.2021(1)/06:30:22
MOTION
Approved as submitted (Oi, Gon) unanimous.

12.10.2021(1)/06:32:20 Correction to Motion for Item E-2
MOTION
Approved as amended (Oi, Canto) unanimous.

12.10.2021(1)/06:32:25
ITEM J-1 Sale of Concession by Sealed Bid for a Three-Year Mobile Food Concession Situated at Ala Wai Small Boat Harbor Honolulu, Island of Oahu, Hawaii, Identified by Tax Map Key: (1) 2-3-037:012 (Portion) and:

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

Richard Howard, Division of Boating and Ocean Recreation presented the submittal.

Board Discussion-None

Public Testimony-None

12.10.2021(1)/06:33:44
MOTION
Approved as submitted (Gon, Yoon) unanimous.
12.10.2021(1)/06:34:06
ITEM J-3 Authorize a Ten-Year Extension of Boating Lease No. LK-19-001 to Kaua'i Sailing Association, Nawiliwili Small Boat Harbor, Nawiliwili, Island of Kaua'i, Hawaii; Tax Map Key: (4) 3-2-003:043 (Portion)

Carl Young, Division of Boating and Ocean Recreation presented the submittal with an oral amendment as follows:

To include the request to exempt this request from Chapter 343 requirement to prepare an environmental assessment and the wording is as follows:

Declare that, After Considering the Potential Effects of the Proposed Project as Provided By Chapter 343, Hawaii Revised Statutes, and Chapter 11-200.1, Hawaii Administrative Rules, This Project Will Probably Have Minimal or No Significant Effect on the Environment and is Therefore Exempt from the Preparation of an Environmental Assessment.

In accordance with the “Comprehensive Exemption List for the Division of Boating and Ocean Recreation, Department of Land and Natural Resources, State of Hawaii, as concurred in by the Environmental Council, State of Hawaii”, dated November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1 that states in pertinent part, “Operations, repairs, or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing.” This project is exempt from the preparation of an Environmental Assessment pursuant to the following exemption:

Item No. 40: "Leases of State land involving negligible or no expansion or change of use beyond that previously existing."

Board Discussion-None
Who owns the Building? Young replied, the State.

Public Testimony-None

12.10.2021(1)/06:37:15
MOTION
Approved as amended (Oi, Gon) unanimous.

12.10.20212 (1)/06:38:28
ITEM K-1 Time Extension Request for Conservation District Use Permit (CDUP) HA-3868 for the Kamahalele Farms LLC (represented by Robert Garrett) single-family residence by the Department of Land and Natural Resources, Located at 15-2145 Government Beach Road, Maku'u, Puna, Hawai‘i, Tax Map Key: (3) 1-5-010:009.

Michael Cain, Office of Conservation and Coastal Lands presented the submittal. Applicant Robert Garrett available to answer questions.
Board Discussion- None

Public Testimony-None

12.10.20212 (1)/06:40:54
MOTION
Approved as submitted (Yuen, Gon) unanimous.

12.10.20212(1)/06:41:22,
ITEM K-2 Petition for a Proposed Rule Amendment to Rezone Land from Limited to General Subzone in the State Land Use Conservation District by Randall N. Longfield and Madolyn Ann Longfield Located at Lanikai Beach Tract, Kailua, Koolaupoko, Oahu, Tax Map Key: (1) 4-3-005:077.

Michael Cain, Office of Conservation and Coastal Lands presented the submittal. Trevor Fitzpatrick (OCCL) available to answer questions.

12.10.2021(2)/00:00:00- Item K-2 Continued

Board Discussion
Regarding the past history, the classifications and rules have changed since the first application among agencies.

Public Testimony
Greg Kugle provided the history of the application, Scott Ezer provided the content of the sub-zone application, and Tim Blackwood provided the geological aspects of the project.

12.10.2021(2)/00:32:29
MOTION
Approved as submitted (Gon, Char) unanimous.

12.10.2021(2)/00:33:52
ITEM K-3 Non-Action Item: Sam Lemmo, Administrator for the Office of Conservation and Coastal Lands to address the Board.

Sam Lemmo announced his retirement and shared his experience with DLNR.
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 S. Ferreira

Approved for Submittal:

Suzanne D. Case, Chairperson
Board of Land and Natural Resources
Department of Land and Natural Resources