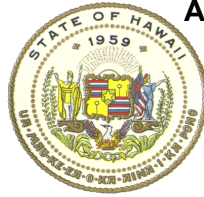


DAVID Y. IGE  
GOVERNOR OF HAWAII



**APPROVED AS SUBMITTED**  
**AT ITS BOARD MEETING**  
**HELD ON**  
**MARCH 14, 2022**

*dat*

**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

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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

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

**MINUTES**  
**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

**MEMBERS**

Suzanne Case  
Aimee Barnes  
Chris Yuen  
Kaiwi Yoon (Absent)

Tommy Oi  
Vernon Char  
Doreen Canto

**STAFF**

Russell Tsuji-Land  
Kevin Moore  
Luke Sarvis-Land  
Curt Cottrell-Parks  
Brian Neilson-DAR  
David Sakoda-DAR  
Trevor Fitzpatrick-OCCL  
Jay Hatayama-DOFAW

Ian Hirokawa-Land  
Daniel Ornellas-Land  
Lauren Yasaka-Land  
Alan Carpenter/Parks  
Cathy Gewecke-DAR  
Tiger Mills-OCCL  
Michael Cain-OCCL  
Ed Underwood-DOBOR

**OTHERS**

Julie China/AG  
Dan Morris/AG  
Onaona Thoene/D11  
Joe Ibarra/D11  
Melanie DeMello/D2  
Dalilah Schlueter/D2  
Nani Galeng/D7  
Ron Kim/D9  
Christina Lizzi/J1  
Greg Chun/K1

Dawn Tsue/DOT AIR  
Eric Leong/DOT-Harbors  
David Frankel/D11  
Daryn Arai/D2  
Hans Santiago/D2  
Terry Galpin/D7  
Kai Nishiki/J1  
Melissa Goldman/J1  
Lisa Bail/J1

**ITEM A-1**

Doug Simons/K1  
Sunil Golwala/K2  
Steve Dawe/K2  
Grant Nakaya/K3  
Matt Miura/K3  
Jon Myers/K3  
Scott Whiting/K3  
Jensen Jaraba/K3  
Marianne Whiting/K3

Ka'iu Kimura/K1  
Tom Soifer/K2  
Jim Hayes/K2  
Noah Grodzin/K3  
Danny Rubenstein/K3  
Amir Ginsberg/K3  
Andrea Jepson/K3  
George Nardin/K3  
Ana Moreno/K3

**01.14.2022((1)/00:00:11**

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 Yoon is absent from today's meeting

**01.14.2022(1)/00:04:30**

Member Canto read the standard contested case statement.

**01.14.2022(1)/00:05:27**

**ITEM A-1** Approval of the Board meeting minutes held October 8, 2021.

Board Discussion-None

Public Testimony-None

**01.14.2022(1)/00:06:05**

**MOTION**

**Approved as submitted (Canto, Oi) 5-Ayes, 1-Abstained (Barnes).**

**01.14.2022(1)/00:07:19**

**ITEM M-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.

**ITEM M-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.

**ITEM M-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.

**ITEM M-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.

**ITEM M-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.

**ITEM M-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.

**ITEM M-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.

**ITEM M-8** Issuance of a Revocable Permit for Vehicle Parking, Lifenet, Inc., Waimea-Kohala Airport, Tax Map Key: (3) 6-7-001: Portion of 08.

**ITEM M-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. Dawn Tsue APPROVE M1-M-9 (CHAR, CANTO) UNANIMOUS

Dawn Tsue, DOT-Airports present to answer questions for M-1, M-2, M-3, M-4, M-5, M-6, M-7, M-8, and M-9

Board Discussion-None

Public Testimony-None

**01.14.2022(1)/00:10:27**

**MOTION**

**Approved as submitted Items M-1, M-2, M-3, M-4, M-5, M-6, M-7, M-8, and M-9 (Char, Canto) unanimous.**

**01.14.2022(1)/00:11:16**

**ITEM D-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.*

Russell Tsuji, Land Division presented the submittal.

Board Discussion

Clarification regarding the opening brief that was submitted on behalf of Mr. Ralston. Frankel noted that there was a notice of appeal filed.

Public Testimony

David Frankel presented testimony regarding the petition and previously submitted an opening brief. Onaona Thoene & Joe Ibarra representing Resorttrust stand on their written testimony.

**01.14.2022(1)/00:19:36**

Chair Case made a motion to go into Executive Session, Member Canto seconded the Motion.

**01.14.2022(1)/00:45:20**

**MOTION**

**Approved as submitted (Canto, Char) unanimous.**

**01.14.2022(1)/00:50:09**

**ITEM C-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.

Emma Yuen, Division of Forestry and Wildlife present to answer any questions. David Smith and Marigold Zoll (DOFAW Staff) also present to answer questions.

**Board Discussion**

Member Yuen disclosed that Emma Yuen was his daughter and that he is not required to recuse himself as he has no personal financial interest regarding the submittal. Concern regarding LPP having the resources for maintenance? Emma Yuen conveyed yes, they will. Maui Land & Pineapple is still responsible for their commitment to the Natural Area agreement. Further discussion and clarification regarding Maui Land & Pineapple's agreement.

**Public Testimony-None**

**01.14.2022(1)/00:59:09**

**MOTION**

**Approved as submitted (Canto, Char) unanimous. (Member Char made the motion to seconded with the understanding that the AG's office will make sure the documentation is in the nature of a subcontract as distinguished from an assignment where Maui Land is not responsible)**

**01.14.2022(1)/01:00:09**

**ITEM C-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.

Scott Fretz, Division of Forestry and Wildlife presented the submittal. Kevin Moore (Land Division) available to answer questions.

Board Discussion

Would it be beneficial to revert the land back to DLNR? Kevin Moore conveyed it would take FAA approval to revert the land back to DLNR.

Public Testimony-None

**01.14.2022((1)/01:06:02**

**MOTION**

**Approved as submitted (Canto, Yuen) unanimous.**

**01.14.2022((1)/01:06:58**

**ITEM D-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.

Kevin Moore, Land Division presented the submittal.

Board Discussion

If DOT does not need it, will it come back to the State? No, DOT has taken the position that they would keep in their inventory.

Public Testimony-None

**01.14.2022((1)/01:11:45**

**MOTION**

**Approved as submitted (Canto, Yuen) unanimous.**

**01.14.2022(1)/01:12:47**

**ITEM M-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.

Eric Leong, DOT Harbors, presented the submittal.

Board Discussion-None

Public Testimony-None

**01.14.2022(1)/01:12:50**

**MOTION**

**Approved as submitted (Barnes, Char) unanimous.**

**01.14.2022(1)/01:13:36**

**ITEM M-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.

No Representative

Board Discussion

Do we ever get an analysis of Green House Gas Emissions? As no Representative was available, the next time DOT-Highways Division has a submittal we will ask them to be present.

Public Testimony-None

**01.14.2022(1)/01:14:55**

**MOTION**

**Approved as submitted (Char, Yuen) unanimous.**

**01.14.2022(1)/01:14:56 Break**

**01.14.2022(1)/01:26:29**

**ITEM D-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.

Russell Tsuji, Land Division presented the submittal.

Board Discussion

Is the physical road become a County Road? DeMello conveyed that at this time it will be an easement across the property.

Public Testimony

Dalilah Schlueter, Melanie DeMello, Hans Santiago (Hawaii County), Daryn Arai, Stella Larson supports the submittal.

**01.14.2022(1)/01:36:29**

**MOTION**

**Approved as submittal (Yuen, Canto) unanimous.**

**01.14.2022(1)/01:37:13**

**NOTE: ITEMS D-3 AND D-4 are related and were discussed together.**

**ITEM D-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.

Russell Tsuji, Land Division noted that Item D-3 & D-4 were related and will provide some background to the submittal.

**Board Discussion**

Clarification regarding the intention of the County of the Maui was discussed if the County were to take over the current RP, that they would allow hotel parking. Mayor would like to have more time to complete research regarding the County ordinances and existing issues to have this proposal work.

**Public Testimony**

Scott Teruya (Maui County) supports the submittal. Mayor Victorino would like to work with the State to provide the public with a full ADA parking and a comfort station. Kai Nishiki added that the County can provide the required parking to the resort via the conditional permit process and provide compensation to the State.

Lauren Blickey, Axel Bears for Maui Council Kelly King, Mark Joiner, Eric Rosinski, Keani Rowlands, Ka Nishiki testified in support of the submittal.

***Amendment:***

***Management Right-of-Entry to the County of Maui for clearing to provide parking.***

**01.14.2022(1)/01:43:13**

**MOTION**

**Defer as amended (Canto, Yuen) to Grant a Management Right of Entry to the County for the portions of the property not under RP and DEFER the remainder.**

**ITEM D-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.

Luke Sarvis, Land Division presented the submittal.

**Board Discussion**

Members asked for clarification regarding the lawsuit involving the hotel. There was also a lengthy discussion on the hotel and public parking area.

Public Testimony

Bernie Bays, Ruby & Sons, provided background information and supports the submittal. Lauren Blickley, Kai Nishiki testified on both Items D-3 & D-4 to defer the submittal.

**01.14.2022(1)/03:12:14 Break**

**01.14.2022(1)/03:17:41 Back in Session**

Further Board discussion and comments.

**01.14.2022(1)/03:26:41**

**MOTION**

**Defer (Canto, Yuen) unanimous.**

**01.14.2022(1)/03:27:22 Lunch Break**

**01.14.2022(1)/04:02:55**

**ITEM D-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.

Russell Tsuji, Land Division presented the submittal.

Board Discussion-None

Public Testimony-None

**MOTION**

**Approved as submitted (Canto, Oi) unanimous.**

**01.14.2022(1)/04:04:20**

**ITEM D-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.

Russell Tsuji, Land Division presented the submittal. Barry Cheung (Land) available to answer any questions.

Board Discussion

Concern regarding funding to finish the building was addressed.

Public Testimony-None

**01.14.2022(1)/04:02:55**

**MOTION**

**Approved as submitted (Canto, Oi) unanimous.**



**01.14.2022(1)/04:13:13**

**ITEM D-7** Annual Renewal of Revocable Permit 7570; Hawaii Motorsports Association Inc., Permittee; Kahuku, Koolauloa, Oahu, Tax Map Key: (1) 5-8-002:002.

Russell Tsuji, Land Division presented the submittal. Marigold Zoll (DOFAW) conveyed that some of their grants require the use of motorized vehicles and that they support the submittal.

Board Discussion

Have there been other interested parties? Zoll replied yes. The site has many conditions for best practices.

Public Testimony

Nani Galeng and Terry Galpin support the submittal.

**01.14.2022(1)/04:23:04**

**MOTION**

**Approved as submitted (Char, Yuen) unanimous.**

**01.14.2022(1)/04:24:49**

**ITEM D-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.

Ian Hirokawa, Land Division presented the submittal.

Board Discussion

What is the agency's purpose?

Public Testimony

Rodney Funakoshi, Land Division, Office of Planning and Sustainable Development, explained the roles and responsibilities.

**01.14.2022(1)/04:28:49**

**MOTION**

**Approved as submitted (Oi, Char) unanimous.**

**01.14.2022(1)/04:29:45**

**ITEM D-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.

Kevin Moore, Land Division presented the report on Lease extensions.

Board Discussion

There was clarification regarding some of the process.

Public Testimony

Ron Kim provided his view of the process.

**01.14.2022(1)/05:18:31**

**ITEM D-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.*

Ian Hirokawa, Land Division presented the submittal

Board Discussion

Procedural question regarding the AG's office as they represent both BLNR and DHHL. Deputy AG Julie China noted that in cases where there are AG's working between different agencies, they do keep it separate ("China Wall" is created).

Public Testimony-None

**01.14.2022(1)/05:27:03**

**MOTION**

**Approved as submitted (Char, Yuen) 4-Ayes, 2-Nay (Barnes, Canto)**

**01.14.2022(1)/05:28:08**

**ITEM D-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.

Russell Tsuji, Land Division presented the submittal.

Board Discussion

What kind of business is this and is there any liability to the State? It is access to the restaurant.

Public Testimony-None

**01.14.2022(1)/05:29:06**

**MOTION**

**Approved as submitted (Oi, Canto) unanimous.**

**01.14.2022(1)/05:30:40**

**ITEM D-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.

Russell Tsuji, Land Division presented the submittal. Alison Neustein (Land) available for questions.

Board Discussion-None

Public Testimony -None

**01.14.2022(1)/05:30:10**

**MOTION**

**Approved as submitted (Oi, Canto) unanimous.**

**01.14.2022(1)/05:30:40 Break**

**01.14.2022(1)/05:39:30**

**ITEM J-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.*

Ed Underwood, Division of Boating and Ocean Recreation presented the submittal. Deputy AG Melissa Goldman available to answer questions.

Board Discussion

Discussion on the wharf use.

Public Testimony

Kai Nishiki, Tiare Lawrence, Christina Lizzi, explained their reasons for opposing the submittal. Lisa Bail supports the submittal.

**01.14.2022(1)/06:00:57**

Chair Case made the Motion to go into Executive Session. Member Canto seconded the motion.

**01.14.2022(1)/06:15:57**

Amendment:

Remove Recommendation #3 in the submittal.

**01.14.2022(1)/06:16:07**

**MOTION**

**Approved as amended (Yuen, Oi) 4-Ayes, 2-Nays (Barnes, Canto)**

**01.14.2022(1)/06:17:27**

**ITEM J-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.

Ed Underwood, Division of Boating and Ocean Recreation presented the submittal.

Board Discussion-None

Public Testimony-None

**01.14.2022(1)/06:17:50**

**MOTION**

**Approved as submitted (Oi, Yuen) unanimous.**

**01.14.2022(1)/06:18:50**

**ITEM J-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.

Ed Underwood, Division of Boating and Ocean Recreation presented the submittal.

Board Discussion

Is there any consideration for the grant of the easement? Underwood replied that they pay the Offshore Mooring rate.

Public Testimony-None

**01.14.2022(1)/06:19:10**

**MOTION**

**Approved as submitted (Yuen, Oi) unanimous.**

**01.14.2022(1)/06:20:10 Break**

**01.14.2022(1)/06:49:40; continued on 01.14.2022(2)/00:00:01**

**ITEM K-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)

Michael Cain, Office of Conservation and Coastal Lands provided the background for the Mauna Kea Annual Progress Report. He introduced Greg Chun, Ka'iu Kimura, and Doug Simons who will be presenting the report.

#### Board Discussion

Does the DLNR have a seat on this Board? Chun replied that the seat has been filled by other stakeholders. The Board noted that the report is a great opportunity for those who are invested in the Mauna Kea management.

**01.14.2022(2)/00:27:27**

**ITEM K-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.

Michael Cain, Office of Conservation and Coastal Lands presented the submittal.

#### Board Discussion

Is the cesspool part of the removal? Golawa replied yes. The telescope contributed to human knowledge that would not otherwise be available.

#### Public Testimony

Sunil Golwala, Steve Dawe, Tom Soifer and Jim Hayes (CalTech) presented a PowerPoint report on the process of the decommissioning.

**01.14.2022(2)/00:38:27**

#### **MOTION**

**Approved as submitted (Yuen, Char) unanimous.**

**01.14.2022(2)/00:39:37**

**ITEM K-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.

Michael Cain, Office of Conservation and Coastal Lands presented the submittal.

#### Board Discussion

Community outreach and visual impact was discussed in great detail. Is it possible to combine the technology on one tower? Grodzin replied that the AT&T tower is outdated and cannot accommodate more equipment .

Public Testimony

Grant Nakama & Matt Miura consultants to Verizon Wireless testified in support of the submittal. Noah Grodzin (Verizon) noted the type of faux rock they would use to help cover the tower. Danny Rubenstein, Amir Ginsberg, Scott Whiting, Andrea Jepson, Marianne Whiting, Ana Moreno, Chris Townson, and Lois Crozer testified in opposition.

**01.14.2022(2)/01:52:59**

**Member Canto made a motion to go into Executive Session. The Motion was seconded by Member Barnes.**

**01.14.2022(2)/02:03:49**

Member Canto made the disclosure that she retired from Verizon in 2006 and does not have any financial interest in this matter. It was asked whether they can delay making a decision so that there could be more community engagement. Cain (OCCL) replied that they have to respond within 180-days and if no decision is made by the Board, by default the application would be approved.

**01.14.2022(2)/02:03:59**

**MOTION**

**Approved as submitted (Yuen, Canto) 5-Ayes, 1-Nay (Barnes)**

An oral request for a contested case was made by Danny Rubenstein, Scott Whiting, Ana Moreno, Chris Townson, and George Nardin. Chair Case conveyed that it must be followed up in writing within 10-days.

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 Ferreira*

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Darlene S. Ferreira  
Land Board Secretary

Approved for Submittal:

*Suzanne D. Case*

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