

DAVID Y. IGE
GOVERNOR OF HAWAII



APPROVED BY THE BOARD
AT IT MEETING HELD ON
APRIL 8, 2022

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

Case

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

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

DATE: February 11, 2022
TIME: 9:00 A.M.
LOCATION: Online via ZOOM, Livestream via YouTube

MEMBERS

Suzanne Case
Chris Yuen
Kaiwi Yoon
Aimee Barnes

Tommy Oi
Vernon Char
Doreen Canto

STAFF

Russell Tsuji-Land
Gordon Heit-Land
Emma Yuen-DOFAW
Carty Chang-ENG

Kevin Moore-Land
Andrew Tellio-Land
Alyson Yim-ENG

OTHERS

Colin Lau/AG
Jennifer Tomita/DOT Harbors
Jaimie Yamashiro/DOT HWYS
Michael Shewmaker/D2

Abby Lareau/DOT-AIR
Denise Wong/M7
Daniel Morris/D2
Ron Kim/D2

02.11.2022/00:00:09

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. Those who have not signed up in advance to provide testimony may do so using the phone number provided on the agenda.

02.11.2022/00:01:11

Chair Case proceeded to conduct roll call of the Board Members present today at the meeting.

02.11.2022/00:02:22

Member Canto read the standard contested case statement.

02.11.2022/00:03:55

ITEM M-1 Issuance of a Revocable Permit for Parking and Storage of Rental Car Vehicles, Avis Budget Car Rental, LLC, Daniel K. Inouye International Airport, Tax Max Key: (1) 1-1-4: 006 (Portion).

ITEM M-2 Issuance of a Revocable Permit for a T-Hangar for the Storage and Maintenance of Aircraft in Support of a Commercial Aeronautical Maintenance Business, East West Avionics Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 20.

ITEM M-3 Issuance of a Revocable Permit for Two T-Hangars for the Storage and Maintenance of Aircraft in Support of a Commercial Aeronautical Flight School Business, Hawaii Pacific Aviation, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-076: Portions of 021 and 022.

ITEM M-4 Issuance of a Revocable Permit for Cargo Space and Holding Area, Kamaka Air, Inc., Lanai Airport, Tax Map Key: (2) 4-9-002: Portion of 056.

ITEM M-5 Issuance of a Revocable Permit for Temporary Vehicle Parking, Airborne Aviation, Inc., Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 008.

Abby Lareau, DOT-Airports present to answer any questions.

Board Discussion-None

Public Testimony-None

02.11.2022/00:04:10

MOTION

Approved as submitted (Oi, Yoon) unanimously.

02.11.2022/00:05:01

ITEM M-6 Issuance of Eighteen (18) Month-to-Month Permits to Young Brothers, LLC, for Office Spaces, Storage Spaces, Warehouse Spaces, and a subsurface Sewer Easement, situated at Piers 21 and 22, Honolulu Harbor, Island of Oahu, Tax Map Key Nos. (1) 1-5-039: Portion of 035, (1) 1-5-039: Portion of 037, (1) 1-5-039: Portion of 034, (1) 1-5-039: Portion of 038, (1) 1-5-039: Portion 069, (1) 1-5-039: Portion of 051, and (1) 1-5-039: Portion of 007, Governors Executive Order No. 2903.

Jennifer Tomita, DOT Harbors present to answer any questions.

Board Discussion-None

Public Testimony-None

02.11.2022/00:05:37

MOTION

Approve as submitted (Yoon/Oi) unanimously.

02.11.2022/00:05:50

ITEM M-7 Amend Prior Board Action of September 11, 2020, Item M-8, Request for: Acquisition of Lands to the Department of Transportation, Highways Division (DOT), for Highway Purposes, Relating to Farrington Highway, Project No. STP-0930-1(006), at Mokuleia and Kamananui, Waialua, Island of Oahu, State of Hawaii, Tax Map Key Nos. (1) 6-8-006: Portions of 010, (1) 6-8-007: Portions of 002, and (1) 6-7-001: Portions of 026.

The purpose of this request is for the Board of Land and Natural Resources (Board) to approve deletion of the hazardous material provisions from the Department of Land and Natural Resources (DLNR) form Warranty Deed for the specific property identified as Tax Map Key No. (1) 6-7-001: Portions of 026.

Jaime Yamashiro, DOT Highways and Denise Wong (Deputy AG) present to answer questions

Board Discussion

Yes, hazardous materials provisions in the DLNR deed.

Public Testimony-None

02.11.2022/00:12:37

MOTION

Approve as submitted (Char, Oi) 6-Ayes 1-Oppose (Barnes)

02.11.2022/00:13:19

ITEM C-1 Request approval to authorize the Chairperson to negotiate, enter into, amend, extend, and terminate a Cooperative Agreement between the State of Hawaii, Department of Land and Natural Resources, Division of Forestry and Wildlife, and the United States Fish and Wildlife Service to manage, monitor, restore, and enhance for the benefit of fish, wildlife and plants in the Kona forest unit of Hakalau Forest National Wildlife Refuge and the Waiea Tract, Tax Map Key: (3) 8-6-001:003.

Emma Yuen, Division of Forestry and Wildlife presented the submittal.

Board Discussion

Member Yuen disclosed that Emma Yuen is his daughter and based on advice from the Ethics Commission he does not need to recuse himself.

Public Testimony-None

02.11.2022/00:17:55

MOTION

Approve as submitted (Yuen, Yoon) unanimously.

02.11.2022/00:18:19

ITEM A-1 Approval of October 22, 2021, Board of Land and Natural Resources meeting.

ITEM A-2 Approval of the November 12, 2021, Board of Land and Natural Resources meeting.

Board Discussion-None

Public Testimony-None

02.11.2022/00:18:55

MOTION

Approved as submitted Item A-1 and A-2 (Canto, Yoon) 6-Ayes 1-Abstain (Barnes)

02.11.2022/00:19:09

ITEM L-1 Approval to Enter a Memorandum of Understanding with the Hawaii Association of Conservation Districts Regarding the Soil and Water Conservation District Program

Carty Chang, Engineering Division presented the submittal. Alyson Yim (Engineering) available to answer questions.

Board Discussion

It was noted that the work and support is subject to Legislative appropriations for funding & departmental resources.

Public Testimony-None

02.11.2022/00:22:04

MOTION

Approved as submitted (Canto, Yoon) unanimously

02.11.2022/00:23:09

ITEM D-1 Issuance of Revocable Permit to John Mattos for Cattle Holding and Corral Purposes, Kekaha, Waimea (Kona), Kauai, Tax Map Key: (4) 1-2-002:041.

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

Board Discussion

Yes, the land is surrounded by DOA, cattle and use.

Public Testimony-None

02.11.2022/00:23:55

MOTION

Approve as submitted (Oi, Canto) unanimously.

02.11.2022/00:27:59

ITEM D-2 Consent to Sublease General Lease No. S-3624, 69 Railroad, LLC, Lessee, to Self Storage Hilo LLC, Covan World-Wide Moving, Incorporated, C.A.R.S.S. LLC, Provision Solar, Inc., Tracey Gapol, Charles Wagner & Erin Wagner, Hawaii Behavioral Health, LLC, Whitney & Arnessa Iranon, Mr. & Mrs. Charles and Erin Wagner, McCully Works, Inc., and Lamar Pacheco, Sublessees, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-1-012:026.

Authorize the Chairperson to Approve and Execute a Development Agreement for a 30-Year Extension of Lease Term and to Execute the Lease Extension Document, General Lease No. S-3624, 69 Railroad, LLC, Lessee; Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2 -1-012: 026.

Approve Mediated Settlement of Rent Reopening Dispute Pursuant to Mediation Agreement for the Periods of 2026-2046, General Lease No. S-3624, 69 Railroad, LLC, Lessee; Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2 -1-012: 026.

Kevin Moore, Land Division presented the submittal. Gordon Heit, Andrew Tellio (Land), Michael Shewmaker and Ron Kim are available for questions.

Board Discussion

Yes, leases, sub-lease extensions .

Public Testimony

Kim in support of the submittal

02.11.2022/00:48:50

Member Char made the Motion to go into Executive Session. Member Canto second the Motion.

Before going into Executive Session, Member Yuen had a few questions for Mr. Shewmaker to which Mr. Shewmaker responded.

02.11.2022/00:51:10

The Board went into Executive Session.

02.11.2022/01:36:22

The Board is back from Executive session with comments.

Amendment:

The Board amended the table of subleases on page 8 of the submittal as follows:

Item 5, Tracey Gapol, Sublessee, the expiration date of the sublease is 5/31/26.

Item 8, Whitney & Arnessa Iranon, Sublessees, the sublease has been on a month-to-month tenancy since the expiration of the sublease term on 12/31/21.

The table relates to the Board's consent to subleases under recommendation 2 of the submittal.

02.11.2022/01:37:48

MOTION

Approve as amended (Char, Yuen) unanimously.

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

Darlene S. Ferreira
Land Board Secretary

Approved for Submittal:

Suzanne D. Case

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