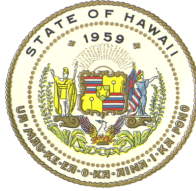


DAVID Y. IGE  
GOVERNOR OF HAWAII



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

**AGENDA  
FOR THE MEETING OF THE  
BOARD OF LAND AND NATURAL RESOURCES**

DATE: May 13, 2022  
TIME: 9:15 A.M.  
LOCATION: In person at 1151 Punchbowl St. Room 132 (Kalanimoku Building),  
online via ZOOM, livestream via YouTube

*Board members, staff, applicants, and testifiers can choose to participate either in-person, via ZOOM or by telephone.*

*Meeting materials are available for public review in advance of the meeting at:*  
<http://www.dlnr.hawaii.gov/meetings>

*The meeting will be livestreamed at:*  
<http://youtube.com/c/boardoflandandnaturalresourcesdlnr>

*To provide in-person testimony:*  
*Attend live at 1151 Punchbowl St. Room 132 (Kalanimoku Building), Honolulu, Hawaii*

*To provide video testimony:*  
*Send your request to [blnr.testimony@hawaii.gov](mailto:blnr.testimony@hawaii.gov)*  
*Include your name 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. Requests may be made during the meeting.*

***To provide oral testimony by telephone:***

Dial: +1 (669) 900-6833  
At the prompts, enter:  
**Meeting ID:** 885 2494 0432 #  
**Passcode:** 474728#  
Note: To unmute, press \*6.

***Written Testimony:***

*Interested persons can submit written testimony in advance of each meeting that will be distributed to Board Members prior to the meeting. Submit written testimony to [blnr.testimony@hawaii.gov](mailto:blnr.testimony@hawaii.gov) or via postal mail to the Board of Land and Natural Resources at P.O. Box 621, Honolulu, Hawaii 96809. We request written testimony be submitted no later than 24 hours prior to the meeting to ensure time for*

*Board Member review. Late written testimony will be retained as part of the record and distributed to Board Members as soon as practicable, but we cannot ensure that Board Members will receive it with sufficient time for review prior to decision-making.*

*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 March 24, 2022, Board Meeting Summary Minutes.
2. Approval of the April 8, 2022, Board Meeting Summary Minutes.

## **B. DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT**

1. Request the Board of Land and Natural Resources to Delegate Authority to the Chairperson to Negotiate and Sign Facility Use Agreements and Memorandum of Agreements with the Division of Conservation and Resources Enforcement (DOCARE) Training Academy Program Partners, for the use of the Hawaii Convention Center, Aloha Stadium Facilities, and the University of Hawaii for Educational Support and use of the Marine Education and Training Center, that is necessary to Conduct the DOCARE Academy Program for Entry Level Conservation and Resources Enforcement Officer I Positions, from July 11, 2022 to March 31, 2023, and for Future Training Academy Programs.

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

1. Approve Grant Awards from Available Funds in the Land Conservation Fund, as Requested in Applications to the Fiscal Year 2022 Legacy Land Conservation Program and as Recommended by the Legacy Land Conservation Commission, for the Acquisition of Interests and Rights in Specific Parcels of Land Having Value as a Resource to the State, for:
  - a) Hawaiian Islands Land Trust, \$3,000,000, for the Acquisition of Approximately 642.46 Acres at Kohala District, Island of Hawai'i (Māhukona Navigation and Ecological Complex), Tax Map Key Numbers: (3) 5-7-002:011, :027, :036, :037 and (3) 5-7-003:001, :002, :003, :007, :008, :010, :018
  - b) Division of Forestry and Wildlife, \$1,000,000, for the Acquisition of Approximately 257.8 Acres at Wailuku District, Island of Maui (Pohakea Watershed Lands), Tax Map Key Number: (2) 3-6-001:018
  - c) Ke Ao Hali'i (Save the Hāna Coast), up to \$675,000, for the Acquisition of Approximately 8.58 Acres at Hāna District, Island of Maui (Haneo'o Lands), Tax Map Key Number: (2) 1-4-010:015; and

Exempt Three Proposed Awards of Grant Funds—for the Acquisition of Interests and Rights in Specific Parcels of Land, Identified as Items A, B, and C, above (Māhukona Navigation and Ecological Complex; Pohakea Watershed Lands; and Haneo'o Lands)—from the Requirement to Prepare an Environmental Assessment, Pursuant to Chapter 343, Hawai'i Revised Statutes, and Chapter 11-200.1, Hawai'i Administrative Rules.

2. Request Approval and Delegation of Authority to the Chairperson of the Department of Land and Natural Resources to Negotiate and Sign Contract(s) for the Management of the Department of Land and Natural Resources state-wide Nā Manu 'Elele Land Steward Program.
3. Request for Approval to Delegate Authority to the Chairperson of the Department of Land and Natural Resources to Approve, Procure, and to Enter into a Contract for Capital Improvement Program Projects appropriated by the Legislature for the Construction of a Five Mile Ungulate Proof Fence to protect Palila Critical Habitat, Mauna Kea, Hawai'i.

## **D. LAND DIVISION**

1. Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Displays on June 12, 2022, and May 26, 2022, at Shipwreck Beach, Paa, Koloa, Kauai, Tax Map Key: (4) 2-9-001: seaward of 002.

2. Sale of Remnant Flume Right-of-way to: (i) Bryan Hiroaki Sugiyama and Faye Kumiko Sugiyama, Trustees of the Bryan Hiroaki Sugiyama and Faye Kumiko Sugiyama Family Revocable Trust, dated April 11, 2006, and Sandy T. Sugiyama and Diane H. Kimura-Sugiyama, Trustees of that Certain Unrecorded Revocable Living Trust of Sandy T. Sugiyama and Diane H. Kimura-Sugiyama Dated January 17, 2002; (ii) Tomie Nishie, Trustee of the Tomie Nishie Revocable Living Trust dated June 23, 2000; and (iii) Aaron James Braud and Anna Marie Mackey; Manowaiopae Homesteads, North Hilo, Hawaii, Tax Map Key: (3) 3-6-007:022, portions.
3. Issuance of a Right-of-Entry Permit to O‘ahu Hawaiian Canoe Racing Association Hawaii for Two (2) Canoe Race Events to be held on October 1 to 2, and October 8 to 9, 2022, at Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portion of 021.
4. Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Beach Every Friday From May 27, 2022, to May 19, 2023, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portion of 021.
5. Issuance of Right-of-Entry Permit for Corporate Event Purposes to be held on May 18, 2022; Resorttrust Hawaii, LLC, Applicant; Waialae, Honolulu, Oahu, Tax Map Key: (1) 3-5-023: portion of 041.
6. Annual Renewal of Revocable Permit 7851; Jacob Kaleo Hines, Permittee; Waimanalo, Koolaupoku, Oahu, Tax Map Key: (1) 4-1-018:050.
7. Cancellation of Revocable Permit No. S-7477, Raymond T. Yanagihara, Permittee; Request for Waiver of Requirement for Conducting Phase I Environmental Site Assessment Upon Cancellation of Revocable Permit No. S-7477, Kaneohe, Koolaupoko, Oahu, Tax Map Key: (1) 4-5-006:039.

## **E. STATE PARKS**

1. Selection of Projects for Federal Grant Awards through the Land and Water Conservation Fund Program with Fiscal Year 2021 Funds: Repairs to the Kapa'a Swimming Pool, Kaua'i; Construction of a New Multipurpose Building at Hanapepe Stadium, Kaua'i; Renovation of Ballcourts at Four (4) County of Kaua'i Parks (Puhi Park, Bryan J. Baptiste Sports Complex, Wailua Homesteads Park, and Wailua Houselets Park), Island of Kaua'i; and Construction of a New Comfort Station at Wai'anapanapa State Park, Island of Maui. Tax Map Keys: (4) 4-5-012: Portions 001

and 002, (4) 1-9-009: Portion of 001, (4) 3-3-005: Portion of 008, (4) 4-5-015: Portion of 032, (4) 4-2-003: Portion of 018, (4) 4-1-016: Portion of 042, and (2) 1-3-005: Portion of 009.

## F. DIVISION OF AQUATIC RESOURCES

1. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to Mr. James Morioka, Papahānaumokuākea Marine Debris Project (PMDP) for Access to State Waters to Survey and Remove Marine Debris and Disentangle Marine Life as Needed within the Waters of the Northwestern Hawaiian Islands.
2. Reconsideration of Prior Board Action of December 10, 2021 to Approve Holding Public Hearings to Amend and Compile Hawaii Administrative Rules (HAR) Chapter 13-75, “Rules Regulating the Possession and Use of Certain Fishing Gear”; to Amend: §13-75-1 (Definitions) to Add New Definitions for “Freshwater Stream”, “Multi-Panel Lay Net”, and “Throw Net”; §13-75-2 (Penalty) to Clarify the Authorized Penalties for Violations of This Chapter; §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) to Make Conforming Amendments to Special Lay Net Rules That Apply to Molokai; to Adopt §13-75-2.5 (Asset Forfeiture) to Provide Notice of the State’s Authority to Utilize Civil Asset Forfeiture as an Enforcement Tool for Violations of This Chapter; 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](mailto: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/>

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

1. Issuance of a Revocable Permit to Hui Nalu O' Hawaii for Hawaiian Outrigger Canoe Storage, Located at Maunalua Bay Boat Ramp, Honolulu, Oahu, Tax Map Key: (1) 3-9-007:034 (Por.) and;

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

2. Issuance of a Revocable Permit to Ka Lahui Kai for Hawaiian Outrigger Canoe Storage Located at Maunalua Bay Boat Ramp, Honolulu, Oahu, Tax Map Key: (1) 3-9-007:034 (Por.) and;

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

3. Approve the Adopt-A-Harbor Agreement with Ma'alaea Village Association, for Landscape Beautification Purposes at Ma'alaea Small Boat Harbor, Ma'alaea, Wailuku, Maui, Hawaii, Tax Map Key: (2) 3-8-014:027 (Por).

4. Approve Mediated Settlement of Rent Reopening Dispute in Harbor Lease No. H-70-14, Keehi Marine, Inc. Lessee, Ke'ehi Small Boat Harbor, Kalihi-Kai, Honolulu, Island of Oahu, Hawaii, Tax Map Key: (1) 1-2-023:030.

**L. ENGINEERING**

1. Request Authorization for Time Extension for Wahiawa Dam (OA-0017) Remediation Schedule Wahiawa, Oahu, Tax Map Keys: 7-1-012:014, 7-3-013:003, 7-3-012:002, 7-3-007:001

**M. OTHERS**

1. Issuance of a Revocable Permit for Curbside Check-In Area 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 Space for Acceptance, Delivery and Storage of Air Cargo and Support Equipment, Kamaka Air LLC, Lihue Airport, Tax Map Key: (4) 3-5-01: Portions of 146.
3. Issuance of a Revocable Permit for Offices and Counter Space in the Commuter Terminal for Air Transportation and Cargo Operations, Kamaka Air LLC, Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 217.
4. Issuance of a Revocable Permit for Commercial Use of Three T-Hangars, an End Room and Ramp Space for Commercial Helicopter Utility and Charter Operations, Windward Aviation Inc., Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 019, (2) 3-8-01: Portion of 195, (2) 3-8-01: Portion of 212.
5. Issuance of a Lease for the Installation of Four Aviation Weather Cameras, a Small Weather Instrument and a Fiberglass Enclosure Housing a Camera Control and Lightning Arrestor Unit to Support Air Traffic Operations, United States of America, Federal Aviation Administration, Kapalua Airport, Tax Map Key: (2) 4-3-01: Portion of 68.
6. Issuance of two (2) Month-to-Month Revocable Permits to Sause Bros., Inc., for Temporary Office Space, Warehouse Space, Storage Space, Parking Space, and Utility Easements situated at Pier 27, Honolulu Harbor, Island of Oahu, Tax Map Key Nos: (1) 1-5-038: Portion of 073, (1) 1-5-038: Portion of 001, and (1) 1-5-038: Portion of 074, Governor's Executive Order No. 2903.