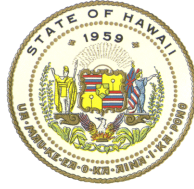


DAVID Y. IGE
GOVERNOR OF HAWAII



**APPROVED AT ITS
BOARD MEETING
HELD ON
JULY 24, 2022**

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

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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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

DATE: May 31, 2022
TIME: 9:00 A.M.
LOCATION: In person at 1151 Punchbowl St. Room 132 (Kalanimoku Building),
online via ZOOM, livestream via YouTube

MEMBERS

Suzanne Case
Chris Yuen
Vernon Char
Kaiwi Yoon

Doreen Canto
Aimee Barnes (absent)
Karen Ono (absent)

STAFF

Russell Tsuji-Land
Kevin Moore-Land
Gordon Heit-Land
Michael Cain-OCCL
Trevor Fitzpatrick-OCCL
Emma Yuen-DOFAW
Cathy Gewecke-DAR
Finn McCall-DOBOR

Calen Miyahara-Land
Alison Neustein-Land
Barry Cheung-Land
David Smith-DOFAW
Leah Laramee-DOFAW
Brian Neilson-DAR
Ed Underwood-DOBOR

OTHERS

Linda Chow/AG
Todd Dunphy/K1
Jeff Overton/K2
Aaron Fein/D1
Cory Harden/M5
Ryzo Ariyoshi/D9

Abby Lareau/DOT AIR
Sean Fitzsimmons/K1
Marie Kramer/K2
Mike Murray/D7
Ed Bushor/D2, D3, D9
Allison Fundis/F2

ITEM A-1

05.31.2022/00:00:01

Chair Case called the meeting to order and explained the reason for the special meeting that the Board members and public are joining via Zoom. The Kalanimoku Boardroom is open to the public who want to testify in person. Those who requested to provide oral and written testimony have done so in advance of the meeting.

05.31.2022/00:00:27

Chair Case proceeded to conduct roll call of the Members present and explained the process of the how the meeting will be conducted.

05.31.2022/00:01:57

Member Canto read the standard Contested Case statement.

05.31.2022/00:02:45

Noted that Item E-1 and J-4 are withdrawn from the agenda. The agenda will be taken out of order.

05.31.2022/00:05:25

ITEM K-1 Approval of Petition for a Contested Case Hearing by Mr. Todd Dunphy, Individually and as Agent for Tropical Exotics III LLP and Tropical Exotics IV LLP for Conservation District Enforcement Case OA 22-22 as well as the Delegation to the Chair for the Appointment and Selection of a Hearing Officer to Conduct All Hearings for Contested Case OA 22-03 Regarding the Request for Administrative Fines and Other Penalties Against Mr. Todd Dunphy, Individually and as Agent for Tropical Exotics III LLP and Tropical Exotics IV LLP for Conservation District Enforcement Case OA 22-22 Regarding the Alleged Unauthorized Grading and Construction of Shoreline Erosion Control Devices Located Makai of 59-181 E Ke Nui Rd., Tax Map Key: (1) 5-9-002:035, and Makai of 59-181 F Ke Nui Rd., Tax Map Key: (1) 5-9-002:036

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.

Michael Cain, Office of Conservation and Coastal Lands presented the submittal. Trevor Fitzpatrick (OCCL) is present to answer questions. Cain conveyed that Mr. Dunphy has requested a contested case hearing and OCCL requests the Board to approve the Petition and delegate the authority to the Chairperson to hire a Hearing Officer

Board Discussion

Expedite the hearing and keep the Board apprised of the hearing.

Public Testimony-None

05.31.2022/01:07:11

MOTION

Approved as submitted (Char, Yuen) unanimous.

05.31.2022/0:08:27

ITEM K-2 Request for a 120-day Time Extension to Comply with Condition No. 7 Regarding the Board of Land and Natural Resources' Decision Regarding Conservation District Enforcement Case OA 20-38 for the Unauthorized Modification to an Emergency Erosion Control Structure, Noncompliance with an Emergency Permit, and Encroachment Upon State Land Within the Conservation District Located Makai of 53-223 Kamehameha Highway, Punalu'u, Ko'olauloa, O'ahu Tax Map Key (TMK): (1) 5-3-002:035.

The Board may go into Executive Session pursuant to Section 92-5(a)(4), Hawaii's Revised Statutes, in order to consult with its attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

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

Board Discussion

Clarification on the timeline, and fines would begin on October 1, 2022, request for a 3-year life span request could not be addressed at this time.

Public Testimony

Jeff Overton (G70) explained the reason for the request for extension and a 3-year lifespan on the project. Marie Kramer representing Douglas Johnson supports the submittal

05.31.2022/00:22:27

MOTION

Approved as submitted (Yoon, Canto) unanimous.

05.31.2022/00:24:37

ITEM D-1 (1) Amend Prior Board Action of July 26, 2019, Item D-3, *Approval of 15-Year Term Extension of General Lease No. S-4257, aFein Holdings, LLC, Lessee; Kapaa Town, Kauai, Tax Map Key: (4) 4-5-009:008.*

The purpose of the amendment is to change the type of sewer system Lessee will install at the lease premises from a cesspool/septic conversion to an Aerobic Individual Waste System or other Wastewater System, provide an estimated cost thereof, change the deadline for closing the cesspools from July 25, 2022 to June 30, 2022 to be consistent with a Consent Agreement and Final Order entered into with the Environmental Protection Agency and delete some building improvements listed in the prior Board action.

(2) Request for Approval of Special Installment Agreement for Lessee to Pay a Fine Levied by the Environmental Protection Agency for Large Capacity Cesspools on the Lease Premises.

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

Board Discussion

The extension was discussed at length. Are other lots in the vicinity affected, Neustein replied that she cannot speak to the neighboring properties. Aaron Fein, applicant, addressed the situation regarding the septic tanks. EPA requirements, timelines, waste systems were addressed.

Public Testimony

Aaron Fein provided the history and process he is going through to come into compliance.

Amendment:

Recommendation No. 2 was amended to provide: If the EPA approves a request by the State to extend the deadline to close all cesspools by June 30, 2022, then the Board (1) extended the Lessee's deadline to close all cesspools to the same date the of the EPA extension (provided that the cesspools remain abandoned and not in use), or until July 25, 2023, whichever is earlier; and (2) extended the Lessee's obligation to convert the cesspools to an appropriate independent wastewater system acceptable to the State Department of Health, the Department and the EPA to no longer than July 25, 2023. If the EPA does not approve the extension of the State's deadline to close all cesspools by June 30, 2022, then the Lessee's deadline to close all cesspools shall also be on or before June 30, 2022. as stated in the staff submittal and recommendation unamended.

05.31.2022/00:24:37

MOTION

Approved as amended (Yuen, Yoon) unanimous.

05.31.2022/01:04:30

ITEM D-7 Right-of-Entry Permit to Waikiki Beach Activities, Inc. over portion of Duke Kahanamoku Beach for Beach Activities Purposes on June 3 and 4, 2022, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: Portion of 021.

Russell Tsuji, Land Division presented the submittal.

Board Discussion-None

Public Testimony

Mike Murray, applicant in support of the submittal

05.31.2022/01:07:05

MOTION

Approved as submitted (Canto, Char) unanimous.

05.31.2022/01:08:16

ITEM M-1 Amendment No. 6 to Concession Agreement No. DOT-A-18-0004 for Additional Parking Space, ABM Aviation, Inc., Daniel K. Inouye International Airport, Honolulu, Hawaii, Tax Map Key: (1) 1-1-076: Portion

- ITEM M-2** Amendment No. 4 to Concession Agreement No. DOT-A-09-0002 for Additional Spaces for Retail and Office Use, DFS Group, L.P., Daniel K. Inouye International Airport, Honolulu, Hawaii, Tax Map Key: (1) 1-1-003: Portions of 051 and 073.
- ITEM M-3** Issuance of a Revocable Permit for Administrative Offices and Pilot Training Facilities, Kamaka Air LLC, Daniel K. Inouye International Airport, Honolulu, Hawaii, Tax Map Key: (1) 1-1-072: Portion of 018.
- ITEM M-4** Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of an Aircraft in Support of a Commercial Air Cargo Business, Kamaka Air LLC, Daniel K. Inouye International Airport, Honolulu, Hawaii, Tax Map Key: (1) 1-1-076: Portion of 022.
- ITEM M-6** Issuance of a Revocable Permit for Two T-Hangars for the Storage and Maintenance of an Aircraft in Support of a Commercial Aeronautical Skydiving Business, Sky-Med, Inc. dba Pacific International Skydiving Center, Kawaihapai Airfield, Waialua, Hawaii, Tax Map Key: (1) 6-08-014: Portion of 001
- ITEM M-7** Issuance of a Revocable Permit for Administrative Offices to Provide the Anti-Terrorism Security Services Program, Universal Protection Service, LP dba Allied Universal Security Services, Daniel K. Inouye International Airport, Honolulu, Hawaii, Tax Map Key: (1) 1-1-003:Portion of 055 and 053.
- ITEM M-8** Issuance of a Revocable Permit for a T-Hangar for the Storage and Maintenance of an Aircraft, Ai Vu, Daniel K. Inouye International Airport, Honolulu, Hawaii, Tax Map Key: (1) 1-1-076: Portion of 022.
- ITEM M-9** Issuance of a Revocable Permit for Vehicle Parking, Federal Express Corporation, Ellison Onizuka Kona International Airport at Keahole, Kona, Hawaii, Tax Map Key: (3) 7-3-043: Portion of 003.
- ITEM M-10** Issuance of a Revocable Permit for Cargo Storage and Holding Areas, Kamaka Air LLC, Lanai Airport, Lanai, Hawaii, Tax Map Key: (2) 4-9-002: Portions of 056.
- ITEM M-11** Issuance of a Revocable Permit for Office Space, Federal Express Corporation, Molokai Airport, Molokai, Hawaii, Tax Map Key: (2) 5-2-004: Portion of 106.

Abby Lareau, DOT Airports present to answer any questions for Items M-6, M-7, M-8, M-9, M-10 and M-11

Board Discussion-None

Public Testimony-None

05.31.2022/01:08:33

MOTION

Approved as submitted Items M-1, M-2, M-3, M-4, M-6, M-7, M-8, M-9, M-10, and M-11 (Char, Canto) unanimous.

05.31.2022/01:08:43

ITEM M-5 Issuance of a Revocable Permit for a T-Hangar for the Storage and Maintenance of an Aircraft in Support of a Commercial Helicopter Tour Operation Business, Novictor Aviation LLC dba Rainbow Helicopters, Daniel K. Inouye International Airport, Honolulu, Hawaii, Tax Map Key: (1) 1-1-076: Portion of 021.

Abby Lareau, DOT Airports presented the submittal and clarified that this is not for helicopter tours.

Board Discussion-None

Public Testimony

Cory Harden gave a brief summary of her written testimony.

MOTION

Approved as submitted (Char, Canto) unanimously.

05.31.2022/01:11:44

ITEM M-12 Issuance of 15 Revocable Permits to Young Brothers, LLC, for Inter-Island Barge Operation Support Facilities situated at Piers 39 and 40, Honolulu Harbor, Island of Oahu, Tax Map KeyNos.: (1) 1-5-032: Portion of 002, (1) 1-2-025: Portion of 011, and (1) 1-5-032: Portion of 042, Governor's Executive Order Nos. 3947, 1351, 2122 And 3457.

ITEM M-13 Issuance of a Month-To-Month Revocable Permit to Healy Tibbitts Builders, Inc., for Storage of Marine Construction, Dredging, and Marine Transportation Equipment situated at Pier 12, Honolulu Harbor, Island of Oahu, Tax Map Key Nos.: (1) 2-1-001: Portion of 055 and (1) 2-1-001: Portion of 056, Governor's Executive Order No. 3542.

ITEM M-14 Issuance of six (6) Month-to-Month Revocable Permits to Alaska Marine Lines, Inc., for a Non-Exclusive Surface Easement, Office Trailers, Storage Spaces, and Parking Area Situated at Pier 5, Kalaeloa Barbers Point Harbor, Island Of Oahu, Tax Map Key Nos. (1) 9-1-074: Portions of 037 and (1) 9-1-014: Portions of 024, Under Governor's Executive Order Nos. 3383 And 3644.

Jennifer Tomita, DOT Harbors amended the submittal for Area 6, in lieu of a Security Deposit, Harbors is requesting a Security Bond in the amount of \$150,000.00 to ensure the Pier can be restored to its original state.

ITEM M-15 Issuance of a Month-to-Month Revocable Permit to American Guard Services, Inc., for Office Space situated at Pier 1, Kahului Harbor, Island of Maui, Tax Map Key No. (2) 3-7-010: Portions of 006, Governor's Executive Order No. 2986

Jennifer Tomita, DOT Harbors present to answer questions for Items M-12, M-13, M-14 and M-15, and amended Item M-14.

Board Discussion-None

Public Testimony-None

05.31.2022/01:12:53

MOTION

**Approved as submitted Items M-12, M-13 and M-15:
Approved as amended Item M-14 (Yoon, Canto) unanimous.**

05.31.2022/01:14:18 Break

05.31.2022/01:25:32

ITEM D-2 Approve Cancellation of Request for Qualifications / Request for Proposals for Lease of Improved Public Lands; Rescind Board's Prior Action of December 13, 2019, Item D-3;

Kevin Moore Land Division presented the submittal. Gordon Heit (Land) available to answer questions

Board Discussion

Item D-2, D-3 and D-9 are related and would like to take together. Lawsuit with Olson Trust was discussed, financial information, security at the site

Public Testimony

Ed Bushor, asked to defer the submittal and expressed his company's willingness to re-build.

05.31.2022/01:50:55

ITEM D-3 Approve Cancellation of Request for Qualifications / Request for Proposals for Lease of Improved Public Lands; Rescind Board's Prior Action of December 13, 2019, Item D-2; Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-1-005:020.

Kevin Moore Land Division presented the submittal. Gordon Heit (Land) available to answer questions

Board Discussion

This property has residents, RFP/RFQ process, sea-level rise, the condition of the property, regenerative tourism approach, tear down, redevelopment, over all Banyan Drive redevelopment, community input.

Public Testimony

Ed Bushor addressed the qualification process. Recommends a public-private partnership. Ask for deferment.

Ryozo Ariyoshi provided testimony in Tower's favor.

05.31.2022/02:30:24

ITEM D-9 Deny Lessee's Request for Consent to Mortgage with Estoppel Certificate and Pledge and Security Agreement, General Lease No. S-5844, WHR LLC, Lessee; Waiakea, South Hilo, Hawaii, Tax Map Keys: 3rd/ 2-1-01:12 and 2-1-05:13, 16, 17, 27, 32, and 46.

Russell Tsuji, Land Division presented the submittal.

Board Discussion

Late payments, financial obligations, default of mortgage, pending lawsuits, request for new mortgage, status of investors, where the money spent from the original mortgage, pending foreclosure, Wells Fargo appraisal, new loan company and type of loan protection they have. Bushor replied to questions.

Public Testimony

Ed Bushor conveyed the commitment to the project and ability to pay the loan.

05.31.2022/03:33:74

Member Yuen made the Motion to go into Executive Session. Member Char second the motion. Unanimous.

05.31.2022/04:54:16 Back in Session (Items D-2, D-3, and D-9)

Further discussion on the loan.

Amendment:

The Board deferred to the next meeting on June 9, 2022. During the interim, the Board asked the Lessee to provide the Department with financial statements showing operating income and capital in sufficient amounts to timely meet the payment obligations under the proposed adjustable-rate loan/mortgage. The Board also asked to see and review all mortgagee protection provisions in the proposed new loan and mortgage and any collateral documents such as a consent and estoppel agreement.

05.31.2022/05:01:54

MOTION

DEFFER ITEMS D-2, D-3 and D-9 (YUEN, CHAR) unanimous.

05.31.2022/05:04:31

ITEM D-5 Amend Prior Board Action of May 28, 2021, Item D-2; *Grant of Two (2) Perpetual, Non-Exclusive Easements to the City and County of Honolulu for Drainage, Flowage, and Sewage Purposes, and City and County of Honolulu, by its Board of Water Supply, for*

Water Meter Purposes, Honolulu, Oahu, Tax Map Key: (1) 1-5-007: portions of 001 and 002.

This amendment seeks authorization to issue three (3) separate Grants of Perpetual, Non-Exclusive Easement to the City and County of Honolulu for drainage, flowage, and sewage purposes.

Barry Cheung for Russell Tsuji, Land Division presented the submittal.

Board Discussion-None

Public Testimony-None

05.31.2022/05:05:17

MOTION

Approved as submitted (Char, Canto)

05.31.2022/05:06:30

ITEM D-6 Issuance of a Right-of-Entry Permit to Waikiki Roughwater Swim Committee, Inc. for a Roughwater Swim Race Event to be held on September 5, 2022, at Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: Portion of 021

Barry Cheung, Land Division presented the submittal.

Board Discussion-None

Public Testimony-None

05.31.2022/05:06:14

MOTION

Approved as submitted (Char, Yoon) unanimous.

05.31.2022/05:07:05

ITEM D-8 Sale of Remnant to James M. Seden, Waimanalo, Koolauapoko, Oahu, Tax Map Key: (1) 4-1-023:008.

Barry Cheung, Land Division presented the submittal.

Board Discussion

There is no legal access to the State parcel.

Public Testimony-None

05.31.2022/05:09:34

MOTION

Approved as submitted (Yoon, Yuen) unanimous.

05.31.2022/05:10:34

ITEM C-1 Request for Approval to Enter into a Memorandum of Understanding between the Division of Forestry and Wildlife and Land Division for increased collaboration and assistance in our efforts to put certain agricultural and pastoral lands to use to promote public recreation, education and conservation; and approval by the Department of the Attorney General.

David Smith, Division of Forestry and Wildlife presented the submittal. Leah Laramée (DOFAW) available to answer questions.

Board Discussion

There are different responsibilities within the Divisions of Land and DOFAW that are interconnected and collaboration to be for public trust purposes.

Public Testimony-None

05.31.2022/05:14:20

MOTION

Approved as submitted (Yoon, Canto) unanimous.

05.31.2022/05:14:49

ITEM C-2 Authorization of funding for the Nature Conservancy for \$2,636,067 during FY 23-28 for continued enrollment in the Natural Area Partnership Program and Acceptance and Approval of the Waikamoi Preserve Long Range Management Plan, Tax Map Key: 2-3-005:004, Maui.

David Smith, Division of Forestry and Wildlife presented the submittal. Emma Yuen (DOFAW) available to answer questions.

Board Discussion

Chair Case disclosed that the Nature Conservancy was her former employer and that she has no personal involvement or benefit. Benefits, keeping out pigs and deer. What are the benefits? Yuen noted it keeps the deer, pigs out and that studies have shown Ohia within the fencing area have a better chance of not dying of Rapid Ohia death. Is there a sharing component to educate the public? Yes.

Public Testimony-None

05.31.2022/05:20:48

MOTION

Approved as submitted (Canto, Char) unanimous.

05.31.2022/05:21:09

ITEM C-3 Request Approval for selection of the Competitive Sealed Proposal process and Authorize the Chairperson to Award, Execute, and Extend Contracts for “Enhancing Hawaii’s Forests for Climate Resilience” projects.

David Smith, Division of Forestry and Wildlife presented the submittal. Emma Yuen (DOFAW) available to answer questions.

Board Discussion

Chair Case provided the link: <https://dlnr.hawaii.gov/dofaw/education/learn/>

Public Testimony-None

05.31.2022/05:23:08

MOTION

Approved as submitted (Yoon, Yuen) unanimous.

05.31.2022/05:26:44

ITEM F-1 Request Approval for a Federally Funded Project Agreement between the Department of Land and Natural Resources (DLNR) and the Research Corporation of the University of Hawaii (RCUH) for the Division of Aquatic Resources (DAR) Research Project Entitled "Hawaii Freshwater Public Fishing Area (PFA) Resource Monitoring."

Brian Neilson, Division of Aquatic Resources presented the submittal.

Board Discussion-None

Public Testimony-None

05.31.2022/05:27:18

MOTION

Approved as submitted (Yuen, Char) unanimous.

05.31.2022/05:27:31

ITEM F-2 Request for Authorization and Approval to Issue Two Papahānaumokuākea Marine National Monument Research Permits to Ms. Allison Fundis, Ocean Exploration Trust, for Access to State Waters to Conduct Seafloor Mapping and to Operate the Exploration Vessel (E/V) Nautilus as a Platform for Various Principal Investigators within the Waters of the Northwestern Hawaiian Islands.

Cathy Gewecke, Division of Aquatic Resources presented the submittal. . Allison Fundis, Applicant present to answer any questions.

Board Discussion-None

Public Testimony

Allison Fundis conveyed this expedition is meant to be educational and it is live streamed.

05.31.2022/05:30:12

MOTION

Approved as submitted (Yoon, Yuen) unanimous.

05.31.2022/05:30:12

ITEM F-3 Request for approval to authorize the Department of Land and Natural Resources (DLNR) Chairperson to enter into a contract between DLNR and Inventech Marine Solutions, LLC. for the purchase of a research vessel (\$298,976.50) with Monsanto Trust Funds for the Division of Aquatic Resources Maui Coral Reef Management and Monitoring Program.

Brian Neilson, Division of Aquatic Resources presented the submittal.

Board Discussion-None

Public Testimony-None

05.31.2022/05:31:10

MOTION

Approved as submitted (Canto, Char) unanimous.

05.31.2022/05:32:39

ITEM J-1 Hazard Assessment for Impacts of Sea Level Rise and Tsunamis at Division of Boating and Ocean Recreation Facilities, Statewide:

Delegation of Authority to the Chairperson to: Approve, Procure and Award Professional Services Contracts.

Finn McCall, Division of Boating and Recreation presented the submittal.

Board Discussion

Will this be complimentary to other studies for sea level rise studies? Is the first assessment by DOBOR? McCall replied, yes, it will, and yes, this is the first time DOBOR is doing this and will be coordinating with others

Public Testimony-None

05.31.2022/05:36:36

MOTION

Approved as submitted (Yoon, Canto) unanimous.

05.31.2022/05:36:52

ITEM J-2 Approval of Nawiliwili Small Boat Harbor Wastewater System Improvements Project; Nawiliwili, Kauai, Hawaii. Declare Construction Project Exempt from the Preparation of an Environmental Assessment: and

Delegate Authority to Chairperson to Approve, Procure and Award Consultant and Construction Contracts and Enter Into Any Supplemental Agreements or Other Agreements Necessary to Implement the Project.

Finn McCall, Division of Boating and Recreation presented the submittal.

Board Discussion

Does it supersede what is there now? McCall said the existing design does not meet the existing guidelines of DOH.

Public Testimony-None

05.31.2022/05:39:59

MOTION

Approved as submitted (Canto, Yuen) unanimous.

05.31.2022/05:40:11

ITEM J-3 Administrative Enforcement Action and recommended penalties for Alleged Violation of Hawaii Administrative Rule (HAR) § 13-231-26 (Use of a vessel as a place of principal habitation), Ala Wai Small Boat Harbor, against William G. Friel III, for using a vessel as a place of principal habitation without a valid Principal Habitation Permit or alternatively, for Alleged Violation of HAR § 13-231-28 (Staying aboard vessels moored at Ala Wai or Keehi Small Boat Harbor), Ala Wai Small Boat Harbor, for staying aboard a vessel without prior Notice and without a Stay Aboard Permit; and Delegation of Authority to the Chairperson to Approve or Deny a Contested Case hearing for this matter, if requested.

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 Recreation presented the submittal.

Board Discussion

Was Mr. Friel who is the permit owner was notified, but not present. Submission of permit to stay aboard, how long, and enforcement were addressed

Public Testimony-None

05.31.2022/05:57:20

MOTION

Approved as submitted (Yoon, Canto) unanimous.

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