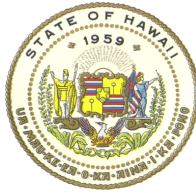


DAVID Y. IGE  
GOVERNOR OF HAWAII



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 RESOURCES**

DATE: OCTOBER 28, 2022  
TIME: 9:15 AM.  
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. **Members of the public are encouraged to wear a mask if attending in-person.**

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 (Please wear a mask):  
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 please text (808) 296-1197 and identify the Item you wish to provide testimony on prior to calling in (this will allow identification when you are placed in the ZOOM waiting room :

Dial: +1 (669) 900-6833

At the prompts, enter:

Meeting ID: 874 5780 2197

Passcode: 482751

Note: To unmute, press \*6.

**We ask that members of the public testifying on agenda items limit your testimony to three minutes so that we can get to everyone.**

**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.

If you need auxiliary aids or services or other accommodation due to a disability, contact staff at least 72 hours prior to the meeting at 808.587.0404 or email [darelene.s.ferreira@hawaii.gov](mailto:darelene.s.ferreira@hawaii.gov) so that arrangements can be made. If a response is received after the 72-hour time, we will try to obtain the auxiliary aid/service or accommodation but cannot guarantee that the request will be fulfilled.- Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

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.

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

1. Approve a disposition of State interests in land that Hi'ipaka LLC acquired with a grant from the Land Conservation Fund at Ko'olauloa District, Island of O'ahu, Tax Map Key Number (1) 6-1-002:005; and

Authorize the Chairperson to grant approvals on behalf of the Board, make determinations for the Board, and proceed with all due diligence and negotiations that may be necessary to carry out the disposition approved by the Board.

2. Request for delegation of authority to the Chairperson to negotiate and enter into a Memorandum of Understanding with the Department of Hawaiian Homelands for the control of feral ungulates at Waiohuli, Maui, Tax Map Key no. (2) 2-2-002:014, using public hunting methods; and

Request approval of Declaration of Exemption of the project from Chapter 343, Hawaii Revised Statutes.

3. Request Approval of a Fuel Break Expansion Project on Mauna Kea for the purposes of Forest and Wildlife protection; and

Request Approval of Declaration of Exemption to Chapter 343, Hawaii Revised Statute Environmental Compliance requirements for the project.

#### D. LAND DIVISION

1. Annual Renewal of Revocable Permits for the County of Kauai. See **Kauai Exhibit 2** for list of Revocable Permits.
2. Intentionally Left Blank.
3. Rescind Prior Board Action of October 8, 2021, Item D-7, *Grant of Term, Non-Exclusive Quitclaim Easement to Lenore Lincoln LLC, Elizabeth L. Reis as Trustee for the Lei Clotilda Mathews Living Trust dated October 23, 2008, Frances J. Segundo as Trustee for The Francis and Frances Segundo Trust dated November 1, 2017, Patricia L. Rickard and Jon K. Lincoln, for Access and Utility Purposes, Lanihau 2nd, North Kona Hawaii, Tax Map Key: (3) 7-5-006:034 (por.)*.

The reason for the rescission of the prior Board action is applicants have established access from their private property directly to a county road and no longer require an easement from the State.

4. Rescind Prior Board Action of June 27, 2014, Item D-10, as Amended, *Grant of 55-Year Term, Non-Exclusive Easement to Matthew H. and Shawneen M. Schweitzer for Seawall and Stairway Encroachment Purposes; After-the-Fact Authorization to Issue Immediate Right-of-Entry Permit for Emergency Seawall Work; Authorize Issuance of Right-of-Entry Permit to Repair Seawall, Alaeloa, Lahaina, Maui, Tax Map Key: (2) 4-3-015: Seaward of 001*.

Issuance of Right-of-Entry to Todd Boyd to Remove a Seawall and Steps and Repair the Return Walls Protecting the Two Neighboring Properties, Lahaina, Maui, Tax Map Key: (2) 4-3-015: Seaward of 001.

The reason for the rescission of the prior Board action is the repair of the seawall and steps seaward of Tax Map Key: (2) 4-3-015:001 (Parcel 1) is no longer feasible due to erosion and the seawall and steps will be removed instead. In addition to Parcel 1, the project may involve work on private parcels designated as Tax Map Keys: (2) 4-3-003:015 (Parcel 15) and (2) 4-3-015:052 (Parcel 52) with the authorization of the owners of those parcels, and/or seaward of Parcels 15 and 52.

5. Amend Grant of Non-Exclusive Easement under Land Office Deed No. S-27764 to Stephen F. and Charlene T. Williams for Fencing Purposes, Waimanalo, Koolaupoko, Oahu, Tax Map Key: (1) 4-1-005:089 portion.

The purpose of amending the document is to 1) allow the easement to “Run with the Land,” and be assignable without the written consent of the Board of Land and Natural Resources’ and 2) update the minimum liability insurance to \$1,000,000 for each occurrence and \$2,000,000 aggregate

6. Cancellation of Revocable Permit No. S-7700, Frank De Luz III, Permittee; Request for Waiver of Requirement for Conducting Phase 1 Environmental Site Assessment upon Cancellation, Kapualei Government Reserve and Paauiilo Homesteads, Hamakua, Hawaii, Tax Map Keys: (3) 4-3-006:005 and 4-3-014:001.

7. Grant of 65-Year Term, Non-Exclusive Easement to the County of Maui, Department of Water Supply for Waterlines and Related Water Distribution Equipment Purposes at Makawao, Kula, Kihei, Maui; Tax Map Key: (2) 2-2-002:081 (portion).

Issuance of Construction Right-of-Entry Permit to the County of Maui, Department of Water Supply for Construction of Water System Infrastructure at Makawao, Kula, Kihei, Maui; Tax Map Key: (2) 2-2-002:081 (portion).

Issuance of Construction and Management Right-of-Entry to the Department of Education for Completion of Kihei High School at Makawao, Kula, Kihei, Maui; Tax Map Key: (2) 2-2-002:081 (portion).

8. Amend Grant of Easement S-4373, Haleakala Waldorf School, formerly known as Haleakala School, Inc., Grantee; Kealahou 3 and 4, Kula, Maui, Tax Map Key: (2) 2-3-037:011 por.

The purpose of amending the document is to 1) allow the easement to “Run with the Land,” and be assignable without the written consent of the Board of Land and Natural Resources, and 2) update the minimum liability insurance required under the easement to \$1,000,000.00 for each occurrence and \$2,000,000.00 aggregate.

9. Request for Discretionary Authorization to Reduce the Performance Bond Requirement under General Lease No. 6011; 4 Wheels Auto LLC, Lessee; Kapalama, Honolulu, Oahu; Tax Map Key: (1) 1-5-033:022

The reason for the reduction of the performance bond is more fully described in the staff submittal. The Lessee requested the reduction and is in compliance with the lease.

10. Amend General Lease No. S-6088, Condition 14, Relating to Subletting, Consent to Solar Power Purchase Agreement between Ho`ola Na Pua and Holu Hou Energy LLC or its affiliated designee, Waialea, Koolauloa, Oahu, Tax Map Key: (1) 5-8-001:051.

11. Annual Renewal of Revocable Permits on the Island of Oahu. See **Oahu Exhibit 2** for List of Revocable Permits.

## J. DIVISION OF BOATING AND OCEAN RECREATION

1. Issuance of a Revocable Permit to James Sumner, for a Retail Operation of an Automated Ice Machine, located at Wailoa Small Boat Harbor, Hilo, Hawaii, Tax Map Key: (3) 2-2-031:001 (por); and

Declare 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 Riddle Works LLC for an ice machine, located at Honokohau Small Boat Harbor, Kealakehe, North Kona, Hawaii, Tax Map Key: (3) 7-4-008:003 (por); and

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

3. Grant of a Non-Exclusive Term Easement to the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Weather Service for the Installation of an Automated Meteorological Observing Station at the Waianae Small Boat Harbor, Waianae-Kai, Waianae, Island of Oahu, Hawaii Tax Map Key: (1) 8-5-002:044 (Portion); and

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

4. Issuance of a Right-Of-Entry Permit to University of Hawaii SeaLevel Center, for Sea Level Monitoring Purposes at Ala Wai, Keehi, Waianae -Kea Small Boat Harbors, Oahu, Hawaii, Tax Map Keys: (1) 2-3-037:012 (Por.), (1) 1-2-025:113(Por.), (1) 8-5-002:044 (Por.) (1) 6-2-003:011 (Por.) and (1) 4-6-006:069

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

## L. ENGINEERING

1. Request Authorization for the Chairperson to Issue a Right of Entry Permit to the Honolulu Board of Water Supply to Allow Access to an Existing Well for Assessment, Test Pumping, and Water Quality Analysis Tax Map Key: (1) 4-5-023-002, Kaneohe, Oahu, Hawaii.
2. Request Authorization for the Chairperson to Issue Fines to West Maui Investors, LLC (owners of Ukumehame Reservoirs) for failing to start construction before the Board's deadline, to Extend the Notice of Deficiency Deadlines, and make a Finding of Violations Sufficient to Support Specified Fines on the Owners if Extended Deadlines are missed for

Ukumehame Reservoirs (MA-0140) Removal, Waikapu, Maui Tax Map Keys: (2) 4-8-002:066, (2) 4-8-002:015, (2) 4-8-002:017, (2) 4-8-002:027, (2) 4-8-002:064, (2) 4-8-002:118.

## **M. OTHERS**

1. Amendment to Prior Board Action of December 10, 2021, Item M-1, Request an Amendment to the Area, Monthly Rental Amount and Security Deposit Amount, FSM Group, LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion). The purpose of the amendment is to provide additional space for current operations.
2. Issuance of a Revocable Permit for Staging and Storage of Construction Material and Equipment for the U.S. Transportation Security Administration Security Checkpoints Project, Hawaiian Airlines, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 068.
3. Issuance of a Revocable Permit for Aircraft Parking, Aerosleek, LLC, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.
4. Issuance of a Revocable Permit for Aircraft Parking, Ellison Onizuka Kona International Airport at Keahole, Robert Gavel, Jr., Tax Map Key: (3) 7-3-043: Portion of 003.
5. Issuance of a Restaurant and Lounge Concession Agreement by Request for Proposals to Volume Services, Inc. dba Sodexo Live! at Hilo International Airport and Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (Hilo): (3) 3-2-1-012: Portion of 009, and (Kona), (3) 7-3-043: Portion of 003.
6. Issuance of a Revocable Permit for Aircraft Parking, William Wilton, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.
7. Issuance of a Revocable Permit for Ramp Space for Two Mobile Office/Storage Trailers and to Park Ground Service Equipment, Hawaiian Airlines, Inc., Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 008.
8. Issuance of a Revocable Permit for Ground Service Equipment Storage, Southwest Airlines Co., Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 008.
9. Issuance of a Revocable Permit for GSE Maintenance Space as Part of Its Signatory Airline Operations, American Airlines, Inc., Kahului Airport, Tax Map Key: (2) 3-8-001: Portion of 216.
10. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of an Aircraft, Alexander Ress, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-076: 021.
11. Intentionally Left Blank

12. Issuance of a Revocable Permit for a Construction Field Office, Oceanit Laboratories, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion 001.
13. Issuance of a Revocable Permit for the Overnight Storage of International Trash and Cleaning of Trash Receptacles, Freeman Holdings of Hawaii, LLC dba Million Air Honolulu, Kalaeloa Airport, Tax Map Key: (1) 9-1-013: Portion of 032.
14. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of a Private Aircraft, Pacific Pump & Power, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.
15. Issuance of a Revocable Permit for Aircraft Parking, Aris, Inc., Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 008.
16. Issuance of a Revocable Permit for Booth Space, Molokai Arts Center, Inc., Molokai Airport, Tax Map Key: (2) 5-2-004: Portion of 106.
17. Issuance of a Revocable Permit for Main Terminal Office and Equipment, Parts and Supply Storage, Pegasus Aviation Services, LLC, Kahului Airport, Tax Map Key: (2) 3-8-001: Portion of 236.
18. Issuance of a Revocable Permit for Terminal Space for Customer Check-In and Check-Out Desk, Maui Skydiving LLC, Hana Airport, Tax Map Key: (2) 1-3-003: Portion of 032.
19. Issuance of a Directly Negotiated Hangar Facilities Lease, County of Kauai, Fire Department, Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 009.
20. Issuance of Four (4) Month-to Month Revocable Permits to PAR HAWAII REFINING LLC, FOR SEVERAL Non-Exclusive Subsurface Pipeline Easements for the distribution of Petroleum Products and Two (2) Non-Exclusive Subsurface Pipeline Easements for Electrical Conduits that are situated at Piers 31-34 and 52, Honolulu Harbor, Oahu, Tax Map Keys: (1) 1-5-036: Portion 001; (1) 1-5-035: Portion 009; (1) 1-5-041; Portion of 111; (1) 1-5-041: Portion of 115; and (1) 1-5-041: Portion of 324, Governor's Executive Order Nos. 2844, 2931, 2903, and 4006.
21. Issuance of a Month-to-Month Revocable Permit to ISS Marine Services Inc. dba INCHCAPE SHIPPING SERVICES, for storage of Shipping Containers, situated at Pier 1, Honolulu, Oahu, Tax Map Key: (1) 2-1-015: Portion of 009, Governor's Executive Order No. 4238.