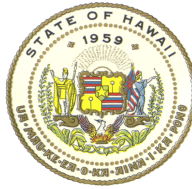


DAVID Y. IGE  
GOVERNOR OF HAWAII



**APPROVED AT ITS  
MEETING HELD ON  
DECEMBER 8, 2022**

*Case*

**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: August 12, 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  
Vernon Char  
Kaiwi Yoon  
Riley Smith

Doreen Canto  
Aimee Barnes (absent)  
Karen Ono

**STAFF**

Kevin Moore-Land  
Candace Martin-Land  
Barbara Lee-Land  
Heather McMillen-DOFAW  
Megan Statts-DOBOR  
Richard Howard-DOBOR

Alison Neustein-Land  
Barry Cheung-Land  
David Smith-DOFAW  
Curt Cottrell-Parks  
Alan Carpenter-Parks  
Leah Laramee-DOFAW

**OTHERS**

Cindy Young/AG  
Derrick Carne/DOT HAR  
Harry Yada/D1, D4  
Stacey Aldrich/D4  
Ryan Kohatsu/D2  
Lianna Figueroa/D2  
Wayne Tanaka/D2

Abby Lareau/DOT AIR  
Oliva Pham-DOT HAR  
Quester Lau/D1  
Kevin Waljin/D2  
Everett Lacro/D2  
Andrew Choy/D2  
Makena White/D6

**ITEM A-2**

Barbara Natale/E1  
David Derauf/E1  
Janice Palma-Glennie/E2  
Shannon Rudolph/E2  
Millan Lourdes/C2  
Jon Gelman/C2  
Milton Holt/D7

Puni Jackson/D1  
Kanoa O'Connor/D1  
Mark Perriello/E2  
Rick Gaffney/E2  
Malia Marquez/C2  
Marian Gushike/C2  
David Smith/D5

**08.12.2022/00:00:17**

Chair Case called the meeting to order and that the Board members and public are joining in person and 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.

**08.12.2022/00:02:15**

Member Canto read the standard Contested Case statement.

**08.12.2022/00:03:03**

Chair Case noted that Item E-3 and Item M-2 will not be heard today. Noted that some items will be taken out of order.

**08.12.2022/00:04:01**

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

Noted that some items will be taken out of order (M, D, C, J)

**08.12.2022/00:06:16**

- ITEM M-1** Issuance of a Revocable Permit for the Purpose of Installing a New Irrigation System, and to Provide Landscaping and Maintenance of Airport Premises, Airport Hospitality, LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001.
- ITEM M-3** Issuance of a Revocable Permit for a Construction Staging Area for Equipment, Materials and Supplies, Nan, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001.
- ITEM M-4** Issuance of a Revocable Permit for Aircraft Parking, Pacific Flight Academy LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-076: Portion of 023.
- ITEM M-5** Issuance of a Revocable Permit for Office, Storage and Parking Spaces to be Used to Provide Aviation Contract Services to Various Airlines, U.S. Aviation Services Corp., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 050.
- ITEM M-6** Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Michael Kelly, Kalaeloa Airport, Tax Map Key: (1) 9-1-013: Portion of 032.

- ITEM M-7** Issuance of Revocable Permit for Aircraft Parking, Boundless Aviation LLC, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.
- ITEM M-8** Issuance of a Revocable Permit for Commercial Use of a T-Hangar for Storage of Aircraft and a Maintenance Hangar, Hawaii Pacific Aviation Inc., Ellison Onizuka Kona International Airport, Tax Map Key: (3) 7-3-043: Portion of 003.
- ITEM M-9** Issuance of a Revocable Permit for Space in the Cargo Building and Ramp Space for GSE Parking, Pacific Air Cargo, LLC, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.
- ITEM M-10** Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of a Private Aircraft, Frederick Perko and Sandra Mayville, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.
- ITEM M-11** Issuance of a Revocable Permit for Aircraft Parking, Frederick Perko and Sandra Mayville, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.
- ITEM M-12** Amendment No. 1 to Revocable Permit No. 9101, Increase in Area of Original Premises, Aris, Inc., Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 008.
- ITEM M-13** Issuance of a Revocable Permit for Commercial Use of a T-Hangar for Storage of Aircraft and a Maintenance Hangar, Bruce A. Coulombe dba Wings Over Kauai LLC, Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 008.
- ITEM M-14** Issuance of a Revocable Permit for Aircraft Parking, Air Ventures of Hawaii, LLC, Lihue Airport, Tax Map Key: (4) 3-5-002: Portion of 008.
- ITEM M-15** Issuance of a Revocable Permit for Ramp Space to Store Aircraft Parts, Consumables and Equipment, HKA Pacific LLC, Ellison Onizuka Kona International Airport at Keahole. Tax Map Key: (3) 7-3-043: Portion of 003.

Abby Lareau, DOT Airports present to answer questions for Items M-1, M-3, M-4, M-5, M-6, M-7, M-8, M-9, M-10, M-11, M-12, M-13, M-14 and M-15.

Board Discussion-None

Public Testimony-None

**08.12.2022/00:07:17**

**MOTION**

**Approve as submitted, Items M-1, M-3, M-4, M-5, M-6, M-7, M-8, M-9, M-10, M-11, M-12, M-13, M-14 and M-15 (Char, Ono) unanimously.**

**08.12.2022/00:08:11**

**ITEM M-16** Issuance of a Lease by Direct Negotiation to FISHCO WHOLESale, LLC, for the purpose of Operating a Commercial Fishing Supplies Business to Sell and Service Supplies, Gear and Equipment for Maritime-Related Companies and Commercial Fishing Vessels, situated at Pier 31, Honolulu Harbor, Island of Oahu, Tax Map Keys: (1) 1-5-035: Portion of 012 and (1) 1-5-035 Portion of 034. Governor's Executive Order No. 4167.

Derrick Carne, DOT Harbors present to answer question.

Board Discussion-None

Public Testimony-None

**08.12.2022/00:08:35**

**MOTION**

**Approve as submitted (Yoon, Smith) unanimously.**

**08.12.2022/00:08:47**

**ITEM M-17** Issuance of a Month-to Month Revocable Permit to the WEBE CORPORATION, LTD., for Fast and Submerged Lands to Moor the Ali'i Kai, situated at Pier 5, Honolulu Harbor, Island of Oahu, Tax Map Keys: (1) 2-1-001: Portion of 060 and (1) 2-1-001: Portion of 057. Governor's Executive Order No. 3542.

Olivia Pham, DOT Harbors present to answer any questions.

Board Discussion-None

Public Testimony-None

**08.12.2022/00:08:54**

**MOTION**

**Approve as submitted (Yoon, Smith) unanimously.**

**08.12.2022/00:09:10**

**ITEM M-18** Request Approval for Public Auction, 65-Year Lease for Use of the Maritime Center and Surrounding Area, situated at Pier 7, Honolulu Harbor, Island of Oahu, Tax Map Keys: (1) 2-1-001: Portion of 058 and (1) 2-1-001: Portion of 057. Governor's Executive Order No. 3542.

Olivia Pham, DOT Harbors present to answer questions.

Board Discussion

Current use, possibility that someone else will come in, ensure it is for Maritime use. 65-year lease timeline, what the dollar amount based on were discussed

Public Testimony-None

*Amendment:*

*Add Recommendation Condition #3, that the applicant's primary operation must be Harbor and Wharfage related.*

**08.12.2022/00:16:37**

**MOTION**

**Approved as amended (Case, Yoon,) unanimously.**

**08.12.2022/00:20:56**

**ITEM D-1** Consent to Assignment of Lease from HKI Kawili LLC to Hilo Na Koa LP on Lands under Governor's Executive Order No. 4539 Issued to County of Hawaii for Veterans Center and Affordable Senior Housing with Preference to Veterans and Spouses Purposes, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-4-057:030.

Russell Tsuji, Land Division presented the submittal. Candace Martin (Land), Harry Yada and Quester Lau (County) present to add any questions.

Board Discussion-None

Public Testimony-None

**08.12.2022/00:22:18**

**MOTION**

**Approve as submitted (Smith, Char) unanimously.**

**08.12.2022/00:22:30**

**ITEM D-4** Authorization to Enter Into a Ground Lease with the County of Hawaii, Office of Housing and Community Development, on Behalf of the Hawaii State Public Library System for Public Library Purposes; Waikoloa, South Kohala, Island of Hawaii, Tax Map Key: (3) 6-8-041:007 (portion).

Russell Tsuji, Land Division presented the submittal. Candace Martin (Land), Harry Yada and Stacey Aldrich (State Librarian) present to add any questions.

Board Discussion

The Lease is Gratis although it is not in perpetuity, unexploded ordinances that may be in the area were discussed

Public Testimony

Harry Yada & Stacey Aldrich testified in support of the submittal.

**08.12.2022/00:36:17**

**MOTION**

**Approve as submitted (Smith, Char) unanimously.**

**08.12.2022/00:38:54**

**ITEM D-2** Sale of Water License at Public Auction for the Non-Consumptive Use of Water from the Wailuku River for Hydroelectric Generation Purposes, Pi`ihonua, South Hilo, Island of Hawaii, Tax Map Key: (3) 2-6-009; 2-6-029; and Acceptance of Wailuku Watershed Management Plan.

Chair Case noted that DHHL has sent in a written request for a contested case. Andrew Choy, representative conveyed why they are entitled to a contested case. Chair Case asked if there was any testimony regarding this matter. Wayne Tanaka (Sierra Club) conveyed that DHHL has a property interest in this matter.

**08.12.2022/00:48:46**

Motion to go into Executive Session was made by Chair Case and seconded by Member Char. Unanimously.

**08.12.2022/01:52:99 Return from Executive Session**

Member Canto disclosed that she is a beneficiary of Hawaiian Homes Land and will not be recusing herself. Chair Case asked if there was a Motion regarding the contested case.

**08.12.2022/01:53:30**

**MOTION**

**Accept the request for Contested Case (Canto, Yoon) for discussion. 1-Aye (Canto), 4-Oppose- (Char, Case, Ono, Smith) 1-Abstain (Yoon). Does not Pass.**

**08.12.2022/01:58:58**

**MOTION**

**Deny request for Contested Case (Smith, Char) 4-Ayes, 1- Oppose (Canto), 1-Abstain (Yoon)**

**08.12.2022/01:59:53**

**Continue Public Testimony**

Kevin Waltjen, Ryan Kohatsu, Everett Lacro, Lianna Figueroa Andrew Choy, , Tara Rojas provided testimony.

**08.12.2022/02:08:23**

Ian Hirokawa, Land Division presented the submittal. Russell Tsuji (Land) available to answer questions.

Additional Public Testimony

Travis Mori, Wayne Tanaka and Andrew Choy provided additional testimony.

**08.12.2022/02:23:25**

**MOTION**

**Approved as submitted (Smith, Char), (4) Ayes, Abstain (Yoon), Absent (Canto)**

**08.12.2022/02:26:56 Break**

**08.12.2022/02:33:39**

**ITEM E-1** Request Approval of Final Environmental Assessment (FEA) and Authorization for the Chairperson to Issue a Finding of No Significant Impact (FONSI), Proposed Master Plan Update at Ho'oulu 'Āina Nature Park, Kalihi Valley, Honolulu, O'ahu, Hawai'i, Tax Map Keys: (1) 1-4-025:001, 1-4-014:026 and 1-4-016:003.

Curt Cottrell, State Parks presented the submittal. Alan Carpenter (Parks) available for questions. Barbara Natale provided a presentation of the project.

Board Testimony

The building and clean energy use was discussed after the presentation

Public Testimony

Puni Jackson and Kanoa O'Conner in support of the submittal.

**08.12.2022/02:24:40**

**MOTION**

**Approved as submitted (Char, Yoon) 5-Ayes, (Canto absent)**

**08.12.2022/02:45:45**

**ITEM E-2** Request Approval to Solicit and Award Mobile Food Truck Concession Contracts at various State Park units Statewide under the Jurisdiction of the Department of Land and Natural Resources, Division of State Parks; and

Delegation to the Chairperson to Issue the Invitation for Bidders, Independently Award Each Bid and Give the Notice to Proceed for the Selected State Parks; and

Declare Project Exempt from Requirements of Chapter 343, HRS and TITLE 11, Chapter 200.1, Hawai'i Administrative Rules.

Curt Cottrell, State Parks presented the submittal. Alan Carpenter (Parks) available for questions.

Board Discussion

Revenue allocation, waste disposal, food truck vehicles storage, suitable locations, community input were discussed.

Public Testimony

Janice Palma-Glennie and Shannon Rudolph provided testimony.

**08.12.2022/03:03:57**

**MOTION**

**Approved as submitted (Char, Smith) 5-Ayes, Canto (not present)**

**08.12.2022/03:04:39**

**Reopening Item D-2 to hear testimony for unidentified caller in the waiting room.**

Melissa Tomlinson provided testimony.

**08.12.2022/03:12:26**

**MOTION**

**Approved as submitted (Smith, Char) 4-Ayes 1-Abstain (Yoon) Canto (not present)**

**08.12.2022/03:14:05**

**ITEM C-1** Request Approval to Negotiate and Sign a Contract, or Contracts, for the Management of the Department of Land and Natural Resources Hawaii Youth Conservation Corps and Green Jobs Program.

Leah Laramee, Division of Forestry and Wildlife presented the submittal. David Smith (DOFAW) available for questions.

Board Testimony-None

Public Testimony- None

**08.12.2022/03:15:02**

**MOTION**

**Approved as submitted (Yoon, Char) unanimously.**

**08.12.2022/03:15:14**

**ITEM C-2** Requests for (1) Approval to Use a Request for Interest Process to Solicit Applicants to Provide Services for Federal Grants administered under the U.S.D.A. Forest Service's Bipartisan Infrastructure Law (BIL) Grant Funding for Forest Action Plan (FAP) Implementation; and (2) A Delegation of Authority to the Chairperson to Award, Execute, and Extend Agreements with Successful Providers and to Issue Annual Requests for Interest and Awards under this Grant Program.

David Smith, Division of Forestry and Wildlife presented the submittal. Heather McMillen (DOFAW) available for questions

Board Discussion



Clarification of Environmental justice was provided. Programs, tree canopy, project proposals, and prospects, effect on climate change were discussed.

Public Testimony-None

**08.12.2022/03:21:53**

**MOTION**

**Approved as submitted (Yoon, Ono) unanimously.**

**08.12.2022/03:24:44 (Non-Action Item)**

**ITEM D-7** Report on Prior Board Action dated August 13, 2021, Item D-3, as Amended, *Rescind Prior Board Action of April 25, 1997, Item D-5, as Amended, Request Board Approval, Extension of Time, Completion, Tenant Improvements, General Lease No. S-5261, Sand Island Business Association, Sand Island Industrial Park, Honolulu, Oahu, Tax Map Key: 1-5-41. Issuance of Interim Revocable Permit to Sand Island Business Association (SIBA) for Office Trailer and Parking Purposes, Sand Island Industrial Park, Honolulu, Oahu, Tax Map Key: (1) 1-5-041:077 or portion.*

*Amendment of General Lease No. S-5261, SIBA, Lessees, Sand Island, Honolulu, Oahu. See **Exhibit 1 for list of Tax Map Key parcel numbers.***

*The purpose of the amendment is to change SIBA's obligations with respect to the dedication of infrastructure improvements under the lease so that SIBA may retain control over such infrastructure until five years prior to lease termination on the condition that SIBA provide sufficient bonding to guarantee the dedication of the improvements to the City and County of Honolulu at lease expiration or earlier termination.*

As requested by the Board at its meeting of August 13, 2021, this is a Report on the Status of the Bonds, Revocable permit and discussions with the County agencies on the infrastructure not yet dedicated.

Russell Tsuji, Land Division presented the report. Milton Holt, representing the applicant present to answer questions.

**08.12.2022/03:31:39**

**ITEM J-1** Issuance of a Revocable Permit to Atlantis Submarines Hawaii, LLC located at Lahaina Small Boat Harbor, Lahaina, Maui, Hawaii, Tax Map Key: (2) 4-6 001:002 (por); and

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

**ITEM J-2** Issuance of a Revocable Permit to Big Blue Boat Corporation located at Lahaina Small Boat Harbor, Lahaina, Maui, Hawaii, Tax Map Key: (2) 4-6 001:002 (por); and

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

**ITEM J-3** Issuance of a Revocable Permit to Linnline Marine, Inc. located at Lahaina Small Boat Harbor, Lahaina, Maui, Hawaii, Tax Map Key: (2) 4-6 001:002 (por).; and

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

**ITEM J-4** Issuance of a Revocable Permit to Luakini Marine, Inc. located at Lahaina Small Boat Harbor, Lahaina, Maui, Hawaii, Tax Map Key: (2) 4-6 001:002 (por).; and

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

Richard Howard, Division of Boating and Ocean Recreation presented Items J-1, J-2, J-3 and J-4 together.

Board Discussion

Portable structures stability was questioned.

Public Testimony-none

**08.12.2022/03:34:39**

**MOTION**

**Approved as submitted Item J-1, Item J-2, Item J-3 and Item J-4 (Yoon, Char) unanimously.**

**08.12.2022/03:34:56**

**ITEM J-5** Mutual Cancellation of a Revocable Permit 117 (RP 117) to Pacific Biodiesel Logistics, LLC, and Waiver of Phase I Environmental Site Assessment Required under RP 117; Issuance of a New Revocable Permit to Pacific Biodiesel Technologies, LLC, Maalaea Small Boat Harbor Maalaea, Waikapu, Wailuku, Maui Tax Map Key: (2) 3-6-001:002 (por).

Richard Howard, Division of Boating and Ocean Recreation presented the submittal.

Board Discussion-None

Public Testimony-None

**08.12.2022/03:36:30**

**MOTION**

**Approved as submitted (Char, Smith) unanimously.**

**08.12.2022/03:37:25**

**ITEM J-6** Request Approval to Initiate Rulemaking Proceedings, including a Public Hearing, to

amend Hawaii Administrative Rules (HAR) Section 13-256-152, Kahaluu Bay ocean waters, regarding commercial surfing instruction, including a map exhibit and technical amendments.

The proposed rule amendment can be reviewed in person at the Division of Boating and Ocean Recreation (DOBOR) District Offices, including the Hawai'i District Office from 8:00 am to 3:30 pm, Monday through Friday, except state holidays: Honokōhau Small Boat Harbor, 74-380 Kealakehe Parkway, Kailua-Kona, HI 96740.

Megan Statts, Division of Boating and Ocean Recreation presented the submittal.

Board Discussion-None

Public Testimony-None

**08.12.2022/03:38:16**

**MOTION**

**Approved as submitted (Char, Yoon) 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*

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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