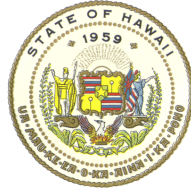
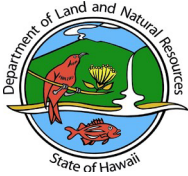


DAVID Y. IGE  
GOVERNOR OF HAWAII



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

*claw*

**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  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

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

DATE: AUGUST 26, 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  
Karen Ono

**STAFF**

Russell Tsuji-Land  
Ian Hirokawa-Land  
James Kurata-ENG  
Curt Cottrell-Parks  
Anthony Olegario-DAR  
Lainie Berry-DAR  
Alan Carpenter-Parks  
Keiki Kipapa-Parks  
Ed Underwood-DOBOR

Kevin Moore-Land  
Gordon Heit  
Grayson Ching-ENG  
Brian Neilson-DAR  
Ryan Okano-DAR  
Josh Atwood/  
Korinne Gowin-Parks  
Cathy Gewecke-DAR  
Todd Tashima-DOBOR

**OTHERS**

Colin Lau/Deputy AG  
Eric Leong/DOT HAR  
Frank Pace/D7  
Chipper Wichman/E1-E4

Abby Lareau/DOT HAR  
Paula Akana/L1  
Justin Cook/D7  
Chris Farmer/C1

**ITEM A-3**

Anthony Locricchio/E3  
Jeff Overton/D8  
James Elhoff/D4  
Jeffrey Overton/D8

David Kaapu/D1  
Paula Akana/L1  
Steven MacBride/D5  
Phoebe White/J2

**08.26.2022/00:01:15**

Chair Case called the meeting to order and that we are holding a hybrid meeting. The Board members and public are joining in person and via Zoom. The Kalanimoku Boardroom is open to the public if they wish to testify in person. Those who requested to provide oral and written testimony have done so in advance of the meeting and proceeded to explain the meeting process.

**08.26.2022/00:03:13**

Member Canto read the standard Contested Case statement.

**08.26.2022/00:03:58**

Chair Case proceeded to conduct roll call of the Members present and noted the agenda item order.

**08.26.2022/00:05:31**

**ITEM A-1** Approval of the Board meeting held on June 6, 2022, Summary Minutes.

Board Discussion-None

Public Testimony-None

*Amendment:*

*Correct date should reflect June 9, 2022.*

**08.26.2022/00:05:31**

**MOTION**

**Approved as amended (Canto, Ono) 6-Ayes 1-Abstain (Smith)**

**08.26.2022/00:07:30**

**ITEM M-1** Issuance of a Revocable Permit for Two T-Hangars for the Storage and Maintenance of Aircraft in Support of a Commercial Aeronautical Powered Hang-Gliding Instruction Business, Paradise Air Hawaii, Inc., Kawaihapai Airfield, Tax Map Key: (1) 6-08-14-17 (Portion).

**ITEM M-2** Issuance of a Revocable Permit for Commercial Use of a T-Hangar for Storage of an Aircraft and a Maintenance Hangar, Air Ventures Hawaii, LLC, Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 008.

**ITEM M-3** Issuance of a Revocable Permit for Ramp Space for a Mobile Office Trailer and to Park Ground Service Equipment, Swissport USA, Inc., Lihue airport, Tax Map Key: (4) 3-5-001: Portion of 008.

**ITEM M-4** Issuance of a Revocable Permit for Parking and Storage of Rental Car Vehicles, Avis Budget Car Rental, LLC, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 032.

Abby Lareau, DOT Airports present to answer any questions for Items M-1, M-2, M-3 and M-4.

Board Discussion-None

Public Testimony-None

**08.26.2022/00:07:50**

**MOTION**

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

**08.26.2022/00:08:03**

**ITEM M-5** Issuance of Month-to-Month Revocable Permit to MC&A, Inc., for Storage of Luggage for Disembarking Passengers only when Ship is moored, Portion of Pier 2 Ferry Terminal, Honolulu Harbor, Oahu, Tax Map Key No. (1) 2-1-015:030 (P), Governor's Executive Order No. 4238.

Eric Leong, DOT Harbors present to answer any questions.

Board Discussion-None

Public Testimony-None

**08.26.2022/00:07:50**

**MOTION**

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

**08.26.2022/00:08:30**

**ITEM M-6** Authorize Conveyance of subject Property, designated as Parcel 4, formerly a portion of Remnant R-1, East Molokai Road, Federal Secondary Aid Project No. FAS 2-A (1), Molokai, Maui, Hawaii, Tax Map Key (2) 5-4-001:102 (portion). The remainder of Remnant R-1 was sold by the State of Hawaii, in Liber 12219, Page 364.

No Representative

Board Discussion

Clarification regarding where the funds go, advance consultation with DHHL. Due to questions by the Board, submittal will be deferred.

Public Testimony-None

**08.26.2022/00:11:05**

**MOTION**

**DEFER**

**08.26.2022/00:12:30**

**ITEM L-1** Delegation of Authority to the Chairperson to Enter into a Memorandum of Understanding with The Friends of Iolani Palace for the Iolani Palace State Monument Improvements Project, Honolulu, Oahu, Hawaii, Tax Map Key: (1) 2-1-025:002.

James Kurata, Engineering presented the submittal. Grayson Ching (Engineering), Curt Cottrell (State Parks), Paula Akana representing the applicant available to answer questions

Discussion

Funding, Roof material, SHPD consultation were discussed.

Public Testimony

Paula Akana and Curt Cottrell in support of the submittal.

**08.26.2022/00:18:57**

**MOTION**

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

**08.26.2022/00:20:21**

**ITEM D-7** Issuance of Revocable Permit to SubCom, LLC, for Undersea Cable Depot Purposes; Sand Island, Honolulu, Oahu, Tax Map Key (1) 1-5-041: portion of 333.

Russell Tsuji, Land Division presented the submittal. Brian Neilson (DAR), Frank Pace (Homeland Security) and Justin Cook (applicant) available for questions.

Board Discussion

How the underground cables are used was put into content. Usage of the space, potential coral damage, DAR's use of the warehouse, how rent is determined, and long lease potential were discussed.

Public Testimony

Frank Pace and Justin Cook stand by their written testimony.

**08.26.2022/00:35:09**

**MOTION**

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

**08.26.2022/00:36:05**

**ITEM E-1** Consent to Assign General Lease No. SP0161, Karen Marie Bellavita, Assignor, to, Michelle Rose, Assignee, Lot 51, Kōke'e Campsites, Waimea (Kona), Kaua'i, Hawai'i, Tax Map Key: (4) 1-4-003:017.

Curt Cottrell, State Parks presented the submittal. Alan Carpenter, Korinne Gowin, Keiki Kipapa, (State Parks) available to answer questions. Chipper Wichman (Kokee Lease Holder Association) provided some history on the Kokee cabins.

Board Discussion

Usage of the cabins and no commercial use is allowed. Type of Lessee was clarified. Historic designation, restoration, Federal funding, cesspools, waste management, vacant lots were discussed.

Public Testimony

Chipper Wichman in support.

**08.26.2022/01:05:05**

**MOTION**

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

**08.26.2022/01:04:56**

**MOTION**

**ITEM E-3** Forfeiture of General Lease No. SP0186, Anthony Locricchio, Lot 82, Pu'u Ka Pele Park Lots, Waimea, Kona, Kaua'i, Hawaii, Tax Map Key: (4) 1-4-002:079.

Curt Cottrell, State Parks presented the submittal. Korinne Gowin, Keiki Kipapa, (State Parks) available to answer questions. Chipper Wichman (Kokee Lease Holder Association) Anthony Locricchio present to answer questions.

Board Discussion

Public Testimony

Anthony Locricchio presented his testimony.

**08.26.2022/00:36:05**

**08.26.2022/01:27:35**

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

**08.26.2022/01:27:35 Back from Executive Session**

Chair Case asked Locricchio to clearly state why he believes he is not in default. Locricchio responded.

Cottrell made a correction to the Tax Map Key number:(4) 1-4-002: Portion of 079 in the body of the submittal and that the agenda title is correct. Carpenter read the conditions of the lease.

**08.26.2022/02:05:32**

**MOTION**

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

Locricchio requested a contested case.

Chair Case asked on what basis does he have to request a contested case. Locricchio responded.

**08.26.2022/02:06:35**

**Chair Case made the Motion to Deny a contested case, Member Canto seconded the motion. Unanimously.**

Chair Case advised Locricchio he had the right to submit within 10-days a request for contested case.

**08.26.2022/02:08:15 Break**

**08.26.2022/02:12:41 Continue Item E-1**

Chair Case asked if there was any more public testimony.

**08.26.2022/02:13:05**

**MOTION**

**Approved as submitted (Ono, Char) unanimously,**

**08.26.2022/02:13:15**

**ITEM E-2** Forfeiture of General Lease No. SP0123, Judith Matthews and Ellen Gallimore-White, Lot 29, Pu'u Ka Pele Park Lots, Waimea, Kona, Kaua'i, Hawai'i, Tax Map Key: (4) 1-4-002:010.

Curt Cottrell, State Parks presented the submittal. Alan Carpenter, Korinne Gowin, Keiki Kipapa, (State Parks), Chipper Wichman (Kokee Lease Holder Association) available to answer questions.

Board Discussion-None

Public Testimony-None

**08.26.2022/02:14:01**

**MOTION**

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

**08.26.2022/02:14:20**

**ITEM E-4** Request Approval for Sale of Seven (7) Leases (up to 20 years) at Public Auction for Recreational Residence Purposes, Waimea Canyon and Kōke'e State Parks, Kona, Kaua'i; and Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.

Alan Carpenter, State Parks presented the submittal. Curt Cottrell, Korinne Gowin, Keiki Kipapa, (State Parks), Chipper Wichman (Kokee Lease Holder Association), available to answer questions.

Board Discussion

Public auction, cesspools, surety bond/cash bond were addressed.

Public Testimony

Chipper Wichman stands by their testimony.

**08.26.2022/02:22:00**

**MOTION**

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

**08.26.2022/02:24:11**

**ITEM C-1** Request for delegation of authority to the Chairperson to enter into a Memorandum of Agreement with American Bird Conservancy for Video Production Services related to the Birds Not Mosquitoes partnership.

David Smith, Division of Forestry and Wildlife and Josh Atwood presented the submittal. Chris Farmer available for questions.

Board Discussion

Who would be primary video audience, and distribution.

Public Testimony-None

**08.26.2022/02:30:56**

**MOTION**

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

**08.26.2022/02:31:40**

**ITEM D-1** Cancellation of Revocable Permit No. S-7531, Winifred A. Sullivan, Successor Trustee of the Sullivan Family Trust, Permittee; Issuance of a Revocable Permit to Puako View LLC for Landscaping and Storage Purposes, Puako, Lalamilo, South Kohala, Hawaii, Tax Map Key: (3) 6-9-002:006.

Russell Tsuji, Land Division presented the submittal.

Board Discussion

Member Smith disclosed that David Kaapu is a high school classmate and will not be recusing. Is there an alternative to sell the remnant, cost to remove improvements

Public Testimony

David Kaapu provided testimony on behalf of the applicant.

*Amendment:*

*The Board amended the monthly rent to \$652.36 (\$7,828.32 annually) for the new Revocable Permit to be issued to Puako View LLC.*

**08.26.2022/02:52:44**

**MOTION**

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

**08.26.2022/02:53:01**

**ITEM D-2** Issuance of Right-of-Entry Permit to Hawaii Amateur Surfing Association, for Amateur Surf Event Koki Beach, Hana, Maui, Tax Map Key: (2) 1-4-007: Portion of 009.

Russell Tsuji, Land Division presented the submittal.

Board Discussion-None

Public Testimony-None

**08.26.2022/02:53:22**

**MOTION**

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

**08.26.2022/02:53:33**

**ITEM D-3** Amend Prior Board Action of January 22, 2021, Item D-5, As Amended, *Grant of Term, Non-Exclusive Easement to Association of Apartment Owners of Wailea Elua for Beach Access Stairway Purposes; Issuance of Immediate Management Right-of-Entry Permit, Wailea, Maui, Tax Map Key: (2) 2-1-008: Seaward of 069.*

The purpose of this amendment is to add legal reference Hawaii Revised Statutes (HRS) Section 171-53.

Russell Tsuji, Land Division presented the submittal.

Board Discussion-None

Public Testimony-None

**08.26.2022/02:54:11**

**MOTION**

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

**08.26.2022/02:54:20**

**ITEM D-4** Grant of Term, Non-Exclusive Easement, Immediate Right-of-Entry and Revocable Permit to James Michael Elhoff, Trustee of the Michael Elhoff Living Trust dated November 30, 2017, for Boat Ramp and Concrete Wall Purposes at Kaneohe, Koolaupoko, Oahu, Tax Map Key: (1) 4-5-047: seaward of 051.

Russell Tsuji, Land Division presented the submittal. James Elhoff (Applicant) available to answer questions.

Board Discussion

Is the shoreline armored? Elhoff replied yes.

Public Testimony

Elhoff provided the history of the easement and plans to take care of the encroachments.

**08.26.2022/02:56:26**

**MOTION**

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

**08.26.2022/02:56:40**

**ITEM D-5** Grant of Term, Non-Exclusive Easement, Immediate Right-of-Entry and Revocable Permit to Steven Ernest MacBride and Valerie Jean MacBride, Trustees under the certain unrecorded Steven and Valerie MacBride Revocable Trust dated October 30,



2018, for Riprap Revetment, Ramp, and Rock Groin Purposes; Hauula, Koolauloa, Oahu, Tax Map Key: (1) 5-3-008: seaward of 012.

Russell Tsuji, Land Division presented the submittal.

Board Discussion-None

Public Testimony

Steven MacBride provided history of the easement.

**08.26.2022/02:58:20**

**MOTION**

**Approved as submitted (Barnes, Canto) unanimously.**

**08.26.2022/02:58:25**

**ITEM D-8** Issuance of Right-of-Entry and Revocable Permit to Cozy at Punaluu LLC for Removal and Rebuilding of Shoreline Structure, Punaluu, Koolauloa, Oahu, Tax Map Key: (1) 5- 3-002: seaward of 035.

Russell Tsuji, Land Division presented the submittal.

Board Discussion-None

Public Testimony

Jeffrey Overton (G70) representing the Applicant in support of the submittal.

**08.26.2022/02:59:25**

**MOTION**

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

**08.26.2022/03:05:04**

**ITEM F-1** Requests for (1) Approval for the use of a Request for Interest for Grants Administered by The National Fish and Wildlife Foundation, for the “America The Beautiful Challenge” Program; (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.

Brian Neilson, Division of Aquatic Resources presented the submittal. Anthony Olegario, Ryan Okano, Lanie Barry,

Board Discussion-None

Public Testimony-None

**08.26.2022/03:06:04**

**MOTION**

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

**08.26.2022/03:06:20**

**ITEM F-2** Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit Amendment to Ms. Michelle Lino, NOAA Fisheries, Pacific Islands Fisheries Science Center, for Access to State Waters to Conduct Hawaiian Monk Seal Management and Recovery Activities, Inclusive of the Removal of Individual Sharks at French Frigate Shoals Displaying Predatory Behavior Towards Monk Seal Pups.

Cathy Gewecke, Division of Aquatic Resources presented the submittal.

Board Discussion

Removing aggressive sharks targeting monk seals were discussed. Why, When, Where, regarding sharks presentation requested in future submittal.

Public Testimony-None

**08.26.2022/03:11:03**

**MOTION**

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

**08.26.2022/03:13:25 Lunch Break**

**08.26.2022/04:36:12**

**ITEM J-2** Briefing of the Board of Land and Natural Resources regarding the Ala Wai Small Boat Harbor Vision Plan. **Non-Action Item**

Ed Underwood, Division of Boating and Ocean Recreation gave the briefing. Phoebe White (UH), present to answer questions

**08.26.2022/04:58:33**

**ITEM J-1** Authorize the Division of Boating and Ocean Recreation to Issue a Request for Proposals for Development of Public Lands at the Ala Wai Small Boat Harbor, Kalia, Honolulu, Oahu, Hawaii Tax Map Key Plat Nos.: (1) 2-3-037 and (1) 2-6-010.

Ed Underwood, Division of Boating and Ocean Recreation presented the submittal

Board Discussion-None

Public Testimony-None

**08.26.2022/04:59:41**

**MOTION**

**Approved as submitted (Char, Barnes) 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