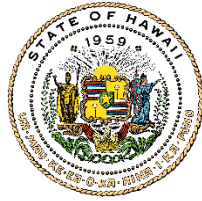


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

LAURA H.E. KAAKUA
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

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

DATE: MARCH 10, 2023
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:
Attend live at 1151 Punchbowl St. Room 132 (Kalanimoku Building), Honolulu, Hawaii

To provide video testimony:
*Send your request to 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: : +1 669 900 6833

Meeting ID: 861 0915 3779

Passcode: 408560

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 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. SUMMARY MINUTES

1. Approval of the November 10, 2022, Summary Board Meeting Minutes.

C. DIVISION OF FORESTRY AND WILDLIFE

1. Request Approval to Authorize the Chairperson to Negotiate and Enter into a Memorandum of Agreement with Hope Builders, Inc. and West Maui Construction LLC. for Public Access through Tax Map Key: (2) 3-6-001: portion 018 to the Lahaina Pali Trail, Maui.

NON-ACTION ITEM

2. Informational Briefing on the Hawai'i Forest Bird Extinction Crisis and DLNR's Proposed Strategy to prevent their Extinction on Maui and Kauai.

D. LAND DIVISION

1. Denial of Petition for Contested Case Hearing filed by 69 Railroad, LLC on September 30, 2022, Regarding the Board Action of September 23, 2022 Agenda Item D-2, Approved as Amended: *Amend Prior Board Action of February 11, 2022, Item D-2, Approved as Amended, Consent to Sublease General Lease No. S-3624, 69 Railroad,*

LLC, Lessee, to Self Storage Hilo LLC, Covan World-Wide Moving, Incorporated, C.A.R.S.S. LLC, Provision Solar, Inc., Tracey Gapol, Charles Wagner & Erin Wagner, Hawaii Behavioral Health, LLC, Whitney & Arnessa Iranon, Mr. & Mrs. Charles and Erin Wagner, McCully Works, Inc., and Lamar Pacheco, Sublessees, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-1-012:026.

Authorize the Chairperson to Approve and Execute a Development Agreement for a 30-Year Extension of Lease Term and to Execute the Lease Extension Document, General Lease No. S-3624, 69 Railroad, LLC, Lessee; Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2 -1-012: 026.

Approve Mediated Settlement of Rent Reopening Dispute Pursuant to Mediation Agreement for the Periods of 2026-2046, General Lease No. S-3624, 69 Railroad, LLC, Lessee; Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2 -1-012: 026.

The purposes of the amendments are to: (a) provide for the updating of certain lease extension terms and the development agreement for the 30-year extended lease term, and (b) extend the time for completion of improvements required under development agreement and lease extension from approximately 10 ½ months after the Board approval of February 11, 2022, to 18 months after the execution of the development agreement.

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

2. Issuance of Right-of-Entry Permit to the State Department of Transportation-Highways Division to Complete Land Survey Work Upon State Lands Located Along Honoapi'ilani Highway from Ukumehame to Launiupoko, Maui, Hawaii, Tax Map Keys: (2) 4-8-001: 001, 002; 4-8-002: 002, 007, 008, 023, 024, 035, 036, 038, 039, 042; 4-8-003: 008, 034, 035, 036, 038, 039, 040.
3. Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Private Event Aerial Fireworks Display at Duke Kahanamoku Beach on March 28, 2023, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portion of 021.
4. Consent to Federal Interest Affecting Property Located on the Land Covered by General Lease No. S-5981 regarding the Construction of a New Security Entrance System; Waianae District Comprehensive Health and Hospital Board, Incorporated, Lessee; Lualualei, Waianae, Oahu; Tax Map Key: (1) 8-6-001:003.
5. Consent to Sublease General Lease No. S-5981, Waianae District Comprehensive Health and Hospital Board, Incorporated, dba Waianae Coast Comprehensive Health

Center, Lessee, to Diagnostic Laboratory Services. Inc., Sublessee; Lualualei, Waianae, Oahu, Tax Map Key: (1) 8-6-001:003.

F. DIVISION OF AQUATIC RESOURCES

1. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Native Hawaiian Practices Permit to Pelika Andrade, Nā Maka Onaona (Formerly Nā Maka o Papahānaumokuākea) and the University of Hawai'i at Mānoa, for Access to State Waters to use Traditional Ecological Knowledge to Conduct Intertidal Surveys and Monitoring to Advise and Direct Management Strategies for Intertidal Fisheries Activities.

K. OFFICE OF CONSERVATION AND COASTAL LANDS

1. Authorize the Chairperson to Negotiate and Execute a Memorandum of Understanding with the Kaanapali Operations Association, Inc. for the Funding of the Kā'anapali Beach Restoration and Berm Enhancement Project Located at Hanakao'o, Lāhainā, Maui. Makai of Tax Map Keys: (2) 4-4-008:001, 002, 003, 005, 019 & 022; (2) 4-4-013:001, 002, 006, 007, 008 & 013.
2. Request for Administrative Fines and Other Penalties Against Mr. Matthew J Tang trustee of the MATTHEW J TANG TRUST for Conservation District Enforcement Case OA 23-14 Regarding Alleged Permit Noncompliance, Construction of a Shoreline Erosion Control Device, and Encroachment Upon State Land Located Makai of 53-239 Kamehameha Highway, Tax Map Key: (1) 5-3-002:041

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

M. OTHERS

1. Issuance of a Terminal Lease for Administrative Purposes, U.S. General Services Administration on Behalf of the U.S. Department of Homeland Security, Transportation Security Administration, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001.
2. Issuance of a Terminal Lease for Administrative Purposes, U.S. General Services Administration on Behalf of the U.S. Department of Homeland Security, Transportation

- Security Administration, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 189.
3. Issuance of a Terminal Lease for Administrative Purposes, U.S. General Services Administration on Behalf of the U.S. Department of Homeland Security, Transportation Security Administration, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 050 and (1) 1-1-003: Portion of 066.
 4. Issuance of a Terminal Lease for Administrative Purposes, U.S. General Services Administration on Behalf of the U.S. Department of Homeland Security, Transportation Security Administration, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001 and (1) 1-1-003: Portion of 073.
 5. Issuance of a Lease for Administrative Purposes, U.S. General Services Administration on Behalf of the U.S. Department of Homeland Security, Transportation Security Administration, Hilo International Airport, Tax Map Key: (3) 2-1-012: Portion of 009.
 6. Issuance of a Revocable Permit for Parking of Delivery Vehicles for Flight Catering Operations, Flying Food Group, LLC, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.
 7. Issuance of a Lease for Administrative Purposes, U.S. General Services Administration on Behalf of the U.S. Department of Homeland Security, Transportation Security Administration, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.
 8. Issuance of a Lease for Administrative Purposes, U.S. General Services Administration on Behalf of the U.S. Department of Homeland Security, Transportation Security Administration, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.
 9. Issuance of a Lease for Administrative Purposes, U.S. General Services Administration on Behalf of the U.S. Department of Homeland Security, Transportation Security Administration, Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 135.
 10. Issuance of a Lease for Administrative Purposes, U.S. General Services Administration on Behalf of the U.S. Department of Homeland Security, Transportation Security Administration, Kahului Airport, Tax Map Key: (2) 3-8-001: Portion of 173.
 11. Amendment to Prior Board Action of July 23, 2021, Item M-11, Request an Amendment to the Area, the Annual rental and Rental Reopening, Issuance of a Directly Negotiated Hangar Facilities Lease, Windward Aviation, Inc., Kahului Airport, Tax Map Key: (2) 3-8-001: Portion of 019.