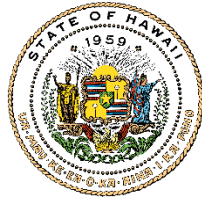
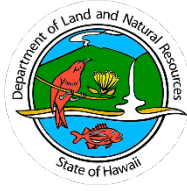


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

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: May 12, 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.
(Note: Testimony may be limited to 3-minutes)*

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 should be sent 24 hours in advance of the meeting. Requests may be made during the meeting prior to the agenda item is before the Board. (Note: Testimony may be limited to 3-minutes)*

To provide oral testimony by telephone: : +1 669 444-9171
Meeting ID: 867 9817 6514
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.

NOTE: Agenda Items may be taken out of order as a moved-up item.

C. DIVISION OF FORESTRY AND WILDLIFE

1. Intentionally Left Blank.
2. Request Approval to Authorize the Chairperson to Negotiate, Execute, Amend, and Extend a Memorandum of Agreement with Haloa Aina L.L.C. for Establishment, Management, and Maintenance of a Sandalwood Seed Orchard Site at Haloa Aina L.L.C, and in the Distribution of Seeds produced from the orchard.
3. Request Approval to Authorize the Chairperson to Negotiate and Enter into a Memorandum of Understanding with Hawai'i Agriculture Research Center for Cooperative Forestry Management in the State of Hawai'i.

4. Request Denial of the Petition for a Contested Case of Agenda Item C-2, March 24, 2023, "Request Approval of Final Environmental Assessment and Authorization for the Chairperson to Issue a Finding of No Significant Impact for the 'Suppression of Invasive Mosquito populations to Reduce Transmission of Avian Malaria to Threatened and Endangered Forest Birds on East Maui'".

D. LAND DIVISION

1. Rescind Prior Board Action of January 13, 2012, Item D-3, *Grant of Perpetual Non-Exclusive Easement to Eric A. Knudsen Trust for Access and Utility Purposes, Poipu, Koloa, Kauai, Tax Map Key : (4) 2-8-014: fronting Parcel 19 (Hapa Road)*.
2. Issuance of Right-of-Entry Permit to the Young Men's Christian Association of Kauai on behalf of the Kauai Bodyboarding Association for Bodyboarding Contest Purposes; Shipwrecks Beach (Keoniloa Beach), Poipu, Koloa, Kauai, Tax Map Key: (4) 2-9-001:seaward of 001.
3. Deny Lessee's Request for Consent to Mortgage and Security Agreement, General Lease No. S-5844, WHR LLC, Lessee; Waiakea, South Hilo, Hawaii, Tax Map Keys: (3) 2-1-01:012 and 2-1-05:013, 016, 017, 027, 032, and 046.
4. Intentionally Left Blank.
5. 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, TMK: (3) 7-5-006:034 (por.)*;

Reimburse 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 Easement Consideration, Document Fee and Map Fee Previously Paid to the Department;

Quitclaim of State's Interests, if Any, in Remnant Road Reserve to the County of Hawaii, North Kona, Hawaii, TMK: (3) 7-5-006:034 (por.)

6. Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Beach Every Friday From May 26, 2023, to May 24, 2024, Waikiki, Honolulu, Oahu, TMK: (1) 2-3-037: portion of 021.
7. Issuance of Perpetual Non-Exclusive Easements for Water Pipeline and Water Meter Purposes and Immediate Construction Right-of-Entry Permit to City and County of Honolulu, Board of Water Supply on Lands Set Aside to the Department of Education under Governor's Executive Order No. 386; Kapahulu, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 3-1-023: portions of 054.
8. Grant of Term, Non-Exclusive Easement, Immediate Right-of-Entry and Revocable Permit to Kim Lu and Beiting Gao for Boat Ramp Purposes at Kaneohe, Koolaupoko, Oahu, Tax Map Key: (1) 4-5-047: seaward of 013.

F. DIVISION OF AQUATIC RESOURCES

1. Request for Approval of Special Activity Permit 2024-32 for John O'Sullivan, Monterey Bay Aquarium (MBA), Manager of Collections, to Collect Regulated and Non-Regulated Organisms Including Various Species of Gelatinous Zooplankton, Zooplankton and Jellyfish, in Regulated Areas (West Hawaii Regional Fishery Management Area – "WHRFMA") and Non-Regulated Areas in Offshore waters of West Hawaii, for the Purposes of Educational Live Display in a Deep-Water Exhibit ("Aquarium Purposes") and Associated Research (e.g. Husbandry Captive Research and/or Culturing) at Monterey Bay Aquarium, Monterey, CA.
2. Second Request for Approval to Hold Public Hearings on Revised Amendments to and Compilation of Chapter 13-95, Hawaii Administrative Rules, "Rules Regulating the Taking and Selling of Certain Marine Resources," to Increase the Minimum Size for Manini, Establish a Minimum Size for Take, Possession, or Sale of Kole, Establish a Non-Commercial Bag Limit for Kala, Update Non-Commercial Rules for Uhu to Mirror the Current Island-Wide Uhu Rules for the Island of Maui, Establish Separate Provisions for Commercial Marine License Holders and Commercial Marine Dealers When Taking, Possessing, or Selling Kala or Uhu for Commercial Purposes, Allow the Take of Pāpa'i kūhonu (white crab) in State Waters Including Females Without Eggs, Allow the Take of Female Pāpa'i Kualoa (Kona Crab) Without Eggs, Extend the Pāpa'i Kualoa (Kona crab) Closed Season from May through September, and Make other Non-Substantive Housekeeping Amendments for Clarity and Consistency with Other Chapters.

The proposed Rule Amendments can be reviewed in person, by Appointment Only, at the Division of Aquatic Resources (DAR) office on Oahu at 1151 Punchbowl St. Room

330, Honolulu, Hawai'i 96813 from 8:00 am to 3:30 pm, Monday through Friday, except Holidays. To schedule an appointment to review the proposed rules in person, email dlnr.aquatics@hawaii.gov.

The proposed rules, including a Statement on the Topic of the proposed rules, can be reviewed online at: <https://ltgov.hawaii.gov/the-office/administrative-rules/proposed-changes/>.

The proposed rules can also be viewed online at: <http://dlnr.hawaii.gov/dar/rules-and-public-notice/>.

- 3. Non-Action Item:** Briefing on Proposed Amendments to and Compilation of Chapter 13-74, Hawaii Administrative Rules, "License and Permit Provisions and Fees for Fishing, Fish, and Fish Products," to Add new definitions for "baitfish," "Baitfishing Report," "Catch Report," "Commercial Marine Vessel License," "Fishing Activities," "License Period," "Main Hawaiian Islands," "Nonresident," "Permittee," and "Qualified Aquaculturist," Remove the Definitions for "Board" and "Northwestern Hawaiian Islands," Amend the Definition of "Resident," Clarify That Licenses and Permits are Non-Refundable, Clarify the Administrative Penalty Schedule for Violations of the Chapter, Add Asset Forfeiture as an Administrative Enforcement Tool Within the Chapter, Establish and Add Provisions for a New Nonresident Recreational Marine Fishing License (NRMFL) Pursuant to Section 188-72, Hawaii Revised Statutes (HRS), Establish and Add Provisions for a New Commercial Marine Vessel License (CMVL) Pursuant to HRS §189-2, Add an Exception for CMVL Holders to the Commercial Marine License Requirements, Remove the Northwestern Hawaiian Islands Fishing Permit, Increase the Fee for the Bait License, the Mullet Pond Operator and Closed Season Sales License, the Kona Crab and Lobster Closed Season Sales License, the Special Marine Animal or Product Possession and Sale License, and the Aquaculture License from \$50.00 to \$100.00, Establish a Fee for Duplicate Aquaculture Licenses and Licenses to Sell Reared Species, Add a Catch Reporting Requirement for All Bait License holders, Give the Department Discretion to Require Additional Reports From Aquaculture License holders, Establish a Fee of \$200 for a License to Sell Reared Species, Establish and Add Provisions for a New Commercial Marine Dealer License Pursuant to HRS §189-10, and Other Non-Substantive Housekeeping Amendments for Clarity and Consistency With Other Chapters.

The proposed rule amendments can be reviewed in person, by appointment only, at the Division of Aquatic Resources (DAR) office on Oahu at 1151 Punchbowl St. Room 330, Honolulu, Hawai'i 96813 from 8:00 am to 3:30 pm, Monday through Friday, except Holidays. To schedule an appointment to review the proposed rules in person, email dlnr.aquatics@hawaii.gov.

The proposed rules, including a statement on the topic of the proposed rules, can be reviewed online at:

<https://ltgov.hawaii.gov/the-office/administrative-rules/proposed-changes/>.

The proposed rules can also be viewed online at:
<http://dlnr.hawaii.gov/dar/rules-and-public-notice/>.

G. BUREAU OF CONVEYANCE

1. Request for Authorization to Enter into a Contract for Support Services for Torrens (Land Court) Documents and Certificates.

M. OTHERS

1. Issuance of a Revocable Permit for a Field Office and Vehicle Parking for Passenger Loading Bridge Maintenance Project, Bowers + Kubota Consulting, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001.
2. Issuance of a Revocable Permit for Equipment Storage and Configuration/Setup for the Biometrics Project, SITA Information Networking Computing USA Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001.
3. Issuance of a Revocable Permit for Vehicle Parking for Used Car Sales Operation, Pono's Used Cars, Inc., Hilo International Airport, Tax Map Key: (3) 2-1-012: Portion of 009.
4. Issuance of a Revocable Permit for an Office to Support its Greeting Services Operation, KW Kona Investors, LLC, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.
5. Issuance of a Revocable Permit for Aircraft Parking, Timothy E. Kale, M.D., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.
6. Issuance of a Revocable Permit for Maintenance of Ground Service Equipment, United Airlines, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.

7. Issuance of a Revocable Permit for Ground Service Equipment Storage for Aviation Contract Services to Various Airlines, U.S. Aviation Services, Corp., Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 008.
8. Issuance of a Revocable Permit for Main Terminal Space for an Office to Support Fixed-Base Operations, Air Service Hawaii, Inc., Lanai Airport, Tax Map Key: (2) 4-9-002: Portion of 041.
9. Issuance of a Revocable Permit for Baggage Storage, Ramp Office and Baggage Service Counter, Air Canada, Kahului Airport, Tax Map Key: (2) 3-8-001: Portion of 241 and 243.
10. Issuance of a Revocable Permit for Use of a T-Hangar for Storage and Maintenance of a Private Aircraft, Layne Mitsuo Ikeda dba CAVU LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-076: Portion of 020.
11. Authorization to Convey Subject Property, designated as Remnant E-6 Rev.1 (Portion) and 22-A East Molokai Road, Federal Aid Secondary Project No. 2-A(1), to Gerald Alderson, by Quitclaim Deed. Kaunakakai-Kamalo, Molokai, Tax Map Key: (2) 5-4-002: Road (Portion).

Upon review of previously approved Item M-10 on June 24, 2022, there were discrepancies in square footage, and we are requesting an approval of the amended square footage of Remnants E-6 Rev 1 and 22-A.