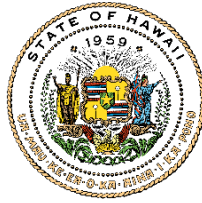


JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**APPROVED AT ITS  
BOARD MEETING  
HELD ON  
AUGUST 28, 2023**

**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

**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

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

DATE: April 14, 2023  
TIME: 9:15 AM  
LOCATION: In person at 1151 Punchbowl St, Room 132  
(Kalanimoku Building) online via ZOOM, livestream  
via YouTube

### **MEMBERS**

Dawn Chang  
Vernon Char  
Kaiwi Yoon  
Riley Smith

Doreen Canto  
Aimee Barnes  
Karen Ono

### **STAFF**

Russell Tsuji-Land  
Alison Neustein-Land  
Ian Hirokawa-Land  
Brian Nielson-DAR  
Michael Cain-OCCL  
Jon Brito-DOFAW

Kevin Moore-Land  
Emma Yuen-DOFAW  
Tony Koyamatsu-ENG  
Kelly Kobayashi-DAR  
Trevor Fitzpatrick-OCCL

### **OTHERS**

Julie China/AG  
Davis Yogi/DOT HAR  
Mike Auerbach/DOT AIR  
Keomailani Hirata/C1  
John Gibbs/D1  
Chad DeCoursey/D1  
Bridget Hammerist/D1  
Joseph Kamai/D1

Dreanalee Kalili/DOT -HAR  
Olivia Pham/DOT HAR  
Dawn Tsue/DOT AIR  
John Ritta/D1  
Carl Berg PhD/D1  
Kane Turalde/D1  
Kamal Hassan/D1  
Billy Kaohelaulii/D1

**ITEM A-1**

Bianca Isaki/D1  
Hope Kalai/D1  
Fern Holland/D1  
Richard Cooper/D1  
John Kaohelealii/D1  
Gary Hooser/D1  
Leimana DaMate/D1,K1  
Roselynn Cummings/D1  
Kiilani/D1  
Denise Antolini/F1 Wade Kodama/C2  
Pomaikai Kaniaupio Crosier/C2  
Greg Chun/K1  
Jennifer Scheffel/K1  
Chris Eisnlow/D5

Teresa Tico/D1  
Noelani Josselin/D1  
Bronson Azama/D1  
Roslyn Cummings/D1  
Lico Martin/D1  
Launani Teale/D1  
Rocky Kuwehiwa /D1  
Kaukaohu Waihilani/D1  
Jaclyn Park/D5  
Race Randle/C2  
Hoapili Ane/C2  
Charles Young/K1

**04.14.2023/00:04:01**

Chair Chang called the meeting to order. The Board members and public join in person and via Zoom. Those who requested to provide oral and written testimony have done so in advance of the meeting. The contested case standard statement was read, and Row Call of the Members conducted.

**04.14.2023/00:08:54**

**ITEM M-10** Request for Authorization to Conduct Public Auction for 65-year Lease for use of the former Hawaii Maritime Center and surrounding area, situated at Pier 7, to Occupy and Use the Premises for a Museum and related facilities, with a Harbor and Wharfage Operation Component and Pier Space Availability, Honolulu Harbor, Island of Oahu, Tax Map Key Nos.: (1) 2-1-001: Portion of 057 and (1) 2-1-001: Portion of 058 , Governor’s Executive Order No. 3542; and Issuance of a Month-to-Month Revocable Permit (RP) to be replaced with an Executed Lease.

DreanaLee Kalili, Department of Transportation presented the submittal. Davis Yogi (DOT HAR

Board Discussion

The future of the “Falls of Clyde” and type of usage were discussed.

Public Testimony-None

**04.14.2023/00:14:28**

**MOTION**

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

**04.14.2023/00:15:55**

**ITEM F-1** Request for Approval of Policy for Using the Division of Aquatic Resources Logo on Informational Signs.

Brian Neilson, Division of Aquatic Resources and Kelly Ann Kobayashi presented the submittal.

Board Discussion

Policy regarding use of DLNR Division Logos on signage and expanding partnerships, help in educating the public, creating a policy across the divisions and adding a cultural component.

Public Testimony

Denise Antolini provided information regarding the educational signs and supports the submittal.

**04.14.2023/00:23:25**

**MOTION**

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

**04.14.2023/00:24:26**

**ITEM M-1** Issuance of a Revocable Permit for Commercial Use of a T-Hangar for Storage of Aircraft and a Maintenance Hangar to support a Member-Based Aeronautical Flying Club, Belle Pacific Air, L.L.C., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-076: Portion of 020.

**ITEM M-2** Issuance of a Revocable Permit for Aircraft Parking, Novictor Aviation LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-076: Portion of 023.

**ITEM M-3** Issuance of a Revocable Permit for Paved, Improved Land to Store Above-Ground Storage Tanks to Provide Fuel to Airport Tenants, Signature Flight Support LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001.

Mike Auerbach, DOT Airports and Dawn Tsue are available for questions for Items M-1, M2 and M-3.

Board Discussion

Location for storage of fossil fuel was discussed.

Public Testimony-None

**04.14.2023/00:26:40**

**MOTION**

**Approved as submitted (Canto, Smith) 6-Ayes 1-Oppose (Barnes)**

**04.14.2023/00:27:29**

**ITEM M-4** Issuance of a Revocable Permit for Paved, Improved Land for U.S. Postal Mail Sortation and Ground Equipment Staging in support of its Fixed-Based Operation, Signature Flight Support LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-072: Portion of 011.

**ITEM M-5** Issuance of Revocable Permit for Paved, Open Equipment Parking to Support Ground Handling Operations, Signature Flight Support LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-072: Portion of 069 and (1) 1-1-072: 070.

- ITEM M-6** Issuance of a Revocable Permit for the Installation of Six (6) Avigilon Cameras at Gates E1, E3, E5, E6, E7 and E9 as Part of its Airline Operations, Southwest Airlines Co., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 050.
- ITEM M-7** Issuance of a Revocable Permit for Aircraft Parking, Buddy R. Wilson, Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 008.
- ITEM M-8** Issuance of a Revocable Permit for Commercial Use of a T-Hangar for Storage of Aircraft and a Maintenance Hangar to support an Aeronautical Maintenance Business, PMX Aviation Services LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-076: Portion of 020.

Mike Auerbach, DOT Airports and Dawn Tsue are available for questions for Items M-4, M-5, M-6, M-7 and M-8.

Board Discussion-None

Public Testimony-None

**04.14.2023/00:30:48**

**MOTION**

**Approved as submitted Items M-4, M-5, M-6, M-7 and M-8 (Canto, Smith) unanimously.**

**04.14.2023/00:27:00**

- ITEM M-11** Issuance of a Revocable Permit for Aircraft Parking, GoJump Hawaii, LLC, Kawaihapai Airfield, Waialua, Hawaii, Tax Map Key: (1) 6-08-14-001: (Portion).
- ITEM M-12** Issuance of a Revocable Permit for Land for the Purpose of Conducting an Aeronautical Skydiving Business, GoJump Hawaii, LLC, Kawaihapai Airfield, Waialua, Hawaii, Tax Map Key: (1) 6-08-14:022 (Portion), (1) 6-08-14:031 (Portion) and (1) 6-08-02:018 (Portion).
- ITEM M-13** Issuance of a Revocable Permit for Mobile Fuel Truck Parking, GoJump Hawaii, LLC, Kawaihapai Airfield, Waialua, Hawaii, Tax Map Key: (1) 6-08-14:001 (Portion).
- ITEM M-14** Issuance of a Revocable Permit for Commercial Use of a T-Hangar for Storage of Aircraft and a Maintenance Hangar to Support an Aeronautical Skydiving Business, GoJump Hawaii, LLC, Kawaihapai Airfield, Waialua, Hawaii, Tax Map Key: (1) 6-08-14:001 (Portion).
- ITEM M-15** Issuance of a Revocable Permit for Land to be used for an Overflow Lot for the Storage of Towed Vehicles, J A R Towing, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-014: 015 and (1) 1-1-014: 105.

**ITEM M-16** Amendment No. 2 to Facilities Lease No. DOT-A-13-0019, Request for Additional Space and to Extend the Lease Term, K.W. Auto Body, LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-04: 010.

Board Discussion

Items M-15 and M-16 clarification regarding Ualena Street Makai-side under DOT Airports was explained.

**ITEM M-17** Issuance of a Revocable Permit for Storage and Processing of Perishable Freight for Cargo Forwarding Operations, Commodity Forwarders, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 003.

**ITEM M-18** Issuance of a Revocable Permit for Main Terminal Floor Space for Passenger Self-Service Kiosks, United Airlines, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 003.

**ITEM M-19** Issuance of a Revocable Permit for Staging and Storage of Construction Equipment and Materials, Paul's Electrical Contracting LLC, Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 008.

**ITEM M-20** Issuance of a Revocable Permit for Ground Service Equipment Storage, United Airlines, Inc., Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 008.

**ITEM M-21** Issuance of a Revocable Permit for Ramp Space for an Above-Ground Diesel Fueling Facility, United Airlines, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 003.

**ITEM M-22** Issuance of a Revocable Permit for Ramp Space to Install a Potable Water Cabinet, United Airlines, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 003.

**ITEM M-23** Issuance of a Revocable Permit for Equipment and Truck Parking and Container Storage, Royal Hawaiian Movers, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-004: 018 and (1) 1-1-004: 017.

**ITEM M-24** Issuance of a Direct Lease to Develop, Construct, Operate and Maintain Airline Ramp Offices, Training Rooms, Employee Break Rooms, and Support Space, Inter-Island Terminal, Mauka Extension, Hawaiian Airlines, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001.

Mike Auerbach, DOT Airports and Dawn Tsue are available for questions for Items M-10, M-11, M-12, M-13, M-14, M-15, M-16, M-17, M-18, M-19, M-20, M-21, M-22, M-23, and M-24.

Board Discussion-None

Public Testimony-None

**04.14.2023/00:30:40**

**MOTION**

**Approved as submitted M-10, M-11, M-12, M-13, M-14, M-15, M-16, M-17, M-18, M-19, M-20, M-21, M-22, M-23, and M-24 (Ono, Smith) unanimously.**

**04.14.2023/00:31:32**

**ITEM M-9** Request for Authorization to Issue three Month-to-Month Revocable Permits to McCabe, Hamilton & Renny Company, Limited, for a Maintenance Shop, two Office Trailers, and a Work Area, situated at Pier 5, Kalaeloa Barbers Point Harbor, Island of Oahu, Tax Map Key Nos.: (1) 9-1-014: Portion of 024, (1) 9-1-014: Portion of 036, and (1) 9-1-014: Portion of 062 (P), Governor's Executive Order No. 3383.

Board Discussion

Clarification of permit, it provides supports the Stevedores Services.

**ITEM M-25** Request for Authorization to issue two (2) Month-to Month Revocable Permits to Hawaii Resource Group, LLC, for Equipment Storage. Pier 26, Honolulu Harbor, Island of Oahu, Tax Map Keys: (1) 1-5-038: Portion of 001 and (1) 1-15-038:072, Governor's Executive Order No. 2903.

**ITEM M-26** Request for Authorization to Issue a Month-to-Month Revocable Permit and a new 35-year Lease by Direct Negotiation to Hawaiian Cement (HC), for a Cement Terminal Facility a Non-Exclusive Subsurface Pipeline Easement to offload cement, Situated at Pier 1, Kawaihae Harbor, Island of Hawaii, Tax Map Keys: (3) 6-1-003: Portion of 023, (3) 6-1-003: Portion of 038 and (3) 6-1-003: Portion of 044, Governor's Executive Order Nos. 1988 and 1862.

Board Discussion

It was noted that the importance of Hawaiian Cement's presence on this side of the island.

**ITEM M-27** Request for Authorization to Issue a Month-to-Month Revocable Permit to the United States Coast Guard, for Office Space. Situated at Kahului Harbor, Island of Maui, Tax Map Key: (2) 3-7-010: Portion of 036.

Olivia Phan, DOT Harbors present to answer questions for M-26 and M-27. Davis Yogi (DOT HAR) is available as well.

Board Discussion-None

Public Testimony-None

**04.14.2023/00:34:33**

**MOTION**

**Approved as submitted Items M-9, M-25, M-26 and M-27 (Ono, Smith) unanimously.**

**04.14.2023/00:35:32 NON-ACTION ITEM**

**ITEM D-1** Report to the Board of Land and Natural Resources the status of Revocable Permit Nos. 7407, 7444 and 7613 to Coco Palms Ventures LLC Wailua, Kawaihau, Kauai, Tax Map Keys: (4) 4-1-003:044 por., (4) 4-1-003:017 and (4) 4-1-005:017.

Alison Neustein, Land Division provided the report. Russell Tsuji, (Land) available to answer questions.

**Board Discussion**

Clarification of who the current owner of the RP's. Compliance, status of current RP's application, violations on Conservation Land, foreclosure. Status of applications for the RP's and assignment of Lease. Burial sites, the canal running through the RP's, cutting of the coconut trees, presence of Archeological monitoring, development plans, integration of RP's in the building permits, no approval of the permits by the Board, no approval of the Assignment of Lease. Extensive discussion on the ownership.

**04/14/2023/01:07:19 Break**

**04/14/2023/01:16:45** (Member Barnes left the meeting)

**Public Testimony**

John Gibbs, Chad DeCoursey (it was clarified that they are not legally able to represent RP 21 Coco Palms, LLC), provided information on the status of the work and application of RP's and Lease that is currently on going. John Ritta, partner in ownership.

**04/14/2023/01:27:56**

Member Canto made the Motion to go into Executive Session, Member Smith seconded the motion. The Motion was unanimously approved.

**04/14/2023/01:56:42** Continuation of Public Testimony

Bridget Hammerquist, Kamal Hassamt, Billy (John) Kaohelaulii, Joseph Kamai, Carl Berg PhD, Kane Turalde, Rocky Kuwehiwa, Gary Hooser, Bianca Isaki, Launani Teale, Lico Martin, Leimana DaMate, John Kaohelaulii, Tara Rohas, provided testimony.

**04/14/2023/03:17:37 Lunch Break** (Member Barnes has joined the meeting)

**04/14/2023/03:49:37** Continuation of Public Testimony

Teresa Tico, Richard Cooper, Roselyn Cummings, John Kawhelia, Faith Chase, Hope Kalai provide insight on the briefing

**04/14/2023/04:36:39**

**ITEM C-2** Authorization of funding for Maui Land & Pineapple Company, Inc. for \$2,080,000 during FY24-30 for Puu Kukui Watershed Preserve continued enrollment in the

Natural Area Partnership Program and Acceptance and Approval of the Puu Kukui Watershed Preserve Long Range Management Plan, Tax Map Keys: (2) 4-1:001:017, (2) 4-2:001:001 (por), (2) 4-1:004:012 (por), (2) 4-1:005:010, (2) 4-1:005:013, (2) 4-1:005:016, (2) 4-1:005:017, (2) 4-3:001:001 (por), and (2) 4-3:001:017 (por), Maui.

Emma Yuen, Division of Forestry of Wildlife presented the submittal.

#### Board Discussion

Partnerships have been critical for the protecting the water shed.

#### Public Testimony

Race Randell, Wade Kodama, Hoapili Ane, Pomaikai Kaniaupio Crosier provide testimony in support of the submittal.

**04/14/2023/04:49:39**

#### **MOTION**

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

**04/14/2023/04:52:33**

**ITEM D-3** Authorize Chairperson to Negotiate, Approve and Execute a Memorandum of Agreement Between the Department of Land and Natural Resources and the State of Hawaii Department of Agriculture Regarding the Funding of Due Diligence for the Proposed Acquisition of the Wahiawa Irrigation System, Wahiawa Dam, Spillway and Appurtenant Works, and the Lake Wilson Reservoir. Tax Map Keys: (1) 7-3-001-003, 019; (1) 7-3-006-023; (1) 7-3-007-001; (1) 7-3-008-001; (1) 7-3-010-003; (1) 7-3-011-003, 006, 007; (1) 7-3-012-002, 006; (1) 7-4-001-003; and (1) 7-4-012-001.

Delegate to the Chairperson the Authority to Negotiate, Approve and Execute Additional Agreements and Contracts Regarding the Conducting of Due Diligence for the Proposed Acquisition of the Wahiawa Irrigation System, Wahiawa Dam, Spillway and Appurtenant Works, and the Lake Wilson Reservoir.

Ian Hirokawa, Land Division presented the submittal. Tony Koyamatsu (Engineering – Dam Safety) is available to answer questions.

#### Board Discussion

Discussion regarding the status of the current owner's violations, compliance and pending legislation, liability to the State, information regarding the future of the project was discussed.

Public Testimony-None

**04/14/2023/04:59:15**

#### **MOTION**

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



**04/14/2023/05:04:15: Break**

**04/14/2023/05:10:00**

**ITEM K-1** Conservation District Use Application (CDUA) HA-3906 Regarding the Hōkū Ke‘a Observatory Decommissioning Project by the University of Hawai‘i at Hilo and the Center for Maunakea Stewardship Located at the Mauna Kea Science Reserve, Ka‘ohe, Hāmākua, Hawai‘i Tax Map Keys: (3) 4-4-015:009 (por).

Michael Cain, Office of Conservation and Coastal Lands presented the submittal. Trevor Fitzpatrick (OCCL) available to answer questions.

Board Discussion

The Board has the ability to modify the conditions of decommissioning, archaeological consultation, environmental assessment, Native Hawaiian/Cultural consultation and impact. Current condition of slab/geology, trenching, cultural training and monitor will be on site. Recommendations in submittal for washdown area,

Public Testimony

Greg Chun, Charles Young, Jennifer Scheff, and Leimana DaMate provided testimony.

**04/14/2023/06:38:20**

**MOTION**

**Approve as submitted (Smith, Char) 5-Ayes, 1-Oppose (Barnes), Member Yoon absent.**

**04/14/2023/06:39:25**

**ITEM D-5** Grant of Term, Non-Exclusive Easement, Immediate Right-of-Entry and Revocable Permit to David D. Kim for Beach Revetment Purposes, Waialae-Iki, Honolulu, Oahu, Tax Map Key: (1) 3-5-058: seaward of 011.

Russell Tsuji, Land Division presented the submittal.

Board Discussion

After the fact request for a revetment that was built in the 1960’s. It was noted that the revetment protects the sewer line that runs under it.

Public Testimony

Chris Eisnlow provided testimony on behalf of the applicant.

**04/14/2023/06:54:19**

**MOTION**

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

**04/14/2023/06:54:19**

**ITEM C-1** Acceptance of Hearing Master's Report and Approval and Recommendation to the Governor for Issuance of an Executive Order to set aside existing unencumbered State Lands at 'Ilio point, Molokai, Tax Map Key: (2) 5-1-002:006 to the Department of Land and Natural Resources, Division of Forestry and Wildlife: and

Issuance of an Immediate Management Right of Entry to Division of Forestry and Wildlife; and

Request to close 'Ilio point to the public Pursuant to HAR § 13-209-4.5 for Public Safety purposes, Effective upon Designation of the Public Lands as a Natural Area Reserve for a two-year term.

Emma Yuen, Division of Forestry and Wildlife presented the submittal. John Ricco is available to answer questions. Jon Brito (DOFAW) available to answer questions.

Board Discussion

Length of closure, community is not happy with the closure although it has legally been closed, community outreach concerns should be conducive to the island.

Public Testimony

Keomailani Hirata testified in opposition.

**04/14/2023/07:08:19**

Member Canto withdrew her Motion to Approve

**04/14/2023/07:15:05**

**MOTION**

**DEFER (Barnes, Char) unanimously.**

**04/14/2023/07:15:05**

**ITEM D-4** Issuance of Perpetual, Non-Exclusive Easement for Water Pipeline and Water Meter Purposes and Immediate Construction Right-of-Entry Permit to City and County of Honolulu, Board of Water Supply; Honolulu, Oahu, Tax Map Key: (1) 3-1-042: portions of 027.

Russell Tsuji, Land Division presented the submittal.

**04/14/2023/07:18:40**

**MOTION**

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

There being no further business, Chair Chang 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:



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Dawn N.S. Chang, Chairperson  
Board of Land and Natural Resources  
Department of Land and Natural Resources