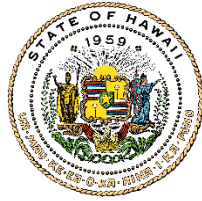


JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

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: September 22, 2023  
TIME: 9:15 AM  
LOCATION: In person at 1151 Punchbowl St, Room 132  
(Kalanimoku Building) online via ZOOM, livestream  
via YouTube

*This public meeting will be held using interactive conference technology in accordance with section 92-3.7, Haw. Rev. Stat. (HRS). 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 3minutes)

**To provide video testimony via Zoom:**  
Send your request to [blnr.testimony@hawaii.gov](mailto: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 3minutes)

**To provide oral testimony by telephone: : +1 669 444-9171**

**Meeting ID: 851 7684 9628**

**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](mailto: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), HRS, 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.**

**A. MINUTES**

1. Approval of the Summary Minutes of the May 12, 2023, meeting.

**C. DIVISION OF FORESTRY AND WILDLIFFE**

1. Request to approve location and course of the public trail to Ho'olawa Landing, Maui, identified on registered Map 862, Hamakualoa District, Maui, to ensure continued public access; and

Request approval of Declaration of Exemption from Chapter 343, HRS environmental compliance requirements for the project.

**D. LAND DIVISION**

1. Cancellation of General Lease 4023 to the Kauai Food Bank, Inc., dba Kauai Independent Food Bank, and Issuance of Direct Lease to The Kauai Food Bank, Inc. dba Kauai Independent Food Bank, for Business Purposes; Request to Consent to Sublease to (i) Sutada Hesse, dba Hesse Flooring, and (ii) Eyes Wide Open Productions LLC, Lihue, Kauai, Tax Map Key: (4) 3-2-004:001.
2. Issuance of Direct Lease to Hawaii Foodbank, Inc. for Administrative Office and Warehouse for Receiving and Distributing of Food Products Purposes; Waikele, Ewa, Oahu, TMK (1) 9-4-166:001, 002, 003, 024, 025, and 026.
3. Grant of Term, Non-Exclusive Easement, Immediate Right of Entry, and Revocable Permit to Marisa and Graham Chelius for Shoreline Protection Structure on State Lands at Kikiaola, Kekaha, Waimea, Kauai, Tax Map Key: (4) 1-2-013: seaward of 031, or Alternatively, Requirement of Immediate Removal of Shoreline Protection Structure and Grant of Immediate Right-of-Entry for Removal Purposes.
4. Approval of a Development Agreement for a 25-Year Extension of Lease Term, General Lease No. S-4201, Jennifer Frank, Successor Trustee of the Stephen Harold Frank Living Trust dated March 27, 2014, also known as Stephen Harold Frank Revocable Trust (Frank Trust), Lessee; Authorize the Chairperson to Approve and Execute a Lease Extension for General Lease No. S-4201, Frank Trust, Lessee, Waiakea, South Hilo, Hawai'i, Tax Map Key: (3) 2-2-058:033.
5. Authorize Chairperson to Negotiate, Approve and Execute a Memorandum of Agreement Between the Department of Land and Natural Resources and the Department of Agriculture Regarding the Management of Statewide Ocean Leases Issued under Chapters 171 and 190D, Hawaii Revised Statutes, and Transfer of Revenues, Less Management Expenses, to the Aquaculture Development Program Managed by the Department of Agriculture.
6. Cancellation of Revocable Permit No. S-7919, Kimi Hotels, Inc., Permittee, with Issuance of New Revocable Permit to SCP Hilo, LLC for Parking Lot Purposes, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-1-006:078 & 085.
7. (1) Cancellation of Revocable Permit No. 7643 to Savio KC Operating Company LLC; (2) Issuance of Revocable Permit for Parking Purposes and Right-of-Entry Permit to

Lance Keawe Wilhelm, Elliot K. Mills, Robert K.W. H. Nobriga, Crystal Kauilani Rose, and Jennifer Noelani Goodyear-Ka'ōpua, as Trustees of the Estate of Bernice Pauahi Bishop (KSBE); (3) Sale of Remnant to KSBE; Honolulu, Oahu, Tax Map Key: (1) 2-3-018:045.

8. Issuance of Revocable Permit to Bill DeCosta for Intensive Agriculture Purposes, Hanapepe, Waimea, Kauai, Tax Map Keys: (4) 1-9-012:005 and 037.
9. Amend Prior Board Action of August 11, 2023, Item D-1, Annual Renewal of Revocable Permits for Kauai, and Termination of Revocable Permit No. S-7833, Lorrin J. Aiwohi, Permittee, Kapaa Homesteads, First Series, Kawaihau, Kauai, Tax Map Key: (4) 4-6-006:028 & 029.
10. Issuance of Land Patent in Confirmation of Land Commission Award No. 5785 to Keakualaaumoku, situate at Keahou 2, District of North Kona, Island and County of Hawaii, Tax Map Key: (3) 7-8-019-025.
11. Annual Renewal of Revocable Permits for Hawaii. See **Exhibit 2** for list of Revocable Permits.
12. Amend Prior Board Action of November 12, 2021, agenda item D-11; Withdrawal from Governor's Executive Order No. 4215; Issuance of Perpetual Non-Exclusive Access and Utility Easements and Right-of-Entry Permit to City and County of Honolulu, Board of Water Supply; Waimanalo, Koolaupoko, Oahu, Tax Map Key:(1) 4-1-008: portions of 103.  
  
The Amendment is to seek an Extension of the Right-of-Entry Permit and Authorize the Chairperson further Extend the Right-of-Entry, if necessary.
13. (1) Consent to Assign General Lease of Easement No. S-5175, (a) Shoji Kitami, Assignor to Masahiro Kitami, Assignee; (b) Masahiro Kitami, Assignor, to Lukasz John Maj and Mary Liu Lan, Assignees; (2) Amend the Easement Conditions regarding Consent to Assignment and Insurance Provision; Kaneohe, Koolaupoko, Oahu, Tax Map Key: (1) 4-6-001: 011seaward.
14. Amend Prior Chairperson approval dated November 22, 2022, Regarding Issuance of Right-of-Entry to Joshua H. VanEmmerik for Removal of Shoreline Erosion Control Structure, Pupukea, Koolauloa, Oahu, Tax Map Key: (1) 5-9-002: seaward of 002 and 003.

The Amendment is to Extend the Right-of-Entry to September 30, 2023.

**J. DIVISION OF BOATING AND OCEAN RECREATION**

1. Consent to the Assignment of a 50% Interest in Boating Lease No. LH-19-002 Held by One (International and Pacific Enterprises, LLC) of the Two Members of Lessee Pacific Marine Partners LLC, to Its Other 50% Member (Jonas Ikaika Solliday), Situated at Honokohau Small Boat Harbor, North Kona, Island of Hawaii, Hawaii, Tax Map Key: (3) 7-4-008:003 (Por).

**NON-ACTION**

2. Informational Briefing on DOBOR's Non-Profit Rent Policy for 501(c)(1) and 501(c)(3) Organizations.
3. Mutual Cancellation of a Revocable Permit No. 131 (RP 131) to Linnline Marine, Inc. and Waiver of Requirement to Conduct a Phase I Environmental Site Assessment, Lahaina Small Boat Harbor, Lahaina, Maui, Hawaii, Tax Map Key: (2) 4-6-001:002 (por).

**K. OFFICE OF CONSERVATION AND COASTAL LANDS**

1. Request for Administrative Fines and Other Penalties Against 59-181 Ke-Nui LLC, including members Eric and Moniza Freeman, for Conservation District Enforcement Case OA 22-18 Regarding the Alleged Permit Noncompliance, Construction of Shoreline Erosion Control Device, and Encroachment Upon State Land Located Makai of 59-181 D Ke Nui Rd., Tax Map Key: (1) 5-9-002:034

*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.*

**M. OTHERS**

1. Issuance of a Facilities Lease by Direct Negotiation for Administrative Offices, United States General Services Administration on Behalf of the United States Department of Agriculture, Mauka Extension, Terminal 1, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001.
2. Issuance of a Revocable Permit for Vehicle Parking and Construction Laydown Areas in the Mauka Concourse as Part of Its Signatory Airline Operations, Hawaiian Airlines, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 073.

3. Issuance of a Land Lease for Aeronautical or Airport-Related Purposes by Notice of Public Auction, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-076: Portion of 002.
4. Issuance of a Revocable Permit for Airline Offices, Training Rooms, Storage and Employee Break Rooms, Southwest Airlines Co., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 065.
5. Issuance of a Revocable Permit for Operational Offices to Perform Security/Safety and Law Enforcement Services, Universal Protection Service, LP dba Allied Universal Security Services, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 055, (1) 1-1-003: Portion of 053 and (1) 1-1-003: Portion 073.
6. Issuance of a Revocable Permit for a Helicopter Operational Area and Parking for Helicopter Tour Operation, K & S Helicopters, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.
7. Issuance of a Lease for the Maintenance and Operation of an Air Traffic Control Tower, United States of America, Acting By and Through the Federal Aviation Administration, Lihue Airport, Tax Map Key: (4) 3-5-001: Portion of 008.
8. Request for Authorization to Issue Four Month-to-Month Revocable Permits to Young Brothers, LLC, for an Office Trailer, Break Room, Spill Response Container, and Container Station, situated at Kaunakakai Harbor, Island of Molokai, Tax Map Key Nos.: (2) 5-3-001: Portion of 011 and (2) 5-3-001: Portion of 108, Governor's Executive Order No. 1673.
9. Authorize a One-Year Holdover of Harbor Lease No. H-94-1 and Issuance of a new 55-Year Lease by Direct Negotiation to The Gas Company, LLC, for a Non-Exclusive Subsurface Pipeline Easement, Four Cathodic Beds, and a Valve Box for the Storage and Distribution of Liquefied Petroleum Gas and Propane, situated at Pier 3, Nawiliwili Harbor, Island of Kauai, Tax Map Key Nos. (4) 3-2-003: Portion of 041, (4) 3-2-003: Portion of 001, (4) 3-2-003: Portion of 007, and (4) 3-2-003: Portion of 051, Governor's Executive Order Nos. 3134, 1332, and 3411.
10. Request for Authorization to Issue Two Month-to-Month Revocable Permits to Honolulu Fishing and Supply LLC, for Warehouse Space, Equipment Storage and a Workshop, adjacent to Pier 31, Honolulu Harbor, Island of Oahu, Tax Map Key Nos.: (1) 1-5-035: Portion 016, (1) 1-5-035: Portion of 024 and (1) 1-5-035: Portion of 033, Governor's Executive Order No. 4137.
11. Request for Authorization to Issue a Month-to-Month Revocable Permit (RP) to National Response Corporation (NRC), for the Storage of Oil Spill Response Gear, Storage of Support Gear and Parking, for its NRC SENTRY Moored nearby in Kalaeloa Barbers Point Harbor, situated at Pier 4, Kalaeloa

Barbers Point Harbor, Island of Oahu, Tax Map Key No.: (1) 9-1-014: Portion of 024, Governor's Executive Order No. 3383.

12. Request for Authorization to Issue a Month-to-Month Revocable Permit (RP) to Pacific Environmental Corporation, for Container Storage of Spill Response Gear for Emergency Pollution Response and Environmental Remediation, situated at Pier 4, Kalaeloa Barbers Point Harbor, Island of Oahu, Tax Map Key : (1) 9-1-014:Portion of 024, Governor's Executive Order No. 3383.
13. Issuance of 15 Month-to-Month Revocable Permits (RP) to Young Brothers, LLC, for a Container Check-in Facility, Break Room, Clerk Trailer, Guard Shack, Electrical Conduits and Transformers, Office Trailer, Various Storage Areas, Area for Fueling, First Aid Station, and Coning Station, situated at Pier 2, Kawaihae Harbor, Island of Hawaii, Tax Map Keys: (3) 6-1-003: Portion of 023 and (3) 6-003: Portion of 036, Governor's Executive Order Nos. 1988 and 1862.
14. Intentionally Left Blank
15. Issuance of a Revocable Permit for use of a T-Hangar for Storage and Maintenance of a Private Aircraft, FMY, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-076: Portion of 021.
16. Issuance of a Revocable Permit for an Office, Storage Space and Vehicle Parking, JBT Aerotech Corporation, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 050.
17. Issuance of a Revocable Permit for Warehouse, Parts Storage and Vehicle Parking, JBT Aerotech Corporation, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 001.
18. Issuance of a Revocable Permit for Staging of Equipment and Trucks, United Parcel Service, Inc., Daniel K. Inouye International Airport, Tax Map Keys: (1) 1-1-004: 015 and (1) 1-1-004: 017.
19. Issuance of a Lease for the Maintenance and Operation of an Air Traffic Control Tower, United States of America, Acting by and Through the Federal Aviation Administration, Hilo International Airport, Tax Map Key: (3) 2-1-12: Portion of 116 and 117.
20. Issuance of a Revocable Permit for Ramp Spaces for Ground Service Equipment Parking, American Airlines, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 003.
21. Issuance of a Revocable Permit for Aircraft Parking, Jonathan D. Real, Waimea-Kohala Airport, Tax Map Key: (3) 6-7-001: Portion of 008.

22. Issuance of a Revocable Permit for Commercial Use of a T-Hangar for Storage of Aircraft and a Maintenance Hangar for Commercial Helicopter Tour Operations, Hawaii Helicopters, LLC, Kahului Airport, Tax Map Key: (2) 3-8-001: Portion of 195.
23. Issuance of a Revocable Permit for Customer Service Counters and Storage for Air Cargo and On-Demand Air Charter Operations, Kamaka Air LLC, Kapalua Airport, Tax Map Key: (2) 4-3-001: Portion of 073.