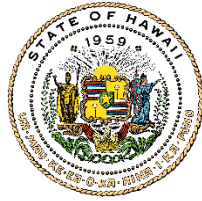


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

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

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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: October 13, 2023
TIME: 9:15 AM
LOCATION: DLNR Boardroom, Kalanimoku Building
1151 Punchbowl St., Room 132 & online via ZOOM,

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, testifiers, and the public can choose to participate in person, online via Zoom, or by telephone. The public may also view the live meeting via its live stream at: <http://youtube.com/c/boardoflandandnaturalresourcesdlnr>

To Provide 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.

To provide in-person testimony (Masks are encouraged):

*Attend live at 1151 Punchbowl St. Room 132 (Kalanimoku Building), Honolulu, Hawaii.
(Note: Testimony may be limited to 3-minutes)*

To provide video testimony via Zoom:

*Send your request in a timely manner 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 (Note: Testimony may be limited to 3 minutes).*

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

*Meeting ID: 863 8890 1459 Note: To unmute, press *6.*

Note: All phone in and day of requests depends on whether they can be accommodated in sufficient time before the item has been addressed by the Board; kindly note that due to meeting constraints only timely testimony can be addressed.

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 26, 2023, meeting.

C. DIVISION OF FORESTRY AND WILDLIFFE

1. Request approval of Final Environmental Assessment and Authorization for the Chairperson to issue a Finding of No Significant Impact for the “use of Wolbachia-Based Incompatible Insect technique for the suppression of non-native southern house mosquito populations on Kauai”.

D. LAND DIVISION

1. **NON-ACTION ITEM:** Report Relating to Rental Reopening of the Kikala-Keokea Subdivision, Kikala and Keokea, Puna, Hawaii; Tax Map Keys: (3) 1-2-07: Various
2. Consent to Sublease General Lease No. S-3599, Central Supply, Inc Lessee, to Top Notch Automotive, Inc., Sublessee; Lot 22 Kanoelehua Industrial Lots, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-050:090.
3. Consent to Sublease General Lease No. S-4443, I. Kitagawa & Co., Ltd Lessee, to Ohana Housing & Development, Inc. and Research Corporation of the University of Hawaii, Sublessees, Waiakea House Lot Extension, Hilo, Hawaii, Tax Map Key: (3) 2-2-058:001.

4. Set Aside to the County of Hawaii for Affordable Housing and Issuance of an Immediate Management Right-of-Entry Permit to the County of Hawaii for Unencumbered State Lands Located at Waiakea, South Hilo, Hawaii, Tax Map Keys: (3) 2-4-20:005,006,054, (3) 2-4-033:018; at Piihonua, South Hilo, Hawaii, (3) 2-5-010:001 Portion; at Ponahawai, South Hilo, Hawaii, (3) 2-5-027:015 and at Ooma 1st, North Kona, Hawaii, Tax Map Keys: (3) 7-3-010:056 and (3) 7-3-010:061 portions.
5. Annual Renewal of Revocable Permits in Maui County. See **Exhibit 2** for list of Revocable Permits.
6. **NON-ACTION ITEM:** Update Regarding the Disposition of Water License for Water Use from East Maui on the Island of Maui.
7. Issuance of a Right-of-Entry Permit to the United States through its Army Corps of Engineers, Honolulu District, Department of the Army, to Conduct Defense Environmental Restoration Program Activities on State Lands Including Submerged Lands on the Islands of Oahu and Hawaii. See Exhibit 2 for List of Subject Properties.
8. Amend prior Board Action of September 11, 2020, Item D-7,

Grant of Term, Non-Exclusive Easements to New Cingular Wireless PCS, LLC for the Installation, Operation and Maintenance of Small Cell Wireless Facilities on Lands and under the Direct Management of the Department of Land and Natural Resources; Grant of Term, Non-Exclusive Easements to Hawaiian Electric Company, Inc. and Hawaiian Telcom, Inc. for Electrical Transmission and Telecommunications Transmission Purposes, Respectively, at the following locations:

Keehi Small Boat Harbor, Kalihi-Kai, Honolulu, Oahu, Tax Map Key: (1) 1-2-025:113 por.; and Ala Wai Small Boat Harbor, Kalia, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:012 pors.

Authorize Negotiation and Issuance of Master License Agreement and Site License Agreement to New Cingular Wireless PCS, LLC for the Installation, Operation and Maintenance of Small Cell Wireless Facilities on Land and Improvements under the Direct Management of the Department of Land and Natural Resources; Grant of Term, Non-Exclusive Easements to Hawaiian Electric Company, Inc. and Hawaiian Telcom, Inc. for Electrical Transmission and Telecommunications Transmission Purposes, Respectively, at the following location: Diamond Head State Monument, Kapahulu, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 3-1-042:006 por.

The purposes of the amendment are to: (1) Delete the Approval of an Easement for the Small Cell Wireless Facility (SCWF) at Keehi Small Boat Harbor; (2) Delete the

Approval of an Easement for one of the two Locations at Ala Wai Small Boat Harbor; (3) Authorize a Change in the Specifications of what was Originally proposed as a Small Cell Site for the Diamond Head State Monument (DHSM) Location to a Facility larger than 6 cubic feet on a utility pole; (4) Correct information presented in the prior Board action as to the Ownership of the DHSM Utility Pole and Require Applicant to Secure Written Consent of Hawaiian Electric Company, Inc. (HECO) to Install its Equipment on the pole; and (5) Change the Approved Land Disposition Type from a Master License Agreement and Site License to Non-Exclusive Utility Easement for the Installation of the Facility on HECO's pole in DHSM.

9. Extinguishment of Portions of Drainage Easement Encumbering Lands Owned by: 1) Eddie Kenji Teruya and Kathleen Michiko Teruya, Trustees of the Teruya Family Trust, dated September 17, 2021 and 2) Phu-Thien Nguyen Tran and Thao Thuy Nguyen, over Private Properties located in Makiki, Honolulu, Oahu, Tax Map Key: (1) 2-4-023:Portions of 051 and 085.

10. Issuance of Right-of-Entry Permit to Hilton Hawaiian Village, LLC for Sand Placement Project, Waikiki, Honolulu, Oahu, Identified as Tax Map Key: (1) 2-3-037: portion of 021.

11. Quitclaim of State's Interests, if Any, in Portions of Forest Ridge Way as Remnants to the City and County of Honolulu; Makiki, Honolulu, Oahu; TMK: (1) 2-5-015:023 and portions of Forest Ridge Way.

12. Request for Set Aside to the City and County of Honolulu, Board of Water Supply for Water Tank Purposes; Grant of Perpetual, Non-Exclusive Easement for Access and Utility Purposes; Issuance of Immediate Construction and Management Right-of-Entry Permit; Honouliuli, Ewa, Oahu, Tax Map Key (1) 9-1-018: portions of 008.

13. Authorize the Withdrawal of Approximately 5 Acres from Governor's Executive Order No. 4584 to the Department of Agriculture for Agriculture Purposes, Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-031:001; and

Authorize the Withdrawal of Approximately 5 Acres from Department of Agriculture General Lease No. S-3138 to Hawaii Land and Livestock, LLC for Diversified Agriculture Including Animal Feedlot Purposes for Finishing Prior to Slaughter of Livestock, Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-031:001; and

Authorize an Immediate Management Right-of-Entry Permit and Set Aside to the Agribusiness Development Corporation for Small Animal Slaughterhouse Purposes, Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-031:001, por.; and

Authorize the Agribusiness Development Corporation to Negotiate a Direct Lease with Oahu Pork Producers, LLC for a Small Animal Slaughterhouse, Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-031:001, por.

14. Grant of Term, Non-Exclusive Easement to HTH DH Ventures, LLC for Steps at Waikiki, Honolulu, Oahu, Tax Map Key: (1) 3-1-039: seaward of 065.

F. DIVISION OF AQUATIC RESOURCES

1. *Request for Authorization and Approval to Issue a Special Activity Permit (SAP 2024-60) for David McInroy of the British Geological Survey, Principal Marine Geoscientist, for the Collection of Fossilized Reef Cores from Submerged Lands in State Waters off of Hawaii Island, for the Purposes of Climate Research.*

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.

L. ENGINEERING

1. Authorize the Approval and Issuance of Dam Safety Permit P90 to Remove the Hawi No. 5 Reservoir (HA-0051), North Kohala, Hawaii, Tax Map Key: (3) 5-5-007:005 & 5-5-007:010.
2. Deny Dole Food Company's Request for Suspension of Remediation Timelines and Fines for the Wahiawa Dam (OA-0017), Helemano 6 Dam (OA-0023) and Kemoo 5 Dam (OA-0021) and Authorize a Variance to Allow a Partial Payment of the Dam Safety Permit Application Fee, Wahiawa, Oahu. Tax Map Keys 7-1-012:014, 7-3-013:003, 7-3-012:002, 7-3-007:001.

M. OTHERS

1. Issuance of a Revocable Permit for use of a T-Hangar for Storage and Maintenance of a Private Aircraft, George K. Hanzawa, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-076: Portion of 020.
2. Issuance of a Revocable Permit for Office Space to Support Airline Contract Service Operations, U.S. Aviation Services Corp., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 033.
3. Issuance of a Revocable Permit for Cargo Spaces for Equipment Storage and Freight Processing, United Parcel Service, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.
4. Issuance of a Revocable Permit for Land for Staging Ground Service Equipment, United Parcel Service, Inc., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.
5. Issuance of a Revocable Permit for Ramp Space to Install Modular Office Units for Signatory Airline Operations, Southwest Airlines Co., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.
6. Issuance of a Revocable Permit for Commercial Use of Two T-Hangars for Storage of Aircraft and a Maintenance Hangar to support an Air Charter and Tour Operation, Pacific Air Charters, Incorporated, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-076: Portion of 020 and (1) 1-1-076: Portion of 022.
7. Request for Authorization to Issue a Month-to-Month Revocable Permit (RP) to Healy Tibbits Builders, Inc., for Storage of Marine Construction, Dredging and Marine Transportation Equipment, situated at Pier 12, Honolulu Harbor, Island of Oahu, Tax Map Keys: (1) 2-1-001: Portion of 055, and (1) 2-1-001: Portion of 056, Governor's Executive Order No. 3542.
8. Approval to Issue a Use Permit to the United States Postal Service (USPS) Waialae-Kahala Branch for the use of a portion (15-parking stalls) of the State of Hawaii Department of Defense paved parking lot, located at the at the intersection of Diamond Head Road and 22nd Avenue, Oahu, Hawaii, Tax Map Key: (1) 3-1-042:041.