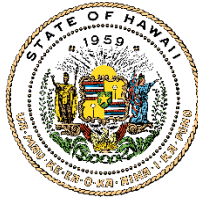


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

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

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

DATE: October 27, 2023
TIME: 9:15 AM
LOCATION: In person at the DLNR Boardroom, Kalanimoku
Building, 1151 Punchbowl St., Room 132,
& online via ZOOM, livestream via YouTube

ITEM M-1 Issuance of a Revocable Permit for use of a Non-Exclusive Enclosed Walkway to Access Crew Member Facilities, Hawaiian Airlines, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 228 (Portion).

APPROVED

ITEM M-2 Request for Authorization to Issue Three (3) Month-to-Month Revocable Permits (RP) to Petrospect Inc., for container Storage of Petroleum Product Inspection Equipment, Storage of equipment and Office Space, situated at Pier 21, Honolulu, Harbor, Island of Oahu, Tax Map Key: (1) 1-5-039: Portion of 007 and (1) 1-5-039: Portion of 035, Governor's Executive Order No. 2903.

ITEM M-3 Request for Authorization to Issue a Month-to-Month Revocable Permit to Matson Terminals, Inc., for Storage of Stationary Crane, situated at Pier 6, Kalaeloa Barbers Point Harbor (KBPH), Island of Oahu, Tax Map Key: (1) 9-1-014: Portion of 024, Governor's Executive Order No. 3383.

ITEM M-4 Request for Authorization to Issue a Month-to-Month Revocable (RP) to Healy Tibbitts Builders, Inc., for a Storage Yard for Marine Construction Equipment, Materials, Supplies, Trade Fixtures and Other Items Accessory to Marine Construction Business, situated at Pier 9. Kalaeloa Barbers Point Harbor, Island of Oahu, Tax Map Keys: (1) 9-1-014: Portion of 024 and (1) 9-1-014: Portion of 037, Governor's Executive Order No. 3383.

APPROVED ITEMS M-2 THROUGH M-4

ITEM M-5 Request for Authorization to Issue an Interim Month-to-Month Revocable Permit (RP) and Issue of a new 35-year Lease by Direct Negotiation to Matson Terminals, Inc., for Operation of Electrical Power Equipment for Refrigerated Cargo

Containers, Pier 1, Hilo Harbor, Island of Hawaii, Tax Map Key: (3) 2-1-009: Portion of 007, Governor's Executive Order No. 3962.

APPROVED

ITEM M-6 Request Authorization to Acquire Land for Temporary Use by the Department of Transportation, for Highway Purposes, Relating to Route 450 Kamehameha V Highway Shoreline Protection at Niaupala Fishpond Project No. HWY-L-CE19-01, PAO 7 at Kaluaaaha, Molokai, Maui, Hawaii Tax Map Key: (2) 5-7-011:002.

APPROVED

ITEM L-1 Request Authorization for the Chairperson to Set New Schedules and Make a Finding of Violation Sufficient to Support Specified Fines and Issue Fines in the Owner if Deadlines are Missed for the Removal or Rehabilitation of the Ukumehame Reservoirs (MA-0140), Waikapu, Maui. Tax Map Keys (2) 4-8-002:015, (2) 4-8-002:017, (2) 4-8-002:027, (2) 4-8-002:064, (2) 4-8-002:118

Proviso:

Confirm that Association has \$500,000 available for this application and under Hawaii Administrative Rules 13-90.1 need to submit an updated Dam Safety Permit application package within 30-days which would clarify some of the questions about specific ownership.

APPROVED With Proviso

ITEM D-9 Issuance of Immediate Management Right-of-Entry Permit and Authorization to Set Aside Lands to County of Maui for the Lahaina Wildfire Final Disposition Project; Olowalu, Maui, Tax Map Key No. (2) 4-8-003:007.

APPROVED

ITEM D-10 Issuance of Immediate Management Right-of-Entry and Revocable Permit to County of Maui for the Lahaina Wildfire Final Disposition Project; Olowalu, Maui, Tax Map Key No. (2) 4-8-003:008 por.

APPROVED

ITEM E-1 Request the Board of Land and Natural Resources Approve the Final Master Plan for Kealakekua Bay State Historical Park, Kealakekua, South Kona, Island of Hawai'i., Tax Map Keys: (3) 8-1-007:050; 8-1-010:001; 8-1-011:001, 003, 004-010, 012-014, and 016; 8-2-004:001-002, 008-010, and 015.

APPROVED

ITEM E-2 Annual Continuance of Revocable Permits Statewide (See **Exhibit A** for list of Revocable Permits); and

Declare Projects Exempt from Requirements of Chapter 343, Hawai'i Revised Statutes and Title 11, Chapter 200.1, Hawai'i Administrative Rules. 012-014, and 016; 8-2-004:001-002, 008-010, and 015.

Amendment:

Withdraw RPSP 519

APPROVED as Amended

- ITEM C-1** Request Delegation of Authority to the Chairperson to Accept Transfer of Funds from the Department of the Interior, Natural Resource Damage Assessment and Restoration Fund to the Division of Forestry and Wildlife, for the Pouhala Marsh Restoration and Enhancement Project, Waipahu, Oahu, Tax Map Keys: (1) 9-3-001:002, (1) 9-3-001:004, (1) 9-3-001:006, (1) 9-3-001:012 (portions); and

Request Delegation of Authority to the Chairperson to Procure, Award, and Enter into Professional Service Consultant and Construction Contracts for the Implementation of the Pouhala Marsh Restoration and Enhancement Project, Phase I and II.

APPROVED

- ITEM C-2** 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, Moloka'i, 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 the Division of Forestry and Wildlife.

DEFERRED

- ITEM C-3** A) Approve Acquisition of Private Land at Makolelau, District of Kona, Island of Molokai, Tax Map Key: (2) 5-5-001:015 (Makolelau 5th parcel);

B) Upon Closing, Approve the Issuance of a Management Right-of-Entry Permit to the Division of Forestry and Wildlife at Makolelau, District of Kona, Island of Molokai, Tax Map Key: (2) 5-5-001:015 (Makolelau 5th parcel); and

C) Authorize the Division of Forestry and Wildlife to Conduct a Public Hearing on the Island of Molokai for a Proposed Addition to the Molokai Forest Reserve at Makolelau, District of Kona, Island of Molokai, Tax Map Key: (2) 5-5-001:015 (Makolelau 5th parcel).

Amendment:

Recommendation 2B: Native Hawaiians with Generational ties that they have access for traditional customary practice. Recommendation 3A: Provide a site visit before the Public Hearing

APPROVED AS AMENDED

- ITEM C-4** Authorize the Division of Forestry and Wildlife to Conduct a Public Hearing regarding the Proposed Set Aside of Lands as an Extension of the Manowaiale'e Forest Reserve, Hamakua, Hawaii, Tax Map Key: (3) 4-1-006:002.

APPROVED

- ITEM C-5** Request Approval of the Resource Land Acquisition Plan to Guide the Board in Acquiring Land having value as a resource to the State in the Exercise of its Powers under Chapter 173A, Hawai'i Revised Statutes.

APPROVED

- ITEM C-6** Authorize the Division to Issue Day Pass Access Permits for Public Game Bird Hunting, on Wednesdays only, in the Kuaokala Game Management Area (Unit 1) Tax Map Keys: (1) 6-9-003:002, (1) 6-8-002:007 and Makua Kea'au Public Hunting Area (Unit 2) Tax Map Keys: (1) 8-3-001:012; 018; 009 on the Island of Oahu, November 4, 2023, through January 28, 2024; and

Exempt issuance of the day pass permits from the requirement to prepare an environmental assessment, pursuant to Chapter 343, Hawaii Revised Statutes, and Chapter 11-200.1, Hawaii Administrative rules.

APPROVED.

- ITEM D-1** Consent to Assign General Lease No. S-4649, Ficker & Hunt, a Hawaii Partnership, Assignor, to Chester Wayne Hunt, Trustee of the Hunt Family Revocable Living Trust, Assignee, Kekaha, Waimea, Kauai, Hawaii; Tax Map Key: (4) 1-3-008:003.

APPROVED.

- ITEM D-2** Cancellation of Revocable Permit No. S-7701, Stanley Vasques, Permittee and Waiver of Phase I Environmental Site Assessment Requirement; Issue New Revocable Permit to Cherie Vasques-Sarme, for Pasture Purposes, Kapaa, Kawaihau, Puna, Kauai, Tax Map Key: (4) 4-6-005: 005.

APPROVED.

- ITEM D-3** Issuance of Right-of-Entry Permit to League One Volleyball Clubs, LLC, For National Juniors Beach Volleyball Tournament at Kalapaki Beach, Lihue, Kauai, Tax Map Key: (4) 3-5-002: seaward of 002.

APPROVED.

- ITEM D-4** Issuance of Right-of-Entry Permit to University of Hawaii for the benefit of the University of Hawaii at Manoa, Department of Intercollegiate Athletics Beach Volleyball Tournament at Kalapaki Beach, Lihue, Kauai, Tax Map Key: (4) 3-5-002: seaward of 002.

APPROVED.

- ITEM D-6** Issuance of Revocable Permit to Elmo J. Tafoya III and Natalie M. Kekuewa for Maintenance and Recreational Purposes, Hanapepe, Waimea, Kauai, Tax Map Keys: (4) 1-9-002:003 and por. of 004.

APPROVED.

- ITEM D-7** Partial Withdrawal from Governor's Executive Order No. 1509 and Reset Aside to the Division of Forestry and Wildlife for Conservation and Operations Purposes;

Issuance of Immediate Management Right-of-Entry Permit, Waimea, Kauai, Tax Map Key: (4) 5-9-001: por. of 016.

APPROVED.

ITEM D-8 Lessees Request for Early Termination of General Lease No. S-5537 to Gilbert H. & Mariko Uyeda; Kaniahiku Village Site, Puna, Hawaii, TMKs: (3) 1-4-034:027 (3) 1-4-001:004 por.

APPROVED.

ITEM D-11 **Non-Action Item:** Informational Briefing on Army Training Land Retention Efforts for the Pōhakuloa Training Area on the Island of Hawai'i and for the Kahuku, Kawaihoa-Poamoho, and Mākua Training Lands on the Island of O'ahu.

ITEM D-12 Cancellation of Governor's Executive Order No. 4262 to Department of Accounting and General Services, and Re-Set Aside to Department of Commerce and Consumer Affairs for State Offices Purpose; Honolulu, Oahu, Tax Map Key: (1) 2-1-025:portion of 004, CPR Nos. 0001 & 0004.

APPROVED.

ITEM D-13 Set Aside Portions of State Lands Along Aliomanu Road to the County of Kauai for Erosion Protection and Beach Restoration Purposes and Issuance of Immediate Management Right-of-Entry Permit; Aliomanu Road, Anahola, Kauai, Tax Map Keys: (4) 4-8-018:028 and 029, and seaward of 028 and 029.

APPROVED.

ITEM J-1 Consent to Sublease Under Harbor Lease No. H-83-2, Kona Marine Holdings, LLC, Lessee, to Big Island Activities LLC, Hawaii Domestic Limited Liability Company, Sublessee, Honokohau Small Boat Harbor, Kailua-Kona, North Kona, Hawaii Island, Hawaii, Tax Map Key: (3) 7-4-008:040.

DEFERRED

ITEM J-2 Consent to Sublease Under Harbor Lease No. H-83-2, Kona Marine Holdings, LLC, Lessee, to "C" Activities, Inc., a Hawaii Domestic Profit Company, Sublessee, Honokohau Small Boat Harbor, Kailua-Kona, North Kona, Hawaii Island, Hawaii, Tax Map Key: (3) 7-4-008:040.

DEFERRED

ITEM J-3 Consent to Sublease Under Harbor Lease No. H-83-2, Kona Marine Holdings, LLC, Lessee, to Cyndy Meyer, an Individual, Sublessee, Honokohau Small Boat Harbor, Kailua-Kona, North Kona, Hawaii Island, Hawaii, Tax Map Key: (3) 7-4-008:040.

DEFERRED

- ITEM J-4** Consent to Sublease Under Harbor Lease No. H-83-2, Kona Marine Holdings, LLC, Lessee, to Jack's Diving Locker, a Hawaii General Domestic Partnership, Sublessee, Honokohau Small Boat Harbor, Kailua-Kona, North Kona, Hawaii Island, Hawaii, Tax Map Key: (3) 7-4-008:040.

DEFERRED

- ITEM J-5** Consent to Sublease Under Harbor Lease No. H-83-2, Kona Marine Holdings, LLC, Lessee, to NPK, Inc. Sublessee, Honokohau Small Boat Harbor, Kailua-Kona, North Kona, Hawaii Island, Hawaii, Tax Map Key: (3) 7-4-008:040.

DEFERRED

- ITEM J-6** Issuance of a Revocable Permit to Hone Heke Corporation for Office Space for Maui-Lanai Passenger Ferry Operation Purposes, Situated at Ma'alaea Small Boat Harbor, Ma'alaea, Wailuku, Maui, Hawaii, Tax Map Key: (2) 3-6-001:002 (por.); and

Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.

DEFERRED

- ITEM K-1** Request to Deny Contested Case Hearing Petition from Fred Fong and the Friends of the Doris Duke Swim Basin, represented by Blake McElheny, regarding Conservation District Use Permit (CDUP) OA-3913 for the Diamond Head Breakwater Safety Project at Kaalawai, Honolulu, Oahu, seaward of Tax Map Key: (1) 3-1-041:005.

APPROVED

- ITEM K-2** Request for Approval of Emergency Conservation District Use Application (Emerg. CDUA) OA 24-01 Related to the Settlement Agreement for Contested Case CC: OA 21-03 for Office of Conservation and Coastal Lands Enforcement Case ENF: OA 21-03 and the Removal of Concrete Shoreline Protection Structure (Unauthorized Seawall) and Installation of Temporary Shoreline Structure by Seamajds LLC and Members Brandee and Liam McNamara Located Makai of 59-175 C Ke Nui Road, Tax Map Key: (1) 5-9-002:026.

Conditions:

1. *Inform the community*
2. *Post signs*

APPROVED WITH CONDITIONS