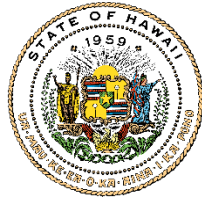


JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

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  
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RYAN K.P. KANAKA'OLE  
FIRST DEPUTY

DEAN D. UYENO  
ACTING 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: January 26, 2024

TIME: 9:00 a.m.

PLACE: DLNR Boardroom, Kalanimoku Bldg.

1151 Punchbowl Street, 1<sup>st</sup> Floor / & Online via Zoom

Meeting ID: : 840 2671 3046

ZOOM LINK: <https://us06web.zoom.us/j/84026713046>

LIVE STREAM: <https://youtube.com/live/DlwMO8nN9Y8?feature=share>

This meeting will be held using interactive conference technology under 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:

**To Provide Written Testimony**

We encourage interested persons to submit written testimony in advance of the meeting, which will be distributed to Board members prior to the meeting and allow a timely review. Please submit written testimony via email to: [blnr.testimony@hawaii.gov](mailto:blnr.testimony@hawaii.gov). Written testimonies can also be mailed to: P.O. Box 621, Honolulu, Hawaii 96809. Written testimonies may be posted upon the Board of Land and Natural Resources meeting website; as a precaution, please be mindful with any personal information prior to submitting unless you intend it to be shared. Late written testimony will be retained as part of the record and distributed to Board members as soon as practicable, but we cannot ensure the Board will receive it in sufficient time to review, prior to decision-making.

**To Provide In-Person Oral Testimony (masks are highly encouraged)**

Attend in-person at: 1151 Punchbowl St. Room 132 (Kalanimoku Building), Honolulu, Hawaii.

**To Provide Testimony by Telephone**

On the day of the meeting at the start of the agenda item you wish to testify on, dial +1 669 444-9171 (Zoom); input the meeting ID: 840 2671 3046 and follow the prompts.

**To Provide Video/Zoom Testimony**

Please send your request in a timely manner to: [blnr.testimony@hawaii.gov](mailto:blnr.testimony@hawaii.gov) with your information, email address, and the agenda item you wish to testify on. Once your request has been received, you will receive a confirmation email with pertinent information. You may testify without signing up in advance.

We kindly ask that all oral/video testimony be limited to not more than three (3) minutes. We ask that you identify yourself and any affiliation before speaking, but you can choose not to do so.

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.

If you need an auxiliary aid/service or other accommodation due to a disability, please contact Darlene, BLNR Secretary, at 808.587.0404 or [blnr.testimony@hawaii.gov](mailto:blnr.testimony@hawaii.gov) as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this agenda and other materials are available in alternate/accessible formats.

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 but before the close of the board meeting. It is up to you. Any request must also be made in writing within ten calendar 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.**

## **C. DIVISION OF FORESTRY AND WILDLIFE**

1. Intentionally Left Blank
2. Denial of Petition for Contested Case Hearing filed by Richard Perry/Oho'olawa Gardens, LLC through attorney David Brittin on September 28, 2023, Regarding the Board Action of September 22, 2023 to Approve Agenda Item C-1: *Request to Approve Location and Course of the Public Trail to Ho'olawa Landing, Maui, Identified on Registered Map 861, Hamakualoa District, Maui, to Ensure Continued Public Access, and Request Approval of Declaration of Exemption from Chapter 343, HRS Environmental Compliance for the Project.*

Pursuant to Section 92-5(a)(4), Hawaii Revised Statutes (HRS), the Board may go into Executive Session to consult with its attorney on questions and issues pertaining to the Board's powers duties, privileges, immunities, and liabilities.

#### **D. LAND DIVISION**

1. Cancellation of Governor's Executive Order No. 1293 to State of Hawaii, Department of Defense, Hawaii National Guard for North Kohala Armory Site; Approve Waiver of Restrictive Conditions Contained in Land Office Deed No. 8260 and Land Office Deed No. 8730, Honopueo, North Kohala, Hawaii, Tax Map Key: (3) 5-4-005:051.
2. Grant of Term, Non-Exclusive Easement, Immediate Right-of-Entry and Revocable Permit to Sandra Fadi Antonios, Trustee of that certain unrecorded Mana Trust, dated December 17, 2020, for Concrete Stairs and Walkway, Kihei, Maui, Tax Map Keys: (2) 3-6-001:023 and (2) 3-6-001:seaward of 023.
3. Intentionally Left Blank
4. Grant of Term, Non-Exclusive Easement, Immediate Right-of-Entry and Revocable Permit to Robert Howard Merriman and Cynthia Louise Merriman for Seawall and Filled Land Located at Kaneohe, Koolaupoko, Oahu, Identified as Tax Map Key: (1) 4-4-021: seaward of 034 & 035.
5. Grant of Term, Non-Exclusive Easement to Resorttrust Hawaii, LLC for Drainage Purposes, Waialae, Honolulu, Oahu, Tax Map Key: (1) 3-5-023: portions of 041 and seaward.

#### **E. DIVISION OF STATE PARKS**

1. Request for Approval and Adoption of Proposed Amendments to The Civil Resource Violation System Administrative Sanctions Schedule to Include Division of State Parks' Resource Violations by Replacing Part 4 to the Administrative Sanctions Schedule Adopted by the Board of Land and Natural Resources on March 13, 2009.  
<https://dlnr.hawaii.gov/apo/apo-rules/>

#### **F. DIVISION OF AQUATIC RESOURCES**

1. Enforcement Action against Jim Jones, Noelani Yacht Charters, LLC, Kevin S. Albert, Kimberly L. Albert, and the Albert Revocable Trust for Stony Coral and Live Rock Damage resulting from the *Nakoa* grounding incident on February 20, 2023, outside of the Honolua-Mokulē'ia Bay Marine Life Conservation District, island of Maui.

Pursuant to Section 92-5(a)(4), Hawaii Revised Statutes (HRS), the Board may go into Executive Session to consult with its attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

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

1. Continuation of Revocable Permit Issued to Secure Parking Hawaii LLC, for Management of Vehicular Parking in the Designated Areas Located Within the Maalaea Small Boat Harbor, Wailuku, Maui, Hawaii, Identified by Tax Map Keys: (2) 3-6-001:002 (por.) and (2) 3-8-014:028; and

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

2. Reconsideration of Rent under Revocable Permit No. 6 to Hawaii Big Game Fishing Club, Inc., as Permittee, for Fishing and Boating Activities, Public Meetings, Tournaments, Harbor Meetings and Continued Support of Youth Groups Purposes, Keahuolu, North Kona, Hawaii, Tax Map Key: (3) 7-4-008:003 (por).
3. Reconsideration of Rent under Revocable Permit No. 15 to Kona Sailing Club, as Permittee, for Trailered Boat Storage, Sailing Related Equipment, Storage, and Boating and Ocean Safety Education/Training Purposes, Keahuolu, North Kona, Hawaii, Tax Map Key: (3) 7-4-008:003 (por).
4. Reconsideration of Rent under Revocable Permit No. 7 to Hawaii Island Paddlesports Association, as Permittee, for Operation and Maintain a Hawaiian Style Halau for Permittee's Meetings, Storage of Solo or Duo Canoes, Kayaks, General Equipment and Staging Area for Race Events Purposes, Keahuolu, North Kona, Hawaii, Tax Map Key: (3) 7-4-008:003 (por).

**M. OTHERS**

1. Issuance of a Revocable Permit for Aircraft Parking, Aerotwin Maui LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-076: Portion of 023.
2. Issuance of a Revocable Permit for a Passenger Check-In Counter, Air Premia Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 057.

3. Issuance of a Revocable Permit for a Control Room to Monitor the Department of Transportation's Baggage Handling System, Airlines Committee of Hawaii, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 042.
4. Issuance of a Revocable Permit for Helicopter Parking to Support a Commercial Helicopter Tour Operation, Honolulu Helicopter Tours Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001.
5. Issuance of a Revocable Permit for Office Space to Support its Sustainability Contract for State Airports, Sustainability Partners, LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 058.
6. Issuance of a Revocable Permit for a Commuter Terminal Office and Check-In Podium, and Land for an Office Trailer to Support Signatory Airline Operations, Southern Airways Express, LLC, Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-043: Portion of 003.
7. Request for Authorization to Issue Two Month-to-Month Revocable Permits (RP) to Hawaii Stevedores, Inc., for Equipment Storage Area and a Container Office, situated at Pier 7, Kalaeloa Barbers Point Harbor (KBPH), Island of Oahu, Tax Map Key: (1) 9-1-014:Portion of 002, Governor's Executive Order No. 3383.
8. Authorize a One-Year Holdover for Harbor Lease No. H-89-2 to IES Downstream, LLC, successor to Chevron U.S.A. Inc., for Non-Exclusive Easements for Subsurface Fuel Pipelines, Surface Fuel Pipeline, and Anode Beds, situated at Kahului Harbor, Island of Maui, Tax Map Keys: (2) 3-7-010: Portion of 003 and (2) 3-7-010: Portion of 006. Governor's Executive Order Nos. 2635 and 2986.
9. Request for Authorization to Issue Two Month-to-Month Revocable Permits (RP) to Captain Andy's Sailing, Inc., for Storage of Commercial Passenger Vessel Supplies, Tools, etc., for Boat Operations and Repairs, and a Former Fumigation Shed Storage for Day Charter Catamaran Equipment, situated at Pier 1, Port Allen Harbor, Island of Kauai, Tax Map Keys: (4) 2-1-003:Portion of 006, (4) 2-1-003: Portion of 019, and (4) 2-1-003:Portion of 028, Governor's Executive Order No. 1047.
10. Request for Approval to Proceed with Acquiring Lands by the State of Hawaii, Department of Land and Resources, for the Department of Transportation (HDOT) at Honolulu Harbor, for the movement of Commercial Cargo, Piers and

Facilities, Support Services for the Loading, Off-loading, Handling of Overseas and Inter-island Cargo, and Related Maintenance of Cargo Equipment within the HDOT Commercial Harbors. Situated at Honolulu Harbor, Island of Oahu, Tax Map Key: (1) 1-5-035:006; and

Delegate to the Chairperson of the Board of Land and Natural Resources (BLNR) the Authority to Initiate Work to acquire the Lands for final Board approval.

11. Request Authorization to acquire Land for the Use by the Department of Transportation, for Highway Purposes, relating to Haleakala Highway Slope and Shoulder Repair Vicinity of Ainakula Road to Kulalani Drive, Project No 377A-01-22M, District of Makawao, Island of Maui, Hawaii, Tax Map Key: (2) 2-3-022:067.
  
12. Consent to Lease of Lands under Governor's Executive Order Nos. 4636 and 4647 to Qualifying Kauai County Homebuyer Program Participants or other Income qualified Kauai Residents.

Tax Map Keys:

(4) 1-6-004:003; (4) 1-9-009:006; (4) 1-9-009:007; (4) 1-9-009:008; (4) 1-9-009:009; (4) 1-9-009:054; (4) 4-1-011:016; (4) 1-9-011:020; (4) 1-8-012:032; (4) 4-1-009:054; (4) 4-1-009:016; (4) 4-1-009:020; (4) 1-6-004:003; (4) 1-8-012:032; (4) 1-9-009:008; (4) 1-9-009:009; (4) 4-1-009:054; (4) 4-1-011:016; (4) 1-9-009:020; (4) 1-8-012:032.