

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Boating and Ocean Recreation  
Honolulu, Hawai'i

February 23, 2024

Chairperson and Members  
Board of Land and Natural Resources  
State of Hawaii  
Honolulu, HI

SUBJECT: Denial of Petition for Contested Case Hearing filed on August 21, 2023 by Margaret Hallahan regarding Item J-1 on the August 11, 2023 Board Agenda, titled: *Continuation of Revocable Permit Issued to Secure Parking Hawaii LLC, dba Concierge Car Wash and Traffic Monitoring Services, for Management of Vehicular Parking in the Designated Areas Located Within the Ala Wai Small Boat Harbor, Honolulu, Oahu, Hawaii, Identified by Tax Map Keys: (1) 2-6-010:003 (Portion), (1) 2-3-037:012 (Portion), :024, :027, :033, :035 and :037; and Declare Project Exempt from Environmental Assessment Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.*

The Board may go into executive session pursuant to § 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.

SUMMARY:

Margaret Hallahan (hereinafter "Petitioner") filed a contested case hearing ("CCH") petition on August 21, 2023, regarding the continuation of the revocable permit ("RP") issued to Secure Parking Hawaii LLC, *dba Concierge Car Wash and Traffic Monitoring Services* ("Secure"), for management of vehicular parking at Ala Wai Small Boat Harbor, Honolulu, Oahu. The request for continuation of the subject RP was presented to the Board of Land and Natural Resources ("Board") by the Department of Land and Natural Resources' Division of Boating and Ocean Recreation ("DOBOR") as Item J-1 of the August 11, 2023 Board meeting agenda. Because Petitioner did not make any oral or written request for a CCH before the close of the Board's August 11, 2023, meeting, the subject petition is insufficient pursuant to Hawaii Administrative Rule ("HAR") § 13-1-29(a). DOBOR therefore recommends that the Board deny the CCH petition on this basis pursuant to HAR § 13-1-29.1.

## BACKGROUND:

At the Board's August 11, 2023 meeting under agenda Item J-1, DOBOR requested approval to continue the RP issued to Secure for an additional one-year period, through September 13, 2024.<sup>1</sup> Petitioner was present at the Board's meeting via "Zoom," and she provided brief oral testimony to the Board on Item J-1.<sup>2</sup>

After approximately an hour of consideration, the Board voted to approve DOBOR's recommendation via its Staff Submittal, as amended by DOBOR staff during the meeting, unanimously.<sup>3</sup> Although there was one person who orally requested a CCH for Item J-1 at the August 11, 2023 Board meeting,<sup>4</sup> *Petitioner* did not orally request a CCH for Item J-1 before the close of the August 11, 2023 Board meeting, as required under the rules. Petitioner was one of three parties who filed a written CCH petition regarding Item J-1 after the close of the August 11, 2023 Board meeting.

Petitioner's written CCH petition was filed on August 21, 2023, and is included as **Attachment A**. In it, Petitioner seeks a CCH to challenge the Board's approval of Item J-1 on the Board's August 11, 2023 meeting agenda. Petitioner's desired relief includes a request that the Board require DOBOR to issue a formal request for bids; to make towing records for the last 3 years public; and to require a boot to be placed on a vehicle that has 5 or more unpaid tickets, rather than allowing an immediate tow.

## DISCUSSION:

HAR § 13-1-29 sets forth the procedural requirements for anyone seeking to request a contested case hearing relating to any matter before the Board. In relevant part, the rule provides:

On its own motion, the board may hold a contested case hearing. Others must both request a contested case and petition the board to hold a contested case hearing. *An oral or written request for a contested case hearing must be made to the board no later than the close of the board meeting at which the subject matter of the request is scheduled for board disposition.* An agency or person so requesting a contested case must also file (or mail a postmarked) written petition with the board for a contested case no later than ten calendar days after the close of the board meeting at

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<sup>1</sup> The written submittal provided by DOBOR staff in connection with the August 11, 2023 Board meeting's agenda Item J-1 is publicly available via the Board's website, at <https://dlnr.hawaii.gov/wp-content/uploads/2023/08/J-1.pdf>.

<sup>2</sup> See Audio Recording of the 8/11/2023 Meeting at approximately [1:03:00-to-1:06:33/ 7:01:57](https://www.youtube.com/watch?v=HQUZpZeZUHg), available at <https://www.youtube.com/watch?v=HQUZpZeZUHg>.

<sup>3</sup> See Audio, *supra* n.2, at [1:32:38/ 7:01:57](https://www.youtube.com/watch?v=HQUZpZeZUHg).

<sup>4</sup> See Audio, *supra* n.2, at approximately [1:32:49-to-1:33:22/ 7:01:57](https://www.youtube.com/watch?v=HQUZpZeZUHg). The individual who did make the verbal request did not do so until *after* the Board had already voted to approve staff's recommendation and authorize the continuation of the RP to Secure.

which the matter was scheduled for disposition. For good cause, the time for making the oral or written request or submitting a written petition or both may be waived.

Haw. Admin. R. § 13-1-29(a) (emphasis added).

Based on the above, Petitioner is not entitled to a CCH on Agenda Item J-1 of the Board's August 11, 2023 meeting because, although she submitted a written petition for CCH within ten days of the meeting, *Petitioner* did not also make any oral or written request for CCH before the close of the August 11, 2023 Board meeting, as required. Haw. Admin R. § 13-1-29(a). The subject CCH petition was therefore untimely, and it need not be considered further by the Board.

RECOMMENDATIONS:

1. That the Board deny the CCH petition submitted by Petitioner, for failure to comply with the requirements of HAR § 13-1-29(a); and
2. That the Board authorize the Chairperson to take any and all actions necessary to effectuate its decision.

Respectfully Submitted,



EDWARD R. UNDERWOOD, Administrator  
Division of Boating & Ocean Recreation

APPROVED FOR SUBMITTAL:



DAWN N.S. CHANG, Chairperson  
Board of Land and Natural Resources

Attachment:

- A. August 21, 2023 Contested Case Hearing Petition by Margaret Hallahan





STATE OF HAWAII  
BOARD OF LAND AND NATURAL RESOURCES

RECEIVED

2023 AUG 21 PM 4:07

**PETITION FOR A CONTESTED CASE HEARING**

NATURAL RESOURCES  
STATE OF HAWAII

OFFICIAL USE ONLY	
Case No.	Date Received
Board Action Date / Item No.	Division/Office

**INSTRUCTIONS:**

- File (deliver, mail or fax) this form within ten (10) days of the Board Action Date to:

Department of Land and Natural Resources  
Administrative Proceedings Office  
1151 Punchbowl Street, Room 130  
Honolulu, Hawaii 96813  
Phone: (808) 587-1496, Fax: (808) 587-0390

- DLNR's contested case hearing rules are listed under Chapter 13-1, HAR, and can be obtained from the DLNR Administrative Proceedings Office or at its website (<http://dlnr.hawaii.gov/forms/contested-case-form/>). Please review these rules before filing a petition.
- If you use the electronic version of this form, note that the boxes are expandable to fit in your statements. If you use the hardcopy form and need more space, you may attach additional sheets.
- Pursuant to §13-1-30, HAR, a petition that involves a Conservation District Use Permit must be accompanied with a \$100.00 non-refundable filing fee (payable to "DLNR") or a request for waiver of this fee. A waiver may be granted by the Chairperson based on a petitioner's financial hardship.
- All materials, including this form, shall be submitted in **three (3)** photocopies.

A. PETITIONER		
(If there are multiple petitioners, use one form for each.)		
1. Name Captain Margaret Hallahan	2. Contact Person Captain Margaret Hallahan	
3. Address [REDACTED]	4. City Kahuku	13. State and ZIP HI 96731

**Attachment A**

6. Email [REDACTED]	7. Phone [REDACTED]	8. Fax
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B. ATTORNEY (if represented)		
9. Attorney Name     TBD	10. Firm Name	
11. Address	12. City	
14. Email	15. Phone	16. Fax

C. SUBJECT MATTER	
<p><b>17. Board Action Being Contested</b>            Continuation of Revocable Permit ("Permit") Issued to Secure Parking Hawaii LLC, dba Concierge Car Wash and Traffic Monitoring Services ("Licensee") for Management of Vehicular Parking in the Designated Areas Located Within the Ala Wai Small Boat Harbor</p>	
<p><b>18. Board Action Date</b> 8/11/2023</p>	<p><b>19. Item No.</b> J-1 DOBOR</p> <p>SUBJECT:</p> <p>Continuation of Revocable Permit Issued to Secure Parking Hawaii LLC, dba Concierge Car Wash and Traffic Monitoring Services for Management of Vehicular Parking in the Designated Areas Located Within the Ala Wai Small Boat Harbor, Honolulu, Oahu, Hawaii, Identified by Tax Map Keys: (1) 2-6-010:003 (Portion), (1) 2- 3-037:012 (Portion), :024, :027, :033, :035 and :037</p>

**20. Any Specific Statute or Rule That Entitles Petitioner to a Contested Case:**

**3 Reasons:**

- A. Both 102 and 103 D were areas of concern for the AGs office in 2021. 102 falls under concession law. If J-1 8-11-2023 is the same as J-1 2021 which DOBOR stated verbally to the BLNR meeting held on 8-11-2023 how can the new J-1 ( 2023 ) be approved if it does not specifically address the recommended changes. Either 2023 has been changed or DOBOR verbally misinformed the BLNR on 8-11-23.
- B. RFI was not completed as it agreed to in the J-1 BLNR 9-10-2021 board meeting.
- C. Is DOBOR/Secure Parking currently working with a valid contract approved by the BLNR board? If so, why is it not available? Without seeing the contract we are unable to state our objection.

**Proof for A:**

Both 102, which deals with concessions and 103 D was not included in 2021 from AG concerns, if J-1 8-11-2023 is the same as J-1 2021 which DOBOR stated verbally to the BLNR on 8-11-2023 how can the new J-1 ( 2023 ) have a change it that makes it legal now. Either 2023 is changed and DOBOR verbally misinformed the BLNR on 8-11-2023.

00:00:05

*Richard Howard DOBOR Verbal Testimony 9-10-2021*

“This is Richard Howard for DOBOR. I've been seeing one is the issuance of a revocable permit to secure parking Hawaii LLC for management of the vehicular parking at the Ala Wai Small Boat Harbor. Staff requests minor amendments. To the submittal before the board votes on this item. The first of which is. Amending the applicant's name on the submittal from Secure Parking LLC to Secure Parking Hawaii LLC. The correct name, i.e. Secure Parking Hawaii LLC was published by Darlene. So think we're okay with that. The second item. Is the Chapter 343 exemption paragraph on page three. It should read as follows In accordance with Section 11 200.115 Hawaii Administrative rules and the exemption list for the Department of Land and Natural Resources reviewed and concurred in by the Environmental Council on November 10th, 2020. The subject request is exempt. From the preparation of EA pursuant to general exemption type one operations, repairs or maintenance of existing structures, facilities, equipment or topographical features involving negligible or no expansion or change of use beyond that previously existing. Part one item number 44, which states that permits licenses, registrations and rights of entry issued by the department that are in routine, that are routine in nature, involving negligible, negligible impacts beyond that previously existing. On the final amendment we have to make is the commencement date. Uh, and that has to be amended from September 15th, 2021 to the first day of the month, determined by the Chair. DOBAR is requesting the issuance of a revocable permit to secure parking Hawaii LLC due to the AG's concerns with the IFB (Invitation For Bid) that we put out, which contained elements **of both 102, which deals with concessions and 103 D**, which is the procurement code, Uh, the, the issuance of this is will be temporary in nature and it will allow DOBOR to address the AG's concerns while allowing us to collect parking revenue from the Ala Wai Boat Harbor. We are willing to answer any questions.”

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*Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Transcript 8-11-2023*

**the only action before us is, is to approve this RFP to continue on the existing contract parking contractor pending. You guys coming out with a more permanent RFP.**



Ed Underwood – DOBOR 8-11-2023: **Yes.**

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B. Late RFI or non-existing continuation to the one year permit agreed to in J-1 BLNR 9-10-202

**Proof for B:**

*Richard Howard DOBOR Verbal Testimony 9-10-2021*

On the final amendment we have to make is the commencement date. Uh, and that has to be amended from September 15th, 2021 to the first day of the month, determined by the Chair. DOBAR is requesting the issuance of a revocable permit to secure parking Hawaii LLC due to the AG's concerns with the **IFB (Invitation For Bid) that we put out, which contained elements of both 102, which deals with concessions and 103 D, which is the procurement code, Uh, the, the issuance of this is will be temporary in nature and it will allow DOBOR to address the AG's concerns while allowing us to collect parking revenue from the Ala Wai Boat Harbor.** We are willing to answer any questions.

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C. Is DOBOR/Secure Parking currently working with a valid contract approved by the BLNR board? If so, why is it not available? Without seeing the contract we are unable to state our objection.

**Proof for C:**

00:01:30

*Ed Underwood - DOBOR: Transcript 8-11-2023*

Sure, I can address all of that. And we'd like to clarify this isn't a retroactive renewal. **The current agreement is in place. We'll go back and look at the submittal for that.**

**21. Any Specific Property Interest of Petitioner That Is Entitled to Due Process**

**Protection:** The Board's decision of Chairperson *Dawn Chang* BOARD OF LAND AND NATURAL RESOURCES: The right for fair process of a RFI and a RFB. The 2 year late DOBOR's process to create a RFI as Stated in J-1 2021 BLNR meeting.

**22. Any Disagreement Petitioner May Have with an Application before the Board.**

**I disagree that J-1 8-11-2023 is a continuation of 9-10-2021. Please see both documents to view the many areas that items are added on the J-1 8-11-2023.**

**23. Any Relief Petitioner Seeks or Deems Itself Entitled to:** I would like to create a J-1 9-10-2021 agreement till 12-31-2024 when a new completed parking agreement should be in place. DOBOR would have to create a RFB in the next 2 months, publish it and then review it with an open public review. Make public Towing records from the last three years. Decide which agency can ticket before towing occurs. To decide after 5 unpaid tickets to put a boot on a car at Ala Wai Small Boat Harbor.



**24. How Petitioner's Participation in the Proceeding Would Serve the Public Interest**

I believe the Ala Wai Small Boat Harbor area can be improved, make more money, not use tow trucks but rather to enforce time limit parking violations with tickets. Tow trucks are too strong of a penalty for a simple crime limit parking violations. Finally to respect the 300 free recreational parking sites that were agreed to by the State of Hawai'i in 1957 and again in 2008.

**25. Any Other Information That May Assist the Board in Determining Whether Petitioner Meets the Criteria to Be a Party under Section 13-1-31, HAR Please see 4 documents BLNR J-1 9-10-2021, Transcript BLNR J-1 9-10-2021, BLNR J-1 8-11-2023 and Transcript BLNR J-1 8-11-2023.**

**At the BLNR J-1 Meeting 2021**

Kaiwi Yoon - BLNR

Tommy Oi - BLNR

Richard Howard - DOBOR

Darlene Ferreira - BLNR

Doreen Canto - BLNR

Ed Underwood - DOBOR Ed Underwood, Administrator, Division of Boating and.

Melissa Goldman ATTORNEY GENERAL, HAWAII

Suzanne Case Chairperson BOARD OF LAND AND NATURAL RESOURCES

Vernon Char - BLNR

Jonathon Mauri MAURI, JONATHAN MGR Secure Parking Sep 6, 2019

Chris Yuen - BLNR

**At the BLNR J-1 Meeting 2023**

Kaiwi Yoon - BLNR

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES

Karen Ono - BLNR

Riley Smith - BLNR

Aimee Barnes - BLNR

Vernon Char - BLNR

Richard Howard - DOBOR

Ed Underwood - DOBOR

Melissa Goldman ATTORNEY GENERAL, HAWAII

Check this box if Petitioner is submitting supporting documents with this form.

Check this box if Petitioner will submit additional supporting documents after filing this form.

Margaret Hellaker  
Petitioner or Representative (Print Name)

Margaret Hellaker for MHallaker  
Signature

8-21-2023  
Date

## J-1 Meeting Transcript 8-10-2023 Passed by the BLNR

00:00:01

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Thank you. Thank you. Thank you for your time. We appreciate it. Thank you so much.

00:00:06

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: The next item is item J-1, Division of Boating and Ocean Recreation J-1.

00:00:12

Richard Howard - DOBOR: Good morning. Good morning. Chair and Board members Richard Howard for DOBOR. Item J-1 is the continuation of a revocable permit issued to secure parking Hawaii LLC for the management of vehicular parking at the Ala Wai Small Boat Harbor. Before I go any further, I'd like to amend the submittal of recommendation in the submittal to say, Based on this model and testimony and facts presented. Staff recommends that the Board find that approving the continuation of the month-to-month revocable permit to secure parking Hawaii LLC for management of the vehicular parking and designated areas, including its conditions. And rent will serve the best interests of the state. We need to. To continue this revocable permit because it ends in September of this year and we need somebody in place to manage the parking while we refine and go out with our request for interest get another parking vendor on a permanent basis or a longer-term basis. And so that's why we're here, to remove the permit. And I'll gladly answer any questions you might have.

00:01:44

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: If you have any questions for. I know I've got two people here. I have given them stuff. Oh, I'm sorry, Riley. Go ahead, Riley. Yeah.

00:01:56

Riley Smith - BLNR: Thank you, Chair. You know, I just wanted to enter it into the record. I had some offline communications with Richard, and he provided some information that I think it's important for us to consider when we deliberate on this item. You know, first of all, the amount of revenue per year to generated from the parking is in excess of \$1 million a year. So this is significant. Okay. It provides a much-needed, venue for parking for. Recreational uses of the harbor. For folks that are surfing, and families that go to Duke Kahanamoku Lagoon, it serves a multi-use purpose as well as for those in the hotel industry that work nearby and might need a place to park. Um, Richard provided me with the scoresheet that we intend to use to evaluate the different applicants on the RFP. Uh, the, my assessment of the criteria is that they're objective criteria that would enable DOBOR to differentiate between qualified and qualified for better proposals from less suited proposals. So I appreciate Richard sharing that. He also explained that he would be willing to provide that scoresheet with the RFP so that applicants, when they put in their proposals, would know how their proposals would be evaluated. So I thought that was very transparent. And also DOBOR would be willing to share the results of their evaluation process. So whether you are a successful applicant or an unsuccessful applicant, you would be able to understand how your proposal fare compared to the others. So I appreciate all that that board is doing to make sure that this is an objective and fair process for all applicants.

00:03:55

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Thank you. Thank you very much, Riley. Board members. I wanted to just confirm there are under this you are not proposing to change any of the existing parking allocations.

00:04:10

Richard Howard - DOBOR: That's correct.

00:04:10

Richard Howard - DOBOR: So there are approximately 300 free parking stalls. There are approximately 312 permitted parking spots, and then there are 329 paid parking spots.

00:04:23

Richard Howard - DOBOR: That's correct.

00:04:23

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: And there is nothing to be changed under this Revokable permit?

00:04:26

Richard Howard - DOBOR: That is correct.

00:04:27

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: All right.

00:04:29

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Board members, any other questions before I take public comment? Did Kate Thompson, who is here to testify, request an exception to provide a longer testimony,,,, Oh yes

00:04:43

Aimee Barnes - BLRN: Is the bond posted here? Is that essentially insure against what we experienced with the other?

00:04:52

Richard Howard - DOBOR: Yeah. Yeah. Of permaculture and security. And because they're really they're really acting as a pass-through, right? Because they collect parking revenue and just pass 80% of it to us. We came up with that number of 42,000,

00:05:17

Aimee Barnes - BLRN: Right?

00:05:18

Aimee Barnes - BLRN: So if there was a Covid 2.0 and they decided two weeks after the you know, the contract was awarded, that they didn't want to provide those services, we would retain that amount of money.

00:05:34

Richard Howard - DOBOR: Well, I think that would be up to the board. I think it comes to the board and ask about, you know, ask for that. We were just going by the letter of the revocable permit that says that we have to have two months of security.

00:05:48

Aimee Barnes - BLRN: Okay. Thank you.

00:05:49

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Very good. Thank you, Richard. Thank you.

## Public Testimony

### After Public Testimony Not Included:

00:00:05

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Okay. And we thank you. You did a good job just for your first time providing testimony, coming on, and providing us with written testimony. Always appreciate getting that ahead of time. Thank you very much, Elizabeth. Is there anybody else on Zoom? On item J. One. Thank you very much. Thank you, Kate. Thank you again, Last call. Anybody in the room?

00:00:32

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Another question or two? Sure, sure. Richard, thanks.

00:00:40

Vernon Char - BLNR: I just wanted to take an opportunity to get your reaction to some of the points that were raised in public testimony. I mean, I know towing, for example, can be predatory and particularly for low moderate-income communities can really contribute to that burden. So I'm curious if in thinking about the contract for this work you've thought about and I don't know if this is possible, but for example, adding a, you know, addendum or some sort of footnote that says towing may not occur, you know, up to some point, or if we're really just letting the concessionaire determine when and how that happens.

00:01:30

Ed Underwood - DOBOR: Sure, I can address all of that. And we'd like to clarify this isn't a retroactive renewal. The current agreement is in place. We'll go back and look at the submittal for that. So if five minutes real fast, back in 2009, I think we were the first division to implement a parking plan in the department. So it was new to everybody. Um, so we, implemented the plan and at that time, it was 300 free parking stalls because we had such opposition from the surfing community and all the 300 permits and then the 300 paid. So as soon as we went in there and put the plan in, at that time, diamond parking was issuing parking, paid notices. So if you didn't pay the fee, they put a notice on your car and it would say, Hey, you owe us parking. And then after about 3 or 4 of those notices, then that's when they would tow the car out of the paid area and all the free parking area. We close it at night. It's closed for everybody at night from I think it's 10:30 p.m. on and. Care does not have the ability to be there every night to issue citations. That's our law enforcement. Not only that, they've told us that they feel that their mission is natural resource protection, not issuing parking tickets. So we were sued in federal court right about this time

00:03:04

Ed Underwood - DOBOR: 2000.

00:03:05

Ed Underwood - DOBOR: Just to be clear.

00:03:05

Ed Underwood - DOBOR: 2009, just after two just after the parking plan went into effect and several things came out of it, one of which was, yes, the parking vendor cannot issue parking pay notices or anything like that. Um, if somebody doesn't pay, you either need to give them a

ticket or you got to tell them you have to take enforcement action. Also, what came out of that that was new is whenever a car is towed, you are required to offer a post-tow hearing. So theSo and the citation that's issued along with it does not count. So we notified the counties as well that this is what you need to do and they are being sued now as well because we've been holding post-tow hearings.

00:03:55

Richard Howard - DOBOR: They're being sued by people who have been towed or by the.

00:03:59

Ed Underwood - DOBOR: It was an individual that sued as a class action. So we had to go back and refund the money for a certain period of time. And also now we always offer a post-tow hearing. And the entire time we've been doing this, I believe we've only lost like two post-tow hearings because it's very well documented. We've asked the towing vendor when we close the area, don't be there right at 1030 and hook up cars, give them a grace period of ten minutes or so or 30 minutes, whatever you can. Um, but that's how the enforcement works. And back then, because this was so new, we put this plan in place. It's been 14 years and there's been a lot of complaints about the free parking area and the fact that hotel employees use it. Hotel guests are told to park there because it's cheap construction companies. And so we found with the designated parking area, um, it's often left empty because people just don't use their boats that often, and then nobody can use it. So we've been serious we've done this on Maui already. We're seriously looking at it will be very we don't feel there should be any free parking in the harbor. The whole harbor should be paid for parking, permits, and parking. Anybody with a permit is allowed to park anywhere they want in the harbor at any time. That's just part of the permit parking for our boaters and we own our operating funds only come from user fees that we generate. That's why H.R. 202.5 is in place. It supports the program, but the free parking doesn't go to help with the maintenance of the harbor at all. We're maintaining the bathrooms, the rubbish, the paving, all of that. So we feel that people coming out, it's only a dollar an hour and that fee has not been raised for years. Currently, our fees are based on county or state rates. City and county are charging \$2 an hour. I believe in this building we're charging \$2 an hour, so it might be time to look at the parking rate fee as well. But we were going to bring some recommendations back to you once we put out the RFI. But for this hour, we're not changing anything. Everything is status quo. We're not changing a thing.

00:06:22

Public question: Elizabeth on Zoom: "Can I say something?" "Nope. Nope. Sorry.

00:06:26

Kaiwi Yoon - BLNR: When will you when are your plans to put out the. Yeah.

00:06:32

Richard Howard - DOBOR: But we have it. We have a draft written already. And in my discussions with board member Smith, you know, he made some suggestions as far as posting, including the criteria of how we're going to make the selection in the RFI, which is a good, transparent thing to do. So we have to just add that, um, you know, the RFI concentrates mostly on experience. Um. What I send to board member Smith was our ranking sheet for how we rank applicants who want to bid on lease auctions. And so that has, you know, your experience. It has a section for that. We rank for a business plan and also a section for financial capability.

00:07:22

Kaiwi Yoon - BLNR: Will that RFI come out within six months? Yes. We brought back to the board well.

00:07:28

Riley Smith - BLNR: At 163, this is the process that I think we're envisioning. We'll publish the RFI, we'll get interest from parking vendors and we'll rank them. We'll choose which ones. I mean, our reading of 163 does not. Preclude us from negotiating with more than one person at a time. So we'll we can pick several, you know, vendors that we want to negotiate.

00:07:59

Kaiwi Yoon - BLNR: With to publish.

00:08:01

Riley Smith - BLNR: I think we can publish within, I think three months.

00:08:04

Vernon Char - BLNR: Three months, Yes. So the action being taken today is just temporary until that. Yes, RFI can be implemented.

00:08:14

Vernon Char - BLNR: As this one expires in September, right?

00:08:16

Richard Howard - DOBOR: Yes. So did I make a mistake on this?

00:08:20

Vernon Char - BLNR: So it's just whatever the. Yeah, the time until you can put into effect this new plan. Correct.

00:08:29

Richard Howard - DOBOR: So we just need a little, we just need more time too.

00:08:31

Vernon Char - BLNR: And you're thinking that the part of it is publication will be done within three months?

00:08:37

Richard Howard - DOBOR: Yes.

00:08:38

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: And the board is only going to approve the final recommend Recommended vendor. Correct. We don't approve the RFI or we don't review the document. Right. Right. Okay.

00:08:50

Kaiwi Yoon - BLNR: Uh, hip hop. Um, you said in 2009 during the lawsuit times the vendor cannot issue notices parking notices. Right. Was that a matter of scope or was that a matter of land ownership?

00:09:08

Ed Underwood - DOBOR: I believe what it came down to is they don't have the authority to.

00:09:12

Kaiwi Yoon - BLNR: As a matter of scope in their contract. Like, in other words, did we give them that authority in the scope?



00:09:23

Ed Underwood - DOBOR: No, I don't believe we the department can give them the authority. It has to come from the legislature. Okay. Okay. Yes.

00:09:32

Kaiwi Yoon - BLNR: Okay. Because, you know, my concern then, you know, I think you're right. Um, editor Richard whoever said it like, don't care. They're not in the business of giving tickets. Right? So I'm concerned, uh, going forward. I don't know if it's a scope thing or through the ledge, but somehow we need to figure out who has the authority to write tickets.

00:09:55

Aimee Barnes - BLNR: Sorry to clarify. So what I heard you say is that they can give tickets and tow. They can't.

00:10:03

Ed Underwood - DOBOR: No, The only thing right now that the parking the parking vendor could either call in a law enforcement agency, it could be the sheriff's docare, uh, HPD, to issue a citation. Or if they're parked contrary to signage, then they can be towed. So those are our only two options.

00:10:26

Kaiwi Yoon - BLNR: But only if they contact a state. Enforcement agency. That's where the problem is going to be.

00:10:36

Ed Underwood - DOBOR: Years ago, the department, um, Miss Thompson was correct. The Harbor agents had the ability to issue, um, ticket citations, but they were challenged because they felt they weren't being they were targeting people. So that authority was taken away. This was when it was with Dot.

00:10:54

Aimee Barnes - BLRN: So do you know what She's referring to regarding the parking

00:10:59

Aimee Barnes - BLRN: Would you say this?

00:11:00

Richard Howard - DOBOR: Maui has a different arrangement where there are five tickets before they're towed.

00:11:06

Richard Howard - DOBOR: No, we don't. We don't do the private.

00:11:08

Richard Howard - DOBOR: I think that was a private company that she is in touch with who's interested in doing towing or parking at the alleyway. Yeah.

00:11:17

Richard Howard - DOBOR: And what about booting?

00:11:20

Aimee Barnes - BLRN: Putting a boot on.

00:11:21

Ed Underwood - DOBOR: We could boot. That's the same as towing basically in that federal lawsuit. But we'd have to hire a company that can boot and is there to boot.

00:11:32

Aimee Barnes - BLRN: Why can't the concessionaire boot and boot if they can tow and then tow?

00:11:36

Richard Howard - DOBOR: Well, the concessionaire doesn't tow. We have a separate contract.

00:11:41

Aimee Barnes - BLRN: We have a contract with the towing company or the concession. Have a contract with the towing company.

00:11:46

Aimee Barnes - BLRN: Oh, yeah, that's. That's. That's a twist you could open with that man. Yeah.

00:11:54

Ed Underwood - DOBOR: It's for no charge. We don't get any money. It's just.

00:11:57

Aimee Barnes - BLRN: But they get a lot.

00:11:58

Aimee Barnes - BLRN: But they get a lot.

00:12:01

Ed Underwood - DOBOR: For the tow. Sure. And. And also the tow company has to follow the law. And I think the law was just amended so that you can now use a credit card to pay. So they can't require people to only pay in cash.

00:12:16

Aimee Barnes - BLNR: I mean, In addition to the cash problem, I think there's just also the issue of like if you're somebody who's living paycheck to paycheck and your car is taken away from you even for a day, that could mean that you lose your job, which then sends you into a debt spiral where you're unable to pay to get your car out, to be able to work again. And, you know, I just think it's like pushing people over the edge.

00:12:37

Ed Underwood - DOBOR: It's tough. It is in that situation. That's why we keep the signage posted. We follow the signage. And unfortunately, people we've had visitors come and come back out and they didn't know and their car's gone. And so we offer them the post tow hearing and oftentimes they're not on the island anymore. We can do it by Zoom.

00:13:02

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Do we approve that towing contract or is that just done by the department? That's somebody that comes to the board.

00:13:08

Richard Howard - DOBOR: No, no, no. That was done through. I think we did it through an IFB. Invitation for bids.

00:13:16

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: You might want to. I have Miss Thompson's nodding and shaking her head all over the place.

00:13:21

Public question: You do sign? No copy of the.

00:13:26

Richard Howard - DOBOR: Well signed by the chair, but the selection was made through an RFP process.

00:13:31

Karen Ono - BLNR: Okay. Yes. Did you guys get a report? A monthly report or quarterly report of those? No. So we don't know how many cars are being told? No, we could.

00:13:43

Ed Underwood - DOBOR: We could contact them and ask them. Um, but we don't get a report.

00:13:50

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Because our role at the harbor is when we're managing the harbor, we have a contractor that does the parking, and then we have someone who, if they're in violation of the parking, you have a separate contractor that does the towing. But we're not, we're not the tow police people. We're not the parking police people. Right. We manage the harbor. Correct. So but clearly, I mean, maybe DOBOR has to think about another arrangement or but at this time, the only action before us is, is to approve this RFP to continue on the existing contract parking contractor pending. You guys coming out with a more permanent RFP.

00:14:34

Ed Underwood - DOBOR: Yes.

00:14:35

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: The more permanent contract. Correct. Contract. Right?.

00:14:40

Ed Underwood - DOBOR: Now, one thing to consider is if we want to change the current parking plan, I mean, I think it's got to be fair, like for Ms.. Thompson to weigh in on everybody at the harbor, because it will be very controversial if we come in And I know this first hand, if I and I keep saying in my opinion, there should be no free parking, it's impossible to manage. So what happened back then was we said, okay, we're going to have 300 free parking stalls and it can only be for ocean recreation users. We said once you establish free parking, it's extremely difficult to determine who is in ocean recreation. User, What if they say they're going swimming on their lunch break? I mean, or you're going to have to have somebody following 300 people coming out of their cars. And it just it's impossible. And it's been a bone of contention ever since. And not only that, we allow six hours of free parking because we were told at the time that surfers needed six hours to go surfing. And that's a pretty long surf sesh, if you ask me, and it makes it hard to manage. So we've have come back before the board and said, let's lower that time to three hours free parking or let's lower it to three hours, because that way if you're working in the hotel, you got to come out twice to feed, to move your car. You'd have to move it to another stall.

00:16:07

Kaiwi Yoon - BLNR: What is it?

00:16:08

Vernon Char - BLNR: For the record, where does the parking money go to?

00:16:10

Ed Underwood - DOBOR: It goes into the boating special fund and it's used to cover whatever costs in the boating program, the.

00:16:16

Vernon Char - BLNR: Bathrooms, repaving, striping.

00:16:18

Ed Underwood - DOBOR: Paving.

00:16:18

Kaiwi Yoon - BLNR: Striping.

00:16:19

Ed Underwood - DOBOR: Everything. Yes.

00:16:20

Kaiwi Yoon - BLNR: Yeah. You know, maybe part of the issue is, and look at the board level, I don't think we should get into administrative issues. I defer to the chair on that. Um, but, you know, maybe some of the messaging could be better, right? Like if there is no free parking, I think the public needs to know, just know that all of this goes to these services, you know, so that we can have excellent harbors and facilities at the harbors. Right. So maybe that's not. No, I don't know. I don't know. I don't want to get into that.

00:16:50

Ed Underwood - DOBOR: But sure.

00:16:52

Vernon Char - BLNR: I could have confused this RFP that you're going to be putting out. That would be for the concession. Who's going to operate this? That has nothing to do with the touring that will continue. A separate contract with doing. That's correct.

00:17:07

Richard Howard - DOBOR: So it's not really it's in our request for interest that will be publishing and Yeah but they're separate. Yeah. Does it have to be separate?

00:17:17

Ed Underwood - DOBOR: No, because Maui, the parking vendor there, manages the towing. They do all the enforcement. So that's another thing we're looking at having just the parking vendor manage. It's a great tool for assisting with managing the facilities. That's what we want to bring back. The one for Honokohau small boat harbor in that area. On the outside, we're having issues with. It's good why don't we.

00:17:39

Karen Ono - BLNR: Take on the part on the towing? Why don't we get a percentage of the total so that we can monitor how many cars are being pulled?

00:17:47

Ed Underwood - DOBOR: Well, we can ask the tow company any time.

00:17:50

Karen Ono - BLNR: For why don't we get a fee fall off of what they're towing?

00:17:53

Ed Underwood - DOBOR: Well, they're just going to add it to the tow. So then the people are going to pay even more.

00:17:58

Karen Ono - BLNR: Or do you put that out to public auction? Would you just negotiate with the towing company?

00:18:04

Ed Underwood - DOBOR: Well, we put it out to the two companies that this is for \$1 a year. I believe it's in the contract. Yeah. And then for whoever can do, what we try to do is get a tow company that's as close to the facility as possible, because in the past we had Ace Towing out of Small Boat Harbor all the way back to the airport. And people would get really upset having to try to get back. So we try to keep the but the towers are only they're basically all based out of Sand Island.

00:18:36

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: I guess for purposes of facilitating this agenda because the only thing before us is the parking is the RFP. Obviously, there's a whole bunch of questions about towing. I mean, the kind of a lot of opposition is it may not be so much with the parking, but the parking it's the towing company. I really would ask Bill Barr to go back and look at the towing contract and how you're processing it and addressing some of these concerns that have been raised by members of the public as well as the board members. I mean, think there's a question about how much they charge the method of towing, you know, grace period. So I think rather than maybe that should be brought back to the board as well for review and approval rather than administratively, because right now it's just being approved by the department, right? Sure. Yeah.

00:19:32

Kaiwi Yoon - BLNR: And I hope it doesn't. I know you guys work hard and you know the capacity. I hope it doesn't add an inordinate amount of time. You know, I think Richard said three months. You know, let us know if it's six months or eight months, or a year. You know, because the public's kind of waiting for that RFP, RFP process to begin. And I like the idea of booting. So maybe, you know, when you guys put it out there, right, Because booting you just do it right there. Right? You don't have to tow it anywhere, right?

00:19:59

Ed Underwood - DOBOR: So we can have them on site maybe.

00:20:02

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Yeah, have them on site. You know.

00:20:04

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: I think.

00:20:04

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: I think the community has raised some legitimate concerns. Right. So I would ask the tow bar really address this right now the parking RFP and you've got a process for that you're going to do and you're going to do an RFP. But the towing is a separate issue. And I think you've heard some really legitimate kind of concerns here that I think you should come up with a plan of action and come back to the board on that.

00:20:30

Kaiwi Yoon - BLNR: You put a timeframe on that. I hate to squeeze you guys, but you know, that's fine.

00:20:35

Kaiwi Yoon - BLNR: At the same time, you're okay.

00:20:37

Ed Underwood - DOBOR: Sure. When you do.

00:20:38

Ed Underwood - DOBOR: Come back with the towing.

00:20:39

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Okay. Okay.

00:20:40

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Does that make sense, board members?

00:20:42

Riley Smith - BLRN: With that chair? If there's no other, I'll move to approve the staff recommendations amended. Thank you.

00:20:48

Aimee Barnes - BLRN: I will. I will. Second, just, I also and I think what you just said is great. So thank you. And thank you guys for taking that back.

00:20:56

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Oh, Riley has a question. Oh, sorry, Riley.

00:21:00

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Big island was the second thing or the question?

00:21:04

Riley Smith - BLRN: No.

00:21:04

Riley Smith - BLRN: I wanted to ask or I wanted to make a comment. So added earlier mentioned about charging everybody for parking. You know, I've traveled all over the mainland and I've surfed in California and they make you pay for parking. I think we should do something different in Hawaii. You know, I pay county real property taxes. I pay state gross excise taxes. I think as a resident, I should be able to go to beaches in Hawaii and not pay for parking. So just giving my money on that. Thank you.

00:21:36

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Thank you, Riley. Always appreciate your mana on that. Any other questions? I got a motion and a second. And a second.

00:21:43

Aimee Barnes - BLRN: But just with also, I heard some comments on signage and the map and whether the map is accurate.

00:21:50

Aimee Barnes - BLRN: So maybe



00:21:51

Richard Howard - DOBOR: the map is the exhibit that is in the permit. Okay. So that is what our agreement is. Okay. Um, again, if somebody feels they are unjustly told they have the right to oppose a hearing, and if you know at the hearing, they say I was parked in a freestyle and I got towed.

00:22:11

Ed Underwood - DOBOR: And we have worked with staff on telling and directing them to any time the sign becomes faded or has too many stickers on it, replace the signs.

00:22:22

Vermon Char - BLNR: How much time do you think it takes for these postal hearings? I mean, collectively.

00:22:27

Ed Underwood - DOBOR: Our deputy might.

00:22:28

Ed Underwood - DOBOR: Be.

00:22:30

Kaiwi Yoon - BLNR: Too long, right?

00:22:30

Aimee Barnes - BLRN: It is, yeah.

00:22:31

Kaiwi Yoon - BLNR: So, I mean, we got to mock up all of that.

00:22:35

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Okay.

00:22:36

Vermon Char - BLNR: What is the status of your overall plan for that you did a presentation to the board and I think we went out and took a look at the area? Um, any further implementation on the utilization of that?

00:22:53

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: You're going to open Pandora's box.

00:22:55

Ed Underwood - DOBOR: We've been asked to hold on to that for right now until we can do it can be further looked at.

00:23:03

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: We have an overall strategic approach for boating, so we wanted to take that in the context, all the context of that overall approach. Okay.

00:23:14

Karen Ono - BLRN: So there was a first and a second. There's a motion. Okay. And I just want to 11. is on the signage to make it clear so that people know that it's going to be towed. And I mean, you can restate the but to me, a picture says a lot of words and you can put the right below that for all.

00:23:35

Richard Howard - DOBOR: The duration the board is giving us. We're going to extend the permit as long as it takes to do the RFI.

00:23:41

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Yeah, well, I think there are two separate matters. The where I think the action here is whether to, approve the, um and you said you're going to be able to come back in three months on the RFI for the parking. Yes. I think the board also asked you I asked you to do a separate on the towing. Yes. And we also said, when do you think you can come back to us with that towing plan? And you said three months. So that's the so two separate action items. Yeah.

00:24:10

Richard Howard - DOBOR: Okay.

00:24:11

Vermon Char - BLNR: Okay. Are you good with that?

00:24:13

Richard Howard - DOBOR: Okay. Okay.

00:24:16

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: I'm going to call for the motion.

00:24:18

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: On the motion. We got the vote.

00:24:21

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: Obviously, I'm going to call.

00:24:22

Aimee Barnes - BLRN: For a recess pretty soon.

00:24:24

Dawn Chang, Chairperson BOARD OF LAND AND NATURAL RESOURCES: So a motion has been made and it's been seconded. All in favor Say aye.

## **J-1 BLNR Board Meeting: Transcript 9-10-21 Passed by the BLNR**

00:00:00

Suzanne Case Chairperson BOARD OF LAND AND NATURAL RESOURCES: I think you can. I think you can. Go ahead.

00:00:05

Richard Howard : This is Richard Howard for DOBOR. I've been seeing one is the issuance of a revocable permit to secure parking Hawaii LLC for management of the vehicular parking at the Ala Wai Small Boat Harbor. Staff requests minor amendments. To the submittal before the board votes on this item. The first of which is. Amending the applicant's name on the submittal from Secure Parking LLC to Secure Parking Hawaii LLC. The correct name, i.e. Secure Parking Hawaii LLC was published by Darlene. So I think we're okay with that. The second item. Is the Chapter 343 exemption paragraph on page three. It should read as follows In accordance with Section 11 200.115 Hawaii Administrative rules and the exemption list for the Department of Land and Natural Resources reviewed and concurred in by the Environmental Council on November 10th, 2020. The subject request is exempt. From the preparation of EA pursuant to general exemption type one operations, repairs or maintenance of existing structures, facilities, equipment or topographical features involving negligible or no expansion or change of use beyond that previously existing.

Part one item number 44, which states that permits, licenses, registrations and rights of entry issued by the department that are in routine, that are routine in nature, involving negligible, negligible impacts beyond that previously existing. On the final amendment we have to make is the commencement date. Uh, and that has to be amended from September 15th, 2021 to the first day of the month, determined by the Chair. DOBAR is requesting the issuance of a revocable permit to secure parking Hawaii LLC due to the AG's concerns with the IFB (Invitation For Bid) that we put out, which contained elements of both 102, which deals with concessions and 103 D, which is the procurement code, Uh, the, the issuance of this is will be temporary in nature and it will allow DOBOR to address the AG's concerns while allowing us to collect parking revenue from the Ala Wai Boat Harbor. We are willing to answer any questions.

Petitioners Note from Kate Thompson: Although, there may have been staff meetings regarding this topic, the 9-10-2021 meeting was the last public meeting on the Revocable Permit status with Secure Parking Hawaii LLC. In this September 2021 meeting, DOBOR requests more time to work on the IFB and to address the AG's concerns.

Yet in the next public meeting two years later on 8-11-2023 DOBOR submits J-1 requesting a 'backdated' permit and forward commitment to a 'Month to Month' permits that only allows release of the permit if the contracted company has violated the the terms of the Revocable Permit.

In Addition, the J-1 Submittal presents Act 163 and DOBOR's authority to contract directly for parking concessions. This would be an issue, since DOBOR fulfilled the request of the AG's office outlined in this testimony to the Board of Land and Natural Resources. Plus in the August 11, 2023 meeting DOBOR says the 'previous experience' point will be given for new Revocable Permits and Contracts yet Secure Parking Hawaii LLC did not meet the original published

minimum requirements of five years of experience as a parking vendor. Therefore, to use Act 163 for the future parking contracts and permits, all interested parties should have an equal non-historic 'competitive process', and no additional 'points' should be given for years of experience with this AWSBH property.

00:03:10

Suzanne Case Chairperson BOARD OF LAND AND NATURAL RESOURCES: Thank you. And, Mr. Murray, did you want to add anything or. Here. Here for questions.

00:03:20

MAURI, JONATHAN MGR Secure Parking: Uh, good afternoon. Board. No, don't want to add anything. I'm just here to answer any questions if you guys have any.

00:03:26

Suzanne Case Chairperson BOARD OF LAND AND NATURAL RESOURCES: Okay. Um. All right. Board member's questions. Mr. Hoy.

00:03:32

Tommy Oi - BLNR: Um.

00:03:33

Tommy Oi - BLNR: To staff. How are you going, how would it determine the free parking? Six hours.

00:03:43

Richard Howard : You want to get that one or do you want me to answer that? Sure.

00:03:46

Ed Underwood DOBOR: We've been working with Mr. Murray on this, too. And one because we now have these new machines, what we could do, an option would be somebody that comes into the free parking area, can pull a ticket, and that'll give them six hours of free parking that they can put on their dash. And then once that's expired, they will have to move the car either to another open stall or vacate the facility or move into the paid area.

00:04:14

Tommy Oi - BLNR: So somebody's going to be within that parking area checking out all the. Tickets, correct?

00:04:23

Ed Underwood DOBOR: Yes.

00:04:23

Ed Underwood DOBOR: That's what Mr. Murray's company is going to be doing, standard parking.

Petitioners Note: In this statement DOBOR administrator Ed Underwood is not truthful with BLNR Member Tommy Oi because Ed Underwood knows Secure Parking Hawaii LLC has no authority to ticket and that Secure Parking will not be supplying parking attendants to walk around the parking lot.

00:04:27

Tommy Oi - BLNR: Okay. And then the other question is, how are you going to handle employees within that area of parking? In the parking?

00:04:38

Ed Underwood DOBOR: Well, that is very difficult because it's open public parking. Um. They're going to have to pull the ticket as well. When we came before the board, that's one of the

reasons we wanted to lower the time frame. So if somebody was in a neighboring employee from a hotel was using it, then they would have to leave their job at least twice a day to deal with the car and hopefully discourage them. But we're going to, uh, Mr. Murray came up with that idea with the ticketing. So I think that might really help discourage people from parking there, especially employees and construction companies and those folks.

00:05:19

Tommy Oi - BLNR: Okay, just answer my question. Thank you.

00:05:23

Suzanne Case Chairperson BOARD OF LAND AND NATURAL RESOURCES: Thank you. Any other questions? All right. There's no further testimony. Is there a motion to approve as amended?

00:05:36

Vernon Char - BLNR: Move to approve as amended.

00:05:38

Suzanne Case Chairperson BOARD OF LAND AND NATURAL RESOURCES: Okay. Second from Char. All in favor say aye.

00:05:42

Suzanne Case Chairperson BOARD OF LAND AND NATURAL RESOURCES: All right.

00:05:44

Suzanne Case Chairperson BOARD OF LAND AND NATURAL RESOURCES: One, two, three, four. One, two, three, four, five. Mr. Yoon, are you. Did you vote? Yes. Okay. That's six votes in favor of Megan being absent. Thank you very much.

