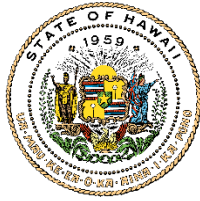


JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

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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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: August 25, 2023  
TIME: 9:15 AM  
LOCATION: In person at 1151 Punchbowl St, Room 132  
(Kalanimoku Building) online via ZOOM, livestream  
via YouTube

**ITEM A-1** Approval of the Summary Minutes of the April 14, 2023, meeting.

**MOTION**

**Approved as submitted.**

**ITEM A-2** Approval of the Summary Minutes of the April 28, 2023, meeting.

**MOTION**

**Approved as submitted.**

**ITEM M-1** Issuance of a Revocable Permit for Commercial Use of a T-Hangar for Storage and Maintenance for Two Aircraft in Support of a Commercial Aeronautical Gyrocopter Flight Instruction Business, Gyrocopters Hawaii LLC dba Skyland Air, Kawaihapai Airfield, Waialua, Hawaii, Tax Map Key: (1) 6-8-014: Portion of 017.

**ITEM M-2** Issuance of a Revocable Permit for Office Space, Alclear, LLC dba Clear, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: Portion of 001.

**ITEM M-3** Issuance of a Revocable Permit to Stage Fuel Trucks, Eagle Air Med Corporation, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-072: Portion of 027.

**ITEM M-4** Issuance of a Revocable Permit for Vehicle Parking and Container Storage, NCNS Environmental, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-004: 018.

**ITEM M-5** Issuance of a Revocable Permit for Warehouse Storage of Moving Supplies and Materials for Its Moving and Transportation Operations, Royal Hawaiian Movers, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-004: 088.

- ITEM M-6** Issuance of a Revocable Permit for Parking and Storage of Rental Car Vehicles, EAN Holdings, LLC, Hilo International Airport, Tax Map Key: (3) 2-1-012: Portion of 009.
- ITEM M-7** Issuance of a Lease for the Maintenance and Operation of an Air Traffic Control Tower, United States of American, Acting By and Through the Federal Aviation Administration, Molokai Airport, Tax Map Key: (2) 5-2-004: Portion of 008.
- ITEM M-8** Issuance of a Revocable Permit for Land for Trailer and Parking, Alclear, LLC dba Clear, Kahului Airport, Tax Map Key: (2) 3-8-001: Portion of 019.
- ITEM M-9** Issuance of a Directly Negotiated Land Lease for a Hangar Facility to Support Fixed-Base Operations, Windward Aviation, LLC, Kahului Airport, Tax Map Key: (2) 3-8-001: Portion of 019.

**MOTION**

**Approved as submitted, Items M-1, M-2, M-3, M-4, M-5, M-6, M-7, M-8, and M-9**

- ITEM D-4** Pursuant to Act 90, Session Laws of Hawaii 2003 (Act 90), as mutually agreed upon between Department of Land and Natural Resources (DLNR) and Department of Agriculture (DOA), Approve the Set Aside to the DOA for Pasture Purposes (with Alternate Agriculture Use Allowed on 10% of the Land), General Lease No. S-4475, K. K. Ranch, Inc., Lessee, Covering Parcels 7-A and 7-B, Government Land of Kalopa and Ka'ohē 3, Hamakua, Hawaii, Tax Map Keys: (3) 4-4-014:002 & 011.

**Amendment:**

*The Board amended recommendation 2 of the submittal as follows:<sup>1</sup>*

- “2. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands to the Department of Agriculture under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:*
- A. The standard terms and conditions of the most current executive order form, as may be amended from time to time; provided, however, that the executive order shall provide that any amendment or extension of General Lease No. S-4475, or any new lease, permit or other disposition that DOA may issue over the land or any portion of it, shall expressly include the following exceptions and reservations in favor of the BLNR:*
- i. The exception and reservation from the ~~[leased premises]~~ property of ~~[all existing roads and trails within this tract of land and]~~ all other*

*roads, trails and rights-of-way that may be required by the BLNR for public purposes;*

~~[ii. Without limiting the generality of the foregoing, the reservation of the roadway easements listed at pages 9c to 9d, paragraph 27 of GL S-4475 and the exception and reservation of access over the subject land for public purposes from Mana Road to the western side of Puu Mali, which is a DOFAW Reserve, as shown on the map attached as Exhibit 3;]~~

iii. *The reservation of all hunting and fishing rights in the event the BLNR should declare the whole or any portion of the [demised premises] as public shooting or fishing grounds [as set forth at pages 3a to 3b, paragraph 4 of GL S-4475] so long as it does not*

#### **MOTION**

**Approved as amended.**

**ITEM D-5** Pursuant to Act 90, Session Laws of Hawaii 2003 (Act 90), as mutually agreed upon between Department of Land and Natural Resources (DLNR) and Department of Agriculture (DOA),

1. Approve the Withdrawal of 7,000 Acres, more or less, from General Lease No. S-5374, Kapapala Ranch, Lessee; Grant of Term, Non-Exclusive Easement to Department of Agriculture for Water Pipeline Purposes over Area so Withdrawn; Authorize Department of Land and Natural Resources, Division of Forestry and Wildlife, to Conduct a Public Hearing to Set Aside the Withdrawn Area as an Extension of the Kapapala Forest Reserve, Kapapala, Kau, Hawaii, Tax Map Key: (3) -8-001:010 (pors.);
2. Set Aside of Remainder of Lands under General Lease No. S-5374, Kapapala Ranch, Lessee (Approximately 15,684.168 Acres, more or less), to Department of Agriculture for Agricultural Purposes Including Pasture, existing Single Family Residential and Employee Residential Use, and Eco-tourism Purposes.
3. Set Aside Lands under Revocable Permit Nos. S-7637 and S-7758, Kapapala Ranch, Permittee, to Department of Agriculture for Pasture Purposes; Ahulili and Kapapala, Kau, Hawaii, Tax Map Keys: (3) 9-6-011:002, 9-8-001:003, 006, 011, 012, and 013.

#### **MOTION**

**Approved as submitted.**

**ITEM D-2** Approval of County of Hawaii's Issuance of Two Term, Non-Exclusive Easements for Utility Purposes to Hawaiian Electric Company, Inc. on Lands under

Governor's Executive Order Nos. 4223 and 4224 to County of Hawaii, Waiakea, South Hilo, Hawaii, Tax Map Keys: (3) 2-4-001:176 & 177.

**MOTION**

**Approved as submitted.**

**ITEM D-1** Amend Prior Board Action of July 28, 2023, Item D-4, Issuance of Direct Lease to The Gas Company, LLC for Storage Site and Tank Farm, Operating Yard, Related Activities and Appurtenant Pipelines to Said Tanks, Nawiliwili, Lihue, Kauai Tax Map Key: (4) 3-2-003:030.

*Amendment:*

*The Board included a recommendation for staff to research what a decommissioning bond would cost for the removal of all trade fixtures and other equipment on the property and to return to the Board at a later date with a report and recommendation on including a removal bond requirement in the new lease to The Gas Company, LLC.*

**MOTION**

**Approved as amended.**

**ITEM D-3** Consent to Assign General Lease No. S-6101, LEE-C CORP., Assignor, to O'NY E'SY, LLC, Assignee, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-032:064.

**MOTION**

**Approved as submitted.**

**ITEM D-6** Annual Renewal of Revocable Permits for Oahu. See Exhibit 2 for list of Revocable permits.

Revocable Permit No. S-7915 to ResortTrust Hawaii, LLC was withdrawn from the submittal,

**MOTION**

**Approved as submitted.**

**ITEM D-7** Issuance of Right-of-Entry Permit to Hawaii Amateur Surfing Association, for Amateur Surf Event Koki Beach, Hana, Maui, Tax Map Key: (2) 1-4-007: Portion of 009.

**MOTION**

**Approved as submitted.**

**ITEM D-8** Cancellation of Governor's Executive Order No. 0004 and Reset Aside to 1) City and County of Honolulu, Department of Parks and Recreation for Public Park and Other Recreational Purposes and 2) Department of Land and Natural Resources,

Division of State Parks for Culture and Recreation Program Purposes, Kaukahoku, Nuuanu Valley, Honolulu, Oahu, Tax Map Key: (1) 2-2-034:027 and 028.

**MOTION**

**Approved as submitted.**

**ITEM D-9** Withdrawal from Governor's Executive Order No. 1854 and Reset Aside to the Department of Transportation, Highways Division, for Highway Purposes; Kalihi, Honolulu, Oahu; Tax Map Key: (1) 1-3-008: portion of 004; Issuance of Immediate Construction and Management Right-of-Entry Permit; Kalihi, Honolulu, Oahu; Tax Map Keys: (1) 1-3-004: portion of 123 and (1) 1-3-008: portion of 004.

**MOTION**

**Approved as submitted.**

**ITEM K-1** Approval of Sea Life Park Conceptual Master Plan proposes to Expand the Number of Exhibits provided to the Visiting Public, Improve other Facilities such as Entrances, Walkways, Parking and the Dining Area to include a Viewing Deck. Sea Life Park Special Subzone, Waimānalo, Ko'olaupoko, O'ahu, Tax Map Key: (1) 4-1-014: 004.

**MOTION**

**Approved as submitted.**

**WITHDRAWN**

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

**WITHDRAWN NON-ACTION**

**ITEM J-2** Informational Briefing on DOBOR's Non-Profit Rent Policy for 501(c)(1) and 501(c)(3) Organizations.

DRAFT