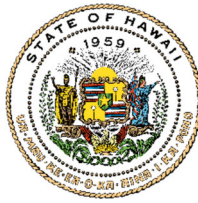


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE



**APPROVED AT ITS
BOARD MEETING
HELD ON
JUNE 14, 2024**

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

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

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

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

Audio Link: <https://files.hawaii.gov/dlnr/meeting/audio/Audio-LNR-240209.m4a>

Date: February 9, 2024

Time: 9:00 AM

Place: DLNR Boardroom, Kalanimoku Bldg.
1151 Punchbowl Street, 1st floor/ & Online via Zoom

MEMBERS

Dawn Chang
Vernon Char
Kaiwi Yoon
Aimee Barnes

Doreen Canto
Riley Smith
Karen Ono

00:01:11 Chair Chang called the meeting to order. The contested case standard statement was read, and Roll Call of the Members conducted.

00:04:20
ITEM M-1 Issuance of a Revocable Permit for an Office, Training Room and Storage Space, Hallmark Aviation Services L.P., Ellison Onizuka Kona International Airport at Keahole, Tax Map Key: (3) 7-3-43: Portion of 033.

ITEM M-2 Issuance of a Revocable Permit for Use of the Baggage System, American Airlines, Inc., Lihue Airport, Tax Map Key: (4) 4-3-001: Portion of 135.

ITEM M-3 Issuance of a Revocable Permit for Use of the Baggage System, Hawaiian Airlines, Inc., Lihue Airport, Tax Map Key: (4) 4-3-001: Portion of 135.

00:05:29 **Approve Staff Recommendation as Submitted for**
MOTION Items M-1, M-2, M-3 (Smith, Ono)

00:05:54 **PASSED**
VOTE 7-Unanimous (Smith, Ono, Barnes, Char, Chang, Yoon, Canto)

00:06:18
ITEM M-HAR-4

Request for Authorization to Issue a Month-to Month Revocable Permit (RP) to VAK Fisheries LLC and Mr. Kim Lu, in his Individual Capacity for Fishing

ITEM A-7

Vessel, Agent Office and Storage of Fishing Vessel-Related Supplies, situated at Pier 19 Shed, Honolulu Harbor, Island of Oahu, Tax Map Key: (1) 1-5-039: Portion of 063, Governor’s Executive Order No. 2903.

00:06:45 **Approve Staff Recommendation as Submitted**
MOTION (Canto, Yoon)

00:07:16 **PASSED**
VOTE 7-Unanimous

00:07:30
ITEM D-6

Amend General Lease No. S-5976, Hospice of Hilo, Lessee, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-4-001: 179.
The Purposes of the Amendment are to:

1. Expand the Current Use of “Hospice and Allied Purposes” to Include Adult Residential Care-home Services.
2. Modify the rent reopening provision of the lease to set rent based on the Board’s then prevailing policy on leasing to eleemosynary organizations (instead of fair market rental determined by appraisal) for the remainder of the lease term, from February 22, 2024, until the expiration of the lease on February 21, 2073.

00:37:30 **Approve Staff Recommendation as Amended**
MOTION (Char, Smith)

00:48:48 **PASSED**
VOTE 7-Unanimous

00:49:04
ITEM D-7

Issuance of Direct Non-profit Lease to Na Moku Aupuni O Koolau Hui; Retroactive Renewal of Right-of-Entry Permit from December 11, 2021, to December 10, 2024, for Recreational Campsite, Agriculture and Community-based Economic Development purposes, Keanae-Wailua, Hana, Maui, Tax Map Keys: (2) 1-1-002: 008 & 009 and (2) 1-1-004: 005.

01:14:36 **Approve Staff Recommended as Amended**
MOTION (Canto, Smith)

01:19:40 **PASSED**
VOTE 7-Unanimous

01:20:54 BREAK

01:32:14

ITEM D-1

Issuance of Right-of-Entry Permit to Hawaii Beach Volleyball Association for Hawaii Dinosaur Beach Volleyball Tournament at Kalapaki Beach, Lihue, Kauai, Tax Map Key: (4) 3-5-002: seaward of 002.

01:32:42 **Approve Staff Recommendation as Submitted**
MOTION (Ono, Canto)

01:35:50 **PASSED**
VOTE 7-Unanimous

01:32:54

ITEM D-2

Issuance of Revocable Permit to Raymond Keahi for Maintenance and Landscaping Purposes, Kapaa, Kawaihau, Kauai, Tax Map Keys: (4) 4-5-009:010.

01:36:25 **Approve Staff Recommendation as Submitted**
MOTION (Ono, Barnes)

01:36:29 **PASSED**
VOTE 7-Unanimous

01:36:35

ITEM D-3

Issuance of Revocable Permit and Immediate Right-of Entry Permit to Sean Newbold for Landscaping and Maintenance Purposes, Kapaa, Kawaihau, Kauai, Tax Map Key: (4) 4-5-015: portion of 037.

01:42:50 **Approve Staff Recommendation as Submitted**
MOTION (Ono, Barnes)

01:42:55 **PASSED**
VOTE 7-Unanimous

01:43:12

ITEM D-4

Cancellation of Revocable Permit No. S-7509, Bank of Hawaii, Lot 88-A and 88-B-1, Hanapepe Town Lots, 1st Series, Hanapepe, Waimea, Kauai, Tax Map Key: (4) 1-9- 005:049.

01:45:15 **Approve Staff Recommendation as Submitted**
MOTION (Ono, Barnes)

01:45:21 **PASSED**
VOTE 7-Unanimous

01:45:30

ITEM D-5

Amend Prior Board Action of August 25, 2023, 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.

The purpose of the prior amendment was to issue a one (1) year holdover of General Lease S-4250.

The purpose of the current amendment is to include a decommissioning bond requirement in the new lease for the removal of all trade fixtures and other equipment on the property at lease expiration or earlier termination.

02:08:17 **Approve Staff Recommendation as Submitted**
MOTION (Ono, Barnes)

02:08:26 **PASSED**
VOTE 7-Unanimous

02:08:40
ITEM D-8

Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Private Event Aerial Fireworks Display at Duke Kahanamoku Lagoon on Thursday, March 28, 2024, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portion of 021.

02:19:58 **Approve Staff Recommendation as Submitted**
MOTION (Char, Smith)

02:20:04 **PASSED**
VOTE 6-Ayes (Chang, Char, Canto, Yoon, Ono, Smith); 1-Opposed
(Barnes)

02:20:18
ITEM D-9

(1) Consent to Assign Grant of Non-Exclusive Easement No. S-5739 Kenneth D. Simon, Assignor to Damian Warzecha and Jessica Warzecha, Assignees; (2) Amend the Easement Conditions regarding Consent to Assignment and Insurance Provision; Kaneohe, Koolaupoko, Oahu, Tax Map Key: (1) 4-6-001:006 seaward.

02:46:25 **Approve Staff Recommendation as Submitted**
MOTION (Yoon, Smith)

02:46:54 **PASSED**
VOTE 4-Ayes (Canto, Yoon, Ono, Smith); 3-Opposed (Chang, Char,
Barnes)

02:48:34
ITEM D-10

Grant of Term, Non-Exclusive Easements to: (i) Hawaiian Electric Company, Inc. for Electrical Transmission Purposes; and (ii) Spectrum Oceanic, LLC for Telecommunications Transmission Purposes; Issuance of Construction Right-of-Entry to the City and County of Honolulu, Honolulu Authority for Rapid

Transit, for Utility Purposes; Honolulu, Oahu; Tax Map Key: (1) 2-1-026:
portions of 001.

02:51:37 **Approved Staff Recommendation as Submitted**
MOTION (Yoon, Char)

02:51:44 **PASSED**
VOTE 7-Unanimous

02:52:00 BREAK

**03:45:27
ITEM K-1**

Non-action Item

1. Discussion with the Department of the Attorney General regarding the status of State of Hawai'i v. Palmer, Civ. No. 1CCV-24-0000108. The Board may go into Executive Session pursuant to Section 92-5(a)(4), Hawai'i Revised Statutes, in order to consult with its attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities. (No staff submittal)

03:47:52 **Executive Session**
MOTION (Yoon, Canto)

03:48:08 **PASSED**
VOTE 7-Unanimous

04:24:12 There being no further business, Chair Chang adjourned the meeting.

Respectfully Submitted:


Athena K Iokepa
Acting Land Board Secretary

Approved for Submittal:



Dawn N.S. Chang, Chairperson
Board of Land and Natural Resources
Department of Land and Natural Resources