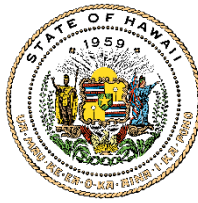


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE



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

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

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

- Audio Link(s): (1) <https://files.hawaii.gov/dlnr/meeting/audio/Audio-LNR-240628-1.m4a>
(2) <https://files.hawaii.gov/dlnr/meeting/audio/Audio-LNR-240628-2.m4a>
(3) <https://files.hawaii.gov/dlnr/meeting/audio/Audio-LNR-240628-3.m4a>

Date: June 28th, 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

(1) 00:00:01 Chair Chang called the meeting to order. The contested case standard statement was read, and Roll Call of the Members conducted.

(1) 00:04:35

ITEM Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai,
J-1 See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

Condition:

The Board deferred the rent increases for Revocable Permit Renewals to allow DOBOR Staff to provide rationale on determining the rent increases within 60 days.

(1) 02:16:25 To Defer the Staff Recommendation with Conditions
MOTION (Smith, Yoon)

(1) 02:19:05 PASSED
VOTE 4- Ayes (Barnes, Canto, Ono, Yoon)

2- Neys (Chang, Char)

(1) 02:21:15 **To Approve Staff Recommendation for Non-Renewal
RP(s) 11 and 90 Cancellations**

MOTION (Barnes, Char)

(1) 02:21:38 **PASSED**

VOTE 7- Unanimous

(1) 02: 21:37 **To Grant Blue Water Shrimp International LLC with a 90 Day
Extension at the Same Lease Rent and for Staff to Return to
the Board with an Updated Plan**

MOTION (Barnes, Char)

(1) 02:25:35 **PASSED**

VOTE 7- Unanimous

(2) 00:00:35

**ITEM
E-1**

Request Approval to Continue Revocable Permit SP0002 Issued to Hui
Maka'āinana o Makana, for Management of a Reservation System for the
Collection of Parking and Entry Fees, Shuttle Services and Resource
Enhancement at Hā'ena State Park, Kaua'i, Hawai'i, Tax Map Keys: (4) 5-9-
001:022 portion and (4) 5-9-008:001 portion.

(2) 00:11:37 **To Approve Staff Recommendation as Submitted**

MOTION (Ono, Smith)

(2) 00:14:20 **PASSED**

VOTE 7- Unanimous

(2) 00:14:37

**ITEM
D-4**

After-the-Fact Issuance of Revocable Permit to Na Aikane o Maui, Inc. (NAOMI) for
Community Resource Center Purposes for the Period January 1, 2010 through
December 31, 2010, with After-the-Fact Annual Renewals for the Period January 1,
2011 Through August 9, 2023, Lahaina, Maui, Tax Map Key: (2) 4-6-007:008..

Amendment:

*The Board changed the recommended rent for the revocable permit from \$40
per month to gratis.*

(2) 00:54:24 **To Approve Staff Recommendation as Amended**

MOTION (Canto, Yoon)

(2) 01:51:10 **PASSED**

VOTE 7- Unanimous

(2) 00:58:40

ITEM

Partial Withdrawal from Governor's Executive Order No. 4663 (EO 4663) and

- D-1** Reset Aside to the County of Kauai for Housing Purposes; Issuance of Immediate Construction Right-of-Entry to the County of Kauai; Authorize Acceptance of a Bill of Sale from the County of Kauai to the Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW), Covering Infrastructure Improvements the County Constructs on Land Set Aside to DOFAW under EO 4663, Nawiliwili, Lihue, Kauai, Tax Map Key: (4) 3-8-005:portions of 002 (known as the Pua Loke Nursery and Arboretum).

Condition:

The Board added a condition¹ in the recommendation section that prior to the transfer² of land to the County, the County shall relinquish or agree to relinquish lands suitable³ for DLNR's functions that are not in a flood zone or area and are of reasonably equivalent value and proximity to the subject lands in Lihue.

(2) 01:53:35 **To Approve Staff Recommendation Subject to Conditions**
MOTION (Ono, Yoon)

(2) 01:57:15 **PASSED**
VOTE 6-Ayes (Barnes, Canto, Char, Ono, Smith, Yoon) 1-Neys (Chang)

(2) 02:33:12

ITEM

D-2

Consent to Assign General Lease No. S-4254, from Marine Consulting & Engineering Corp. (Registered on May 21, 1991, involuntarily dissolved on December 4, 2012), Assignor, to Marine Consulting & Engineering Corp. (Registered on March 19, 2024), Assignee; Approval of 10-Year Term Extension General Lease No. S-4254, Marine Consulting & Engineering Corp. (Registered on March 19, 2024), Lessee, Kekaha, Waimea, Kauai, Tax Map Key: (4) 1-3-008:004.

Amendment:

The Board changed the appraisal "as of" date on page 2 of the submittal under the Rental Reopenings heading from August 1, 2023 to August 12, 2024. The Board additionally amended the proposed improvements completion date of August 11, 2024 on page 3 of the submittal under the Application Requirements heading, to August 11, 2025 in order to align with completion date stated in final recommendation, page 5.

(2) 02:41:56 **To Approve Staff Recommendation as Amended**
MOTION (Ono, Smith)

(2) 02:42:07 **PASSED**
VOTE 7- Unanimous

(2) 02:42:11

¹ In addition to the conditions of the COK paying for an installing the fence and sewer line, pump station, and cesspool closure as shown on Exhibits C and D.

² "Transfer" includes by Executive Order or any invasive or construction Right of Entry.

³ DLNR's acceptance of the lands will need prior Land Board approval.

ITEM D-3 Amend Revocable Permit No. S-7950, by Amending the Removal Date for the Temporary Structure from May 11, 2024, to the Amended Expiration Date of Emergency Conservation District Use Permit MA 21-10; Mantokuji Mission of Paia, Maui, Lessee; Lower Paia, Maui; Tax Map Key: (2) 2-6- 008: seaward of 013.

The purpose of this amendment is to amend the date by which the temporary erosion control structure fronting Mantokuji Mission of Paia must be removed to conform to the May 30, 2026, amended expiration date of Emergency Conservation District Use Permit MA 21-10 for the structure, as approved by the Chairperson on May 12, 2024.

(2) 02:44:09 **To Approve Staff Recommendation as Submitted**
MOTION (Canto, Smith)

(2) 02:44:18 **PASSED**
VOTE 7- Unanimous

(2) 02:44:31

ITEM C-1 Informational Briefing on the Use of the Larvicide *Bacillus thuringiensis israelensis* (BTI) to Aid in Suppressing Mosquito Populations on Maui and Kauai.

(2) 02:55:30

ITEM C-2 Annual Review of Grants from the Land Conservation Fund for Each Project that has been Pending for Over Five Years:

(A) LLCP 2017-03, Hawaiian Islands Land Trust, Kepler Ke'anae Lo'i Conservation Easement, District of Ko'olaupoko, Island of Maui, Tax Map Key Number (2) 1-1-003:041

(B) LLCP 2019-04, Division of Forestry and Wildlife, Kāne'ohe Pali to Lo'i, District of Ko'olaupoko, Island of O'ahu, Tax Map Key Numbers (1) 4-5-025:008, (1) 4-5-041:001, (1) 4-5-041:004, and (1) 4-5-042:018

(3) 00:12:24 **To Approve Staff Recommendation as Submitted**
MOTION (Yoon, Canto)

(3) 00:13:24 **PASSED**
VOTE 7- Unanimous

(3) 00:14:05

ITEM K-1 Presentation by the Center for Maunakea Stewardship on the 2023 Annual Progress Report of the Mauna Kea Comprehensive Management Plan (CMP) for the Mauna Kea Science Reserve, Kaohe Mauka, Hamakua, Hawaii, Tax Map Key parcels (3) 4-4-015:009 and (3) 4-4-015:012

(3) 01:04:54

- ITEM M-1** Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and
- Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and
- Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.
- ITEM M-2** Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and
- Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and
- Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.
- ITEM M-3** Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and
- Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and
- Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.
- ITEM M-4** Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and
- Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and
- Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.
- ITEM M-5** Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and
- Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and
- Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.
- ITEM** Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai,

- M-6** See **Exhibit E** for List of Revocable Permits; and
- Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and
- Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.
- ITEM M-7** Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and
- Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and
- Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.
- ITEM M-8** Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and
- Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and
- Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.
- ITEM M-9** Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and
- Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and
- Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.
- ITEM M-10** Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and
- Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and
- Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.
- ITEM M-11** Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

ITEM M-12 Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

ITEM M-13 Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

ITEM M-14 Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

ITEM M-15 Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

ITEM M-16 Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

ITEM M-17 Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

ITEM M-18 Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

ITEM M-19 Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

ITEM M-20 Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

ITEM M-21 Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

**ITEM
M-22**

Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

**ITEM
M-23**

Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

**ITEM
M-24**

Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai, See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

(3) 01:05:51 **To Approve Staff Recommendation as Submitted**
MOTION **Items M-1, M-2, M-3, M-4, M-5, M-6, M-7, M-8, M-9, M-10, M-11, M-12, M-13, M-14, M-15, M-16, M-17, M-18, M-19, M-20, M-21, M-22, M-23, M-24** (Yoon, Smith)

(3) 01:05:59 **PASSED**
VOTE 7- Unanimous

(3) 01:06:40

ITEM Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai,
M-HAR-1 See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

ITEM Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai,
M-HAR-2 See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

ITEM Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawai'i and Kauai,
M-HAR-3 See **Exhibit E** for List of Revocable Permits; and

Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon the termination of Revocable Permit Nos. 11 and 90; and

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

(3) 01:07:03 **To Approve Staff Recommendation as Submitted**
MOTION **M-HAR-1, M-HAR-2, M-HAR-3** (Smith, Ono)

(3) 01:07:12 **PASSED**
VOTE 7- Unanimous

(3) 01:07:32 There being no further business, Chair Chang adjourned the meeting.

Respectfully Submitted:

Reeana Wright

Reeana Wright
Acting Land Board Staff

Approved for Submittal:

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