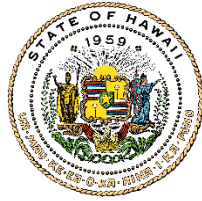


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

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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RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**AGENDA
FOR THE MEETING OF THE
BOARD OF LAND AND NATURAL RESOURCES**

DATE: November 8, 2024
TIME: 9:00 a.m.
PLACE: DLNR Boardroom, Kalanimoku Bldg.
1151 Punchbowl Street, 1st Floor / & Online via Zoom
MEETING ID: 823 6731 6378
ZOOM LINK: <https://us06web.zoom.us/j/82367316378>
LIVE STREAM: <https://youtube.com/live/GzR9wywAyqU>

This agenda and the listed submittals will be provided in the Board Packet. This meeting will be held using interactive conference technology under section 92-3.7, Haw. Rev. Stat. (HRS). Board members, staff, applicants, testifiers, and the public can choose to participate in person, online via Zoom, or by telephone. The public may also view the live meeting via its live stream at: <https://youtube.com/live/GzR9wywAyqU>

To Provide Written Testimony

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

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

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

To Provide Testimony by Telephone

On the day of the meeting at the start of the agenda item you wish to testify on, dial 1-719-359-4580 (Zoom); input the meeting ID: 823 6731 6378 and follow the prompts.

To Provide Video/Zoom Testimony

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

We kindly ask that all oral/video testimony be limited to not more than two (2) minutes. We ask that you identify yourself and any affiliation before speaking, but you can choose not to do so.

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

The Board may go into Executive Session pursuant to section 92-5(a)(4), HRS, in order to consult with its attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

In some of the matters before the Board, a person may wish to request a contested case hearing. If such a request is made before the Board's decision, then the Board will consider the request first - before considering the merits of the item before it. A person who wants a contested case may also wait until the Board decides the issue, then request the contested case after the decision but before the close of the board meeting. It is up to you. Any request must also be made in writing within ten calendar days. If no request for contested case is made, the Board will make a decision. The Department will treat the decision as final and proceed accordingly.

NOTE: Agenda Items may be taken out of order.

A. MINUTES

1. Approval of September 27, 2024, Summary Meeting Minutes
2. Approval of October 11, 2024, Summary Meeting Minutes
3. Approval of October 25, 2024, Summary Meeting Minutes

C. DIVISION OF FORESTRY AND WILDLIFE

1. Issuance of a revocable permit and immediate management right-of-entry permit to Scouting America, Aloha Council (formerly known as the Boy Scouts of America, Aloha Council) For Educational and Training Purposes in The Round Top Forest Reserve, Honolulu, Hawaii, Tax Map Key (1) 2-5-019:003.

D. LAND DIVISION

1. Assess Lease Assignment Premium in Connection with the Board's Prior Action of June 14, 2024, Item D-2, Approved as Amended, Consent to Assign General Lease Nos. S-4303, S-4379, S-5656 and S-5848, Big Island Toyota, Inc., Assignor, to Servco Pacific Inc., Assignee, Waiakea House Lots Extension, Hilo, Hawaii, TMK: (3) 2-2-058:015 (GLS-4303 & GLS-4379), TMK: (3) 2-2-058:017 (GLS-5656); Waiakea House Lots, Hilo, Hawaii, TMK: (3) 2-2-037:063 (GLS-5848).
2. After-the-Fact Consent to Assign Sublease K-7 under General Lease No. S-5619, Natural Energy Laboratory of Hawaii Authority, Lessee, on behalf of Kona Cold Lobsters Ltd., Assignor, to Keahole Point Provisions LLC, Assignee, Ooma 1st, North Kona, Hawaii, Tax Map Key: (3) 7-3-043:067.
3. Issuance of Right-of-Entry Permit to National Park Service (NPS) over Unencumbered State Lands, to Manage Historical and Cultural Sites and to Access NPS Lands through Southeast Section of Such Lands at Kawaihae, Kohala, Hawaii, Tax Map Keys: (3) 6-1-003:025, (3) 6-1-003:030, and (3) 6-1-003:031.
4. Decision Making Regarding:

Recommendation to hold a contested case hearing over the proposed disposition of a water license by public auction or by direct negotiation to the County of Maui covering the diversion of public surface water not to exceed an amount of 85.23 million gallons per day from Koolau Forest Reserve, Island of Maui, Hawai'i ("proposed License" or "License").¹

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

5. Grant of Term, Non-Exclusive Easement, Immediate Right-of-Entry and Revocable Permit to World of Fun, LLC for Concrete Pad and Seawall Portions Located at Kaneohe, Koolaupoko, Oahu, Identified as TMK: (1) 4-5-057: seaward of 009.
6. Consent to License Agreement between Insite Towers Development, LLC, Licensor, and Hawaiian Electric Company, Inc., Licensee, over Portion of Leased Premises under General Lease No. S-4223, Mokuleia, Waialua, Oahu, Tax Map Key: (1) 6-7-003:024.
7. Authorize the Deregistration from Land Court, Lot 12022, Map 888, Land Court Application No. 1069, Certificate of Title No. 498,504; Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-031:001.
8. Cancellation of Governor's Executive Order No. 3889; Issuance of Quitclaim Deed to Hawai'i State Department of Education; Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-013:003.

¹ While the draft License (attached as **Exhibit A**) is currently written for disposition by public auction, the contested case hearing will consider both a license by public auction and a license by direct negotiation.

9. Amend (i) General Lease No. S-6056 Issued to Waimanalo Health Center for Community Services Purposes, Waimanalo, Koolauapoko, Oahu, Tax Map Keys:(1) 4-1-009:279 and 282, and (1) 4-1-015:023; and (ii) General Lease No. S-6081 Issued to The Episcopal Church in Hawai'i for Landscaping Area of the Church and School Grounds Purposes, Honolulu, Oahu, Tax Map Key: (1) 2-1-018:051.

The purpose of amending the documents is to change the lease language for future rental reopening so that such reopening will be based on the Board's then prevailing minimum rent policy.

E. DIVISION OF STATE PARKS (SP)

1. Mutual Cancellation of General Lease No. SP0067, Kama'aina Care, Inc., He'eia State Park, O'ahu, Hawai'i, Tax Map Key Numbers: (1) 4-6-005:002, 004, and 009.
- ~~2. Request that the Board Authorize the Chairperson to award, post the award of, and issue a general lease under Request for Proposals solicitation number: RFP24-0101 HSP to manage and operate the banquet hall, grounds, and facilities at the He'eia State Park, Kāne'ōhe, O'ahu, Tax Map Key No: (1) 4-6-005:009 Portion. **[Withdrawn 11-6-2024]**~~
3. Annual Renewal of Revocable Permits Statewide (See **Exhibit A** for list of Revocable Permits)

and

Declare Projects Exempt from Requirements of Chapter 343, Hawaii Revised Statutes and Title 11, Chapter 200.1, Hawaii Administrative Rules

J. DIVISION OF BOATING AND OCEAN RECREATION

- ~~1. Denial of Petition for Contested Case Hearing filed on June 24, 2024, by John Fitzpatrick regarding Item J-7 on the June 14, 2024 Board Agenda, titled: *Approve One of the Dispositions to Applicant, Secure Parking Hawaii LLC, for Vehicle Parking Management in the Designated Areas Located Within the Maalaea Small Boat Harbor, Wailuku, Maui, Hawaii, Identified by Tax Map Keys: (2) 3-6-001:002 (por.) and (2) 3-8-014:028 (por.) as Follows:*~~

~~*Option A: Direct Issuance of a Parking Concession to Secure Parking Hawaii LLC, Vehicle Parking Management in the Designated Areas Located Within the Maalaea Small Boat Harbor, Wailuku, Maui, Hawaii, Identified by Tax Map Keys: (2) 3-6-001:002 (por.) and (2) 3-8-014:028 (por.) and Extend the Current Revocable Permit from June 30, 2024, Until the Concession Contract Can Be Implemented.*~~

~~OR~~

~~*Option B: Continuation of Revocable Permit No. 125 to Secure Parking Hawaii LLC for Vehicle Parking Management in the Designated Areas Located Within the Maalaea Small*~~

~~Boat Harbor, Wailuku, Maui, Hawaii, through June 30, 2025. Identified by Tax Map Keys: (2) 3-6-001:002 (por.) and (2) 3-8-014:028 (por.)~~

~~And~~

~~Declare Project Exempt from Environmental Assessment Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules. [Withdrawn 11/6/24]~~

- ~~2. Denial of Petition for Contested Case Hearing filed on June 24, 2024, by Kate Thompson regarding Item J-7 on the June 14, 2024, Board Agenda, titled: Approve One of the Dispositions to Applicant, Secure Parking Hawaii LLC, for Vehicle Parking Management in the Designated Areas Located Within the Maalaea Small Boat Harbor, Wailuku, Maui, Hawaii, Identified by Tax Map Keys: (2) 3-6-001:002 (por.) and (2) 3-8-014:028 (por.) as Follows.~~

~~Option A: Direct Issuance of a Parking Concession to Secure Parking Hawaii LLC, Vehicle Parking Management in the Designated Areas Located Within the Maalaea Small Boat Harbor, Wailuku, Maui, Hawaii, Identified by Tax Map Keys: (2) 3-6-001:002 (por.) and (2) 3-8-014:028 (por.) and Extend the Current Revocable Permit from June 30, 2024, Until the Concession Contract Can Be Implemented.~~

~~OR~~

~~Option B: Continuation of Revocable Permit No. 125 to Secure Parking Hawaii LLC for Vehicle Parking Management in the Designated Areas Located Within the Maalaea Small Boat Harbor, Wailuku, Maui, Hawaii, through June 30, 2025. Identified by Tax Map Keys: (2) 3-6-001:002 (por.) and (2) 3-8-014:028 (por.)~~

~~And~~

~~Declare Project Exempt from Environmental Assessment Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules. [Withdrawn 11/6/24]~~

3. Cancellation of Revocable Permit No. 84 to Wild West Charters, Ltd.; Request for Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon Cancellation of Revocable Permit No. 84; Issuance of a Revocable Permit to Dive-Fish Hawaii, Inc. for Covered Area Used for Dock Storage and Access to Vessel purposes at Honokohau Small Boat Harbor, Kailua-Kona, North Kona, Hawaii, Tax Map Key: (3) 7-4-008:003 (por.).

And

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

4. Continuation of a Revocable Permit to Hawai'i Fire Department, County of Hawai'i, for Office Space for West Hawaii Ocean Safety Operations Purposes, Situated at Kailua-Kona Pier, Lanihau, North Kona, Island of Hawaii, Tax Map Key: (3) 7-5-006:039 (por.).

And

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

5. Continuation of Adopt-A-Harbor Agreement with Ma'alaea Village Association, for Landscape Beautification Purposes at Ma'alaea Small Boat Harbor, Ma'alaea, Wailuku, Maui, Hawaii, Tax Map Key: (2) 3-8-014:027 (por.).
6. Consent to Subleases Under Harbor Lease No. H-82-4, GKM, Inc., Lessee, to Bite Me Logo Corp., Sublessee for Space 1, Kealakehe, North Kona, Hawai'i, Tax Map Key: (3) 7-4-008:042.
7. Consent to Subleases Under Harbor Lease No. H-82-4, GKM, Inc., Lessee, to Douglas Armfield, an Individual, as Sublessee for Space 26, Kealakehe, North Kona, Hawai'i, Tax Map Key: (3) 7-4-008:042.
8. Consent to Subleases Under Harbor Lease No. H-82-4, GKM, Inc., Lessee, to Goose's Edge, Inc., Sublessee for Space 9, and Space 12, Kealakehe, North Kona, Hawai'i, Tax Map Key: (3) 7-4-008:042.
9. Consent to Subleases Under Harbor Lease No. H-82-4, GKM, Inc., Lessee, to Goose's Edge, Inc., Sublessee for Space 11, Kealakehe, North Kona, Hawai'i, Tax Map Key: (3) 7-4-008:042.
10. Consent to Subleases Under Harbor Lease No. H-82-4, GKM, Inc., Lessee, to Pacific Boats & Yachts, LLC Sublessee for Space 3B, Kealakehe, North Kona, Hawai'i, Tax Map Key: (3) 7-4-008:042.
11. Consent to Sublease Under Harbor Lease No. H-70-14, Keehi Marine, Inc. ("Keehi Marine"), Lessee, Cates Marine Services LLC, a Hawaii Corporation, Sublessee, Ke'ehi Small Boat Harbor, Kalihi, Honolulu, Hawaii, Tax Map Key: (1) 1-2-023:030.
12. Consent to Sublease Under Harbor Lease No. H-70-14, Keehi Marine, Inc. ("Keehi Marine"), Lessee, Cates Marine Services LLC, a Hawaii Corporation, Sublessee, Ke'ehi Small Boat Harbor, Kalihi, Honolulu, Hawaii, Tax Map Key: (1) 1-2-023:030.
13. Consent to Sublease Under Harbor Lease No. H-70-14, Keehi Marine, Inc. ("Keehi Marine"), Lessee, Central Marine LLC, a Hawaii Corporation, Sublessee, Ke'ehi Small Boat Harbor, Kalihi, Honolulu, Hawaii, Tax Map Key: (1) 1-2-023:030.

K. OFFICE OF CONSERVATION AND COASTAL LANDS

1. Conservation District Use Application (CDUA) HA 3955 by Crown Castle 06-2 Towers LLC for the Kona Airport Monopole Telecommunications System and Management Plan located at 73-4228 Queen Ka'ahumanu Highway, Kalaoa, North Kona, Hawai'i, Tax Map Key (TMK): (3) 7-3-049:038.