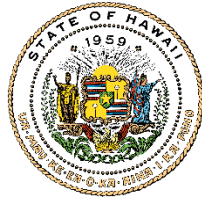


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

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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CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
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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: January 10, 2025
TIME: 9:00 a.m.
PLACE: DLNR Boardroom, Kalanimoku Bldg.
1151 Punchbowl Street, 1st Floor / & Online via Zoom
MEETING ID: 891 7226 0450
ZOOM LINK: <https://us06web.zoom.us/j/89172260450>
LIVE STREAM: <https://youtube.com/live/D-UcmXyrDE8>

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 any members of 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/D-UcmXyrDE8>

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 on 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: 891 7226 0450 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 December 13, 2024, Summary Meeting Minutes.

C. DIVISION OF FORESTRY AND WILDLIFE

1. Set aside Tax Map Parcels (2) 2-1:006:076 and (2) 2-1:004:111 as part of the 'Āhihi Kina'u Natural Area Reserve, Maui.

D. LAND DIVISION

1. Amend Prior Board Action of December 14, 2007, Item D-4, Grant of Perpetual, Non-Exclusive Easement to Francis U. Merriman for Access and Utilities Purposes, Waioli, Hanalei, Kauai, Tax Map Key: (4) 5-5-008:002 and 5-6-002:001.

The purpose of the amendment is to remove the utility portion of the easement request, resulting in the easement being approved for access purposes only.

2. Consent to Assign Land Office Deed No. S-28120, Gary W. Rodrigues and John S. Rodrigues, Assignors, to Wendell B. Bandman, Assignee, Kapaa Homesteads, 3rd Series, Kawaihau, Kauai, Tax Map Key: (4) 4-6-032: Por. 022.

Amend Land Office Deed No. S-28120, to allow the easement to “Run with the Land” and to be assignable without the prior written consent from the Board of Land and Natural Resources.

3. Issuance of Month-to-Month Revocable Permit to Aloha Petroleum LLC Retroactive to May 19, 2024, for Bulk Storage and Distribution of Petroleum Products Purposes, Waiakea, Hilo, Hawaii, Tax Map Key: (3) 2-1-009:042.

Non-Action Item: First Public Hearing Pursuant to Act 114, Session Laws of Hawaii 2024, on Potential Issuance of New Direct Lease to Aloha Petroleum LLC, for Bulk Storage and Distribution of Petroleum Products Purposes, Waiakea, Hilo, Hawaii, Tax Map Key: (3) 2-1-009:042.

4. After-the-Fact Consent to Subleases under General Lease No. S-4330, Michael T. and Janis Y. Nakashima, Lessee, to: Lalalux LLC, Lynnanne Chu dba Kai’s, Styles N’ Smiles LLC, Kelly Higaki dba Aloha Signs Plus, SNR Services, Gayne Kobayashi dba Kobayashi Doors & Maintenance, Tomas Sales dba TLS Motorsports, Paula Gealon, Dennis Delfin Jr. dba Different Level Tattoos, Art & Apparel, Island Hair Design, Inc., Kaycie Parks dba Waisted by Kay C; Lift All Things Body LLC, Sublessees, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-037:122.

5. Issuance of Right-of-Entry Permit to Department of Land and Natural Resources, Division of Forestry and Wildlife, for Access for Coqui Frog Control and Reforestation Purposes; Waimanalo, Koolaupoko, Oahu, Tax Map Keys (1) 4-1-010:001 and 4-2-027:013.

6. After the Fact Consent to Two (2) License Agreements under General Lease No. S-4588, Insite Towers Development, LLC, Licensor, to (a) Blow Up, LLC and (b) Polynesian Broadcasting, Inc., as Licensees, Kalawahine and Opu, Honolulu, Oahu, Tax Map Key: (1) 2-5-019: portions of 013.

7. Amend Prior Board Action of October 27, 2023, Item D-1, Consent to Assign General Lease No. S-4649, Ficker & Hunt, a Hawaii Partnership, Assignor, to Chester Wayne Hunt, Trustee of the Hunt Family Revocable Living Trust, Assignee, Kekaha, Waimea, Kauai, Hawaii; Tax Map Key: (4) 1-3-008:003.

The purpose of the amendment is to correct the name of the above-referenced trust to include an erroneously omitted trustee and the date the trust was created. The full, correct name of the trust should be, Chester Wayne Hunt and Letitia Hunt, Trustees of the Hunt Family Revocable Living Trust dated October 15, 1990.

8. Sale of Remnant (abandoned ditch) and Immediate Right of Entry Permit for Survey Purposes to Weddings West LLC, Hanapepe Village, Waimea, Kauai, Tax Map Key: (4) 1-9-005:030.

9. Consent to Assign General Lease No. S-4275, Denny's Repair & Service, Inc., Assignor, to Garden Island Marine LLC, Assignee; Approval of 10-year Term Extension of General Lease No. S-4275, Hanapepe, Waimea (Kona), Kauai, Hawaii; Tax Map Key: (4) 1-9-005:009.
10. Cancellation of Revocable Permit No. S-7302, Franklin M. Contrades, Jr. and Patricia Contrades; Waiver of Phase I Environmental Site Assessment; Issuance of New Revocable Permit to Carla Contrades-Barrett, Chatson Barrett and Kawaiola Barrett for Home Garden Purposes, Anahola Lots & Kuleanas, Kawaihau, Kauai, Tax Map Key: (4) 4-8-008: 002.
11. Cancellation of Governor's Executive Order No. 4045 to the County of Kauai for Hawaiian Stewardship Program Purposes; Issuance of Direct Lease to the University of Hawaii for Avian Rescue and Research Purposes and Issuance of Immediate Management Right-of-Entry, Hanapepe, Waimea, Kauai, Tax Map Key: (4) 1-8-008:063.
12. Consent to Assign Grant of Easement No. S-4135, McBryde Sugar Company, LLC, Assignors to BBCP Kauai Operating, LLC, Assignee, Hanapepe, Waimea, Kauai, Tax Map Keys: (4) 1-9-003:002, 003 and 004.

Amend Grant of Easement No. S-4135 to allow the easement to "Run with the Land" and to be assignable without the prior written consent from the Board of Land and Natural Resources.

13. After-the-Fact Consent to Assignment of Lease by way of a 48.56% Stock Transfer in Sunrise Capital, Inc., Lessee Under General Lease No. S-4946, and Permittee Under Revocable Permit No. S-7256, from Christopher D. Howell, James N. Sweeney and Integrated Aquaculture International, LLC, Transferors, to Hendrix Genetics USA LLC, Transferee; Assignment of General Lease No. S-4946 from Sunrise Capital, Inc., Assignor, to Aloun Kauai Farming LLC, Assignee; Cancellation of Revocable Permit No. S-7256 to Sunrise Capital, Inc., Permittee and Waiver of Phase I Environmental Site Assessment Required under Revocable Permit No. S-7256; and Issuance of a New Revocable Permit to Aloun Kauai Farming LLC for Parking, Storage and/or Access Purposes, Hanapepe, Waimea (Kona), Kauai, Tax Map Keys: (4) 1-9-010:037 (general lease) and (4) 1-9-010:034, 035, 038, and 1-9-011:007 (revocable permit).
14. Amend Prior Board Action of January 12, 2024, Item D-2, as Amended, *Approval of 25-Year Term Extension of General Lease No. S-4946, Sunrise Capital, Inc., Lessee, Hanapepe, Waimea (Kona), Kauai, Tax Map Key: (4) 1-9-010:037.*

In the January 12, 2024, Board action, the Board amended the staff recommendation by approving a one-year extension of General Lease No. S-4946 (GLS-4946) without requiring lessee to make any improvements to the property. The purpose of the present amendment is to change the Board's previously approved 1-year lease extension to a 25-year lease extension of GLS-4946 for lessee-financed improvements to the lease premises.

15. Grant of Term, Non-Exclusive Easement and Revocable Permit for Seawall Purposes; Immediate Right-of-Entry for Seawall Purposes, to John Murray, Koloa, Kauai, Tax Map Key: (4) 2-6-003: seaward of 015.
16. Issuance of Revocable Permits to DWE, Inc., Wesco Distribution, Inc., Fastenal Company and John Tavares, for Uses Allowed Under the Current County of Hawaii Zoning Code Purposes, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-058:025.

Non-Action Item: First Public Hearing Pursuant to Act 114, Session Laws of Hawaii 2024, on Potential Issuance of New Direct Lease to DWE, Inc. for Uses Allowed Under the Current County of Hawaii Zoning Code Purposes, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-058:025.

17. Issuance of Revocable Permits to Mark Mangibin, West Hawaii Community Health Center, Inc, Jerry Koizumi, Anvil Inc., Big Island Courier Service Inc., John Elkjer dba Sustainable Island Products, and Joshua Oili dba Big Island Image Screen Printing, for Uses Allowed Under the Current County of Hawaii Zoning Code Purposes, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-037:081.

Non-Action Item: First Public Hearing Pursuant to Act 114, Session Laws of Hawaii 2024, on Potential Issuance of New Direct Lease to DWE, Inc. for Uses Allowed Under the Current County of Hawaii Zoning Code Purposes, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-037:081.

18. Issuance of Right-of-Entry Permit to Hawaii Housing Finance and Development Corporation for Due Diligence Purposes; General Lease No. S-5805; Waikiki Community Center, Lessee, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-6-025:008.
19. Grant of Perpetual, Non-Exclusive Easement to Department of Transportation for Footbridge and Footpath Purposes, Auwaiolimu, Honolulu, Oahu, Tax Map Key: (1) 2-2-014: portions of 012.
20. Issuance of Right-of-Entry Permit to D. R. Horton Hawaii LLC for Ground and Aerial Survey Purposes; Kapolei, Ewa, Oahu, Tax Map Key: (1) 9-1-018: portions of 014 and 015.
21. Grant of Perpetual Non-Exclusive Easement to the City and County of Honolulu on behalf of the Honolulu Authority for Rapid Transportation for Elevated Guideway Purposes; Issuance of Immediate Construction Right-of-Entry Permit; Honolulu, Oahu, Tax Map Key: (1) 2-1-026: portion of 022.
22. Assess Lease Assignment Premium in Connection with the Board's Prior Action of August 9, 2024, Item D-6: *Consent to Assign General Lease No. S-6089, BRE Turtle Bay Resort, LLC, a Delaware limited liability company, Assignor, to North Shore Bay Owner LLC, a Delaware limited liability company, Assignee, Kahuku, Koolaupoko, Oahu, Tax Map Keys: (1) 5-7-006:026, 027 & 032.*

Consent to Sublease General Lease No. S-6089, from North Shore Bay Owner LLC, a Delaware limited liability company, Sublessor, to North Shore Bay TRS LLC, a Delaware limited liability company, Sublessee, Kahuku, Koolaupoko, Oahu, Tax Map Keys: (1) 5-7-006:026, 027 & 032.

And

Authorize the Chairperson to Execute an Estoppel for General Lease S-6089, Kahuku, Koolaupoko, Oahu, Tax Map Keys: (1) 5-7-006:026, 027 & 032.

E. DIVISION OF STATE PARKS (SP)

1. Approval to Issue a Request for Qualifications (RFQ)/Request for Proposals (RFP) for the Development and Operation of a Commercial Campground and Public Day Use Beach Park at Mālaekahana State Recreation Area, Kahuku Section, Lā'ie, Ko'olauloa, O'ahu, Hawai'i, Tax Map Keys: (1) 5-6-001:024-025, 045-047, 049, 051 and 053-65.

Delegate Authority to the Chairperson to Appoint Members to an Evaluation Committee and to Award and Execute a Long-Term Lease to the Selected Offeror.

And

Declare the Issuance of the RFP/RFQ Exempt from the Requirements of an Environmental Assessment under Chapter 343, HRS and Title 11, Chapter 200.1, Hawai'i Administrative Rules.

2. Issuance of a Revocable Permit to Halau Nohona Hawai'i for the Operations and Management of the Banquet Hall and Facilities at He'eia State Park, He'eia, Ko'olaupoko, O'ahu, Hawai'i Tax Map Key no. (1)4-6-005:009 Portion.

And

Authorize the Issuance of a Right of Entry to Halau Nohona Hawai'i to Initiate what is Needed for Management of the Banquet Hall and Ancillary Facilities.

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.

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.

3. Issuance of a Revocable Permit to Secure Parking Hawaii LLC, for Management of Vehicular Parking in the Ala Wai Small Boat Harbor, Kalia, Waikiki, Honolulu, Oahu, Identified by Tax Map Keys: (1) 2-6-010:005 and :016.

And

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

4. Cancellation of Revocable Permit No. 80 to Aliento Charters, Inc. and Request for Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon Cancellation of Revocable Permit No. 80, for Covered Area Used for Storage and Recreation Purposes, Honokohau Small Boat Harbor, Kealakehe, Kona, Hawaii, Tax Map Key: (3) 7-4-008:003 (por.).

And

Issuance of a Revocable Permit to Pacific Blue Adventures, Inc. for Covered Area Used for Dock Storage and Access to Vessel Purposes at Honokohau Small Boat Harbor, Kealakehe, 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.

5. Cancellation of Revocable Permit No. 147, Issued to Da So Fresh Express LLC, Effective December 31, 2024, situated at the Honokohau Small Boat Harbor, Kealakehe, Kona, Island of Hawai'i, Hawai'i, Tax Map Key: (3) 7-4-008:042 (por.)
6. Consent to Sublease Under Harbor Lease No. H-70-14, Keehi Marine, Inc. ("Keehi Marine"), Lessee, Honolulu Yacht Brokerage International LLC, a Hawaii Limited Liability Company, Sublessee, Ke'ehi Small Boat Harbor, Kalihi, Honolulu, Hawaii, Tax Map Key: (1) 1-2-023:030.