

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**APPROVED AT ITS
BOARD MEETING
HELD ON
April 25, 2025**

rw

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

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHANE
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 HAWAI'
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-250411.m4a>

Date: April 11, 2025

Time: 9:00 AM

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

MEMBERS

Dawn Chang
Riley Smith
Doreen Canto
Vernon Char
Aimee Barnes
Karen Ono
Kaiwi Yoon (Zoom)

STAFF

Finn McCall, DOBOR
Ian Hirokawa, Land Division
David Smith, DOFAW Administrator
Jon Brito, DOFAW
Candace Martin, Land Division
Rebecca Anderson, Land Division
Michael Ferreria, Land Division

00:00:10 Chair Chang called the meeting to order. The contested case standard statement was read, and Roll Call of the Members conducted.

00:07:02

ITEM J-1

Request approval for installation and use of one (1) new offshore mooring outside of a designated offshore mooring area, in Ma'alaea Bay, Kihei, Maui, by Scott Haley.

Amendment: The Board amended the recommendation by adding a declaration that the project is exempt from Chapter 343 pursuant to the specific Exemption Class 3, Part 1, Item 20.

00:26:36 **Approve Staff Recommendation as Amended.**
MOTION (Canto, Smith)

00:31:00 **PASSED**
VOTE 4 – Ayes (Chang, Char, Canto, Smith)
3 – Neys (Barnes, Yoon, Ono)

Board of Land and Natural Resources Summary Meeting Minutes
April 11, 2025

00:32:15

ITEM D-1 Amend Prior Board Action of January 10, 2025, Item D-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.

The purpose of the amendment is to change the executive order reference in the title from Governor's Executive Order No. 4045 to Governor's Executive Order No. 4548 to the County of Kauai for Hawaiian Stewardship Program Purposes.

00:46:10 **To Approve Staff Recommendation as Submitted.**
MOTION (Ono, Smith)

00:52:04 **PASSED**
VOTE 7 – Unanimous

00:52:23

ITEM C-1 Request to 1) Approve, retroactive, the procurement for work on Federal Grant Project titled "Olowalu Resilient Reef: Transformational Habitat Solutions from the Forest to the Sea" by Request for Interest; 2) Approve and Authorize the Chairperson to execute and extend contracts for Goods and Services with Coral Reef Alliance and the Nature Conservancy for the work; and 3) Declare those contracts exempt from Chapter 343, Hawaii Revised Statutes, Environmental Compliance requirements.

Amendment: The Board amended the staff recommendation to read as follows¹:
"That the Board:

1) Declare that, after considering the potential effects of the projects proposed for awards under this request according to Chapter 343, HRS, and Chapter 11-200, HAR, the proposed projects will probably have minimal or no significant effect on the environment and are, therefore, exempt from the preparation of an environmental assessment.

2) Approve, retroactive, using an RFI for the solicitation for the NOAA Transformational Habitat Restoration and Coastal Resilience Grants Program project titled, "Olowalu Resilient Reef: Transformational Habitat Solutions from the Forest to the Sea."

3) Delegate authority to the Chairperson to award, execute, and extend agreements or contracts for goods and services to 1) Coral Reef Alliance in collaboration with Kipuka Olowalu for \$1,319,860, and 2) The Nature

¹ Deletions indicated by strikethrough and new material indicated by underscoring.

Board of Land and Natural Resources Summary Meeting Minutes
April 11, 2025

Conservancy for \$638,500, subject to the availability of funds and approval as to form by the Department of the Attorney General.”

01:17:12 **To Approve Staff Recommendation as Amended.**
MOTION (Canto, Ono)

01:18:30 **PASSED**
VOTE 7 – Unanimous

01:18:50
ITEM C-2

Request to 1) Approve, retroactive, the procurement of forestry planning professional services; 2) Approve and authorize the Chairperson to execute and extend a contract for goods and services with Forest Solutions, Inc. for the work; and 3) Declare the contract exempt from Chapter 343, Hawaii Revised Statutes, Environmental Compliance requirements.

Amendment: The Board amended the staff recommendation to read as follows:

“That the Board:

1) Declare that, after considering the potential effects of the projects proposed for awards under this request pursuant to Chapter 343, HRS, and Chapter 11-200, HAR, the proposed projects will probably have minimal or no significant effect on the environment and are, therefore, exempt from the preparation of an environmental assessment.

2) Approve, retroactive, the procurement of forestry planning professional services.

3) Delegate authority to the Chairperson to award, execute, and extend agreements or contracts for goods and services to Forest Solutions Inc. for \$797,000, subject to the availability of funds and approval as to form by the Department of the Attorney General.”

01:27:05 **To Approve Staff Recommendation as Amended.**
MOTION (Canto, Barnes)

01:28:55 **PASSED**
VOTE 7 – Unanimous

01:29:09 The Board took a 5-minute break.

01:37:45 The Board returned from recess.

01:37:58
ITEM C-3

Request approval for Selection of the Competitive Sealed Proposal process and authorize the Chairperson to award, execute, and extend contracts for the implementation of Watershed Management Plans and projects that supports Native Ecosystem Protection and Management for Fiscal Years 2026-2027.

Board of Land and Natural Resources Summary Meeting Minutes
April 11, 2025

01:46:03 **To Approve Staff Recommendation as Submitted.**
MOTION (Ono, Barens)

01:46:15 **PASSED**
VOTE 7 – Unanimous

01:46:50
ITEM D-2

Approve the Issuance of a Governor's Executive Order Setting Aside Land and General Lease No. S-4357, Daughters of Hawaii, Lessee, to State of Hawaii, Department of Land and Natural Resources, Division of State Parks for Educational Purposes and the Preservation, Maintenance and Operation of a Historical Site for the Perpetuation of Hawaiian History, Keopu 2nd and 3rd, North Kona, Hawaii, Tax Map Key: (3) 7-5-007:020.

02:10:42 **To Approve Staff Recommendation as Submitted.**
MOTION (Smith, Barnes)

02:14:06 **PASSED**
VOTE 7 – Unanimous

02:27:10 Member Yoon left the meeting.

02:14:20
ITEM D-3

Grant of Term, Non-Exclusive Easement, Immediate Right-of-Entry and Revocable Permit to Mary Ann Arini and Derek Regal, Trustees Under The Mary Ann Arini Trust dated September 2, 2021, for Seawall Footing, Steps, and Pavement at Lahaina, Maui, Identified as TMK: (2) 4-5-003: seaward of 027.

Amendment: The Board amended the "Consideration" section on page 2 as follows:

~~[One-time payment]~~ Annual rent in an amount to be determined by independent appraisal establishing fair market value, subject to review and approval by the Chairperson.

The Board also amended recommendation 5 on pages 7-8 as follows:

Subject to the Applicant fulfilling all of the Applicant Requirements listed above, authorize the issuance to Mary Ann Arini and Derek Regal, Trustees of the Mary Ann Arini Trust, of a 25-year term, non-exclusive easement covering the subject area for encroachment purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

- A. *The standard terms and conditions of the most current term shoreline encroachment easement document form, as may be amended from time to time;*
- B. *The easement shall run with the land and shall inure to the benefit of the real property described as Tax Map Key: (2) 4-5-003:027,*

provided however: (1) it is specifically understood and agreed that the easement shall immediately cease to run with the land upon the expiration or other termination or abandonment of the easement; and (2) if and when the easement is sold, assigned, conveyed, or otherwise transferred, the Grantee shall notify the State, as Grantor, of such transaction in writing, and shall notify the Grantee's successors or assigns of the insurance requirement in writing, separate and apart from the easement document;

- C. ~~[Posting of notice at least once statewide and once in the County of Maui in accordance with section 171-16(d), HRS;] Prior concurrence of the Legislature and approval of the Governor through a Concurrent Resolution pursuant to §171-53(c), HRS;~~*
- D. Review and approval by the Department of the Attorney General;*
- E. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State; ~~[and]~~*
- F. Any shoreline hardening policy that may be adopted by the Board prior to execution of the grant of easement~~[-];~~ and*
- G. Post a removal bond to remove the encroaching seawall, steps, and pavement covering the last 10-year period of the 25-year term easement.*

02:48:19 **To Approve Staff Recommendation as Amended.**
MOTION (Canto, Ono)

02:51:13 **PASSED**
VOTE 6 – Unanimous

02:51:30
ITEM D-4

Issuance of Right-of Entry Permit to the United States through its Army Corps of Engineers, Honolulu District, Department of the Army, to Conduct Defense Environmental Restoration Program Activities on State Land on the Islands of Hawaii and Oahu. See Exhibit II for List of Subject Properties.

03:25:52 **To Approve Staff Recommendation as Submitted.**
MOTION (Smith, Ono)

03:26:05 **PASSED**
VOTE 6 – Unanimous

03:26:19
ITEM D-5

Set Aside to City and County of Honolulu for Wastewater Pump Station Purposes, Waimanalo, Koolaupoko, Oahu, Tax Map Key: (1) 4-1-015:016 (Portion).

Board of Land and Natural Resources Summary Meeting Minutes
April 11, 2025

03:28:54 **To Approve Staff Recommendation as Submitted.**
MOTION (Char, Barnes)

03:30:05 **PASSED**
VOTE 6 – Unanimous

03:30:18
ITEM D-6

Issuance of Right-of-Entry Permit to Popoki Place Oahu Cat Sanctuary for Due Diligence Purposes, Waialeale, Koolauloa, Oahu, Tax Map Key: (1) 5-8-001:053.

03:53:22 **To Approve Staff Recommendation as Submitted.**
MOTION (Barnes, Char)

03:53:33 **PASSED**
VOTE 6 – Unanimous

03:54:43 There being no further business, Chair Chang adjourned the meeting.

Respectfully Submitted:

Reeana Wright

Acting Land Board Secretary

Approved for Submittal:



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