

**APPROVED WITH AMENDMENTS
AT ITS BOARD MEETING HELD**

ON JUNE 13, 2025

rtv

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**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

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. 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

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

Audio Link: <https://files.hawaii.gov/dlnr/meeting/audio/Audio-LNR-250523.m4a>

Date: May 23, 2025

Time: 9:00 AM

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

MEMBERS

Dawn Chang
Doreen Canto
Vernon Char
Riley Smith
Kaiwi Yoon
Karen Ono
Aimee Barnes
Miranda Steed, DAG

STAFF

Michael Cain, OCCL Administrator
Trevor Fitzpatrick, OCCL
David Smith, DOFAW Administrator
Emma Yuen, DOFAW
David Penn, DOFAW
Peter Landon, DOFAW
James Espaniola, DOFAW
Jon Brito, DOFAW
Josh Atwood, DOFAW
Will Haines, DOFAW
Candace Martin, Land
Michael Ferreira, Land
Ian Hirokawa, Acting Land Administrator
Barry Cheung, Land
Brian Neilson, DAR Administrator
Anthony Mau, DAR

00:00:05 Chair Chang called the meeting to order. The contested case standard statement was read, and Roll Call of the Members conducted.

00:04:45

ITEM A-1 Approval of December 8 – 9th, 2022 Summary Minutes

00:04:54 **To Approve the Summary Minutes as Submitted**
MOTION (Canto, Ono)

ITEM A-1

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00:06:42 **PASSED**
VOTE 5 – Ayes (Char, Canto, Ono, Smith, Yoon)
 2 – Abstain (Barnes, Chang)

00:07:19

ITEM A-2

Approval of April 25th, 2025 Summary Minutes

00:07:22 **To Approve the Summary Minutes as Submitted**
MOTION (Canto, Yoon)

00:12:20 **PASSED**
VOTE 6 – Ayes (Canto, Char, Chang, Ono, Smith, Yoon)
 1 – Abstain (Barnes)

00:12:27

ITEM A-3

Approval of May 9th, 2025 Summary Minutes

Amendment: Corrected language from a motion made for D-1 on the May 9, 2025 meeting.

00:12:53 **To Approve the Summary Minutes as Amended**
MOTION (Canto, Yoon)

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

00:16:34

ITEM K-1

Request for More Time to Comply with the Board of Land and Natural Resources' Decision in Conservation District Enforcement Case HA 24-23 by Juan and Judith Silva Regarding the Removal of Unauthorized Modifications to a Single-Family Residence and Placement of Accessory Structures within the Conservation District Located at 32-2455 Stone Road, Piha Homesteads, North Hilo, Island of Hawaii Tax Map Key (TMK): (3) 3-2-004:044.

50:54 **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Canto)

00:55:01 **PASSED**
VOTE 7 – Unanimous

00:55:35

ITEM C-1

1) Approval of proposed dispositions of interests in land acquired with a Legacy Land grant by Ala Kahakai Trail Association at Waikapuna, Ka'ū District, Island of Hawai'i, Tax Map Key Number (3) 9-5-007:016, including revenue sharing provisions, to:

- NCWPCS MPL 27-YEAR SITES TOWER HOLDINGS LLC
- CROWN CASTLE GT COMPANY LLC

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2) Authorization for the Chairperson to draft and sign the Board's written approval of the above dispositions, including related revenue sharing terms and conditions.

01:11:58 **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Canto)

01:12:07 **PASSED**
VOTE 7 – Unanimous

01:12:17
ITEM C-2

Acceptance of Hearing Master's Report, and approval and recommendation to the Governor for Issuance of an Executive Order to set aside State lands at 'Ilio Point, Molokai (Tax Map Key) (2) 5-1-002:006) to the Department of Land and Natural Resources, Division of Forestry and Wildlife,

and

Issuance of an immediate Right of Entry to the Division of Forestry and Wildlife for Management purposes.

TRUST LAND STATUS:

- Not applicable – Land acquired after August 1959
- Not DHHL Entitlement Land – Not subject to the 30% entitlement under the Hawaii State Constitution

01:40:05 **To Approve Staff Recommendation as Submitted**
MOTION (Canto, Ono)

01:40:40 **PASSED**
VOTE 7 – Unanimous

01:41:25 The Board recessed for a 5-minute break.

01:52:21 The Board returned from the 5-minute break.

01:52:32
ITEM C-3

Request Delegation of Authority to the Chairperson to Negotiate, Approve, Execute, Amend, Extend, and Terminate a Memorandum of Agreement Between the Department of Land and Natural Resources, Mid-Pacific Institute, and Bishop Museum for a Collaborative Project to Digitally Replicate Native Species for Educational Purposes, Subject to Approval by the Department of the Attorney General as to Form.

01:57:50 **To Approve Staff Recommendation as Submitted**
MOTION (Yoon, Barnes)

01:58:00 **PASSED**
VOTE 7 – Unanimous

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01:58:11

ITEM C-4 Request for Approval of a Safe Harbor Agreement and Incidental Take License for the Introduction of the Endangered Orangeblack Hawaiian Damselfly (*Megalagrion xanthomelas*) to a Conservation Area on Lānaʻi (TMK (2) 4-9-002:061).

Amendment: Additional Recommendation per Attachment 4:

Based on the preceding analysis, the Division of Forestry and Wildlife recommends that the Board:

1) Declare that after considering the direct, cumulative, and potential impacts of the proposed actions described, pursuant to Chapter 343, Hawai'i Revised Statutes and Chapter 11-200.1, Hawai'i Administrative Rules, the actions will have minimal or no significant impact on the environment and is therefore exempt from the requirement to prepare an environmental assessment.

02:12:41 **To Approve Staff Recommendation as Amended**
MOTION (Canto, Ono)

02:13:02 **PASSED**
VOTE 7 – Unanimous

02:13:43

ITEM D-1 Approve the Issuance of a Governor's Executive Order Setting Aside Land and Grant of Non-Exclusive Easement No. S-6135, Hoku Kai Biofuels LLC, Grantee, to State of Hawaii Department of Transportation, Harbors Division, for Addition to Hilo Harbor; Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-1-009:031.

02:15:41 **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Canto)

02:15:51 **PASSED**
VOTE 7 – Unanimous

02:16:01

ITEM D-2 Authorize a One-Year Holdover of General Lease No. S-4310, Alumside Products, Inc., Lessee, Hilo Industrial Development, Pohaku Street Section, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-058:031.

02:22:30 **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Canto)

02:22:41 **PASSED**
VOTE 7 – Unanimous

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02:23:18

ITEM D-3 Amend Prior Board Action of March 28, 2025, Agenda Item D-2, as Amended; *Issuance of Direct Lease to Hui O Hau'ula for Community Services and Activities Purposes; Koolauloa, Oahu, TMK (1) 5-4-014:003.*

The purpose of the amendment is to add the lease language for future rental reopenings so that rent will be based on the Board's then prevailing minimum rent policy.

02:24:55 **To Approve Staff Recommendation as Submitted**
MOTION (Char, Ono)

02:25:05 **PASSED**
VOTE 7 – Unanimous

02:25:12

ITEM D-4 Amend General Lease No. S-6088 Issued to Ho'ola Na Pua for Residential Treatment Facility Purposes, Waialeale and Pahipahialua, Koolauloa, Oahu, Tax Map Key: (1) 5-8-001:051.

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

02:32:28 **To Approve Staff Recommendation as Submitted**
MOTION (Char, Barnes)

02:32:39 **PASSED**
VOTE 7 – Unanimous

02:32:46

ITEM D-5 Amend General Lease No. S-6096 Issued to Honolulu Museum of Art for Youth Education and Art Center Purposes, Kulaokahua, Honolulu, Oahu, Tax Map Key: (1) 2-4-002:020.

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

02:33:34 **To Approve Staff Recommendation as Submitted**
MOTION (Char, Barnes)

02:33:44 **PASSED**
VOTE 7 – Unanimous

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02:33:50

ITEM D-6 Issuance of Right-of-Entry Permit to Waikiki Beach Chaplaincy, Inc. for Sunday Church Services Purpose at Duke Kahanamoku Beach and Fort DeRussy Beach on Every Sunday from June 8, 2025 through May 31, 2026, Waikiki, Honolulu, Oahu; Tax Map Key: (1) 2-3-037: portions of 021 and Fort DeRussy Beach.

02:56:50 **To Approve Staff Recommendation as Submitted**
MOTION (Yoon, Barnes)

02:58:27 **PASSED**
VOTE 7 – Unanimous

02:59:37

ITEM D-7 Issuance of Right-of-Entry Permit to Waikiki Beach Activities, Inc. for Beach Event Purpose at Duke Kahanamoku Lagoon on June 14, 2025, Waikiki, Honolulu, Oahu; Tax Map Key: (1) 2-3-037: portion of 021.

03:08:34 **To Approve Staff Recommendation as Submitted**
MOTION (Char, Ono)

03:08:47 **PASSED**
VOTE 7 – Unanimous

03:09:06

ITEM D-8 Issuance of Right-of-Entry Permit to Dawson MCG, LLC onto Various Unencumbered State-Owned Lands Located at Various Locations Seaward of the Shorelines of Hawaii, Maui, Oahu and Kauai. See **Exhibit 2**.

03:17:18 **To Approve Staff Recommendation as Submitted**
MOTION (Barnes, Ono)

03:17:58 **PASSED**
VOTE 6 – Ayes (Barnes, Canto, Char, Chang, Ono, Smith)
1 – Abstain (Yoon)

03:18:08

ITEM D-9 Amend Prior Board Action of May 24, 2024, Item D-12, *Grant of Two Term, Non-Exclusive Easements and Immediate Construction and Management Right of Entry to State of Hawaii, Department of Transportation for Drainage Basin Purposes Honouliuli, Ewa, Oahu Tax Map Key: (1) 9-1-017:097; and Authorize the Chairperson to Enter Into a Memorandum of Agreement between the Department of Land and Natural Resources and the Department of Transportation Regarding the Future Modification and Relocation of the Drainage Basins and Approval of Access Points Serving Tax Map Key (1) 9-1-017:097.*

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The purpose of the amendment is to approve three additional 10-year term non-exclusive easements for slope purposes and one additional 10-year term non-exclusive easement for waterline purposes, and an immediate construction and management right of entry to State of Hawaii, Department of Transportation.

03:30:01 **To Approve Staff Recommendation as Submitted**
MOTION (Yoon, Ono)

03:30:14 **PASSED**
VOTE 6 – Ayes (Canto, Char, Chang, Ono, Smith, Yoon)
 1 – Nays (Barnes)

03:30:45 The Board recessed for a lunch break.

04:04:44 The Board returned from the lunch break.

04:04:57

ITEM F-1

Request Approval for a Federally Funded Project Agreement between the Department of Land and Natural Resources (DLNR) and the Research Corporation of the University of Hawaii (RCUH) for the Division of Aquatic Resources (DAR) Research Project Entitled “Limu Aquaculture and Bio-Banking”

And

Request Delegation of Authority to the Chairperson to: (1) Approve and Execute all Future Division of Aquatic Resources Project Agreements and Amendments with the RCUH, Subject to Approval as to Form and Content by the Department of the Attorney General; and 2) When Appropriate, Declare the Actions that are Anticipated to be Undertaken Under These Project Agreements Will Have Little or no Significant Effect on the Environment and are Therefore Exempt from the Preparation of an Environmental Assessment.

Amendment: The Board amended DAR’s recommendation by limiting the delegation of authority to the Chairperson to approve and execute future DAR Project Agreements with the Research Corporation of the University of Hawaii for one year, not indefinitely. After one year, the Board requests that DAR come back before the Board with a spreadsheet with all RCUH contracts that were reviewed and approved by the Chair under this delegation authority over the course of that year.

04:20:02 **To Approve Staff Recommendation as Amended**
MOTION (Barnes, Yoon)

04:37:06 **PASSED**
VOTE 7 – Unanimous

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04:37:30

ITEM J-1

Renewal of Revocable Permits on the Islands of Oahu, Maui, Hawaii and Kauai,
See Exhibit E for List of Revocable Permits.
And

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

05:39:28 **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Canto)

Comments: RP. 13 issued to KCF – DOBOR to investigate water access and
HRS 200-20 AG interpretation for gratis rent for 501(c)(3) non-
profits.

Survey to map area and confirm where C&C land ends and DLNR
land starts for the fence installation responsibility of the permittee.

05:41:38 **PASSED**
VOTE 7 – Unanimous

06:04:54 Member Barnes left the meeting.

05:41:55

ITEM J-2

Authorize the Sale of a Ten-Year Concession Contract by Sealed Bid for Retail
Operation of an Automated Ice Machine Purposes, Located at the Honokohau
Small Boat Harbor, Kealahou, North Kona, Hawaii, Tax Map Key: (3) 7-4-
008:003 (por.).

And

Declare Project Exempt from Requirements of Chapter 343 Hawai'i Revised
Statutes and Title 11, Chapter 200.1, Hawai'i Administrative Rules.

06:34:15 **To DENY Staff Recommendation as Submitted**
MOTION (Smith, Canto)

Comments: When DOBOR puts out an IFB for an ice concession at Honokohau,
add provisions for size of machine requirements, instate
maintenance and instate owner of qualified bidder.

10-year concession at 8% gross receipts

1 year to address proposal

06:34:35 **PASSED**
VOTE 6 – Unanimous

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06:35:12

ITEM J-3

Authorize the Sale of a Ten-Year Concession Contract by Sealed Bid for Retail Operation of an Automated Ice Machine purposes, Located at the Kahului Boat Ramp, Wailuku, Pū'ali Komohana, Island of Maui, Tax Map Key: (2) 3-7-001-023 (por.).

And

Declare Project Exempt from Requirements of Chapter 343 Hawai'i Revised Statutes and Title 11, Chapter 200.1, Hawai'i Administrative Rules

Amendment: Since the concession contract is awarded to the highest bidder, each bidder must enter a proposed base rent. In addition, bidders may also specify the percentage of gross receipts they are willing to pay as rent.

A minimum percentage rent of 8% of gross receipts will be required (establishing a floor).

A rent floor will also be established.

Installation of new machines is recommended.

06:49:50

MOTION

To Approve Staff Recommendation as Amended

(Canto, Smith)

06:50:21

VOTE

PASSED

6 – Unanimous

06:50:28

ITEM J-4

Issuance of Right-of-Entry Permit to The Salvation Army for Homeless Mobile Outreach purposes, Situated at Kahului Boat Ramp, Wailuku, Pū'ali Komohana, Island of Maui, Tax Map Key: (2) 3-7-001:023 (por.).

And

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

06:54:31

MOTION

To Approve Staff Recommendation as Submitted

(Canto, Ono)

06:54:41

VOTE

PASSED

6 – Unanimous

06:55:00

There being no further business, Chair Chang adjourned the meeting.

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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