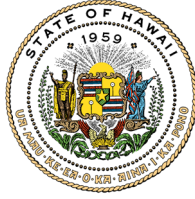


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

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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BOARD OF LAND AND NATURAL RESOURCES
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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: September 26, 2025
TIME: 9:00 a.m.
PLACE: DLNR Boardroom, Kalanimoku Bldg.
1151 Punchbowl Street, 1st Floor / & Online via Zoom
Meeting ID: 813 4349 8850
ZOOM LINK: <https://us06web.zoom.us/j/81343498850>
LIVE STREAM: <https://www.youtube.com/live/vob5iSMguyo>

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://www.youtube.com/live/vob5iSMguyo>

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: 813 4349 8850 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 12, 2025 Summary Minutes

D. LAND DIVISION

1. Annual Renewal of Revocable Permits for Hawaii. See **Exhibit 2** for list of Revocable Permits.
2. Request to Conduct Two (2) Public Hearings on the Island of Maui Regarding Kaheawa Wind Power, LLC's Application to Direct Lease State Lands for the Continued Operation of Kaheawa Wind Power I, Ukumehame and Wailuku Districts on the island of Maui Further Identified by Tax Map Keys (TMKs) (2) 4-8-001: portion of 001 and 3-6-001: portion of 014; and,

Decision Making Regarding the Scope of the Appraisal for the Determination of the Annual Fair Market Rental Value of Kaheawa Wind Power I Located in the Ukumehame and Wailuku Districts on the island of Maui Further Identified by Tax Map Keys (TMKs) (2) 4-8-001: portion of 001 and 3-6-001: portion of 014.

3. Report on Intermediate Court of Appeals Published Opinion in Frankel v. Bd. of Land & Nat. Res., 155 Hawai'i 358, 564 P.3d 1157 (Ct. App. 2025), as corrected (Mar. 5, 2025); and,

Request for Approval of Proposed Stipulated Judgment as to Count 4 in Frankel v. Bd. of Land & Nat. Res., Civ. No. 18-1-1959-12 SMK.

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

F. DIVISION OF AQUATIC RESOURCES

1. Delegation to the Chairperson for the Appointment and Selection of a Hearing Officer to Conduct all Hearings for the Court-Ordered Contested Case Hearing Regarding Agenda Item F-5 from the Board's April 26, 2024, Meeting: Enforcement Action Against Jim Jones, Noelani Yacht Charters, LLC, Kevin S. Albert, Kimberly L. Albert, and the Albert Revocable Trust for Unlawful Damage to Stony Coral and Live Rock Resulting from the February 20, 2023 *Nakoa* Anchoring Incident Outside of the Honolua-Mokulē'ia Bay Marine Life Conservation District, Island of Maui;

and

Admission of Jim Jones and Noelani Yacht Charters, LLC, as Parties to the Court-Ordered Contested Case Hearing.

2. Request for Approval of Special Activity Permit (2026-35) to George Peterson of the Monterey Bay Aquarium, Director of Marine Operations, to Collect, Possess or Transport Regulated and Non-Regulated Organisms, Including Various Species of Gelatinous Zooplankton, Zooplankton and Jellyfish, in a Regulated Area (West Hawaii Regional Fishery Management Area – "WHRFMA") and Non-Regulated Areas in Offshore Waters of West Hawaii, Using Non-Regulated Gear, for the Purposes of Educational Live Display in a Deep-Water Exhibit ("Aquarium Purposes") and Associated Research (e.g. Husbandry Captive Research and/or Culturing) At Monterey Bay Aquarium, Monterey, CA.

J. DIVISION OF BOATING AND OCEAN RECREATION

1. Delegate Authority to the Chairperson to Negotiate, Approve, Execute, Manage, and Extend a Service Contract for Parking Monitoring Service with Secure Parking Hawaii

LLC, at the Ala Wai Small Boat Harbor, Kalia, Waikīkī, Honolulu, O'ahu, Hawai'i, Identified by Tax Map Keys: (1) 2-6-010 portion of :003, (1) 2-3-037 portion of :012, :024, :027, :033, :035, and :037.

2. Mutual Cancellation of Revocable Permit No. 51, Issued to North Shore Canoe Club, situated at Hale'iwa Small Boat Harbor, O'ahu, Hawai'i, Tax Map Key: (1) 6-2-003: portion of 011, to be effective September 30, 2025; Waiver of Requirement to Conduct Phase I Environmental Site Assessment upon Cancellation of Revocable Permit No. 51.

K. OFFICE OF CONSERVATION AND COASTAL LANDS

1. Request for Administrative Fines and Other Penalties Against Kuaehu Condominium, Including Unit Owners Leland V. Wigington Jr. and David W. West, for Conservation District Enforcement Case KA 21-12 Regarding Alleged Permit Noncompliance, Construction of a Shoreline Erosion Control Device, and Encroachment Upon State Land Located Makai of 4880 and 4888 Aliomanu Road, Tax Map Key (TMK): (4) 4-9-004:004.

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

2. Request for Administrative Fines and Other Penalties Against Robin and Mami Glass for Conservation District Enforcement Case OA 23-33 Regarding Alleged Modifications to a Single-Family Residence, Erosion Control, and Landscaping within the Conservation District Located at 3821 Tantalus Drive, Tax Map Key (TMK): (1) 2-5-012:015.

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