

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

**APPROVED AT ITS
BOARD MEETING ON
JANUARY 23, 2026** TK

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: (1) <https://files.hawaii.gov/dlnr/meeting/audio/Audio-LNR-251212-1.m4a>
(2) <https://files.hawaii.gov/dlnr/meeting/audio/Audio-LNR-251212-2.m4a>

Date: December 12, 2025

Time: 9:00 AM

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

MEMBERS

Dawn Chang
Calvin Young (Zoom)
Denise Iseri-Matsubara
Riley Smith
Doreen Canto
Karen Ono
Kaiwi Yoon
Colin Lau, DAG

STAFF

Emma Yuen, DOFAW
Barry Cheung, Land Div.
Lauren Yasaka, Land Div.
Rebecca Anderson, Land Div.
David Smith, DOFAW Administrator
Candace Martin, Land Div.
Ryan Kanaka'ole, Acting Land Administrator
Michael Cain, OCCL Administrator

00:00:04 (1) Chair Chang called the meeting to order. The contested case standard statement was read, and Roll Call of the Members conducted.

00:07:09 (1)

ITEM A-1 Approval of November 14, 2025 Minutes

00:07:50 (1) To Approve Meeting Minutes as Submitted
MOTION (Ono, Smith)

00:08:00 (1) PASSED

VOTE 5 – Ayes (Chang, Iseri-Matsubara, Ono, Smith, Young)
2 – Abstain (Canto, Yoon)

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00:08:25 (1)

ITEM M-1 Consent to Revocable Permit between the Department of Business, Economic Development and Tourism and Bumper Productions LLC over Portions of Lands under Governor's Executive Order No. 4097, Honolulu, Oahu, Hawaii, Tax Map Key (1) 3-1-042: portion of 009.

Comments: Chair Chang corrected the legal reference in the submittal from Section 171-11, Hawaii Revised Statutes, as amended (HRS) to Section 171-55, HRS.

00:23:35 (1) **To Approve Staff Recommendation as Submitted**

MOTION (Iseri-Matsubara, Smith)

00:23:55 (1) **PASSED**

VOTE 7 – Unanimous (Canto, Chang, Iseri-Matsubara, Ono, Smith, Young, Yoon)

00:24:13 (1)

ITEM C-1 Request for Delegation of Authority to the Chairperson to: 1) Approve, procure, award, sign and execute, amend, and extend a contract for building internal laboratory facilities at the Olinda Rare Plant Facility, procured through Chapter 103D, Hawaii Revised Statutes; 2) Declare this action exempt from the preparation of an environmental assessment (EA).

00:25:23 (1) **To Approve Staff Recommendation as Submitted**

MOTION (Canto, Smith)

00:25:30 (1) **PASSED**

VOTE 7 – Unanimous

00:25:26 (1)

ITEM C-2 Request approval of a Memorandum of Understanding, Right-of-Entry, and Release of Liability Agreements, between the Division of Forestry and Wildlife and the Hawai'i Wildlife Fund, a Hawai'i nonprofit corporation, for Ecosystem Protection and Management in the Ka'u Forest Reserve (Kamilo Section), Hawai'i, Tax Map Key: (3) 9-5-006:010.

Request approval of Declaration of Exemption from Chapter 343, HRS, Environmental Compliance Requirements for the project

Request a Delegation of Authority to the Chairperson to negotiate, approve, and execute a Memorandum of Understanding, Right-of-Entry, and Release of Liability Agreements, for Hawai'i Wildlife Fund for Ecosystem Protection Management in the Kau Forest Reserve (Kamilo Section), Hawai'i, Tax Map Key: (3) 9-5-006:010.

00:27:56 (1) **To Approve Staff Recommendation as Submitted**

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MOTION (Smith, Canto)

00:28:05 (1) **PASSED**

VOTE 7 - Unanimous

00:28:16 (1)

ITEM D-16 Amend Prior Board Action of September 12, 2025, *Item D-3 Annual Renewal of Revocable Permits for Oahu. See Exhibit 2 for list of Revocable Permits.*

The amendment is to seek renewal of Revocable Permit No. 7893, situated at Honolulu, Oahu; TMK (1) 1-2-021:045, on a month-to-month basis effective January 1, 2026 for another one-year period through December 31, 2026.

00:30:04 (1) **To Approve Staff Recommendation as Submitted**

MOTION (Iseri-Matsubara, Canto)

0:30:16 (1) **PASSED**

VOTE 7 - Unanimous

00:30:22 (1)

ITEM D-17 Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Private Event Aerial Fireworks Display at Duke Kahanamoku Lagoon on Sunday, January 18, 2026, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portion of 021.

00:32:40 (1) **To Approve Staff Recommendation as Submitted**

MOTION (Iseri-Matsubara, Ono)

00:32:46 (1) **PASSED**

VOTE 7 - Unanimous

00:32:54 (1)

ITEM D-18 (a) Authorize Closure of Portions of Makiki Ditch; and

(b) Authorize Chairperson to Enter into Right-of-Entry Agreement with the City and County of Honolulu for the Purpose of Posting of Signage, Makiki, Honolulu, Oahu, Adjacent to Tax Map Keys: (1) 2-4-024:033, (1) 2-4-025:029, (1) 2-4-029:037, 038, 066, 067.

00:42:19 (1) **To Approve Staff Recommendation as Submitted**

MOTION (Iseri-Matsubara, Smith)

00:42:31 (1) **PASSED**

VOTE 7 - Unanimous

00:42:38 (1)

ITEM D-1 Set Aside of the East Kauai Water and Hanamaulu Ditch Systems to the Agribusiness Development Corporation for Agricultural Irrigation and Related Purposes; Issuance of an Immediate Right-of-Entry Permit to the Agribusiness Development Corporation for the East Kauai Water and Hanamaulu Ditch Systems for Due Diligence Purposes; and Approval of a Management Right of Entry to the Agribusiness Development Corporation for the East Kauai Water and Hanamaulu Ditch Systems; Portion of Government Lands and Waters within the drainage basins of North Wailua and Kapaa Rivers, Kawaihau, Kauai, Tax Map Key portions of sections (4)-3-8, (4)-3-9, (4)-4-2, (4)-4-3, (4)-4-4, (4)-4-5 and (4)-4-6, and including but not limited to diversions on the Kapaa Stream and on the Wailua River at Stable Storm, Wailua Reservoir and Aahoaka Reservoir; the Wailua and Upper Kapahi Reservoirs; and the related transmission and lateral ditch lines as well as portions of the Hanamaulu ditch system that include ditches and reservoirs within the State-owned 6,700 acres behind Kalepa Ridge, currently set aside to ADC under Governor's Executive Orders 4328, 4401, 4587 and 4594

Comments: DOFAW noted that the requested set aside would bifurcate and subdivide DOFAW properties. DOFAW has spoken with ADC and believes they can commit to bring this item (long-term disposition) bring to the Board by March. DOFAW recommended approval of Recommendations 4 and 5 which would give ADC an immediate right-of-entry for due diligence and management purposes and defer Recommendation 1, 2, and 3 until meetings with other stakeholders can be held and a long-term disposition that works for all is determined.

Mr. Klayton Kubo requested to be consulted with.

Board requested that Staff involve DAR and ENG with the process going forward.

Amendments: Board voted unanimously to approve Items 4 and 5 as submitted by staff and as suggested by DOFAW; and that Items 1, 2, and 3, are deferred no later than 6 months.

01:08:45 (1) To Approve Staff Recommendation as Amended
MOTION (Ono, Yoon)

01:10:25 (1) PASSED
VOTE 7 – Unanimous

01:10:32 (1) The Board recessed for a 10-minute break.

01:18:30 (1) The Board returned from the recess.

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01:18:25 (1)

ITEM D-2 Approval of a Development Agreement for a 30-Year Extension of Lease Term Effective January 16, 2026, to January 15, 2056, General Lease No. S-3604, Roger Antonio dba Antonio's Repair Shop, Lessee; and

Authorize the Chairperson to Approve and Execute a Lease Extension for General Lease No. S-3604, Roger Antonio dba Antonio's Repair Shop, Lessee; Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-049:002.

Amendment: Board voted unanimously to approve staff's recommendation and specifically include the requirement of a removal bond; to confirm the conversion of the existing cesspool to an IWS; to, through the general terms of the lease agreement, include the requirement that the lessee complete a phase 1 environmental site assessment at the end of the lease term; and to confirm the level of improvement is \$115,000.

01:22:24 (1) **To Approve Staff Recommendation as Amended**
MOTION (Smith, Ono)

01:23:26 (1) **PASSED**
VOTE 7 – Unanimous

01:23:32 (1)

ITEM D-3 Issuance of a 65-Year Term, Non-Exclusive Easement to County of Hawaii, Department of Water Supply for Fire Protection Water Meter Purposes, Naalehu, Kau, Hawaii, Tax Map Key: (3) 9-5-021:010 (portion).

Amendment: Board voted to unanimously approve item D-3 as recommended by staff to be amended that in the recommendation under Item 1, that the chapter citation be changed to Chapter 11-200.1, HAR.

01:25:01 (1) **To Approve Staff Recommendation as Amended**
MOTION (Smith, Canto)

01:25:25 (1) **PASSED**
VOTE 7 – Unanimous

01:25:32 (1)

ITEM D-4 Approval of a Development Agreement for a 30-Year Extension of Lease Term Effective January 16, 2026, to January 15, 2056, General Lease No. S-3591, Jieyu Shepard, Lessee; and

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Authorize the Chairperson to Approve and Execute a Lease Extension for General Lease No. S-3591, Jieyu Shepard, Lessee; Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-049:017.

Amendment: The Board voted to unanimously approve item D-4 as recommended by staff and specifically include the requirement of a removal bond; the conversion of the existing cesspool to an IWS; at the termination of the lease, require the lessee complete a phase 1 environmental site; and to confirm the level of improvements is \$147,250.

01:28:18 (1) **To Approve Staff Recommendation as Amended**
MOTION (Smith, Canto)

01:28:59 (1) **PASSED**
VOTE 7 - Unanimous

01:29:05 (1)

ITEM D-5

Approval of a Development Agreement for a 30-Year Extension of Lease Term Effective January 16, 2026, to January 15, 2056, General Lease No. S-3603, Jieyu Shepard, Lessee; and

Authorize the Chairperson to Approve and Execute a Lease Extension for General Lease No. S-3603, Jieyu Shepard, Lessee; Waiakea, South Hilo, Hawaii, Tax Map Keys: (3) 2-2-049:015 & 016.

Amendment: The Board unanimously voted to approve item D-5 as recommended by staff and to specifically include the requirement of a removal bond; conversion of the existing cesspools to IWSs; require at the end of the lease term to provide a phase 1 environmental assessment; and to confirm the level of improvement is \$185,000.

01:30:58 (1) **To Approve Staff Recommendation as Amended**
MOTION (Smith, Canto)

01:31:33 (1) **PASSED**
VOTE 7 - Unanimous

01:31:42 (1)

ITEM D-6

Forfeiture of General Lease No. S-4667, A.P. Water Supply, Inc., Lessee, Waiakea Industrial Lots, Waiakea, South Hilo, Hawaii Tax Map Key: (3) 2-2-058:012.

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Comments: Chair mentioned Land Division needing to do regular site inspections and be more timely and more diligent with follow-up actions.

01:54:32 (1) **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Ono)

01:54:49 (1) **PASSED**
VOTE 7 - Unanimous

01:55:07 (1)

ITEM D-7 Mutual Early Cancellation of One-Year Holdover of General Lease No. S-4310, Alumside Products, Inc., Lessee, for Industrial Purposes, Hilo Industrial Development, Pohaku Street Section, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-058:031.

02:02:36 (1) **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Canto)

02:02:52 (1) **PASSED**
VOTE 7 - Unanimous

02:03:00 (1)

ITEM D-8 Amend Prior Board Action of October 11, 2024, Item D-4, *Issuance of Direct Lease to Mauna Kea Stewardship and Oversight Authority for Agency Headquarters Purposes with Issuance of an Immediate Right-Of-Entry Permit for Construction and Management Purposes, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-049:022.*

The purpose of the amendment is to cancel the authorization for the issuance of a direct lease to Mauna Kea Stewardship and Oversight Authority.

Amendment: The Board unanimously approved item D-8 as recommended by staff with the inclusion of the statement that HDLO will proceed the public auction process as approved by the Board at its meeting of February 24, 2023

02:10:04 (1) **To Approve Staff Recommendation as Amended**
MOTION (Smith, Canto)

02:10:46 (1) **PASSED**
VOTE 7 – Unanimous

02:10:55 (1)

ITEM D-9 Quitclaim of State's Interests, if Any, in a Portion of Huina Road, to the County of Hawaii, Department of Public Works, Olaa Homestead Reservation Lots, Puna, Hawaii, Tax Map Key: (3) 1-7-003:023.

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02:16:23 (1) **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Canto)

02:16:47 (1) **PASSED**
VOTE 7 - Unanimous

02:16:59 (1)

ITEM D-10 Continuation of Revocable Permits for Water Use on the Island of Hawai'i. See **Exhibit A** for list of Revocable Permits.

Comments: Staff noted that an FEA/FONSI was issued for Wailuku Hydro on October 23, 2018 and that staff intends to take the water license out for public auction in 2026.

02:19:08 (1) **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Canto)

02:19:18 (1) **PASSED**
VOTE 7 - Unanimous

02:19:27 (1)

ITEM D-11 Authorize a One-Year Holdover of General Lease No. S-3601, Coca-Cola Bottling Company of Hawaii, LLC, Lessee, Waiakea House Lots Extension, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-049:007.

Amendment: Member Canto noted a typo on page 4 under the lease commencement date and term to be corrected from January 15, 2017, to January 15, 2027, but noted the date is correct within the recommendation section.

Board voted to unanimously approve item D-11 as recommended by staff to be amended that in the recommendation under Item 1, that the chapter citation be changed to Chapter 11-200.1, HAR and to clarify that since this disposition is a holdover, that the improvements that the lessee has made on the property will revert during the holdover and at the end of the holdover to the State of Hawaii.

02:24:18 (1) **To Approve Staff Recommendation as Amended**
MOTION (Smith, Canto)

02:25:23 (1) **PASSED**
VOTE 7 - Unanimous

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02:25:28 (1)

ITEM D-12 Quitclaim of State's Interests, if Any, in Proposed Portion of Wailoa Collector Street Right-Of-Way, Including Grant of Easement No. S-4206 to 1055 Kinoole, LLC, as Grantee, to the County of Hawaii, Department of Public Works, Waiakea House Lots, South Hilo, Hawaii, Tax Map Key: (3) 2-2-020:016

02:28:36 (1) **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Canto)

02:28:49 (1) **PASSED**
VOTE 7 - Unanimous

02:28:52 (1)

ITEM D-13 Issuance of a Revocable Permit to Hamakua Land and Cattle, LLC for Pasture Purposes, Kawainui, South Hilo, Hawaii, Tax Map Key: (3) 2-7-007:005

02:32:04 (1) **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Canto)

02:32:14 (1) **PASSED**
VOTE 7 – Unanimous

02:32:45 (1) The Board recessed for a 5-minute break.

02:36:42 (1) The Board returned from the recess.

02:36:45 (1)

ITEM D-14 Decision Making Regarding the Acceptance or Non-Acceptance of the Final Environmental Impact Statement (EIS) for the Kaheawa Wind 1 Continued Use Project Located in Ukumehame, Wailuku and Lāhainā, Island of Maui, Further Identified as Tax Map Keys: (2) 4-8-001: portion of 001 (por.) and (2) 3-6-001: portion of 014; and Habitat Conservation Plan Mitigation Sites identified as (2) 1-9-001: portions of 001 & 003 (Haleakalā Ranch, Maui); (2) 5-8-15:001 (por.), (2) 5-8-010: portions of 003, 004, & 005, and 006, (2) 5-8-011:001-004, 007, 009-012; 014, & 016, and portions of 006 & 008, (2) 5-8-12:011, (2) 5-8-015: portions of 001-007, and (2) 5-9-006:portion of 001 (Pu'u o Hōkū Ranch, Moloka'i); (2) 4-9-002:portion of 001 (Greater Hi'i Area, Lāna'i); (2) 3-1-006: portions of 001, 003, & 005 (Makamaka'ole, Maui); and (2) 4-8-001: portion of 001 (Kaheawa Pastures, Maui).

02:52:28 (1) **To Accept the Final EIS**
MOTION (Canto, Smith)

02:52:41 (1) **PASSED**
VOTE 7 - Unanimous

02:23:22 (1) The Board recessed for a lunch break.

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03:28:57 (1) The Board returned from the recess.

03:29:39 (1) The Board first heard the contested case request by the Sierra Club and Na Moku on Item D-15.

04:04:53 (1) **Executive Session**
MOTION (Yoon, Ono)

04:05:13 (1) **PASSED**
VOTE 7 – Unanimous

04:05:29 (1) The Board went into Executive Session.

04:26:53 (1) The Board returned from Executive Session.

04:28:25 (1) **To Deny Na Moku and the Sierra Club's Request for a Contested Case**
MOTION (Chang, Smith)

04:29:45 (1) **PASSED**
VOTE 7 - Unanimous

04:30:00 (1)

ITEM D-15 Issuance of Revocable Permit to Mahi Pono, LLC and East Maui Irrigation Company, LLC for the Development, Diversion, and Use of Surface Water for Diversified Agriculture, Currently Existing Historical Industrial and Non-Agricultural Uses, Reservoir, Fire Protection, Hydroelectric, and County of Maui Department of Water Supply and Kula Agricultural Park Purposes on the Island of Maui; Tax Map Keys: (2) 1-1-001:044 and 050, 1-1-002:002 (por.), 1-2-004:005 & 007, 2-9-014:001, 005, 011, 012 & 017.

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.

Comments: Chair requested that the value of improvements that Mahi Pono has done to reduce seepage loss be included as a part of the official record as well as the list of outstanding projects and permits still needed. Staff has attached the EMI Q2 2025 quarterly report which includes Mahi Pono's efficiency report as well as the Q3 2025 report which includes an IIFS work summary highlighting outstanding projects and permits.

Amendments: The Board (5 members) voted unanimously to approve staff's recommendation and amend recommendation 18 and 19 to reflect the County's request for an allocation of 6.5 mgd, averaged monthly.

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06:19:31 (1) Board Members Iseri-Matsubara and Board Member Yoon left the meeting.

06:13:02 (1) **To Approve Staff Recommendation as Amended**
MOTION (Canto, Smith)

06:20:25 (1) **PASSED**
VOTE 5 – Unanimous (Chang, Canto, Ono, Smith, Young)

06:20:37 (1) The Board recessed for a 5-minute break.

06:27:30 (1) The Board returned from the recess.

06:27:36 (1)

ITEM K-1 Request for Administrative Fines and Other Penalties Against James D. Greig and Rhodette R. M. Greig for Conservation District Enforcement Case OA 25-29 Regarding the Alleged Permit Noncompliance, Construction of Shoreline Erosion Control Device, and Encroachment Upon State Land Located Makai of 55-271 Kamehameha Highway, Laie, Island of Oahu, Hawaii, Tax Map Key (TMK): (1) 5-5-002:088.

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.

07:18:11 (1) **Executive Session**
MOTION (Smith, Ono)

07:18:20 (1) **PASSED**
VOTE 5 - Unanimous

07:18:25 (1) The Board went into Executive Session.

00:11:56 (2) The Board returned from Executive Session.

00:20:04 (2) The Board recessed for a 5-minute break.

00:24:10 (2) The Board returned from their recess.

00:30:40 (2) The Board recessed for a 5-minute break.

00:36:05 (2) The Board returned from their recess.

Amendment: The Board amended the staff recommendation by including that:
1) The total fines and administrative costs of \$243,000 can be offset by the costs to remove the sandbags and erosion control measures as shown by a contract for removal or 3 bids by qualified contractors but not offset more than \$218,000 to result in a fine of \$25,000 provided that the Greigs remove all unauthorized sandbags and erosion control devices by March 12, 2026.

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- 2) The sandbags may be removed by machinery subject to review and potential approval by OCCL before removal activities commences with machinery.
- 3) Compliance with complete removal of the sandbags and erosion control devices will be subject to on-going site inspection by OCCL. Should OCCL or the Greigs or future landowner of Parcel 088 find sandbags or erosion control measures remaining in the shoreline area fronting Parcel 088, the Greigs or a future landowner of Parcel 088 shall remove them on their own accord, or the Greigs or a future landowner of Parcel 088 may receive notification via certified mail to remove them within 30-days. If the sandbags or erosion control measures are not removed in 30-days, this may result in a new violation;
- 4) After OCCL has confirmed the sandbags and other erosion control measures have been removed; the Greigs or a future landowner of Parcel 088 may submit a plan and application that comports with Conservation District Rules for appropriate regulatory review and level of potential authorization as determined by OCCL for a longer-term solution for restoration or remediation;
- 5) The above noted conditions of Enforcement file OA 25-29 shall be recorded with the deed instrument by the Greigs or a future landowner of Parcel 088 at the Bureau of Conveyances pursuant to HAR section 13-5-6(e).

00:45:17 (2) **To Approve Staff Recommendation as Amended**
MOTION (Chang, Ono)

00:50:33 (2) **PASSED**
VOTE 5 - Unanimous

00:51:19 (2) There being no further business, Chair Chang adjourned the meeting.
5:23 PM

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Respectfully Submitted:

Reeana Wright

Acting Land Board Secretary

Approved for Submittal:

for



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