

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

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-260508.m4a>

Date: May 8, 2026

Time: 9:00 AM

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

MEMBERS

Ryan Kanaka'ole
James Carpio
Denise Iseri-Matsubara
Karen Ono
Riley Smith
Kaiwi Yoon
Calvin Young
Miranda Steed, DAG

STAFF

Robert Hauff, DOFAW
Nick Vargas, DOAW
Kathryn Stanaway, DOFAW
Lauren Yasaka, Acting Assistant Land
Administrator
Michael Cain, OCCL Administrator
Danica Patel, DAG
John Dubiel, DAG

00:00:09 Acting Chair Kanaka'ole called the meeting to order. The contested case standard statement was read, and Roll Call of the Members conducted.

00:04:26

ITEM A-1 Approval of April 24, 2026 Meeting Minutes.

00:04:48 **To Approve Meeting Minutes as Submitted**
MOTION (Ono, Smith)

00:05:15 **PASSED**
VOTE 6 – Unanimous (Kanaka'ole, Carpio, Iseri-Matsubara, Ono, Smith, Young)

00:05:22

ITEM C-1 Request for Approval of Adaptive Management Measures by Formal Board Action, Pursuant to Section 183D-3(b), Hawai'i Revised Statutes, to Temporarily Amend Hawai'i Administrative Rules (HAR) Title 13:

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1. Chapter 123 – Rules Regulating Game Mammal Hunting by Revising Exhibit 11, as Referenced in HAR §§ 13-123-3, 13-123-4, 13-123-22, and 13-123-23, for Game Mammal Hunting on the Island of Hawai'i; and
2. Chapter 122 – Rules Regulating Game Bird Hunting, Field Trials, and Commercial Shooting Preserves by Revising Exhibit 1 (Game Birds to be Taken, Daily Bag Limits, Hunting Periods, Hunting Days, and Special Conditions) to Expand Open Hunting Areas on the Island of Hawai'i from Units A, F, and G to Units A, C, E, F, and G, Including Private Lands, for the March 1 through April 15 Hunting Period.

00:10:11 **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Ono)

00:10:29 **PASSED**
VOTE 6 – Unanimous (Kanakanā'ole, Carpio, Iseri-Matsubara, Ono, Smith, Young)

**00:10:33
ITEM C-2**

Approval of the Firearms Policy for the Division of Forestry and Wildlife.

00:11:45 **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Ono)

00:12:01 **PASSED**
VOTE 6 – Unanimous (Kanakanā'ole, Carpio, Iseri-Matsubara, Ono, Smith, Young)

**00:12:07
ITEM C-3**

Request for approval to hold public hearings to amend Hawaii Administrative Rules Chapter 13-124, Rules for indigenous wildlife, endangered and threatened wildlife, Injurious wildlife, introduced wild birds, and introduced wildlife. These amendments prohibit take, significant habitat modification, and feeding of indigenous wildlife, threatened wildlife, and endangered wildlife, except by permit; prohibit distribution or sale of plants, equipment, or other goods with injurious wildlife present; prohibit feeding or abandoning of wildlife and domestic animals on Department land; updates to exhibits; updated to penalties; and make other non-substantive amendments to definitions and other sections in the rule chapter

And

Request delegation to the Chairperson the authority to appoint hearing offices to conduct public hearings.

The proposed rule amendments can be reviewed in person, by appointment only, at the Division of Forestry and Wildlife office on O'ahu at 1151 Punchbowl

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St. Room 325, Honolulu, Hawai'i 96813 from 7:45 am to 4:30 pm, Monday through Friday, except Holidays. To schedule an appointment to review the proposed rules in person, email dlnr.fw.admin@hawaii.gov.

The proposed rules can be viewed on the Office of the Lieutenant Governor's website at <https://ltgov.hawaii.gov/the-office/administrative-rules/proposed-changes/>.

The proposed rules can be viewed online at:
<https://dlnr.hawaii.gov/dofaw/rules/>.

00:23:41 **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Carpio)

00:23:58 **PASSED**
VOTE 6 – Unanimous (Kanakanā'ole, Carpio, Iseri-Matsubara, Ono, Smith, Young)

**00:24:35
ITEM D-2**

Issuance of Right-of-Entry Permit to Waikiki Beach Chaplaincy, Inc. for Sunday Church Services Purposes at Duke Kahanamoku Beach and Fort DeRussy Beach on Every Sunday from June 1, 2026, to May 31, 2027, on Waikiki, Honolulu, Oahu; Tax Map Key: (1) 2-3-037: portions of 021 and Fort DeRussy Beach.

00:27:22 **To Approve Staff Recommendation as Submitted**
MOTION (Iseri-Matsubara, Young)

00:27:42 **PASSED**
VOTE 6 – Unanimous (Kanakanā'ole, Carpio, Iseri-Matsubara, Ono, Smith, Young)

**00:27:52
ITEM D-1**

Amend General Lease No. S-5922 to Lokahi Pacific, Lessee, for Affordable Rental Housing Serving Low-Income Individuals Purposes, Kama'ole, Wailuku, Maui, Tax Map Key: (2) 3-9-005:046.

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.

00:31:23 **To Approve Staff Recommendation as Submitted**
MOTION (Carpio, Ono)

00:31:39 **PASSED**
VOTE 6 – Unanimous (Kanakanā'ole, Carpio, Iseri-Matsubara, Ono, Smith, Young)

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00:32:15 The Board recessed for a short break.

00:36:43 The Board returned from the recess.

**00:36:52
ITEM K-1**

Request for Approval of Proposed Settlement Agreement in Conservation District Contested Case OA 24-05, relating to a fence at the Marconi Point Condominiums at the property identified by Tax Map Key No. (1) 5-6-003:053.

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.

01:05:55 Member Yoon joined the meeting.

01:06:11 **Executive Session**
MOTION (Smith, Young)

01:06:14 **PASSED**
VOTE 7 - Unanimous (Kanakanaka'ole, Carpio, Iseri-Matsubara, Ono, Smith, Yoon, Young)

01:06:32 The Board went into Executive Session.

01:31:59 The Board returned from Executive Session.

01:33:49 **To Decline Staff Recommendation as Submitted**
MOTION (Iseri-Matsubara, Young)

Amendment: The Board unanimously voted to decline Item K-1 as recommended by Staff and requested that the parties work together on a revised settlement that addresses the issues facing the critical habitat in the area.

01:34:13 **PASSED**
VOTE 7 – Unanimous (Kanakanaka'ole, Carpio, Iseri-Matsubara, Ono, Smith, Yoon, Young)

**01:34:24
ITEM K-3**

Request for Approval of Proposed Settlement Agreement in Conservation District Contested Case OA 24-01, relating to 59-181 Ke-Nui LLC and Eric and Moniza Freeman and alleged violations on State land located makai of 59-181 D Ke Nui Road, Tax Map Key No. (1) 5-9-002:034.

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.

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01:40:50 **To Approve Staff Recommendation as Submitted**
MOTION (Iseri-Matsubara, Young)
No vote was taken.

02:04:24 The Board recessed for a break.
02:04:24 Member Yoon exited the meeting.
05:00:30 The Board returned from the recess.

04:32:35 **Executive Session**
MOTION (Carpio, Ono)

04:33:04 **PASSED**
VOTE 6 - Unanimous (Kanaka'ole, Carpio, Iseri-Matsubara, Ono, Smith,
Young)

04:33:08 The Board went into Executive Session.
05:00:30 The Board returned from Executive Session.

05:03:21 **To Approve Staff Recommendation as Amended**
MOTION (Iseri-Matsubara, Young)

Amendment: The Board unanimously voted to accept Item K-3 as recommended by Staff with the modification to set a fine of \$50,000 minimum to be paid by the end of the State of Hawai'i 2026 Fiscal Year, which is June 30, 2026.

05:06:14 **PASSED**
VOTE 6 - Unanimous (Kanaka'ole, Carpio, Iseri-Matsubara, Ono, Smith,
Young)

**05:06:44
ITEM K-2**

Request for Approval of Proposed Settlement Agreement in Conservation District Contested Case OA 24-04, relating to Sunset Oasis LLC, including its members William and Melinda Kernot, and alleged violations on State land located makai of 59-151 A Ke Nui Road, Tax Map Key No. (1) 5-9-002:005.

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.

05:36:33 **Executive Session**
MOTION (Carpio, Smith)

05:36:37 **PASSED**
VOTE 6 - Unanimous (Kanaka'ole, Carpio, Iseri-Matsubara, Ono, Smith,
Young)

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05:36:39 The Board went into Executive Session.

05:55:22 The Board returned from Executive Session.

05:56:04 **To Decline Staff Recommendation as Submitted**
MOTION (Iseri-Matsubara, Ono)

Amendment: The Board unanimously voted to decline Item K-2 as submitted and requested that the parties reconvene and come back to the Board with a revised settlement and a fine that is more commensurate with the delayed timeframe for action to remedy these violations, as well as consider a performance bond as part of the settlement.

05:56:45 **PASSED**
VOTE 6 - Unanimous (Kanaka'ole, Carpio, Iseri-Matsubara, Ono, Smith, Young)

**05:56:57
ITEM K-4**

Request for Approval of Time Extension for Emergency Conservation District Use Permit MA 21-10 for temporary shoreline protection seaward of Mantokuji Mission in Paia, Maui, seaward of Tax Map Key No. (2) 2-6-008:013.

06:54:43 **Executive Session**
MOTION (Carpio, Ono)

06:54:46 **PASSED**
VOTE 6 - Unanimous (Kanaka'ole, Carpio, Iseri-Matsubara, Ono, Smith, Young)

06:54:50 The Board went into Executive Session.

07:12:42 The Board returned from Executive Session.

07:13:06 **To Approve Staff Recommendation as Amended**
MOTION (Carpio, Ono)

Amendment: The Board unanimously voted to accept Item K-4 as recommended by Staff with the amendment that the applicant returns to the Board in 180 days with status on the conditions under the emergency permit and, at the one-year mark, if any further extensions are required, HRS Chapter 343 process would have to be completed.

07:14:29 **PASSED**
VOTE 6 - Unanimous (Kanaka'ole, Carpio, Iseri-Matsubara, Ono, Smith, Young)

07:14:35

EXECUTIVE SESSION

The Board anticipates convening an executive meeting pursuant to Section 92-5(a)(4), HRS, to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities:

1. Status Report on *Sierra Club v. Kanaka'ole, et al.*, Civ. No. 1CCV-25-0002146 currently pending before the Circuit Court of the First Circuit of the State of Hawai'i.

07:17:40 **Executive Session**
MOTION (Carpio, Ono)

07:17:49 **PASSED**
VOTE 6 - Unanimous (Kanaka'ole, Carpio, Iseri-Matsubara, Ono, Smith,
 Young)

07:17:58 The Board went into Executive Session.

08:43:20 The Board returned from Executive Session.

08:43:43 There being no further business, Acting Chair Kanaka'ole adjourned the
4:45 PM meeting.

Respectfully Submitted:

Tasha Kakuda

Land Board Secretary

Approved for Submittal:



Dawn Chang, Chairperson
Board of Land and Natural Resources
Department of Land and Natural Resources