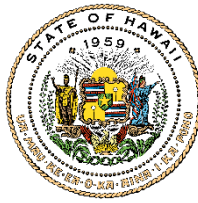


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE



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

DEAN D. UYENO
ACTING 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-241108-1.m4a>

Audio Link (2): <https://files.hawaii.gov/dlnr/meeting/audio/Audio-LNR-241108-2.m4a>

Date: November 8, 2024

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 (Zoom)	

00:00:12 (1) Chair Chang called the meeting to order. The contested case standard statement was read, and Roll Call of the Members conducted.

00:04:52 (1) Approval of the Summary Minutes of the September 27, 2024, meeting.
ITEM A-1

00:05:18 (1) **To Approve Staff Recommendation as Submitted**
MOTION (Canto, Yoon)

00:06:21 (1) **PASSED**
VOTE 7 – Unanimous

00:06:30 (1) Approval of the Summary Minutes of October 11, 2024, meeting.
ITEM A-2

00:06:40 (1) **To Approve Staff Recommendation as Submitted**
MOTION (Canto, Yoon)

00:06:48 (1) **PASSED**
VOTE 7 – Unanimous

**00:07:00 (1) Approval of the Summary Minutes of October 25, 2024, meeting
ITEM A-3**

00:07:07 (1) **To Approve Staff Recommendation as Submitted**
MOTION (Canto, Yoon)

00:07:50 (1) **PASSED**
VOTE 7 – Unanimous

**00:07:55 (1)
ITEM C-1**

Issuance of a revocable permit and immediate management right-of-entry permit to Scouting America, Aloha Council (formerly known as the Boy Scouts of America, Aloha Council) For Educational and Training Purposes in The Round Top Forest Reserve, Honolulu, Hawaii, Tax Map Key (1) 2-5-019:003.

00:15:20 (1) **To Approve Staff Recommendation as Submitted**
MOTION (Char, Smith)

00:15:33 (1) **PASSED**
VOTE 7 – Unanimous

**00:15:55 (1)
ITEM D-8**

Set Cancellation of Governor's Executive Order No. 3889; Issuance of Quitclaim Deed to Hawai'i State Department of Education; Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-013:003.

00:23:29 (1) **To Approve Staff Recommendation as Submitted**
MOTION (Yoon, Char)

00:23:38 (1) **PASSED**
VOTE 7 – Unanimous

**00:23:50 (1)
ITEM D-5**

Grant of Term, Non-Exclusive Easement, Immediate Right-of-Entry and Revocable Permit to World of Fun, LLC for Concrete Pad and Seawall Portions Located at Kaneohe, Koolaupoko, Oahu, Identified as TMK: (1) 4-5-057: seaward of 009.

00:28:30 (1) **To Approve Staff Recommendation as Submitted**
MOTION (Yoon, Char)

00:28:37 (1) **PASSED**
VOTE 6 – Ayes (Chang, Char, Canto, Ono, Yoon, Smith)
1 -- Nay (Barnes)

**00:29:28 (1)
ITEM D-1**

Assess Lease Assignment Premium in Connection with the Board's Prior Action of June 14, 2024, Item D-2, Approved as Amended, Consent to Assign General Lease Nos. S-4303, S-4379, S-5656 and S-5848, Big Island Toyota, Inc., Assignor, to Servco Pacific Inc., Assignee, Waiakea House Lots Extension,

Hilo, Hawaii, TMK: (3) 2-2-058:015 (GLS-4303 & GLS-4379), TMK: (3) 2-2-058:017 (GLS-5656); Waiakea House Lots, Hilo, Hawaii, TMK: (3) 2-2-037:063 (GLS-5848).

Amendment: The **FIRST** amendment is on page 2 of the submittal, immediately before the “REMARKS” section. We insert a new section to be titled, “CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:”, and under the title, the following language will be added:

In accordance with Section 11-200.1-15 of the Hawaii Administrative Rules and the Exemption List for the Department of Land and Natural Resources reviewed and concurred in by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to: General Exemption Type 1, which reads, “Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing”, Part 1, Item No. 40, which reads, “Leases of State land involving negligible or no expansion or change of use beyond that previously existing.”

The **SECOND** amendment, on page 5 of the submittal, under the “RECOMMENDATION” section heading and after the existing recommendations, we insert one additional Recommendation, to read as follows:

C. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, Hawaii Administrative Rules, this request will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.”

00:38:57 (1) **To Approve Staff Recommendation as Amended**
MOTION (Smith, Ono)

00:39:17 (1) **PASSED**
VOTE 7 – Unanimous

00:39:44 (1)
ITEM D-2

After-the-Fact Consent to Assign Sublease K-7 under General Lease No. S-5619, Natural Energy Laboratory of Hawaii Authority, Lessee, on behalf of Kona Cold Lobsters Ltd., Assignor, to Keahole Point Provisions LLC, Assignee, Ooma 1st, North Kona, Hawaii, Tax Map Key: (3) 7-3-043:067.

Amendment: The **FIRST** amendment is on page 3 of the submittal, immediately before the “BACKGROUND” section. We insert a new section to be titled, “CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:”, and under the title, the following language will be added:

In accordance with Section 11-200.1-15 of the Hawaii Administrative Rules and the Exemption List for the Department of Land and Natural Resources reviewed and concurred in by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to: General Exemption Type 1, which reads, "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing", Part 1, Item No. 40, which reads, "Leases of State land involving negligible or no expansion or change of use beyond that previously existing."

The **SECOND** amendment, on page 5 of the submittal, under the "RECOMMENDATION" section heading and after the existing recommendations, we insert additional Recommendation text, to read as follows:

*That the Board of Land and Natural Resources:
"Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, Hawaii Administrative Rules, this request will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment."*

01:10:22 (1) **To Defer Staff Recommendation as Submitted**
A copy of Master List needs to be provided for the Commissioners Board Members as well as the Attorney General.
MOTION (Smith, Yoon)

01:11:14 (1) **PASSED**
VOTE 7 – Unanimous

01:11:31 (1)
ITEM D-3

Issuance of Right-of-Entry Permit to National Park Service (NPS) over Unencumbered State Lands, to Manage Historical and Cultural Sites and to Access NPS Lands through Southeast Section of Such Lands at Kawaihae, Kohala, Hawaii, Tax Map Keys: (3) 6-1-003:025, (3) 6-1-003:030, and (3) 6-1-003:031.

01:12:05 (1) **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Ono)

01:12:10 (1) **PASSED**
VOTE 7 – Unanimous

01:12:23 (1) The Board recessed for a break.

01:22:26 (1) The Board returned from their break.

01:22:34 (1)

ITEM D-4

Decision Making Regarding:

Recommendation to hold a contested case hearing over the proposed disposition of a water license by public auction or by direct negotiation to the County of Maui covering the diversion of public surface water not to exceed an amount of 85.23 million gallons per day from Koolau Forest Reserve, Island of Maui, Hawai'i ("proposed License" or "License").^[1]

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.

01:41:10 (1) **Executive Session**

MOTION (Canto, Ono)

01:41:46 (1) **PASSED**

VOTE 7 – Unanimous

00:32:34 (2) The Board recessed for 20 minutes lunch break.

00:57:29 (2) The Board returned from their break.

00:58:08 (2) **To Deny the Staff Recommendation as Submitted** ^[2]

MOTION (Canto, Yoon)

01:17:34 (2) **PASSED**

VOTE 5 – Ayes (Canto, Yoon, Barnes, Ono, Smith)

2 – Nay (Chang, Char)

01:18:28 (2)

ITEM K-1

Approval Conservation District Use Application (CDUA) HA 3955 by Crown Castle 06-2 Towers LLC for the Kona Airport Monopole Telecommunications System and Management Plan located at 73-4228 Queen Ka'ahumanu Highway, Kalaoa, North Kona, Hawai'i, Tax Map Key (TMK): (3) 7-3-049:038.

^[1] While the draft License (attached as Exhibit A) is currently written for disposition by public action, the contested case hearing will consider both a license by public auction and a license by direct negotiation.

^[2] The Boards appreciated all the comments based on the staff submittals. Member Canto commented that in addition to her motion to deny the contestant hearing and supported direct negotiation with the County of Maui. Perhaps having co-applicants in the process to ensure everyone gets the water they need.

01:40:11 (2) **To Approve Staff Recommendation as Submitted**

MOTION (Smith, Ono)

01:40:16 (2) **PASSED**
VOTE 7 – Unanimous

01:40:44 (2)

ITEM D-6

Consent to License Agreement between Insite Towers Development, LLC, Licensor, and Hawaiian Electric Company, Inc., Licensee, over Portion of Leased Premises under General Lease No. S-4223, Mokuleia, Waialua, Oahu, Tax Map Key: (1) 6-7-003:024.

01:46:34 (2) **To Approve Staff Recommendation as Submitted**
MOTION (Yoon, Smith)

01:47:00 (2) **PASSED**
VOTE 7 – Unanimous

01:47:03 (2)

ITEM D-7

Authorize the Deregistration from Land Court, Lot 12022, Map 888, Land Court Application No. 1069, Certificate of Title No. 498,504; Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-031:001.

01:49:27 **To Approve Staff Recommendation as Submitted**
MOTION (Char, Smith)

01:49:33 **PASSED**
VOTE 7 – Unanimous

01:49:43 (2)

ITEM D-9

Amend (i) General Lease No. S-6056 Issued to Waimanalo Health Center for Community Services Purposes, Waimanalo, Koolaupoko, Oahu, Tax Map Keys:(1) 4-1-009:279 and 282, and (1) 4-1-015:023; and (ii) General Lease No. S-6081 Issued to The Episcopal Church in Hawai'i for Landscaping Area of the Church and School Grounds Purposes, Honolulu, Oahu, Tax Map Key: (1) 2-1-018:051.

01:50:59 (2) **To Approve Staff Recommendation as Submitted**
MOTION (Yoon, Smith)

01:51:06 (2) **PASSED**
VOTE 7 – Unanimous

01:51:12 (2)

ITEM E-1

Mutual Cancellation of General Lease No. SP0067, Kama'aina Care, Inc., He'eia State Park, O'ahu, Hawai'i, Tax Map Key Numbers: (1) 4-6-005:002, 004, and 009.

01:57:26 (2) **To Approve Staff Recommendation as Submitted**
MOTION (Char, Smith)

01:57:54 (2) **PASSED**
VOTE 7 – Unanimous

01:57:56 (2)

ITEM E-3 Amend Annual Renewal of Revocable Permits Statewide (See **Exhibit A** for list of Revocable Permits)

And

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

02:14:54 (2) **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Yoon)

02:15:13 (2) **PASSED**
VOTE 7 – Unanimous

02:15:35 (2)

ITEM J-3 Cancellation of Revocable Permit No. 84 to Wild West Charters, Ltd.; Request for Waiver of Requirement for Conducting Phase I Environmental Site Assessment upon Cancellation of Revocable Permit No. 84; Issuance of a Revocable Permit to Dive-Fish Hawaii, Inc. for Covered Area Used for Dock Storage and Access to Vessel purposes at Honokohau Small Boat Harbor, Kailua-Kona, North Kona, Hawaii, Tax Map Key: (3) 7-4-008:003 (por.).

And

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

02:17:24 (2) **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Ono)

02:17:36 (2) **PASSED**
VOTE 7 – Unanimous

02:17:40 (2)

ITEM J-4 Cancellation Continuation of a Revocable Permit to Hawai'i Fire Department, County of Hawai'i, for Office Space for West Hawaii Ocean Safety Operations Purposes, Situated at Kailua-Kona Pier, Lanihau, North Kona, Island of Hawaii, Tax Map Key: (3) 7-5-006:039 (por.).

And

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

02:18:52 (2) **To Approve Staff Recommendation as Submitted**
MOTION (Smith, Yoon)

02:18:59 (2) **PASSED**
VOTE 7 – Unanimous

02:19:00 (2)
ITEM J-5

Cancellation Continuation of Adopt-A-Harbor Agreement with Ma'alea Village Association, for Landscape Beautification Purposes at Ma'alea Small Boat Harbor, Ma'alea, Wailuku, Maui, Hawaii, Tax Map Key: (2) 3-8-014:027 (por.).

The **FIRST** amendment is on page 2 of the submittal, immediately before the "RECOMMENDATION" section. We insert a new section to be titled, "CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:", and under the title, the following language will be added:

In accordance with Section 11-200.1-15 of the Hawaii Administrative Rules and the Exemption List for the Department of Land and Natural Resources reviewed and concurred in by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to: General Exemption Type 1, which reads, "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing", Part 1, Item No. 26, which reads, "Maintenance of existing landscaping, including planting, trimming, mowing, and irrigation"; and Part 1, Item No. 31, which reads, "Removal and disposal of rubbish and debris from lands and waters."

The **SECOND** amendment is also on page 2 of the submittal, under the "RECOMMENDATION" section heading. We amend the wording of Recommendation #1 to replace the words "**Issuance of an**" with the words "**Continuation of the**". With this amendment, line 1 of Recommendation #1 should read:

"Approve the Continuation of the Adopt-A-Harbor Agreement with Ma'alea Village..."

The **THIRD** and final amendment would be at the top of page 3 of the submittal, also under the "RECOMMENDATION" section. We amend the submittal by adding a Recommendation #2 to the list of recommendations. That recommendation will read:

2. "Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, Hawaii Administrative Rules, the project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment."

02:22:40 (2) **To Approve Staff Recommendation as Amended**

MOTION (Canto, Yoon)

02:22:44 (2) **PASSED**
VOTE 7 – Unanimous

02:22:49 (2)

ITEM J-6

Consent to Subleases Under Harbor Lease No. H-82-4, GKM, Inc., Lessee, to Bite Me Logo Corp., Sublessee for Space 1, Kealakehe, North Kona, Hawai'i, Tax Map Key: (3) 7-4-008:042.

The **FIRST** amendment is on page 4 of the submittal, immediately before the "REMARKS" section. We insert a new section to be titled, "*CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:*", and under the title, the following language will be added:

In accordance with Section 11-200.1-15 of the Hawaii Administrative Rules and the Exemption List for the Department of Land and Natural Resources reviewed and concurred in by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to: General Exemption Type 1, which reads, "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing", Part 1, Item No. 40, which reads, "Leases of State land involving negligible or no expansion or change of use beyond that previously existing."

The **SECOND** amendment is on page 5 of the submittal, under the "RECOMMENDATION" section heading and after the existing recommendations, we insert a 5th Recommendation to the end of the list, to read as follows:

That the Board of Land and Natural Resources:

"Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, Hawaii Administrative Rules, this request will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment."

02:33:33 (2) **To Approve Staff Recommendation as Amended**
MOTION (Smith, Ono)

02:33:46 (2) **PASSED**
VOTE 7 – Unanimous

02:19:00 (2)

ITEM J-7

Consent to Subleases Under Harbor Lease No. H-82-4, GKM, Inc., Lessee, to Douglas Armfield, an Individual, as Sublessee for Space 26, Kealakehe, North Kona, Hawai'i, Tax Map Key: (3) 7-4-008:042.

The **FIRST** amendment is on page 5 of the submittal, immediately before the “REMARKS” section. We insert a new section to be titled, “*CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:*”, and under the title, the following language will be added:

In accordance with Section 11-200.1-15 of the Hawaii Administrative Rules and the Exemption List for the Department of Land and Natural Resources reviewed and concurred in by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to: General Exemption Type 1, which reads, “Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing”, Part 1, Item No. 40, which reads, “Leases of State land involving negligible or no expansion or change of use beyond that previously existing.”

The **SECOND** amendment is on page 5 of the submittal, under the “RECOMMENDATION” section heading and after the existing recommendations, we insert a 5th Recommendation to the end of the list, to read as follows:

That the Board of Land and Natural Resources:

“Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, Hawaii Administrative Rules, this request will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.”

02:34:44 (2) **To Approve Staff Recommendation as Amended**
MOTION (Smith, Ono)

02:34:49 (2) **PASSED**
VOTE 7 – Unanimous

02:35:30 (2)
ITEM J-8

Consent to Subleases Under Harbor Lease No. H-82-4, GKM, Inc., Lessee, to Goose’s Edge, Inc., Sublessee for Space 9, and Space 12, Kealakehe, North Kona, Hawai’i, Tax Map Key: (3) 7-4-008:042.

The **FIRST** amendment is on page 5 of the submittal, immediately before the “REMARKS” section. We insert a new section to be titled, “*CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:*”, and under the title, the following language will be added:

In accordance with Section 11-200.1-15 of the Hawaii Administrative Rules and the Exemption List for the Department of Land and Natural Resources reviewed and concurred in by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to: General Exemption Type 1, which reads, “Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use

beyond that previously existing”, Part 1, Item No. 40, which reads, “Leases of State land involving negligible or no expansion or change of use beyond that previously existing.”

The **SECOND** amendment is on page 6 of the submittal, under the “RECOMMENDATION” section heading and after the existing recommendations, we insert a 5th Recommendation to the end of the list, to read as follows:

*That the Board of Land and Natural Resources:
“Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, Hawaii Administrative Rules, this request will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.”*

02:36:17 (2) **To Approve Staff Recommendation as Amended**
MOTION (Smith, Ono)

02:36:25 (2) **PASSED**
VOTE 7 – Unanimous

02:36:30 (2)
ITEM J-9

Consent to Subleases Under Harbor Lease No. H-82-4, GKM, Inc., Lessee, to Goose’s Edge, Inc., Sublessee for Space 11, Kealakehe, North Kona, Hawai’i, Tax Map Key: (3) 7-4-008:042.

The **FIRST** amendment is on page 5 of the submittal, immediately before the “REMARKS” section. We insert a new section to be titled, “*CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:*”, and under the title, the following language will be added:

In accordance with Section 11-200.1-15 of the Hawaii Administrative Rules and the Exemption List for the Department of Land and Natural Resources reviewed and concurred in by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to: General Exemption Type 1, which reads, “Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing”, Part 1, Item No. 40, which reads, “Leases of State land involving negligible or no expansion or change of use beyond that previously existing.”

The **SECOND** amendment is on page 5 of the submittal, under the “RECOMMENDATION” section heading and after the existing recommendations, we insert a 5th Recommendation to the end of the list, to read as follows:

That the Board of Land and Natural Resources:

“Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, Hawaii Administrative Rules, this request will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.”

02:37:15 (2) **To Approve Staff Recommendation as Amended**
MOTION (Smith, Ono)

02:37:23 (2) **PASSED**
VOTE 7 – Unanimous

02:37:28 (2)
ITEM J-10

Consent to Subleases Under Harbor Lease No. H-82-4, GKM, Inc., Lessee, to Pacific Boats & Yachts, LLC Sublessee for Space 3B, Kealakehe, North Kona, Hawai'i, Tax Map Key: (3) 7-4-008:042.

The **FIRST** amendment is on page 5 of the submittal, immediately before the “REMARKS” section. We insert a new section to be titled, “*CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:*”, and under the title, the following language will be added:

In accordance with Section 11-200.1-15 of the Hawaii Administrative Rules and the Exemption List for the Department of Land and Natural Resources reviewed and concurred in by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to: General Exemption Type 1, which reads, “Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing”, Part 1, Item No. 40, which reads, “Leases of State land involving negligible or no expansion or change of use beyond that previously existing.”

The **SECOND** amendment is on page 5 of the submittal, under the “RECOMMENDATION” section heading and after the existing recommendations, we insert a 5th Recommendation to the end of the list, to read as follows:

That the Board of Land and Natural Resources:

“Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, Hawaii Administrative Rules, this request will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.”

02:38:12 (2) **To Approve Staff Recommendation as Amended**
MOTION (Smith, Ono)

02:38:32 (2) **PASSED**

VOTE 7 – Unanimous

02:38:36 (2)

ITEM J-11

Consent to Sublease Under Harbor Lease No. H-70-14, Keehi Marine, Inc. (“Keehi Marine”), Lessee, Cates Marine Services LLC, a Hawaii Corporation, Sublessee, Ke’ehi Small Boat Harbor, Kalihi, Honolulu, Hawaii, Tax Map Key: (1) 1-2-023:030.

The **FIRST** amendment is on page 3 of the submittal, immediately before the “REMARKS” section. We insert a new section to be titled, “*CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:*”, and under the title, the following language will be added:

In accordance with Section 11-200.1-15 of the Hawaii Administrative Rules and the Exemption List for the Department of Land and Natural Resources reviewed and concurred in by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to: General Exemption Type 1, which reads, “Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing”, Part 1, Item No. 40, which reads, “Leases of State land involving negligible or no expansion or change of use beyond that previously existing.”

The **SECOND** amendment is on page 5 of the submittal, under the “RECOMMENDATION” section heading and after the existing recommendations, we insert a 5th Recommendation to the end of the list, to read as follows:

That the Board of Land and Natural Resources:

“Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, Hawaii Administrative Rules, this request will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.”

02:39:23 (2) To Approve Staff Recommendation as Amended

MOTION (Char, Yoon)

02:39:38 (2) PASSED

VOTE 7 – Unanimous

02:39:50 (2)

ITEM J-12

Consent to Sublease Under Harbor Lease No. H-70-14, Keehi Marine, Inc. (“Keehi Marine”), Lessee, Cates Marine Services LLC, a Hawaii Corporation, Sublessee, Ke’ehi Small Boat Harbor, Kalihi, Honolulu, Hawaii, Tax Map Key: (1) 1-2-023:030.

The **FIRST** amendment is on page 3 of the submittal, immediately before the “REMARKS” section. We insert a new section to be titled, “*CHAPTER 343 –*

ENVIRONMENTAL ASSESSMENT:”, and under the title, the following language will be added:

In accordance with Section 11-200.1-15 of the Hawaii Administrative Rules and the Exemption List for the Department of Land and Natural Resources reviewed and concurred in by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to: General Exemption Type 1, which reads, “Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing”, Part 1, Item No. 40, which reads, “Leases of State land involving negligible or no expansion or change of use beyond that previously existing.”

The **SECOND** amendment is on page 5 of the submittal, under the “RECOMMENDATION” section heading and after the existing recommendations, we insert a 5th Recommendation to the end of the list, to read as follows:

*That the Board of Land and Natural Resources:
“Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, Hawaii Administrative Rules, this request will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.”*

02:41:28 (2) **To Approve Staff Recommendation as Amended**
MOTION (Char, Yoon)

02:41:32 (2) **PASSED**
VOTE 7 – Unanimous

02:41:43 (2)

ITEM J-13

Consent to Sublease Under Harbor Lease No. H-70-14, Keehi Marine, Inc. (“Keehi Marine”), Lessee, Central Marine LLC, a Hawaii Corporation, Sublessee, Ke’ehi Small Boat Harbor, Kalihi, Honolulu, Hawaii, Tax Map Key: (1) 1-2-023:030.

The **FIRST** amendment is on page 3 of the submittal, immediately before the “REMARKS” section. We insert a new section to be titled, “*CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:*”, and under the title, the following language will be added:

In accordance with Section 11-200.1-15 of the Hawaii Administrative Rules and the Exemption List for the Department of Land and Natural Resources reviewed and concurred in by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to: General Exemption Type 1, which reads, “Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing”, Part 1, Item No. 40, which reads, “Leases of

State land involving negligible or no expansion or change of use beyond that previously existing.”

The **SECOND** amendment is on page 5 of the submittal, under the “RECOMMENDATION” section heading and after the existing recommendations, we insert a 5th Recommendation to the end of the list, to read as follows:

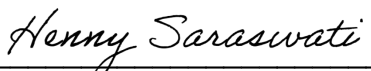
*That the Board of Land and Natural Resources:
“Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, Hawaii Administrative Rules, this request will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.”*

02:42:22 (2) **To Approve Staff Recommendation as Amended**
MOTION (Barnes, Yoon)

02:42:32 (2) **PASSED**
VOTE 7 – Unanimous

02:42:56 There being no further business, Chair Chang adjourned the meeting.

Respectfully Submitted:



Henny Saraswati
Land Board Secretary

Approved for Submittal:



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