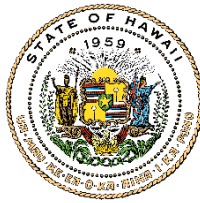


JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE



APPROVED AT ITS  
BOARD MEETING  
HELD ON  
FEBRUARY 14, 2025

*HS*

**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

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

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

Audio Link: <https://files.hawaii.gov/dlnr/meeting/audio/Audio-LNR-250124.m4a>

Date: January 24, 2025

Time: 9:00 AM

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

**MEMBERS:**

1. Dawn Chang, Chairperson
2. Vernon Char, At-Large Oahu Member
3. Riley Smith, Hawai'i Island Member
4. Karen Ono, Kaua'i Member
5. Doreen Canto, Maui Member
6. Aimee Barnes, Oahu Member
7. Kaiwi Yoon, At-Large Oahu Member
8. Cindy Young, Deputy AG
9. Henny Saraswati, Board Secretary

**STAFF:**

1. Russell Tsuji (Land, Administrator)
2. Candace Martin (Land, Hawai'i Island)
3. Kevin Moore (Land)
4. Michael Cain (OCCL, Administrator)
5. Meghan Statts (DOBOR Administrator)
6. Richard Howards (DOBOR)
7. Finn McCall (DOBOR)
8. Brian Neilson (DAR, Administrator)
9. David Sakoda (DAR)
10. Catherine Gewecke (DAR)
11. Charles Taylor (DAR)
12. Emma Yuen (DOFAW)
13. Curt Cottrell (State Parks, Administrator)
14. Alan Carpenter (State Parks)

**00:04:55** Chair Chang called the meeting to order. The contested case standard statement was read.

**00:12:29**

**ITEM K-2**

Conservation District Use Application (CDUA) HA-3953 for the Division of Boating and Ocean Recreation North Kawaihae Small Boat Harbor Breakwater Repair Project located at Kawaihae-Māhukona Road, Kawaihae, Hawai'i, At and Makai of TMK (3) 6-1-003:023.

**00:26:32** **To Approve Staff Recommendation as Submitted.**  
**MOTION** (Smith, Ono)

00:27:00 **PASSED**  
VOTE 7 – Unanimous

**00:27:12**  
**ITEM D-6**

Grant of Perpetual, Non-Exclusive Easement to the City and County of Honolulu on behalf of the Honolulu Authority for Rapid Transportation for Elevated Guideway and Utilities Purposes; Issuance of Immediate Construction, including Boring Tests, and Management Right-of-Entry Permit; Iwilei, Honolulu, Oahu, TMK: (1) 1-5-007: portion of 001.

*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.*

01:02:46 **Member Yoon made a motion to go into Executive Session**

01:02:50 **Executive Session**  
MOTION (Yoon, Ono)

01:03:54 **PASSED**  
VOTE 7 – Unanimous

01:08:43 **The Board Returned from Executive Session**

01:14:23 **To Deny Kanela Kamahalohanuilai's Request for a Contested Case Hearing.**  
MOTION (Barnes, Yoon)

01:14:43 **PASSED**  
VOTE 7 – Unanimous

01:14:53 **To Approve Staff Recommendation as Submitted.**  
MOTION (Yoon, Barnes)

01:18:04 **PASSED**  
VOTE 7 – Unanimous

**Comments:**

The Board explained to Kanela Kamahalohanuilai that she did not have a valid property interest in Item D-6.

**01:18:17** The Board recessed for 5 minutes break.

**01:30:01** The Board returned from their break.

**01:30:21** The Board announced that Item C-1 has been withdrawn.

**00:30:21**  
**ITEM D-7**

- A. Surrender of Revocable Permit No. S-7955, Banyan Drive Management LLC (BDM), Permittee; Waiver of Phase I Environmental Site Assessment, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-1-005:020.
- B. Discussion of whether the Board should consider the issuance of a development agreement and long-term lease for improved lands in Waiakea, South, Hilo, Hawaii, identified as Tax Map Key: (3) 2-1-005:020 to BDM, at a future meeting.

Board members requested the hard copy for the House Bill 818 and Senate Bill 1078. Hard copies distributed to the board members.

**Amendments:**

The Board approved the waiver of the phase I hazardous waste evaluation Environment Site Assessment (ESA) but conditioned the waiver on Banyan Drive Management (BDM) retaining management control of the property through the end of the 45-day notice period of February 23, 2025, it provided to its authorized tenants.

02:43:50      **To Approve Staff Recommendation as Amended.**  
MOTION      (Smith, Yoon)

02:45:00      **PASSED**  
VOTE          7 – Unanimous

**02:45:13**  
**ITEM F-2**

Request for Final Approval to Adopt a New Chapter Under Title 13 of the Hawaii Administrative Rules as Chapter 48.5, “Maunalua Bay Fisheries Management Area, O’ahu”

The proposed rules would:

- 1) Outline the purpose of the Maunalua Bay FMA.
- 2) Provide definitions for key terms throughout the chapter.
- 3) Prescribe the duration of the Maunalua Bay FMA (until June 30, 2036).
- 4) Delineate the boundaries of the Maunalua Bay FMA.
- 5) Prescribe the permitted and prohibited activities within the Maunalua Bay FMA, including
  - a. Restrictions on the take and/or possession of: ‘alakuma (7-11 crab), horned helmet, Triton’s trumpet, ula (spiny lobster) and ula pāpapa (slipper lobster); and
  - b. Between one half hour after sunset and one-half hour before sunrise:
    - i. Restrictions on the use or possession of any spear while diving.
    - ii. Restrictions on the possession of both diving equipment and a spear at the same time; and

- iii. Restrictions on the possession of both diving equipment and any specimen of speared aquatic life at the same time.
- 6) Carve out an exception allowing vessels in possession of restricted gear or species to traverse through the Maunalua Bay FMA as long as they remain in active transit.
- 7) Establish the administrative and criminal penalties that may be imposed for violations of this chapter.
- 8) Recognize the State's asset forfeiture authority as an enforcement tool for violations of this chapter; and
- 9) Include a severability clause.

The proposed rules can be reviewed in person, by appointment only, at the Division of Aquatic Resources (DAR) office on Oahu at 1151 Punchbowl St. Room 330, Honolulu, Hawaii 96813 from 8:00 am to 3:30 pm, Monday through Friday, except Holidays. To schedule an appointment to review the proposed rules in person, email [dlnr.aquatics@hawaii.gov](mailto:dlnr.aquatics@hawaii.gov) . The proposed rules, including a statement on the topic of the proposed rules, can be reviewed online at: <https://ltgov.hawaii.gov/the-office/administrative-rules/proposedchanges/> The proposed rules can also be viewed online at: <https://dlnr.hawaii.gov/dar/rules-and-public-notice/>

03:35:55      **To Approve Staff Recommendation as Submitted.**  
MOTION      (Barnes, Ono)

03:36:06      **PASSED**  
VOTE          7 – Unanimous

**03:36:13      The Board recessed for 30 minutes lunch break.**

**04:08:18      The Board returned from lunch break.**

**04:08:36  
ITEM D-2**

Amend Prior Board Action of October 13, 2023, Item D-12, Request for Set Aside to the City and County of Honolulu, Board of Water Supply for Water Tank Purposes; Grant of Perpetual, Non-Exclusive Easement for Access, and Utility Purposes; Issuance of Immediate Construction and Management Right-of-Entry Permit; Honouliuli, Ewa, Oahu, Tax Map Key (1) 9-1-018: portions of 008. The purpose of the amendment is to seek an extension of the construction and management right-of-entry permit (“ROE”) and authorize the Chairperson to further extend the ROE, if necessary.

04:09:15      **To Approve Staff Recommendation as Submitted.**  
MOTION      (Yoon, Ono)

04:09:32      **PASSED**  
VOTE          7 – Unanimous

04:09:35

**ITEM D-3** Issuance of Right-of-Entry Permit to City and County of Honolulu, Department of Design and Construction for Landscape Improvements; Paalaa, Waialua, Oahu, Tax Map Key: (1) 6-6- 009:portion of 023.

04:12:24      **To Approve Staff Recommendation as Submitted.**  
MOTION      (Yoon, Canto)

04:12:34      **PASSED**  
VOTE          7 – Unanimous

04:12:41

**ITEM D-4** Deny Request for Contested Case by Kanela Kamahalohanuilai on the Item Approved by the Board of Land and Natural Resources (Board) at its Meeting on October 11, 2024, Agenda Item D-6; Set Aside to the Statewide Office on Homelessness and Housing Solutions for Kauhale Housing Project Purposes; Issuance of Immediate Management Right-of-Entry Permit: Waimanalo, Koolaupoko, Oahu; Tax Map Key: (1) 4-1-008:008. 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.

*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.*

**Amendments:**

The Board denied the contested case request on the following grounds: (a) non-compliance with HAR 13-1-29 (a) for having failed to make at least an oral request for contested case before the close October 11, 2024 meeting and (b) the Board did not find any good cause to warrant the waiver of the requirement to make an oral request for a contested case before the close of the prior October 11, 2024 board meeting.

04:30:18      **Member Barnes makes a motion to go into Executive Session**

04:30:22      **Executive Session**  
MOTION      (Barnes, Ono)

04:30:30      **PASSED**  
VOTE          7 – Unanimous

04:51:45      **The Board Returned from Executive Session**

05:02:47      **To Approve Staff Recommendation as Amended**  
MOTION      (Yoon, Barnes)

Board of Land and natural Resources Summary Meeting Minutes  
January 24, 2025

05:06:03 **PASSED**  
VOTE 7 – Unanimous

**05:08:10**  
**ITEM D-5**

Issuance of Right-of-Entry Permit to Hawaii Beach Volleyball Association for Kauai Beach Volleyball Juniors and Hawaii Dinosaur Volleyball Tournament at Kalapaki Beach, Lihue, Kauai, Tax Map Key: (4) 3-5-002: seaward of 002.

05:09:00 **To Approve Staff Recommendation as Submitted.**  
MOTION (Ono, Smith)

05:09:12 **PASSED**  
VOTE 7 – Unanimous

**05:09:25**  
**ITEM F-1**

Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to David Hyrenbach to Continue Research Activities for a Black-Footed Albatross Tracking Project

05:17:25 **To Approve Staff Recommendation as Submitted.**  
MOTION (Char, Yoon)

05:17:42 **PASSED**  
VOTE 7 – Unanimous

**05:17:51** There being no further business, Chair Chang adjourned the meeting.

Respectfully Submitted:

*Henny Saraswati*

\_\_\_\_\_  
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