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

SYLVIA LUKE
LIEUTENANT GOVERNOR
KA HOPE KIA'ĀINA

STATE OF HAWAIʻI | KA MOKUʻĀINA ʻO HAWAIʻI
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA ʻOIHANA KUMUWAIWAI ʻĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

RYAN K.P. KANAKAʻOLE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DAVE DAY
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: August 28, 2026
TIME: 9:00 a.m.
PLACE: DLNR Boardroom, Kalanimoku Bldg.
1151 Punchbowl Street, 1st Floor / & Online via Zoom
Meeting ID: 875 8246 4228
ZOOM LINK: https://us06web.zoom.us/j/87582464228
LIVE STREAM: https://www.youtube.com/live/eqkY8To5bQM

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, Hawaii Revised Statutes (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/eqkY8To5bQM

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)

Members of the public may attend and provide oral testimony 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: 875 8246 4228 and follow the prompts.

To Provide Video/Zoom Testimony

You may testify using the Zoom Link provided on page one of this agenda. You may sign up in advance of the meeting by emailing blnr.testimony@hawaii.gov at least 24 hours before the meeting and including (1) your name or a pseudonym name, if you wish to remain anonymous; (2) email address; and (3) 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, 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.

Agenda Item Legend

A – Minutes
B – Division of Conservation and Resources Enforcement
C – Division of Forestry and Wildlife
D – Land Division
E – Division of State Parks
F – Division of Aquatic Resources
G – Bureau of Conveyances
H – Administration
I – State Historic Preservation Division
J – Division of Boating and Ocean Recreation
K – Office of Conservation and Coastal Lands
L – Engineering Division

Agenda Items not listed in the agenda below are intentionally omitted and items may be taken out of the order in which they appear.

NOTE: Agenda Items may be taken out of order.

A. MINUTES

1. Approval of the August 14, 2026 Meeting Minutes.

D. LAND DIVISION

1. Forfeiture of General Lease No. S-5815, Steven D. Olson, and Juanita Rivera, Lessees, for Intensive Agriculture Purposes; Waiver of Phase I Environmental Site Assessment, Puuepa, Kokoiki, North Kohala, Hawaii, Tax Map Key (3) 5-5-004:005.

2. Amend Prior Board Action of September 26, 2014, Item D-6, Approved as Amended, *Cancellation of Revocable Permit No. S-7618 to Stable Road Beach Restoration Foundation, Inc., Grant of Four Term, Non-Exclusive Easements to: (1) the Association of Apartment Owners of Ainalani Lot 6, (2) David B. Lim and Jan D. Lim, Trustees of The D & J Family Trust Dated August 30, 2006, (3) Cortland K. Larned III, Elizabeth M. Larned, and Ian Horswill, and (4) James C. Riley, Trustee under Declaration of Revocable Trust of James C. Riley dated November 21, 1989, Jeanne A. Riley, Trustee under Declaration of Revocable Trust of Jeanne A. Riley dated November 21, 1989, and Peter Klint Martin, Trustee of the Peter Klint Martin Revocable Trust dated April 11, 1995, as amended, for Rock Groins Purposes; Issuance of Immediate Construction Right-of-Entry to Stable Road Beach Restoration Foundation, Inc. for Rock Groins Purposes, Sprecklesville, Wailuku, Maui, Seaward of Tax Map Keys: (2) 3-8-002:071, 074, 077, 078 & 094.*

   The purpose of the amendment is to correct a typographical error in the identification of Revocable Permit No. S-7618 to Stable Road Beach Restoration Foundation, Inc., Permittee. In the submittal, this revocable permit was erroneously shown as Revocable Permit No. S-7518 on page 5 in Recommendation 1.

3. Consent to Mortgage with Estoppel Certificate, General Lease No. S-4323, Kalanianaole Real Estate Investments, LLC and FMM, LLC, Lessees, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-1-010:033.

4. Issuance of Revocable Permit to HI. Caliber Farms LLC, for Agriculture Purposes, Hanapepe, Waimea, Kauai, Tax Map Key: (4) 1-9-012:037.

5. Amend Prior Board Action of April 24, 2026, Item D-6, Approved as Amended, Set Aside of Lands to the Department of Agriculture and Biosecurity, Pursuant to Act 90, Session Laws of Hawaii 2003, for Agriculture Purposes, Encumbered by Revocable Permit No. S-7712, Jeannett Virginia Martins, Permittee, Kawaihau, Kapaa, Kauai, Tax Map Key: (4) 6-005:010.

The purpose of this amendment is to correct a typographical error in the identification of the Tax Map Key of the subject property. The Tax Map Key No. was erroneously shown as "(4) 6-005:010" but should be corrected to "(4) 4-6-005:010."

6. (1) Issuance of Management Right-of-Entry Permit to the City and County of Honolulu for Temporary Mobile Access to Services and Housing for Housing First Transition Purposes, Effective October 1, 2026, to September 30, 2027; and (2) Set Aside to the Department of Transportation, Harbors Division for Harbor Purposes, Effective October 1, 2027; Sand Island, Honolulu, Oahu, Tax Map Key: (1) 1-5-041: portions of 130 and 334.

7. Amend Prior Board Action of November 19, 2004, Item D-19, Withdrawal from General Lease S-5245 to Lincoln Ching for Pasture and Set Aside to the Housing and Community Development Corporation of Hawaii for Tenant Activities and Maintenance Storage Purposes, Kapaa, Kawaihau, Kauai, Tax Map Key (4) 4-5-015: Portion of 028.

   The purpose of the amendment is to (1) reflect the change in the Government agency name from Housing and Community Development Corporation of Hawaii to Hawaii Public Housing Authority; (2) revise the public purpose to housing and administrative purposes; and (3) update the parcel's information with the current Tax Map Key (4) 4-5-015:062.

8. Annual Renewal of Revocable Permits for Hawaii District, See Exhibit 1 for List of Revocable Permits.

9. Cancellation of Grant of Perpetual, Non-Exclusive Easement for Access and Utility Purposes, over and across Tax Map Key (4) 4-6-032: Portion of 022, Kapaa Homesteads, 3rd Series, Kawaihau, Kauai;

   Grant of Perpetual, Non-Exclusive Easement over and across Tax Map Key (4) 4-6-032: Portion of 022 to Brian Lee Rodrigues and Wendell Brian Bandmann for Access and Utility Purposes to Tax Map Key (4) 4-6-032:025, Kapaa Homesteads, 3rd Series, Kawaihau, Kauai; and

   Grant of Perpetual, Non-Exclusive Easement over and across Tax Map Key (4) 4-6-032: Portion of 022 to Wendell Brian Bandmann, for Access and Utility Purposes to Tax Map Key (4) 4-6-032:042, Kapaa Homesteads, 3rd Series, Kawaihau, Kauai.

   The proposed action is to cancel an existing easement that benefits both Parcels 025 and 042 and to issue the same easements for each parcel separately.

10. Issuance of a Right-of-Entry Permit to Ka 'Ohana o Kalaupapa for Due Diligence Purposes; and

    Approval of Direct Eleemosynary Lease under HRS § 171-43.1 to Ka 'Ohana o Kalaupapa, a Hawaii nonprofit corporation, for Memorial Construction, Operation, and

Maintenance Purpose(s), Kalaupapa National Historic Park, Kalawao, Molokaʻi; Tax Map Key: (2) 6-1-001: Portion of 002.

11. Request for Mutual Cancellation of General Lease No. S-4545 to Boy Scouts of America, Aloha Council, as Lessee, for Outdoor Education Purposes, Waiakea Homesteads, Waiakea, South Hilo, Hawaii, TMKs: (3) 2-4-004:131 and 132.

12. Consent to Assign General Lease No. S-5001, Pubtime, Inc., Assignor, to Itsuko's LLC, Assignee, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-032:010.

13. Cancellation of Governor's Executive Order No. 2404, Effective January 1, 2031, Kaliawa and Mokauea, Kalihi, Honolulu, Oahu Tax Map Keys: (1) 1-2-023:030 (portion); 1-2-025: 022, 023 and 043.

14. Amend Prior Board Action of March 27, 2026, Item D-8, Issuance of Revocable Permit to Tachibana Painting LLC, Waipahu Industrial Park, Hoaeae, Ewa, Oahu, Tax Map Key: (1) 9-4-049:062 por., Unit 202.

    The purpose of the amendment is to change the requested unit from Unit 202 to Unit 103.

15. Set Aside to the City and County of Honolulu for Addition to Beach Park purposes; Issuance of Immediate Construction and Management Right-of-Entry Permit; Kailua, Koolaupoko, Oahu, Tax Map Key: (1) 4-3-009:
    seaward of 001.

16. Amend Prior Board Action of March 12, 1999, Item D-8*,* "Set aside to the County of Hawaii for Tidal Wave Safety Zone, public parking, park, recreational and allied purposes and a management right-of-entry at Hilo, Hawaii, tax map keys: (3) 2-2-002-034; 2-2-003-046; 2-2-004-028, -035, -056; 2-2-005-002; 2-3-001-002; 2-3-002-022; 2-3-003-003"

    The purpose of the amendment is to remove tax map key (3) 2-3-003:003 from the approval; and

    Approve a set-aside of the removed parcel to the Department of Transportation – Highways Division for Hilo Bayfront Highway Intersection Improvements at Waianuenue Avenue purposes and Grant an immediate Right-of-Entry for Construction and Management Purposes, Hilo Town, South Hilo, Hawaii, Tax Map Key: (3) 2-3-003:003.

F. DIVISION OF AQUATIC RESOURCES

1. Request for Adoption and Approval of Administrative Rulemaking Proposal to Establish a New Chapter, Hawaii Administrative Rules (HAR) Chapter 13-77.1, "Aquarium Fishery Management" and Aquarium Fishing Amendments to HAR

Chapters 13-75, "Rules Regulating the Possession and Use of Certain Fishing Gear," and 13-60.4, "West Hawai'i Regional Fishery Management Area, Hawai'i." In addition to housekeeping amendments throughout the affected chapters, the purpose of the rulemaking proposal is to update and consolidate aquarium fishery regulations by:

1) Establishing the State of Hawai'i aquarium fish permit with general terms and conditions and requirements applicable statewide;
2) Repealing the West Hawai'i aquarium permit and associated rules from HAR chapter 13-60.4, "West Hawai'i Regional Fishery Management Area" ("WHRFMA Rules") and establishing the West Hawai'i geographical endorsement (HAR chapter 13-70.11, subchapter 2) including West-Hawai'i-specific terms and conditions, a species whitelist, and annual catch limits;
3) Moving the aquarium fishing vessel registration and marking requirements from the WHRFMA Rules into the new Aquarium Fishery Management Chapter, expanding those requirements to apply statewide;
4) Establishing commercial aquarium dealer registration and requirements; and
5) Other various updates to existing aquarium fishing (AQ) rules in HAR chapters 13-60.4 and 13-75 to address concerns identified through scoping and expressed via testimony regarding potential regulatory loopholes and compliance and enforcement issues.

The full rulemaking proposal drafted in Ramseyer and standard formats can be reviewed online at http://ltgov.hawaii.gov/the-office/administrative-rules or at http://dlnr.hawaii.gov/dar/rules-and-public-notices. The proposed rules are also available for review in person at the DAR-O'ahu Main Office (at the address listed at the bottom of this notice) from 8:00 a.m. to 3:30 p.m., Monday through Friday, except Holidays, by appointment only. To schedule an appointment to review the proposed rules in person, email DAR.Rulemaking@hawaii.gov.

H. ADMIN

1. Second Amendment of Prior Board Action of January 9, 2026, Item H-2, "*Request to Conduct Two (2) Public Hearings on the Island of Oahu Regarding Eurus Energy America LLC's Application to Directly Lease State Lands for the Construction and Operation of a Renewable Hydrogen Generation Facility, Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-031:001; Lot 12022, Map 888, Land Court Application No. 1069; Certificate of Title No. 498,504.*

   and

   Amend Prior Board Action of November 14, 2025, Item H-1, Authorize the Withdrawal of Approximately 100.7 Acres from Governor's Executive Order No. 4584 to the Department of Agriculture & Biosecurity (formerly known as the Department of Agriculture) for Agriculture Purposes, Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-031:001; Lot 12022, Map 888, Land Court Application No. 1069; Certificate of Title No. 498,504.

The purpose of this amendment is to expand the scope of the executive order to withdraw approximately 100.7 acres from Governor's Executive Order No. 4584 to include removal of the reservation to the Board of Land and Natural Resources of the right to issue leases for renewable energy projects on the approximately 9.4 acres that will remain with the Department of Agriculture and Biosecurity."

The purpose of this second amendment is to revise the informational material to be presented at the public hearings to reflect the change in proposed project scope from a solar photovoltaic and hydrogen production facility to a solar photovoltaic and battery energy storage system facility, and change in equity ownership of the applicant. This second amendment otherwise follows the previous amendment approved by the Board on April 24, 2026, as Item H-1.

and

Issuance of Access Right-of-Entry Permit to EE EWA LLC to Conduct Topographic, Easement, Geotechnical, Biological and Cultural Surveys at Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-031: 001.

J. DIVISION OF BOATING AND OCEAN RECREATION

1. Mutual Cancellation of Revocable Permit No. 127, Issued to Hui Nalu O' Hawaii for Hawaiian Outrigger Canoe Storage, Located at Maunalua Bay Boat Ramp, Honolulu, Oʻahu, Hawaiʻi, Tax Map Key: (1) 3-9-007:034 (por.) and Request for Waiver of Requirement for Conducting Phase I Environmental Site Assessment Upon Cancellation; And

   Issuance of a Revocable Permit to Hui Nalu O' Hawaii for Hawaiian Outrigger Canoe Storage and Support Purposes, Located at Maunalua Bay Boat Ramp, Honolulu, Oʻahu, Hawaiʻi, Tax Map Keys: (1) 3-9-007: portions of 032, 034, and 035; And

   Declare the Project Exempt from Preparation of an Environmental Assessment under Chapter 343, Hawaii Revised Statutes and Title 11, Chapter 200.1, Hawaii Administrative Rules.

2. Mutual Cancellation of Revocable Permit No. 115, Issued to John's World Famous Hawaii Hot Dogs, LLC, Situated at Ala Wai Small Boat Harbor, Kālia, Waikīkī, Honolulu, Oʻahu, Hawaiʻi, Identified by Tax Map Key: (1) 2-3-037: portion of 012 and Request for Waiver of Requirement for Conducting Phase I Environmental Site Assessment Upon Cancellation; And

   Issuance of a Revocable Permit to John's World Famous Hawaii Hot Dogs LLC, for a Mobile Food Concession, Situated at Ala Wai Small Boat Harbor, Kālia, Waikīkī, Honolulu, Oʻahu, Hawaiʻi, Identified by Tax Map Key: (1) 2-3-037: portion of 012; And

Declare the Project Exempt from Preparation of an Environmental Assessment under Chapter 343, Hawaii Revised Statutes and Title 11, Chapter 200.1, Hawaii Administrative Rules.

3. Consent to Sublease Under Harbor Lease No. H-70-14, Keehi Marine, Inc., a Hawai‘i Corporation, Lessee, Hobbietat, Inc., a Hawaii Corporation, Sublessee, Ke‘ehi Small Boat Harbor, Kalihi-Kai, Honolulu, O‘ahu, Hawai‘i, Tax Map Key: (1) 1-2-023:030.

4. Consent to Sublease Under Harbor Lease No. H-70-14, Keehi Marine, Inc., a Hawai‘i Corporation, Lessee, Kaimana Ventures, Limited, a Hawai‘i Corporation, Sublessee, Ke‘ehi Small Boat Harbor, Kalihi-Kai, Honolulu, O‘ahu, Hawai‘i, Tax Map Key: (1) 1-2-023:030.

5. Issuance of a Revocable Permit to Maggie Joe Sport Fishing, Inc. for Storage and Recreation Purposes, situated at Honokōhau Small Boat Harbor, Kealakehe, Kona, Hawai‘i, Tax Map Key: (3) 7-4-008:003 (por.); And

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

6. Issuance of a Revocable Permit to Pacific Whale Foundation for Use of State Lands for Storage of a Container for Marine Debris Collection, Situated at Mā‘alaea Small Boat Harbor, Waikapu, Wailuku, Island of Maui, Tax Map Key: (2) 3-6-001:002 (por.); And

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

7. Issuance of Right-of-Entry Permit to the University of Hawaii, School of Ocean and Earth Science and Technology, Sea Level Center (UH-SLC), for Installation, Monitoring, Managing, Maintaining, and Utilizing Sea Level Monitors; Authorize Memorandum of Understanding (MOU) between the UH-SLC and DLNR; Request Delegation of Authority to the Chairperson to Negotiate, Finalize, and Execute the MOU Subject to Approval as to Form by the Department of the Attorney General; Situated on Submerged Lands at Hawai‘i State Small Boat Harbors located on the Islands of O‘ahu, Maui, Hawai‘i, Kaua‘i, Moloka‘i, and Lana‘i.

8. Consent to Sublease under Harbor Lease No. H-82-4, GKM, Inc., Lessee, to Goose’s Edge, Inc., Sublessee, situated at Honokōhau Small Boat Harbor, Kealakehe, Kona, Hawai‘i, Tax Map Key: (3) 7-4-008:042 (por.); And

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

9. Consent to Sublease under Harbor Lease No. H-83-2, Kona Marine Holdings, LLC, Lessee, to State of Hawai‘i, Department of Land and Natural Resources, Division of Aquatic Resources, Sublessee, Situated at Honokōhau Small Boat Harbor, Kealakehe, Kona, Hawai‘i, Tax Map Key: (3) 7-4-008:040-0000; And

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

10. Consent to Sublease under Harbor Lease No. H-83-2, Kona Marine Holdings, LLC, Lessee, to Jack‘s Diving Locker, Sublessee, Situated at Honokōhau Small Boat Harbor, Kealakehe, Kona, Hawai‘i, Tax Map Key: (3) 7-4-008:040-0000; And

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

11. Issuance of a Revocable Permit to Aloha Toys, Inc. for Storage and Recreation Purposes, Situated at Honokōhau Small Boat Harbor, Kealakehe, Kona, Hawai‘i, Tax Map Key: (3) 7-4-008:003 (por.); And

    Declare Project Exempt from Requirements of Preparation of an Environmental Assessment under Chapter 343, HRS and Title 11, Chapter 200.1, Hawai‘i Administrative Rules.

12. Issuance of a Revocable Permit to CsiMec Inc. for Storage and Recreation Purposes, situated at Honokōhau Small Boat Harbor, Kealakehe, Kona, Hawai‘i, Tax Map Key: (3) 7-4-008:003 (por.); And

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

13. Mutual Cancellation of Revocable Permit No. 85 to Hualalai Water Sports, Inc., Situated at Honokōhau Small Boat Harbor, Kealakehe, Kona, Hawai‘i, Tax Map Key: (3) 7-4-008:003 (por.) and Request for Waiver of Requirement for Conducting Phase I Environmental Site Assessment Upon Cancellation; And

    Issuance of a Revocable Permit to Sea Charters LLC for Storage and Recreation Purposes, Situated at Honokōhau Small Boat Harbor, Kealakehe, Kona, Hawai‘i, Tax Map Key: (3) 7-4-008:003 (por.); And

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