MINUTES OF THE MEETING OF THE BOARD OF LAND AND NATURAL RESOURCES

DATE: April 10, 1987

TIME: 9:00 A.M.

PLACE:

Maui Community College Community Services Building

310 Kaahumanu Avenue

Kahului, Maui

ROLL CALL

Chairperson William W. Paty called the meeting of the Board of Land and Natural Resources to order at 9:00 A.M. The following were in attendance:

MEMBERS:

Mr. J. Douglas Ing Mr. Moses W. Kealoha Mr. John Arisumi Mr. Herbert Arata Mr. William W. Paty

Absent & Excused

Mr. Leonard Zalopany

STAFF: Mr. Henry Sakuda

Mr. Ronald Walker Mr. Ralston Nagata Mr. Mike Shimabukuro Mr. Maurice Matsuzaki

Mrs. LaVerne Tirrell

OTHERS:

Mr. Johnson Wong, Deputy A.G.

Mr. Ron Hirano, D.O.T. Mr. Bill Moffat (Item F-4)

Messrs. C. Tavares & Martin Luna (Item F-6)

MINUTES

Mr. Arisumi moved to approve the December 19, 1986 minutes as circulated. Seconded by Mr. Ing, motion carried unanimously.

ADDED **ITEMS**

Upon motion by Mr. Ing and a second by Mr. Kealoha, the following items were added to the Agenda:

- Item B-1 -- Request for Approval to Fill a Temporary Aquatic Resources Education Coordinator Position (No. 36767) in the Division of Aquatic Resources (Oahu).
- Item B-2 -- Request for Emergency Start-up of the Anuenue Fisheries Research Center Hatchery for Large-Scale Production of Freshwater Prawn Post-Larvae for Stocking and Approval for Sale of Post-Larvae to Private Prawn Growers during this Summer.
- Item E-2 -- Filling of State Parks Assistant Administrator No. 21646, Oahu.
- Item E-4 -- Filling of Position No. 10115, Groundskeeper I, Washington Place Oahu Park Section.

Items were considered in the following order to accommodate those applicants present at the meeting:

ITEM F-5

RESUBMITTAL - DEPARTMENT OF TRANSPORTATION REQUEST TO SET ASIDE STATE LAND FOR BOAT LAUNCHING RAMP AND OTHER MARITIME RELATED PURPOSES, TMK 4-5-05, LAHAINA, MAUI.

Mr. Shimabukuro said that this item was deferred by the board at its meeting of March 13, 1987 for the following reasons:

- 1. Concern that the permittees occupying this area would no longer be able to utilize the area.
- 2. Concern about the many gravesites located within the area.
- 3. The opposition of the Office of Hawaiian Affairs (OHA) with the proposed set aside to DOT because of the trust (ceded) lands revenue issue.

The areas affected by this submittal were pointed out from a map by Mr. Shimabukuro. He stated also that staff was still recommending approval.

Mr. Ing asked whether any revenues were received from the area presently under consideration for the set aside.

Mr. Shimabukuro said that the only revenue we receive is from the Canoe Club for the area under permit.

With respect to OHA's 20%, from the revenue we get from the Canoe Club, Mr. Ing asked if a percentage of this is set aside to OHA?

Mr. Shimabukuro said, yes.

 $\operatorname{Mr.}$ Ing asked if this would still be the case if the area was turned over to $\operatorname{DOT.}$

Mr. Shimabukuro said that it would still be the case if we hang on to the permit until they are relocated. However, this would not be the case if the DOT issues the permit. As long as the Canoe Club is in the same area, DLNR will hold the permit.

ACTION

Mr. Arisumi moved to approve as submitted. Seconded by Mr. Arata, motion carried unanimously.

ITEM F-6

DIRECT SALE OF GOVERNMENT-OWNED LANDS AT MOOLOA, HONUAULA, MAKAWAO, MAUI, TMK 2-1-06:13.

ACTION

Unanimously approved as submitted. (Arisumi/Arata)

ITEM F-3

HALEAKALA SCHOOL, INC. REQUEST TO CONSTRUCT ADDITIONAL CLASSROOM BUILDING, G. L. NO. S-4570, MAKAWAO (KULA), MAUI, TMK 2-3-37:11.

ACTION

Unanimously approved as submitted. (Arisumi/Arata)

ADDED
ITEM B-1

REQUEST FOR APPROVAL TO FILL A TEMPORARY AQUATIC RESOURCES EDUCATION COORDINATOR POSITION NO. 36767 IN THE DIVISION OF AQUATIC RESOURCES (OAHU).

ACTION

Mr. Ing moved to approve the appointment of Thomas S. Hida to Position No. 36767. Seconded by Mr. Kealoha, motion carried unanimously.

ADDED ITEM B-2

REQUEST FOR EMERGENCY START-UP OF THE ANUENUE FISHERIES RESEARCH CENTER HATCHERY FOR LARGE-SCALE PRODUCTION OF FRESHWATER PRAWN POST-LARVAE FOR STOCKING AND APPROVAL FOR SALE OF POST-LARVAE TO PRIVATE PRAWN GROWERS DURING THIS SUMMER.

Mr. Ing said that we have been in this post-larvae production business for many years. Initially, when we got into this business there was some concern by private industry that this should eventually be taken over by private industry. He asked Mr. Sakuda, "what is the status of that phase out?"

Mr. Sakuda said staff did go through that phase out in 1985. A private hatchery came on line and was supplying the industry with fertilizers for stocking. However, in 1986 the lone supplier converted from freshwater to marine shrimp and they also converted their hatchery thereby terminating the supply of prawns. The industry then came to Aquatic Resources for help again. They asked that we create a time window in our Anuenue Fisheries Station operation to produce enough for their private needs. Accordingly, Anuenue is now acting as a private hatchery and selling at cost. It was sold at \$13.00 per thousand last year. Upon instructions from the board, staff recalculated the cost from the cost of the production last and this year it comes down to \$9.68 or roughly \$10.00 per thousand. He said seven operators have asked us for post-larvae this summer.

Mr. Ing asked if there were any private potential suppliers.

Mr. Sakuda said that there are three small hatcheries presently operating but they are operating at a scale where they can only supply themselves.

ACTION

Unanimously approved as submitted. (Ing/Kealoha)

ITEM C-1

PERMISSION TO EXTEND THE HIRE OF AN AVICULTURAL CONSULTANT FOR THE ENDANGERED SPECIES FACILITY AT OLINDA, ISLAND OF MAUI.

Mr. Walker asked to amend the May 30, 1987 date shown under RECOMMENDATION to May 30, 1988.

ACTION

Unanimously approved as amended. (Arisumi/Arata)

ITEM C-2

REQUEST FOR OUT-OF-STATE OFFICIAL DUTY AND PER DIEM STATUS FOR GLENN N. SHISHIDO, FORESTER.

ACTION

Mr. Arisumi moved to approve this out-of-state travel for the period April 27-30, 1987 to attend the Wildland Fire 2000 conference in South Lake Tahoe, California. Motion carried with a second by Mr. Arata.

Mr. Kealoha voted no. He felt that because the State would benefit from Mr. Shishido's attendance at this conference, staff should pay for the full cost of the trip.

Mr. Walker explained that this was not a budgeted trip so no extra monies are available to pay for this trip.

ITEM C-3

FILLING OF TWO FORESTRY WORKER II POSITIONS - NO. 21436 AND NO. 27056 - DIVISION OF FORESTRY AND WILDLIFE, ISLAND OF OAHU.

ACTION

Mr. Ing moved to approve the hiring of Mr. Bruce R. Koike and Mr. Daryl K. Noguchi to fill the two vacant Forester II positions. Seconded by Mr. Kealoha, motion carried unanimously.

ITEM E-1

FILLING OF POSITION NO. 26603, CLERK-STENOGRAPHER III, HAWAII HISTORIC PLACES REVIEW BOARD.

ACTION

Mr. Ing moved to approve the appointment of Betty Ichimura to fill Position No. 26603 for a Limited Term. Seconded by Mr. Kealoha, motion carried unanimously.

ITEM E-2

AMENDMENT TO THE NA PALI COAST MANAGEMENT PLAN REGARDING HELICOPTER LANDINGS.

Mr. Nagata said that the board, back in December of 1986, deferred taking action on any final disposition to allow helicopter landings on the Na Pali Coast State Recreation Area. The Advisory Board was then given ninety days to submit their recommendations. They have since done that. The following motion was unanimously passed by their Board:

"Without determining the issue of whether or not helicopters should be permitted to land along the Na Pali Coast, the State Helicopter and Tour Aircraft Advisory Board feels that such landing should not be considered by the Department of Land and Natural Resources until a state wide tour aircraft master plan is developed and approved and/or until the Na Pali Coast Management Plan is revised and brought up to date, which plan shall include an enforceable "Fly Neighborly" Program acceptable to the State Helicopter and Tour Aircraft Advisory Board. The Board further requests that the Department of Land and Natural Resources immediately commence preparation for hearings to the state wide master plan and/or revision of the Na Pali Coast Management Plan in which the State Helicopter and Tour Aircraft Advisory Board shall be a party."

Mr. Nagata said that at the public meeting on Kauai in November 1986, the public sentiment at the time was strongly against allowing landings at the Na Pali Coast.

Mr. Ing asked whether this group is addressing only those landings in the conservation district.

Mr. Nagata said that this is a private group and more concerned with concerns expressed by residents about the buzzing over the residential areas and upsetting the environment in a more sensitive wildlife area. This is not a state composed board but they would like to think that they have statewide kind of input coming in. Staff's relationship with this group was that the land board basically was willing to wait the ninety days for this group to submit their recommendation.

Mr. Nagata said that if the board were to approve staff's recommendation then the Na Pali Coast Management Plan would, in essence, be revised to eliminate, at this point and time, helicopter landings along the Na Pali Coast.

Mr. Ing said staff's recommendation is for an interim period until there is an overall coordination between boat landings and requests for helicopter landings.

Mr. Nagata said this would open further discussion. But at this point staff is saying that it really is not appropriate to have any landings.

Mr. Ing felt this to be a good idea. He said that we came from a time where there were few operators -- both boat and helicopters -- and landings used to be allowed so people could land, have a picnic lunch, and then leave. As part of a tour it was a way to open Na Pali to the public. However, in the

last six years it just got to the point where it has been intolerable and there were all these illegal matters to deal with. For people going in by boat to land they don't want a helicopter in the park -- the word he's gotten is that it disturbs the quiet in the park.

Mr. Paty asked whether people, with the approval of the board, would be able to land in other areas such as the Big Island.

Mr. Nagata said, probably not if it's in the conservation area.

ACTION

Mr. Ing moved to approve with an amendment to staff's RECOMMENDATION as follows:

"That the Board amend the Na Pali Coast Management Plan to exclude all helicopter landings, whereas the board will continue to review the Management Plan in coordination with boat and helicopter plans being considered for the Na Pali Coast."

Motion carried unanimously with a second by Mr. Kealoha.

ADDED

ITEM E-3 FILLING OF STATE PARKS ASSISTANT ADMINISTRATOR NO. 21646, OAHU.

ACTION

Mr. Kealoha moved to approve the appointment of Richard Kanayama to Position No. 21646. Seconded by Mr. Ing, motion carried unanimously.

ADDED ITEM E-4 FILLING OF POSITION NO. 10115, GROUNDSKEEPER I, WASHINGTON PLACE OAHU PARK SECTION.

ACTION

Mr. Ing moved to approve the appointment of Mr. Ralph Steensen, Jr. to Position No. 10115. Seconded by Mr. Arisumi, motion carried unanimously.

ITEM F-1

DOCUMENTS FOR CONSIDERATION.

Item F-1-a

CONSENT TO ASSIGNMENT OF G. L. NO. S-4793 FROM FRANCIS C. K. MAU AND CRESENCIA A. MAU TO YOUNG SOO KIM AND ARLENE C. KIM, LOT 3, PAHOA AG. PARK, PHASE II, KEONEPOKO IKI, PUNA. HAWAII.

ACTION

Unanimously approved as submitted. (Arata/Arisumi)

ITEM F-2

DIRECT SALE OF UTILITY EASEMENT IN CONJUNCTION WITH WAILOA BRIDGE REPLACEMENT PROJECT AT WAIAKEA, SO. HILO, HAWAII.

Mr. Shimabukuro asked to correct G.L. No. S-3865 as shown in Recommendation A. to G.L. No. S-3855.

ACTION

Unanimously approved as amended. (Arata/Arisumi)

ITEM F-3

HALEAKALA SCHOOL, INC. REQUEST TO CONSTRUCT ADDITIONAL CLASSROOM BUILDING, G. L. NO. S-4570, MAKAWAO (KULA), MAUI, TMK 2-3-37:11.

Approved. See Page 2.

ITEM F-4

REQUEST TO AMEND PRIOR BOARD ACTION (OCTOBER 24, 1986, ITEM F-24) AUTHORIZING DIRECT LEASE TO COUNTY OF MAUI, HONOKOWAI, LAHAINA, MAUI, TMK'S 4-4-01:POR. 26 AND 4-4-02:POR. 20.

Mr. Bill Moffat, an associate with the owners of the property, pointed out on the map an apartment house project which is owned by JDH Associates who he is representing. They purchased the property from McDonald's of Hawaii. The County of Maui, as part of the SMA requirement, required that they try to lease this from the State and then turn around and lease it to them for additional parking for the apartment house project, which is an employee housing project in the County. When they subdivided they ended up with a substandard lot. Looking at the alternatives for going in for a variance, etc. they suggested that they take this whole thing and consolidate it into one lot.

ACTION

Mr. Arisumi moved to amend the Board's action of October 24, 1986 under Agenda F-24 by making the following changes:

- Revise the area to be leased from approximately 2.105 acres to 4.07 acres.
- 2. Change the purpose of the lease to read for Parking Facilities, Landscaping and Maintenance instead of parking facilities only; all other terms and conditions listed under Item F-24 to remain unchanged.

Motion carried unanimously with a second by Mr. Arata.

RECESS:

The board recessed at 10:10 A.M. for 5 minutes.

RESUBMITTAL - DEPARTMENT OF TRANSPORTATION REQUEST TO SET ASIDE STATE LAND FOR BOAT LAUNCHING RAMP AND OTHER MARITIME RELATED PURPOSES, TMK 4-5-05, LAHAINA, MAUI.

Approved. See Page 2.

ITEM F-6

ITEM F-5

DIRECT SALE OF GOVERNMENT-OWNED LANDS AT MOOLOA, HONUAULA, MAKAWAO, MAUI, TMK 2-1-06:13.

Approved. See Page 2.

ITEM F-7

ACQUISITION OF LAND FOR THE PROPOSED NEW MAUI INTERMEDIATE SCHOOL, KAHULUI, MAUI.

ACTION

Unanimously approved as submitted. (Arisumi/Arata)

ITEM F-8

FORFEITURE OF GENERAL LEASE NO. S-4890 TO GULSTON CRAWFORD.

Mr. Crawford was served with a Notice of Default for not keeping his lease rental current and not posting the required liability insurance policy.

ACTION

Unanimously approved as submitted. (Ing/Kealoha)

ITEM F-9

FORFEITURE OF GENERAL LEASE NO. S-4909 TO JAMES M. PERRY.

Mr. Perry was served with a Notice of Default for failing to keep his lease rental payments current. However, as of yesterday, payments were made to bring his payments current.

ACTION

Withdrawn.

FORFEITURE OF GENERAL LEASE NO. S-4906 TO HELEN SIMKEONA OKU AND MIULAN AUKAI OKU.

Mesdames Helen Simeona Oku and Miulan Aukai Oku were served with a Notice of Default for failing to keep lease rental payments current.

ACTION

Unanimously approved as submitted. (Ing/Kealoha)

ITEM F-11 FORFEITURE OF GENERAL LEASE NO. S-4877 TO TOSHIO SUGITA.

ITEM F-12 FORFEITURE OF GENERAL LEASE NO. S3768 TO STANLEY S. KAWABATA.

ITEM F-13 FORFEITURE OF GENERAL LEASE NO. S-4298 TO S&S PLANTS, INC.

Mr. Shimabukuro asked that Items F-11, F-12 and F-13 be withdrawn inasmuch as they have complied with all requirements of the General Lease.

ACTION

Withdrawn.

ITEM F-14 FORFEITURE OF GENERAL LEASE NO. S-3861 TO NOLAN B. GEORGE.

Mr. George was served with a Notice of Default for failing to keep lease rental payments current and for not posting the required liability insurance policy.

Mr. Shimabukuro said that as of yesterday all back rentals were paid but the liability insurance policy was still not posted.

Mr. Paty said that Mr. George, per telephone conversation, said that this was being processed so he would like to defer action on this item until the next meeting.

ACTION

Deferred to the next meeting of the Board.

AUTHORIZATION TO SERVE NOTICE OF DEFAULT AND CAUSE FORFEITURE OF HOMESTEAD LEASE NO. 53 (ESTATE OF CLARA KEALA KAMAKEEAINA) LOT 18, HAUULA HOMESTEADS, HAUULA, KOOLAULOA, OAHU.

ITEM F-15

Mr. Kealoha asked that staff check to see if there are any other direct heirs to Ms. Kamakeeaina's estate.

ACTION

Deferred to the next Oahu meeting.

ITEM F-16

DIRECT LEASE OF NON-EXCLUSIVE EASEMENT FOR COMMUNICATION TRANSMISSION LINES, POLES, GUY WIRES, AND ANCHORS AT KEAAUHALA, KANEOHE, KOOLAUPOKO, OAHU.

Mr. Shimabukuro asked to amend this item by authorizing the staff to petition the Land Court of Hawaii for designation of the easement within the registered property involved. This would be Recommendation D. Recommendation C. on page 3 would then become Recommendation E.

ACTION

Unanimously approved as amended.

ITEM F-17

AUTHORIZATION TO GRANT EASEMENT FOR DRAIN OUTLET AND WATER LINE PURPOSES TO CITY AND COUNTY OF HONOLULU, KEAAUHALA, KANEOHE, KOOLAUPOKO, OAHU.

ACTION

Unanimously approved as submitted. (Ing/Kealoha)

ITEM F-18

KING MEAT HAWAII, LTD. REQUEST FOR RIGHT-OF-ENTRY TO STATE LAND AT KAPALAMA, HONOLULU, OAHU.

ACTION

Unanimously approved as submitted. (Ing/Kealoha)

ITEM F-19	EXTENSION OF DEPARTMENT OF THE ARMY CONTRACT NO. DACA 84-3-83-2, (LOD S-27413) COVERING USE OF WELL NO. 2803-05 AT KUNIA, OAHU.
ACTION	Mr. Ing moved to accept and execute the subject agreement for the benefit of Del Monte Corporation. Seconded by Mr. Kealoha, motion carried unanimously.
ITEM F-20	DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES REQUEST FOR RIGHT OF ENTRY AND PERMISSION TO TEMPORARILY STORE CUT STONE CURBING AT SAND ISLAND, HONOLULU, OAHU, TMK 1-5-41:POR. 6.
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
ITEM F-21	WINNIE HARM REQUEST FOR GRANT OF NON-EXCLUSIVE EASEMENT FOR EXISTING ROCK REVETMENT AND CONCRETE STEPS AT KALUANUI, KOOLAULOA, OAHU, TMK 5-3-08:18.
	Mr. Shimabukuro said that the applicant had asked that this item be deferred to the next Oahu meeting inasmuch as she could not attend this morning's meeting.
ACTION	Deferred to the next Oahu board meeting.
ITEM F-22	STAFF RECOMMENDATION FOR LEASE AT PUBLIC AUCTION, LOTS 36-1, 49, and 50, KAPAA HOMESTEADS, 1ST SERIES, KAPAA, KAUAI.
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
ITEM F-23	STAFF RECOMMENDATION FOR FEE SIMPLE SALE OF HOUSELOTS AT PUBLIC AUCTION, KAPAA TOWN LOTS, 1ST SERIES, KAPAA, KAUAI.
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
ITEM I-1	REQUEST TO HOLD PUBLIC AUCTION TO SELL CONFISCATED EQUIPMENT ON HAWAII, KAUAI, MAUI, MOLOKAI, LANAI, AND OAHU.
	With respect to Molokai, Mr. Ing asked if there was a requirement that the confiscated equipment had to be sold on the island where it was confiscated. He felt that we could probably get more money if it was sold, for instance, on the island of Maui.
	Mr. Mutsuzaki said that it is by law that the equipment has to be sold on the island from which it was seized.
ACTION	Unanimously approved as submitted. (Arisumi/Arata)
	Mr. Kealoha suggested that staff look into the possibility of auctioning all the items confiscated on Lanai, Molokai and Maui on the island of Maui.
ITEM J-1	NEWSVENDING CONCESSION, HONOLULU INTERNATIONAL AIRPORT, OAHU (STATE OF HAWAII, DEPARTMENT OF SOCIAL SERVICES AND HOUSING).
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
ITEM J-2	LEASE, OPERATION, AND MAINTENANCE OF SECTOR FIELD OFFICE AND AIR TERMINAL INFORMATION SERVICE FACILITIES, MOLOKAI AIRPORT, MOLOKAI (FEDERAL AVIATION ADMINISTRATION).
ACTION	Unanimously approved as submitted. (Arisumi/Arata)
ITEM J-3	AMENDMENTS TO RENT-A-CAR CONCESSION LEASES, LIHUE AIRPORT, KAUAI.

Unanimously approved as submitted. (Arisumi/Arata)

ACTION

ITEM J-4		AMENDMENT NO. 3 TO LEASE NO. DOT-A-78-23, LIHUE AIRPORT, KAUAI (ALOHA AIRLINES, INC.).
ACTION		Unanimously approved as submitted. (Arata/Arisumi)
ITEM J-5		AMENDMENT NO. 4 TO LEASE NO. DOT-A-84-22, KAHULUI AIRPORT, MAUI (ALAMO RENT-A-CAR, INC.).
ACTION		Unanimously approved as submitted. (Arisumi/Arata)
ITEM J-6		AMENDMENT NO. 3 TO LEASE NO. DOT-A-80-19, HONOLULU INTERNATIONAL AIRPORT, OAHU (DUTY FREE SHOPPERS LIMITED PARTNERSHIP).
ACTION		Unanimously approved as submitted. (Ing/Kealoha)
ITEM J-7		APPLICATION FOR ISSUANCE OF REVOCABLE PERMITS 4315 AND 4314, AIRPORTS DIVISION.
ACTION		Unanimously approved as submitted. (Ing/Kealoha)
ITEM J-8		APPLICATION FOR ISSUANCE OF REVOCABLE PERMITS 4308, ETC., AIRPORTS DIVISION.
ACTION		Unanimously approved as submitted. (Ing/Kealoha)
ITEM J-9		APPLICATION FOR ISSUANCE OF REVOCABLE PERMITS 4309, 4316, AND 4317, AIRPORTS DIVISION.
ACTION		Unanimously approved as submitted. (Arisumi/Ing)
ITEM J-10		APPROVAL OF CONSENT TO ASSIGNMENT OF LEASE, HARBORS DIVISION, KEWALO BASIN, HONOLULU, OAHU (KEWALO MARINE, INC.).
ACTION		Unanimously approved as submitted. (Ing/Kealoha)
ITEM J-11		AMEND PROPOSED SALE OF A LEASE BY PUBLIC AUCTION, HARBORS DIVISION, KEEHI LAGOON, HONOLULU, OAHU.
ACTION		Unanimously approved as submitted. (Ing/Kealoha)
ITEM J-12		ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, HILO HARBOR AND WAILOA SMALL BOAT HARBOR, HAWAII (M. D. PETROLEUM CORP.).
ACTION		Unanimously approved as submitted. (Arata/Arisumi)
ITEM J-13		USE OF HARBORS DIVISION FACILITIES, PIER 9 PASSENGER TERMINAL, HONOLULU, OAHU (DAMIEN FOOTBALL BOOSTERS CLUB).
ACTION	.1	Unanimously approved as submitted. (Ing/Kealoha)

ITEM J-14

USE OF HARBORS DIVISION FACILITIES, PIER 10 PASSENGER TERMINAL, HONOLULU, OAHU (DEPARTMENT OF THE TREASURY, U. S. CUSTOMS SERVICE).

ACTION

Unanimously approved as submitted.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 10:50 A.M.

Respectfully submitted,

Mrs. LaVerne Tirrell

Secretary

APPROVED:

WILLIAM W. PATY Chairperson

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