

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

DATE: OCTOBER 26, 1990
TIME: 9:00 A.M.
PLACE: 1151 PUNCHBOWL STREET
KALANIMOKU BUILDING
ROOM 132, BOARD ROOM
HONOLULU, HAWAII

PRESENTATION OF SHIKAR-SAFARI AWARD TO FRANCIS OISHI

Prior to convening the meeting of the Board of Land and Natural Resources, Mr. Henry Sakuda requested to present the Shikar-Safari Club International's Wildlife Officer of the Year Award for 1990 to Francis Oishi, aquatic biologist with the Division of Aquatic Resources. He was selected to recognize his efforts for enhancing public safety and minimizing damage to live corals in the Molokini Shoals Marine Conservation District. As a result of its establishment in 1977, the waters surrounding Molokini were conveyed near-sanctuary status by prohibiting all fishing except for surface trolling. This resulted in increased marine life around the islet, which popularized Molokini. Boating activity, in particular, increased from less than 10 vessels per day to more than 30, which translated to 30 or more anchorings in the Marine Life Conservation District. The problems associated with this activity included damage to the coral substrate by dragging anchors and anchor chains, and increased hazards to snorkelers created by the vessels. After receiving public input from the boating community through public meetings, 28 concrete blocks of 1,200 pounds each were paired to produce 14 anchors for bow moorings. This was followed by the deployment of 25 anchor pins glued into the bottom for stern moorings. Mooring lines were attached to the fixed bow and stern anchors to complete the mooring system. Overall, the mooring system has been well-received; the boaters have remained conservation oriented and to the extent possible are using available public moorings rather than their anchors.

More recently, Mr. Oishi completed an environmental assessment of the mooring system project to satisfy government permit processing requirements and to establish the moorings permanently. As of this date, the U.S. Army Corps of Engineers and the State Office of Coastal Zone Management have provided approvals for the project.

Mr. Sakuda further stated that with the same enthusiasm and dedication, Mr. Oishi also coordinates and leads the division's involvement in oil spill matters and incidents.

Presentation of the award was made to Mr. Oishi by Mr. Watson Yoshimoto, local representative of the Shikar-Safari Club.

ROLL Mr. Paty called the meeting of the Board of Land and
CALL Natural Resources to order at 9 a.m. In attendance were:

BOARD MEMBERS: Mr. John Arisumi
Mr. Herbert Apaka

Ms. Sharon Himeno
Mr. Christopher Yuen
Mr. William W. Paty

STAFF: Mr. Michael Buck
Mr. Gordon Akita
Mr. Mason Young
Mr. Roger Evans
Mr. John Corbin
Mr. Henry Sakuda
Mr. Ralston Nagata
Mrs. Geraldine M. Besse

OTHERS: Mr. Peter Garcia, Dept. of
Trans.

Ms. Clare Hackmuth (Item F-1f)
Mr. Chris Chang and Ms. Debra
Chun (Item F-14)
Mr. James Landgraf (Item H-1)
Mr. Mark Brooks (Item H-2)
Mr. Satoru Matsuda and Mr. Bert
Kuioka (Item H-3)
Mr. Ben Henderson (Item H-6)
Mr. Walton Hong and Mr. Don
Karleen (Item H-7)
Mr. Steve Tom (Items J-10, J-19,
and J-20)

Mr. Paty introduced new board member,
Christopher Yuen, representing the Big Island.

In order to accommodate those applicants and
interested parties present at the meeting, items on
the agenda were heard in the following order.

ITEM J-10: RESUBMITTAL-CONSENT TO ASSIGNMENT OF A PORTION OF
LEASE NO. DOT A-75-6, KAHULUI AIRPORT, MAUI,
HEMMETER AVIATION, A DIVISION OF HEMMETER INVESTMENT
COMPANY - HEMMETER AVIATION, INC.)

ACTION Approved as submitted (Arisumi/Apaka),
with Ms. Himeno being recused.

ITEM J-19: APPLICATION FOR ISSUANCE OF REVOCABLE PERMIT 4696,
HILO INTERNATIONAL AIRPORT, HAWAII (HEMMETER
AVIATION, INC.)

ACTION Approved as submitted (Apaka/Arisumi),
with Ms. Himeno being recused.

ITEM J-20: RENEWAL OF REVOCABLE PERMITS 4030, ETC., AIRPORTS
DIVISION

ACTION Approved as submitted (Arisumi/Apaka),
with Ms. Himeno being recused.

ITEM H-3: CDUA FOR A 20-INCH WATER MAIN CONNECTION TO THE MAKAHA BOOSTER STATION, PLUS A 12-INCH PIPE AND AN ELECTRICAL CONDUIT CONNECTING THE BOOSTER STATION WITH THE EXISTING MAKAHA RESERVOIR, TMK 8-4-02:11; APPLICANT: BOARD OF WATER SUPPLY

ACTION Unanimously approved as amended (Himeno/Apaka), the amendment being the deletion of Condition No. 4, on page 6, which Mr. Evans explained was not necessary at this time as that condition related to standard single-family residence approvals.

ITEM H-7: CDUA FOR A SINGLE FAMILY RESIDENCE AT HAENA, KAUAI, TMK 5-8-12:12; APPLICANT: WALTON D. Y. HONG, FOR MR. DON KARLEEN

Mr. Evans stated that a letter and an affidavit from the applicant was submitted. He indicated that since the last meeting a letter was also received from surrounding residents who questioned the intent as stated by the applicant that the property was ever to be used as a "house site." Mr. Evans stated that based upon review, the staff stands on the basic recommendation that calls for the Board to find that there were violations, impose a \$1,500 fine for three separate violations, and that the application be denied.

In answer to a question from Mr. Apaka, Mr. Evans stated that the matter had not been referred to the Attorney General's office. Mr. Evans recalled discussion at the meeting concerning the affidavit but did not recall that it was part of a motion.

Ms. Himeno explained that the legal question was whether the affidavit of Mr. Gomez was sufficient to establish that the lot was intended to be used as a residence.

Mr. Evans stated that if the lot is non-conforming the house must be granted under the criteria set by the legislature.

Mr. Walton Hong representing the applicant stated he just received a copy of the October 8 letter. He stated he did not know the identification of the individuals, their residences, background, and whether they had any knowledge of the situation at all. He stated that in anticipation of the referral to the Attorney General's office he had written a memorandum addressing the points and authorities he felt were in their favor to indicate that Mr. Gomez's affidavit was sufficient. Mr. Hong stated there were unanswered questions as the letter states "it is their understanding that his parcel and others like it were intended to provide beach and fishing access." He questioned the meaning of "others like it." He stated that there are a number of lots in the Wainiha area and questioned the determination in distinguishing where a person can or cannot build.

Mr. Hong stated that Mr. Gomez's affidavit was the best evidence that has been submitted under oath. Mr. Hong further noted that it was not "true evidence" but since the last meeting they were able to locate another past officer of Alexander & Baldwin, who worked for 40 years with the company and "some 20 years" as vice president of the land department. Mr. Hong said he spoke with this individual on the phone and prepared an affidavit for his signature. The affidavit would confirm exactly what Mr. Gomez had said--that the lot was intended to be used as a residential lot. The affidavit was prepared; however, the individual checked with Alexander & Baldwin house counsel and was advised it was company policy that employees not sign affidavits for third parties. Mr. Hong stated that his client is an "innocent pawn." He did everything which he thought was "by the books" but was "led down the wrong path by the county" in reliance upon a permit issued by the county. Mr. Hong asked that the fine not be imposed.

Mr. Apaka inquired whether the lot was valued as a residential lot. Mr. Hong indicated it was valued and assessed as a residential lot. Under the conflict policy, A & B was unable to provide the appraisal done when A & B acquired the property. It was appraised as a residential lot, and the appraiser has since passed away. McBryde acquired the property in 1955, and in 1955 it was split off from a larger parcel and McBryde held it until 1979. Mr. Hong stated he believed that prior to 1964 the lot was appraised as a residential lot, along with the rest of the lots there. Mr. Hong indicated he had an affidavit from Dorothy Beckeart which has attached copies of real property tax records from the county, the value being assessed similar to the other lots in the area. He pointed out the 1970-71 assessment as an example. Mr. Evans stated that the classification would be relevant. Mr. Hong stated he could try to contact the Kauai tax office with a conference call to include Mr. Evans.

The Chairperson deferred the item to the end of the agenda to provide Mr. Hong sufficient time to contact the Kauai tax office.

ITEM F-1-f: REQUEST FOR CONSENT TO SUBLEASE BETWEEN NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY AND ROYAL HAWAIIAN SEA FARMS, GENERAL LEASE NO. S-4717, KEAHOLE POINT, NO. KONA, HAWAII, TMK 7-3-43:3 AND 4

Mr. Young asked that the fee sublease rental include "per annum or percentage of the gross sales."

ACTION Unanimously approved as amended (Yuen/Arisumi).

ITEM H-5: REQUEST FOR TIME EXTENSION ON CONSERVATION DISTRICT USE PERMIT FOR PROPERTY CONSOLIDATION, RESUBDIVISION AND FIVE SINGLE-FAMILY RESIDENCES, ROUND TOP DRIVE, HONOLULU, HAWAII, TMK 2-5-18:19; APPLICANT (DR. AND MRS. ADRIAN BRASH C/O AGENT: MS. FAYE PARKER)

Unanimously approved as submitted (Arisumi/Apaka).

ITEM H-1: REQUEST FOR A TIME EXTENSION ON CONSERVATION DISTRICT USE PERMIT FOR A WATER PIPELINE, WEST MAUI FOREST RESERVE, MAUI, TMK 3-1-6:01 AND 03 (PORTION); APPLICANT: MILDRED NAKOA, AGENT: JAMES LANDGRAF

Mr. Evans asked to amend page 2 of his submittal under no. 1, first line, by adding the word "new" before the word "applicant."

ACTION Unanimously approved as amended (Arisumi/Himeno).

ITEM H-2: TEMPORARY VARIANCE REQUEST FOR PRELIMINARY RESEARCH AT HEEIA FISHPOND, HEEIA, OAHU, TMK 4-6-05:01; APPLICANT: HAWAIIAN ISLAND SEAFARMS INC.

Mr. Mark Brooks, applicant and president of Hawaiian Island Seafarms, and member of the Kaneohe Bay Task Force, explained his goals and plans for restoration of the pond.

Mr. Evans explained that if the applicant was interested in commercial use, he would have to come in with a CDUA, that the Board would initially be acting on a permitted use. Ms. Himeno asked whether there was a problem in the Board acting on a permitted use instead of a temporary variance with notice to the public. Mr. Paty asked that the question be cleared with the Attorney General's Office.

ACTION Unanimously approved with the amendment that condition no. 3 be deleted (Himeno/Arisumi).

ITEM H-6: TIME EXTENSION REQUEST FOR CDUA HA-2185, WAILUKU HYDROELECTRIC POWER PROJECT (HILO FOREST RESERVE, SOUTH HILO DISTRICT, HAWAII, TMK'S 2-5-9:2, 3, 4 AND 2-6-18:4; APPLICANT: WAILUKU RIVER HYDROELECTRIC POWER CO., INC.

Mr. Ben Henderson submitted information to clarify their request.

ACTION Unanimously approved as submitted (Yuen/Himeno).

ITEM F-14: MARUKO, INC. REQUESTS PUBLIC HEARING FOR PROPOSED AMENDMENT TO GENERAL LEASE NOS. S-3831 AND S-3840, ASTON KAUAI RESORT, WAILUA, KAUAI, TMK 3-9-06:16

Mr. Young asked that parcel "16" be corrected to parcel "20."

Ms. Debra Chun, representing the developer, asked to have the public hearing by February 7, 1991, or sooner. Mr. Chris Chang was also available to answer any questions by the Board.

ACTION Unanimously approved as amended (Apaka/Arisumi).

RECESS The Chairperson called a recess from 10:24 A.M. to 10:39 A.M.

CONTINUATION OF ITEM H-7: CDUA FOR A SINGLE FAMILY RESIDENCE AT HAENA, KAUAI, TMK 5-8-12:12; APPLICANT: WALTON D. Y. HONG, FOR MR. DON KARLEEN

Mr. Hong reported that he spoke with Michael Han of the Kauai County Tax Division, who stated that the comprehensive zoning ordinance was adopted in 1972. After 1972, the real property tax records show that this particular lot was assessed as urban open for residential use, class 1. Prior to 1972 without any zoning ordinance in effect, the assessment was comparable to properties in the surrounding area, and it was Mr. Han's opinion that the property was assessed as a house lot prior to 1972. He confirmed that it was a separate tax key parcel since 1955. It was suggested to Mr. Hong he talk to someone from the Planning Department. He spoke with Tom Shigemoto, former Planning Director for Kauai. Mr. Shigemoto stated that about 12 years prior to the comprehensive zoning ordinance, the county operated under an interim zoning ordinance, whereby any lot could be used as residential without any restrictions and believed that the subject lot was treated as residential. In 1961, the land use law came into effect. He felt that the county records mistakenly indicated this particular lot to be within the urban district. Mr. Evans stated that the burden is on the applicant to demonstrate that he meets the criteria for nonconforming use and that today's presentation was insufficient to change the staff recommendation; however, Mr. Evans stated that if the applicant felt that the "opinions, beliefs and feelings" are in fact evidence, he could commit them to writing and immediately reapply, and the application would be forwarded to the Attorney General's Office for guidance.

Mr. Hong disputed Mr. Evans statements. He stated that his client has met the criteria for nonconforming use through affidavits and the best evidence available. He conceded, however, that some of it would not meet the rules of evidence but that the law was clear that administrative agencies are not required to adhere to the strict rules of evidence and cited a case from his legal memorandum. He reiterated that the affidavit of Mr. Gomez and the conversations he had following the discussion this morning shows the best evidence applicant can procure, making every reasonable effort. He also stated that the general purpose of the rules of evidence and the interest of justice would be best served by the admission of the statements as evidence.

In response to Mr. Yuen, Mr. Evans explained the Haena Hui petition; however, Mr. Hong pointed out that this particular lot was not part of the Haena Hui action.

ACTION

Mr. Apaka moved for approval of the staff recommendation; however, he moved for deletion of the condition concerning the fine as he did not feel the violation was intentional and the applicant is required to restore the property to its original condition.

Mr. Hong stated that as his client has his life savings tied up in the lot, he asked that the Board hold off the restoration condition in order that the applicant could go to the Land Use Commission for a change in zoning.

Mr. Evans stated that the Board might want to consider requiring the restoration but holding the condition in abeyance pending the outcome of the Land Use Commission decision.

Mr. Karleen stated he did "everything according to the rules" and put all his savings into the project. He said he may not have met all the technical aspects of the law but the spirit was met and appealed to the Board on a humanitarian basis.

Mr. Apaka's motion, as amended, was seconded by Mr. Yuen and unanimously carried.

ITEM C-1:

AWARD OF CONTRACT, JOB NO. 60-OF-C, CONSTRUCTION CONTRACT FOR FOREST FACILITY--WATERLESS COMPOSTING TOILET SYSTEM, MOKULEIA FOREST RESERVE, OAHU

ACTION

Unanimously approved as submitted (Arisumi/Himeno).

ITEM NO. D-1:

APPOINTMENT AND CERTIFICATION OF SOIL AND WATER CONSERVATION DISTRICT DIRECTORS

ACTION

Unanimously approved as submitted (Arisumi/Himeno).

ITEM NO. F:

DOCUMENTS FOR BOARD CONSIDERATION:

ITEM F-1-a:

ASSIGNMENT OF GENERAL LEASE NO. S-3980 (ACCESS EASEMENT), PORTION OF MAKIKI DITCH, MAKIKI, OAHU, TMK 2-4-29

ITEM F-1-b:

ASSIGNMENT OF GRANT OF EASEMENT NO. S-4553, STEPHEN J. MENEZES, ESQ., COMMISSIONER IN THE CASE OF CITY BANK V. FUJIYAMA DEVELOPMENT CORP., ET AL, CIVIL NO. 85-171, THIRD CIRCUIT COURT, ASSIGNOR, TO CITY BANK, A HAWAII CORPORATION, ASSIGNEE, WAIAKEA, SO. HILO, HAWAII, TMK 2-2-31

ITEM F-1-c:

ISSUANCE OF REVOCABLE PERMIT TO GEORGE W. HOLESCO, KAHALA HEIGHTS, HONOLULU, OAHU, TMK 3-3-14:POR. 15

- ITEM F-1-d: ISSUANCE OF REVOCABLE PERMIT TO WILFRED J. SOUZA, GOVERNMENT LAND OF KOLOA AT KOLEA, HANA, MAUI, TMK 1-1-01:31
- ITEM F-1-e: ISSUANCE OF REVOCABLE PERMIT TO JAMES W. GLOVER, LTD. FOR STAGING AREA AND STORAGE OF EQUIPMENT, PIIHONUA, SOUTH HILO, HAWAII, TMK 2-6-18:POR. 4
- ITEM F-1-f: REQUEST FOR CONSENT TO SUBLEASE BETWEEN NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY AND ROYAL HAWAIIAN SEA FARMS, GENERAL LEASE NO. S-4717, KEAHOLE POINT, NO. KONA, HAWAII, TMK 7-3-43:3 AND 4
- ACTION Unanimously approved as submitted (Arisumi/Himeno).
- ITEM F-2: REQUEST FOR AUTHORIZATION TO ACQUIRE LANDS HAVING RESOURCE VALUE TO THE STATE, HOLUALOA 1ST AND 2ND, NO. KONA, HAWAII
- ACTION Mr. Young asked that the item be deferred until the December meeting (Yuen/Arisumi).
- ITEM F-3: BOARD OF WATER SUPPLY REQUESTS FOR SET ASIDE OF STATE LAND AT LALAMILO, WAIMEA, SOUTH KOHALA, HAWAII FOR ADDITION TO LALAMILO WATER SYSTEM, KOHALA WATER DEVELOPMENT PROJECT
- ACTION Mr. Young asked that this item be withdrawn from the agenda.
- ITEM F-4: FRED SORIANO REQUESTS WAIVER OF PERFORMANCE BOND FOR GENERAL LEASE NO. S-4790, LOT 10, PAPA HOMESTEADS, PAPA 1ST, SOUTH KONA, HAWAII
- ACTION Unanimously approved as submitted (Yuen/Arisumi).
- ITEM F-5: DIRECT SALE TO JON MARK AND LINDA ANN WELCH OF ACCESS AND UTILITY EASEMENT AND CONSTRUCTION RIGHT-OF-ENTRY ON, OVER, UNDER AND ACROSS STATE LAND AT HANAWANA WEST, MAKAWAO, MAUI, TMK 2-9-11:POR. 8
- ACTION Unanimously approved as submitted (Arisumi/Himeno).
- ITEM F-6: DIRECT SALE TO GARY L. HENDEL, ET AL, OF PERPETUAL, NON-EXCLUSIVE WATER TRANSMISSION PIPELINE EASEMENT AND CONSTRUCTION RIGHT-OF-ENTRY ON, OVER, UNDER AND ACROSS STATE LAND AT HALEAKALA HOMESTEADS, MAKAWAO, MAUI, TMK 2-4-13:POR. 78
- ACTION Unanimously approved as submitted (Arisumi/Himeno).
- ITEM F-7: DIRECT SALE TO GWENDOLYN A. AND ERNEST ROBELLO, JR., PERPETUAL, NON-EXCLUSIVE WATER TRANSMISSION PIPELINE EASEMENT AND CONSTRUCTION RIGHT-OF-ENTRY ON, OVER, UNDER AND ACROSS STATE LAND AT HALEAKALA HOMESTEADS, MAKAWAO, MAUI, TMK 2-4-13:POR. 78
- ACTION Unanimously approved as submitted (Arisumi/Himeno).

ITEM F-8: DIRECT SALE TO JAMES & MERRY KRUEGER TRUSTS, PERPETUAL, NON-EXCLUSIVE WATER TRANSMISSION PIPELINE EASEMENT AND CONSTRUCTION RIGHT-OF-ENTRY ON, OVER, UNDER AND ACROSS STATE LAND AT HALEAKALA HOMESTEADS, MAKAWAO, MAUI, TMK 2-4-13:POR. 78 (AREA APPROXIMATE 2,500 FT)

ACTION Unanimously approved as submitted (Arisumi/Himeno).

ITEM F-9: DIRECT SALE TO JAMES & MERRY KRUEGER TRUSTS, PERPETUAL, NON-EXCLUSIVE WATER TRANSMISSION PIPELINE EASEMENT AND CONSTRUCTION RIGHT OF-ENTRY ON, OVER, UNDER AND ACROSS STATE LAND AT HALEAKALA HOMESTEADS, MAKAWAO, MAUI, TMK 2-4-13:POR. 78 (AREA APPROXIMATE 2,300 FT)

ACTION Unanimously approved as submitted (Arisumi/Himeno).

ITEM F-10: DIRECT SALE TO HALE DANIEL JUDSON III, PERPETUAL, NON-EXCLUSIVE WATER TRANSMISSION PIPELINE EASEMENT AND CONSTRUCTION RIGHT-OF-ENTRY ON, OVER, UNDER AND ACROSS STATE LAND AT HALEAKALA HOMESTEADS, MAKAWAO, MAUI, TMK 2-4-13:POR. 78

ACTION Unanimously approved as submitted (Arisumi/Himeno).

ITEM F-11: DIRECT SALE TO JOSEPH C. AND YVONNE M. THOMPSON PERPETUAL, NON-EXCLUSIVE WATER TRANSMISSION PIPELINE EASEMENT AND CONSTRUCTION RIGHT-OF-ENTRY ON, OVER, UNDER AND ACROSS STATE LAND AT HALEAKALA HOMESTEADS, MAKAWAO, MAUI, TMK 2-4-13:POR. 78

ACTION Unanimously approved as submitted (Arisumi/Himeno).

ITEM F-12: AMENDMENT TO PRIOR BOARD ACTION OF AUGUST 10, 1990 (AGENDA ITEM F-1-c) COVERING CONSENT TO GRANT OF SEWER EASEMENT, MELVILLE AND BLAKE TO CITY AND COUNTY OF HONOLUU, LUALUALEI, WAIANAE, OAHU

ACTION Unanimously approved as submitted (Himeno/Arisumi).

ITEM F-13: MR. GULSTAN CRAWFORD REQUESTS REINSTATEMENT OF GENERAL LEASE NO. S-4890, LOT 7, MAUNALAHA HOMESITES, MAUNALAHA, HONOLULU, OHAU, TMK 2-4-24:7

ACTION Mr. Young asked that the submittal be amended to include the condition that the lessee bring rental up to current within 60 days of receipt of notification. Unanimously approved as amended (Himeno/Apaka).

ITEM F-14: See page 6.

ITEM H-1: See page 5.

ITEM H-2: See page 5.

ITEM H-3: See page 3.

ITEM H-4: REQUEST FOR REAFFIRMATION OF CDU PERMIT FOR AN OUTDOOR EDUCATION CENTER USE IN THE WAIAKEA FOREST RESERVE, SOUTH HILO, HAWAII, TMKS 2-4-4:131 AND 132; APPLICANT: DIVISION OF LAND MANAGEMENT, DEPARTMENT OF LAND AND NATURAL RESOURCES

Mr. Arisumi asked that a typo be corrected to May 25, 1973.

ACTION Unanimously approved as amended (Yuen/Arisumi).

ITEM H-5: See page 5.

ITEM H-6: See page 5.

ITEM H-7: See page 7.

ITEM H-8: REQUEST FOR APPROVAL TO ENTER INTO TWO EXTENSION ASSISTANCE CONTRACTS WITH THE UNIVERSITY OF HAWAII

ACTION Unanimously approved as submitted (Himeno/Apaka).

ITEM H-9: REQUEST FOR APPROVAL TO ENTER INTO A RESEARCH CONTRACT WITH THE UNIVERSITY OF HAWAII

ACTION Unanimously approved as submitted (Himeno/Apaka).

ITEM H-10: REQUEST FOR LEAVE WITHOUT PAY FOR POSITION NO. 38206, LABORATORY ASSISTANT II

ACTION Unanimously approved as submitted (Arisumi/Apaka).

ITEM J-1: DIRECT NEGOTIATION OF LEASE, KEWALO BASIN, HARBORS DIVISION, OAHU (SERVCO PACIFIC INC. DBA MCWAYNE MARINE SUPPLY)

ACTION Unanimously approved as submitted (Himeno/Apaka).

ITEM J-2: ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KEEHI COMMERCIAL SUBDIVISION, OAHU (ALOHA TOOL & RENTAL, INC.)

ACTION Unanimously approved as submitted (Himeno/Arisumi).

ITEM J-3: ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KEWALO BASIN, HONOLULU, OAHU (ZANETA, INC.)

ACTION Unanimously approved as submitted (Arisumi/Himeno).

ITEM J-4: ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, NAWILIWILI HARBOR, (NIUMALU DISPOSAL AREA), KAUAI (NAWILIWILI MACHINE SHOP, INC.)

ACTION Unanimously approved as submitted (Apaka/Himeno).

- ITEM J-5: ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 60, KEEHI COMMERCIAL SUBDIVISON, OAHU (PIONEER MACHINERY, INC.)
- ACTION Unanimously approved as submitted (Himeno/Arisumi).
- ITEM J-6: USE OF HARBORS DIVISION FACILITIES, PIERS 10 AND 11 SHED, IRWIN PARK AND SURROUNDING AREAS UNDER HARBORS DIVISION JURISDICTION, OAHU (HONOLULU MARATHON ASSOCIATION)
- ACTION Unanimously approved as submitted (Himeno/Arisumi).
- ITEM J-7: AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DISPOSE OF HIGHWAY REMNANT AND PORTION OF A ROADWAY SITUATE AT WAIPIO, WAIKELE, HOAEAE, AND HONOULIULI, EWA, OAHU
- ACTION Unanimously approved as submitted (Himeno/Arisumi).
- ITEM J-8: GRANT OF EASEMENT AND BILL OF SALE, KEAHOLE AIRPORT, HAWAII (WATER COMMISSION OF THE COUNTY OF HAWAII)
- ACTION Unanimously approved as submitted (Yuen/Arisumi).
- ITEM J-9: ISSUANCE OF LEASES BY PUBLIC AUCTION, MAALAEA BOAT HARBOR, MAUI
- ACTION Unanimously approved as submitted (Arisumi/Himeno).
- ITEM J-10: RESUBMITAL-CONSENT TO ASSIGNMENT OF A PORTION OF LEASE NO. DOT-A-75-6, KAHULUI AIRPORT, MAUI (HEMMETER AVIATION, A DIVISION OF HEMMETER INVESTMENT COMPANY--HEMMETER AVIATION, INC.)
- ACTION Ms. Himeno recused from voting on Items J-10 through 26). Approved as submitted (Arisumi/Yuen).
- ITEM J-11: RESUBMITTAL-AMENDMENT NO. 2 TO LEASE NO. DOT-A-84-26, HAWAII DISTRICT AIRPORTS, HAWAII (ALAMO RENT-A-CAR, INC. (ALAMO))
- ACTION Approved as submitted (Arisumi/Yuen).
- ITEM J-12: RESUBMITTAL-AMENDMENT NO. 1 TO LEASE NO. DOT A-84-32, KEAHOLE AIRPORT, HAWAII (AUTO RENTAL COMPANY, LTD.
- ACTION Approved as submitted (Arisumi/Yuen).
- ITEM J-13: RESUBMITTAL-AMENDMENT NO. 2 TO LEASE NO. DOT A-84-27, KEAHOLE AIRPORT, HAWAII (AVIS RENT A CAR SYSTEMS, INC. (AVIS))
- ACTION Approved as submitted (Arisumi/Yuen).

ITEM J-14: RESUBMITTAL-AMENDMENT NO. 3 TO LEASE NO. DOT-A-84-25, KEAHOLE AIRPORT (BUDGET RENT A CAR SYSTEMS, INC. (BUDGET))

ACTION Approved as submitted (Arisumi/Yuen).

ITEM J-15: RESUBMITTAL-AMENDMENT NO. 2 TO LEASE NO. DOT-A-84-29, KEAHOLE AIRPORT, HAWAII (NATIONAL CAR RENTAL HAWAII, A JOINT VENTURE)

ACTION Approved as submitted (Arisumi/Yuen).

ITEM J-16: RESUBMITTAL-AMENDMENT NO. 5 TO LEASE NO. DOT-A-84-28, KEAHOLE AIRPORT, HAWAII (PACIFIC INTERNATIONAL SERVICES CORPORATION (PISC))

ACTION Approved as submitted (Arisumi/Yuen).

ITEM J-17: RESUBMITTAL-AMENDMENT NO. 2 TO LEASE NO. DOT-A-84-31, KEAHOLE AIRPORT, HAWAII (ROBERT'S HAWAII RENT-A-CAR SYSTEMS, INC. (ROBERT'S))

ACTION Approved as submitted (Arisumi/Yuen).

ITEM J-18: RESUBMITTAL-AMENDMENT NO. 3 TO LEASE NO. DOT-A-84-36, KEAHOLE AIRPORT, HAWAII (TROPICAL RENT-A-CAR SYSTEMS, INC.)

ACTION Approved as submitted (Arisumi/Yuen).

ITEM J-19: See page 2.

ITEM J-20: See page 2.

ITEM J-21: RESUBMITTAL-CONSENT TO ASSIGNMENT OF LEASE NO. DOT-A-84-30, HAWAII DISTRICT AIRPORTS, HAWAII (PHILLIPS' U-DRIVE, INC.--K. PACIFIC, INC., DBA THRIFTY RENT A CAR)

ACTION Approved as submitted (Arisumi/Yuen).

ITEM J-22: RESUBMITTAL-FIFTH AMENDMENT TO RESTATED AND AMENDED HARBOR LEASE AND SPECIAL FACILITY LEASE AGREEMENT (HARBOR LEASE NO. H-79-5), HARBORS DIVISION, SAND ISLAND CONTAINER FACILITY, OAHU (MATSON TERMINALS, INC.)

ACTION Approved as submitted (Arisumi/Yuen).

ITEM J-23: RESUBMITTAL-RENEWAL OF REVOCABLE PERMIT 4691, HILO INTERNATIONAL AIRPORT, HAWAII (ALAMO RENT-A-CAR, INC.)

ACTION Approved as submitted (Arisumi/Yuen).

ITEM J-24: RESUBMITTAL-RENEWAL OF REVOCABLE PERMIT 3779 (ALOHA AIRLINES, INC.)

ACTION Approved as submitted (Arisumi/Yuen).

ITEM J-25: RESUBMITTAL-AMENDMENT NO. 5 TO LEASE NO DOT-A-78-25, KAHULUI AIRPORT, MAUI (ALOHA AIRLINES, INC.)

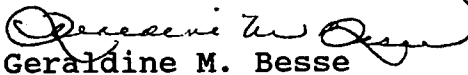
ACTION Approved as submitted (Arisumi/Yuen).

ITEM J-26: RESUBMITTAL-AMENDMENT NO. 5 TO LEASE NO. DOT-A-78-24, KAHULUI AIRPORT, MAUI (HAWAIIAN AIRLINES, INC.)

ACTION Approved as submitted (Arisumi/Yuen).

ADJOURNMENT There being no further business, the Chairperson adjourned the meeting at 11:25 a.m.

Respectfully submitted,


Geraldine M. Besse
Secretary

APPROVED:



WILLIAM W. PATY, Chairperson
Board of Land and Natural Resources