

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

DATE: January 25, 1980

TIME: 10:00 A. M.

PLACE: DLNR Board Room, Room 132
Kalanimoku Building
1151 Punchbowl Street
Honolulu, Hawaii

ROLL
CALL

Chairman Susumu Ono called the meeting of the Board of Land and Natural Resources to order at 10:10 A. M. The following were in attendance:

MEMBERS

Mr. Moses W. Kealoha
Mr. Takeo Yamamoto
Mr. Stanley Hong
Mr. Roland Higashi
Mr. Thomas Yagi
Mr. Susumu Ono

STAFF

Mr. Libert Landgraf
Mr. Robert T. Chuck
Mr. James Yamashiro
Mr. James Detor
Mr. Herbert Yanamura
Mr. Jack Kaguni
Mr. Mike Shimabukuro
Mr. Kenji Ego
Mr. Robert Lee
Mrs. Joan K. Moriyama

OTHERS

Mr. Johnson Wong
Mr. Peter Garcia
Mr. Harold Kometani (Item F-1-d)
Mr. Charles Yasuda and a Representative
of DOH (Item F-8)
Mr. Howard Lau, DOE (Item F-10)
Mrs. Rose Jackman, et al (Item F-14)

MINUTES

Mr. Hong asked to amend page 9 of the minutes of December 28, 1979 under Action. There was no second mentioned in the minutes to the motion that he had made. Mr. Kealoha had seconded that motion. Mr. Hong moved to approve the minutes of December 28, 1979 as amended. Mr. Kealoha seconded and the motion was unanimously carried.

Since the Board members did not have a chance to review the minutes of January 11, 1980, Mr. Hong asked that they be deferred until the next Board meeting. There was no objection by the Board.

ADDED
ITEMS

Mr. Kealoha moved to add Item D-1 to the agenda. Mr. Hong seconded and the motion was unanimously carried. This was a request from Division of Water and Land Development to fill Irrigation District manager's position for the Waimanalo Irrigation System.

ITEM C-1

REQUEST TO ADVERTISE FOR BIDS FOR THE SALE OF TIMBER - STORM
SALVAGE

This request came about as a result of the recent storm. Mr. Landgraf

apologized for the vagueness of the Board submittal. They did not have all of the information at the time the submittal was prepared.

This was a request to advertise for the sale of pole-size timber, primarily eucalyptus, that is down and some that are standing, on the islands of Kauai, Maui and Hawaii. Mr. Landgraf said there are approximately 5,874,000 cubic feet of timber that is being considered for this salvage sale, and they anticipate, because of the location, etc., that they would ask for an upset price of 5¢ a cubic foot. At that rate, he said it would be more than what they are currently getting now for the eucalyptus trees that were sold to Capitol Chip on the island of Hawaii.

While on the subject of Capitol Chip, Mr. Hong asked whether they are still chipping and whether they pay cash. He asked this because they have filed for reorganization. Mr. Landgraf said they are not in arrears. He said any operator buying timber from us are required to make advanced payment.

Mr. Landgraf explained the reason this is being done by bids is that they know there is going to be competition. They have received inquiries from more than one operator who is interested in bidding, in fact more than two on some islands.

ACTION Mr. Higashi moved, seconded by Mr. Hong, and the Board unanimously approved the advertising for bids for the sale of timber on the islands of Kauai, Maui and Hawaii.

ADDED FILLING OF IRRIGATION DISTRICT MANAGER POSITION, WAIMANALO
ITEM D-1 IRRIGATION SYSTEM

ACTION On Mr. Hong's motion and seconded by Mr. Yamamoto, the Board unanimously approved the appointment of Mr. James Respicio to Position No. 9870, Irrigation District Manager for the Waimanalo Irrigation System.

ITEM E-1 APPROVAL OF DEPARTMENT OF EDUCATION'S REQUEST FOR NONEXCLUSIVE
USE OF THE EXHIBIT HALL IN HEEIA STATE PARK UNTIL JUNE 30, 1980

ACTION Unanimously approved as submitted. (Kealoha/Hong)

ITEM F-1 DOCUMENTS FOR CONSIDERATION

HAWAII

Item F-1-a ASSIGNMENT OF LEASE
QUALITY ELECTRICIANS, INC., Assignor, to TRIPLE K. PLUMBING, INC.,
and GEO' CO., INC., Assignees - Lot 3, Hilo Industrial Development, Pohaku
Street Section, Waiakea, South Hilo - GL No. S-4307

Item F-1-b MORTGAGE
GEO' CO., INC., a Hawaii corporation, and TRIPLE K. PLUMBING, INC.,
a Hawaii corporation, Mortgagors, to AMERICAN SECURITY BANK, a Hawaii
banking corporation, Mortgagee - Lot 3, Hilo Industrial Development - GL
No. S-4307

Item F-1-c TRANSFER
STANLEY S. NAKASONE to STANLEY S. NAKASONE and HARRIET K.
NAKASONE, husband and wife, as tenants by the entirety - Lot 17, University
Heights Residential Subdivision, Third Increment, Waiakea, South Hilo -
SSA No. S-5544

KAUAI AND HAWAII

Item F-1-d ASSIGNMENT OF LEASES BY WAY OF AGREEMENT OF SALE
KAUAI RESORT HOTEL, INC., Assignor to KATSUYUKI YOKOYAMA, Assignee
Wailua Resort Site, Wailua, Kauai (GL Nos. S-3831 and S-3840)

MELSAN, LTD., Assignor to KATSUYUKI YOKOYAMA, Assignee - Waiakea Peninsula, Waiakea, South Hilo, Hawaii (GL No. S-3961)

Mr. Detor informed the Board that these two hotels, plus the Queen Kapiolani Hotel in Honolulu which is not on State land, are being to the same person mentioned above.

Mr. Ono asked whether their intent is to carry on hotel business. Mr. Detor said that was his understanding. The three State leases require that the area be used for hotel purposes. They would be violating the terms of the leases if they were used for something else.

OAHU

Item F-1-e REVOCABLE PERMITS
SYMS BUILDING SYSTEMS and S. KIRA MASON CONTRACTORS, LTD. -
portion of Building 13 at Sand Island - \$283.20 - for storage purpose

Item F-1-f ALEXANDER A. and AFTON A. FISHER (husband and wife) - Waianae
Valley - for agricultural and access uses - monthly rental to be determined
by staff appraisal

ACTION Mr. Hong moved to approve Item F-1 as presented by staff. Mr. Higashi seconded, and the motion was unanimously carried.

ITEM F-2 MIRIAM WAIOHINU KOKI, ET AL, APPLICATION TO PURCHASE REMNANT
PARCEL IN THE WAIMEA HOMESTEADS, SOUTH KOHALA, HAWAII

The submittal indicated that Mr. Arthur Akina, the other abutting owner, who was offered a portion of the remnant, has not responded to our inquiry. Mr. Detor said Mr. Akina did inform him personally that he wasn't interested in the remnant parcel.

ACTION The Board, having found the subject area to be physically unsuitable for development as a separate unit because of its size and shape and by definition is a remnant, and on Mr. Higashi's motion, seconded by Mr. Kealoha, unanimously approved the direct sale of the remnant to the applicants, subject to the terms and conditions listed in the submittal.

ITEM F-3 NAOMI LUDWIG APPLICATION TO PURCHASE ABANDONED RAILROAD RIGHT
OF WAY OVER AND ACROSS LOT 808-A, PART 2, WAIAKEA HOMESTEADS,
1ST SERIES, WAIAKEA, SOUTH HILO, HAWAII

ACTION The Board, having found the subject area to be physically unsuitable for development as a separate unit because of its size and shape and by definition is a remnant, and on Mr. Higashi's motion, seconded by Mr. Yamamoto, unanimously approved the direct sale of the remnant of the applicant, subject to the terms and conditions listed in the submittal.

ITEM F-4 WAYNE YAMANAKA REQUEST FOR RIGHT OF ENTRY TO CONSTRUCT ROAD,
WAIAKEA, SOUTH HILO, HAWAII

ACTION Unanimously approved as submitted. (Higashi/Yamamoto)

MAURICE SULLIVAN APPLICATION TO LEASE PORTION OF THE GOVERNMENT
LAND OF HONOMALINO, SOUTH KONA, HAWAII

This was an application for a lease for macadamia orchard and pasture, involving some 2700 acres of land in Kona. It is a 45-year lease which is authorized for macadamia nut purposes.

Mr. Higashi asked whether the \$7,000 per annum rental for the 2,000 acres is reasonable, based on the type of use that is being proposed here. Mr. Detor said this is the upset price.

Mr. Higashi further asked whether the land is considered marginal agriculture land. Mr. Herbert Yanamura, the staff agricultural specialist, said yes. This land is not suited for cultivation because it comprises primarily of lava land. It is okay for pasture and macadamia nuts. This land ranges in elevation from about 1,600 to 3,600 feet. Macadamia does well up to about 2,500 feet in elevation, Mr. Yanamura said.

The application was actually for macadamia nuts only. This is a single parcel, and in order to satisfy the requirement of the applicant, we would have to go through a subdivision, which is an expensive long-drawn process. For this reason staff had suggested to the applicant that he take the entire parcel, and the applicant agreed. The applicant thought about 500 acres would be suitable for macadamia, but Mr. Yanamura said an additional two or three hundred acres can be developed for macadamia nuts.

Mr. Kealoha said if we give a 45-year lease for macadamia nuts, the pasture land is going to run concurrently with the macadamia lease for 45 years, and it's not fair to others who have pasture leases limited to only 35 years.

Mr. Yanamura said in order for the lessee to clear and make maximum use of the area for pasture purposes, he would be spending lots of money. Although roughly 2,000 acres are going to be used for pasture, this land is not developed.

Mr. Yagi said staff mentioned that the subdivision would be too costly. He asked whether it is going to be costly to the State. Mr. Yanamura said not really. The subdivision requirement is that we provide water. Mr. Higashi said there is a water waiver on not more than three-parcel subdivision.

Mr. Ono said since the bigger portion of the land would fall under the 35-year term, he asked whether the applicant has any objection to cutting down the term to 35 years. Mr. Detor didn't know whether the applicant will have any objection. He will check this out.

Mr. Hong asked what the area is being used for now. Mr. Yanamura said it was used as pasture by Dillingham, who had a lease, which lease has since expired.

Mr. Ono asked whether we are going to get any kind of percentage of gross. Mr. Detor said staff can work this out. Mr. Yanamura suggested that this be worked out under "other terms and conditions as prescribed by the Chairman." Mr. Higashi said he does not like to see such a major condition hidden under "other terms and conditions." He said it should be specifically stated in the proposal.

ACTION Mr. Higashi asked for deferral until the Hilo meeting in March, and asked the staff to check into the subdivision aspect, also whether or not economically thirty-five years provide sufficient return on the macadamia nuts.

The Board had no objection to the deferral.

ITEM F-6 STAFF RECOMMENDATION FOR PUBLIC AUCTION SALE OF FOUR HOUSELOTS IN THE UNIVERSITY HEIGHTS SUBDIVISION AT WAIAKEA, SOUTH HILO, HAWAII

These lots were unsold at the last public auction, so they were offered to the public on over-the-counter sale basis. Mr. Detor explained that under the rules, if more than one person apply for a lot, we have to put it back for auction. This was a follow-up to that.

ACTION Unanimously approved as submitted. (Higashi/Yamamoto)

ITEM F-7 JACK GREENWELL, ET AL, REQUEST FOR CONSUMMATION OF LAND EXCHANGE SOUTH KONA, HAWAII

The Board of Public Lands in 1938 approved this exchange, but no document was ever issued. In the meantime the land belonging to the Greenwells has been used as a part of the highway. Mr. Detor said it was also his understanding that the Greenwells have been paying taxes on it, too.

Mr. Ono questioned whether this exchange has to go to the legislature. If so, he said it would have to be submitted to the 1981 session of the legislature. Mr. Detor wasn't sure and said he will have to check it out with the Attorney General's Office.

ACTION Unanimously approved as submitted. (Higashi/Kealoha)

ITEM F-8 RESUBMITTAL - REQUEST FOR ISSUANCE OF EXECUTIVE ORDER TO RE-SET ASIDE STATE LAND AT 205 KOULA STREET, KAAKAUKUKUI, HONOLULU, OAHU

This item was deferred at the last Board meeting. This was a request for an executive order covering land at the Fort Armstrong area which the Department of Agriculture, Department of Health and the Lieutenant Governor's Office requested.

The staff's recommendation was in favor of Department of Agriculture's request since they have a new program, the fruit fly eradication program. Federal money is available and they need a commitment right away.

Mr. Detor said they have discussed this matter with all three parties and distributed their letters to the Board at its last meeting detailing their request. A question had come up at the last meeting, and the Board discussed the Board of Water Supply's area which is right next door to it. Mr. Detor said they are actively using it and they don't want to give up the area.

Mr. Detor said normally DAGS is the custodian of buildings and they give out the space. Now the Board is being asked to decide which government agency gets it. Mr. Detor said he talked to Mr. Mike Tokunaga, Deputy of Department of Accounting and General Services, and questioned him about this. Mr. Tokunaga said he would talk to Mr. Hideo Murakami, the State Comptroller. He has not called back yet.

A representative of DOH said they discussed this matter with DAGS. Their response was they didn't want to make any decision. They depended on DLNR.

Mr. Kealoha said DLNR is short of space, too, and thought that maybe we should keep the land for ourselves and use it for our own maintenance yard.

Mr. Yagi asked whether hereafter DLNR will be taking over such requests. Mr. Ono said we will pose this question of the State Comptroller.

Mr. Detor said the Board has to decide whether it is going to take it back and put it up for auction for private use on lease basis, or transfer it to some government agency. If the Board should decide that it should be used by government agency, then DAGS should decide which particular government agency goes in there.

Mr. Kealoha said when this matter came up, the question was whether we should give it to a government agency on a temporary basis until such time as we decide what to do. The Board can then decide whether to go on public auction or give it to a governmental agency.

Mr. Hong's personal feeling was to put up the area for public auction in order to bring more revenues to the general fund, rather than setting it aside to a government agency.

ACTION Mr. Kealoha moved to deny staff's recommendation until such time as the Board review and decide whether or not to go on public bid or to issue to a governmental agency, and pending review of the entire State policy. Mr. Hong seconded the motion.

Mr. Detor said the Department of Agriculture has a deadline on the federal funds. Mr. Charles Yasuda from Department of Agriculture said Federal has allotted some money and funds for this project will lapse in September of this year.

On the question of alternate sites, Mr. Yasuda said they've looked at various places, and they were unable to find any suitable site for their need. It is difficult, he said, to find State property in existence where they can renovate without starting from scratch on raw land. On the Nike sites, he said the building there is not appropriate for a laboratory and it is out of the way. They have also looked at the Lagoon Drive site and also the area near the Hawaiian Airlines cargo area.

Mr. Kealoha said shortly after the completion of the elevated highway, the area at the corner of Elliott and Nimitz Highway, where Hawaiian Dredging is storing their equipment and materials, will be turned over to the State. This area seems to be an appropriate place.

A Department of Health representative said the Koula Street location is ideal for them, too.

Mr. Ono said at the last Board meeting the three departments were supposed to get together and report back to the Board. He didn't know whether such a discussion has taken place.

On the call of the question, the motion to deny was unanimously carried.

CITY AND COUNTY OF HONOLULU REQUEST FOR RIGHT OF ENTRY FOR
CONSTRUCTION, KUALOA-HEEIA ECUMENICAL YOUTH PROJECT (KEY),
WAIHEE, KOOLAUPOKO, OAHU

ITEM F-9

Mr. Kealoha suggested that Condition No. 4 be added requiring the City to erect a sign recognizing that this is State land.

ACTION Unanimously approved as amended. (Kealoha/Hong)

ITEM F-10 DOE'S REQUEST FOR ACQUISITION OF NIKE SITES 5 & 6, EWA, OAHU

This particular site was advertised for sale by the Federal government recently but the State and the congressional delegation requested to hold it up.

This request was to the Federal government that the subject parcels be turned over to the State for use by DOE. The suspense date for the application to be submitted to the Federal government is January 28, and the Federal government need a resolution from the Land Board authorizing this action.

Mr. Detor explained that under the surplus property rules if the State applies for it for educational/school purposes, it is free.

Mr. Howard Lau from DOE said they have three intended uses for this land. The first, the most critical, is for an alternate school for students who have difficulty in regular schools. Their second need is for an elementary school. They have a site designated at Makakilo. If they can get this land, it would avoid the need to purchase the land at Makakilo. Their third need is for outdoor education site which allows elementary school children to go there for camping, outdoor education, Hawaiiana, etc. He said the only hang-up here is lack of water. This eventually will be taken care when the Makakilo town constructs their reservoir.

On Mr. Ono's question about the maximum use of the area, Mr. Lau said they have no objection to others using the facilities. Mr. Detor thought this should strengthen their application.

Mr. Ono suggested that we work with DOE to make it flexible so everybody can use it. He thought perhaps this could be better utilized if different agencies who are trying to educate the public in other areas could use different portions of the property.

Mr. Hong asked whether this request is specifically for DOE only.

Mr. Kealoha said he could not understand why educational purposes is only for DOE. He said there are other agencies that deal with educational process, not only DOE.

Mr. Detor said an agency that is responsible has to be singled out because a report has to be submitted every year to the Federal government informing them how the area is being utilized.

Mr. Wong suggested that we include "and such other uses as may be designated by the Board." Mr. Kaguni said he will work out a language that is acceptable to GSA.

Mr. Shimabukuro said public education discount has to be an agency that is in the business of education. He cited a case on Maui. When the County

of Maui applied for a parcel on Maui for educational purposes, that request was turned down because County of Maui is not in the business of education. He said a plan has to be submitted also. The educational discount comes from HEW. The recreational plan goes through the Department of Interior. GSA will assign the land to HEW, which in turn will turn it over to the State for educational purpose, and these conditions are all included in the deed.

ACTION Mr. Kealoha moved to approve staff's recommendation as submitted, seconded by Mr. Higashi and unanimously carried.

Mr. Ono informed the Board that he met with the GSA people in San Francisco recently. He said during the latter part of next month the GSA, the Department of Interior and the HEW people will be coming to Honolulu to meet with the Board, if it wants to, and the Native Hawaiian organizations and staff to clear up the kinds of questions that were brought up today.

ITEM F-11 HULU MANU ASSOCIATES, INC. REQUEST FOR CONSTRUCTION RIGHT OF ENTRY AND CONVEYANCE OF ROAD TO COUNTY OF KAUAI, KAPAA, KAUAI

During the course of the discussion, the Board agreed to sell this roadway to the County at the appraised value instead of conveying it to them gratis. Since the land is being conveyed to a government agency, Mr. Detor said we can have the staff do the appraisal. The Board had no objection to this.

ACTION Mr. Hong moved to approve staff's recommendation with an amended condition to charge the County at the appraised value established by staff appraisal. Mr. Kealoha seconded and the motion was carried. Mr. Yamamoto did not participate in this action, indicating a possible conflict because he is a Kauai county employee.

ITEM F-12 RESUBMITTAL - STAFF RECOMMENDATION FOR AMENDMENT OF PREVIOUS BOARD ACTION (11/30/79, AGENDA ITEM F-2) AUTHORIZING SALE OF HOUSE AND LOT AT KEKAHA, KAUAI

There was a brief discussion on the payment schedule and Mr. Higashi suggested that we go on a five-year basis, with a balloon payment at the end of the 5-year period.

ACTION Mr. Kealoha suggested that this matter be deferred and directed the staff to work out the conditions as discussed above. There was no objection by the Board.

ITEM F-13 DIVISION OF FISH & GAME REQUEST FOR RIGHT OF ENTRY TO INSTALL FISH AGGREGATION DEVICE (FADS) WITHIN STATE OF HAWAII ARCHIPELAGIC WATERS

ACTION Unanimously approved as submitted. (Kealoha/Yamamoto)

(See pages 12 and 13 for Item F.14. Mr. Detor asked to defer this until Mrs. Rose Jackman arrives. She was making a presentation this morning at the Hawaiian Homes Commission and was expected to be here shortly.)

Mr. Kealoha asked Mr. Detor about the newspaper articles which appeared about a week or two ago that described an unusual happening on Kauai with respect to the petroglyphs and the moving of the sand. He asked whether this is on State land.

Mr. Detor thought it was partially on State land. There was a question, however, as to how much of the petroglyphs itself was on State land. He said apparently there is no shoreline determination in that area. As he understood it there is going to be a meeting sometime next week with the Historic Sites people, the group that has been down there, plus the staff, to go over this whole thing.

Mr. Kealoha said if it is on State land, this department should be proceeding with some kind of a vehicle as to who may or may not go in, what kind of boundary restrictions you are going to set surrounding that spot. He asked what position the State was going to take.

Mr. Yamashiro said Dr. William Kikuchi of Kauai reported that it is on State land, but that the sand has already covered all of the petroglyphs. Dr. Kikuchi has, however, marked and recorded the types of petroglyphs that were exposed.

Mr. Ono suggested that the staff go ahead and get a coordinated report and recommendation for the Board.

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Emergency Repairs

Mr. Detor said because of the recent storm there has been considerable damage in the Maalaea-Kihei area. Lots of the area where the condominiums are located near the water have eroded and have been endangered. He said in some cases if they hadn't thrown rocks there on a temporary basis, chances are that the storm may damage the building themselves.

Normally the process to get permission to build a wall is a lengthy one because you have to go through CDUA process, get permission from the Land Management Division, if State land is involved, and get SMA approval from the County. What the people are really worried about now is that there may be a recurrence of this activity which might affect the buildings. What they are looking for is some mechanism which will enable them to take immediate action. If there is any danger they don't want to wait. Mr. Detor said the reason this was being brought up now is because they want the Board to be made aware of the situation, and they would like to take emergency action so there won't be any delay.

ADDED ITEM

Mr. Yagi moved to place this matter on the Board agenda. Mr. Kealoha seconded, and the motion was unanimously carried.

Mr. Yagi said he doesn't know whether an emergency does exist, but if an emergency does exist, he felt that there should be some kind of an understanding with this Board. He felt that the Chairman should be given the authority to take the necessary steps in time of storm-caused disaster. This includes both State and private properties.

Mr. Detor said what the people want is permission to put up a wall on the line where the property was prior to the storm coming and, if necessary, back fill the area. If the Chairman has the authority in emergency situation, he can in turn delegate to the land agent and the respective island board member to proceed immediately with the necessary emergency action. He thought this would be the best way to handle such situations.

Mr. Higashi said all owners along the shoreline should be made aware that they need a shoreline survey so they know where their boundary is. He said this would lessen the dispute of where the line is.

ACTION Mr. Yagi moved, seconded by Mr. Higashi, and the Board unanimously approved to delegate to the Chairman the authority to proceed with the necessary emergency actions, statewide, both State and private properties, in case of storm-caused disaster.

Mr. Ono informed the staff that he would need write-up procedures, the basic steps and guidelines we can issue to the people out in the field, so everybody would know how to react under such conditions.

ITEM H-1 APPROVAL OF PERSONNEL TRANSACTIONS FOR DECEMBER 1979

ACTION Unanimously approved as submitted. (Higashi/Kealoha)

ITEM H-2 CDUA FOR MARINE RESEARCH USE OF STATE-OWNED SUBMERGED LANDS AT HONOLULU INTERNATIONAL AIRPORT, OAHU (L. R. MAURINA ON BEHALF OF BREWER CHEMICAL CORPORATION)

ACTION Mr. Evans asked for deferral of this matter at this time for further study. There was no objection by the Board to defer this item. Mr. Ono said one of the reasons for deferring this matter is that the Board asked for further approval from the State DOT, FAA and the military before the Board takes action on this.

ITEM H-3 CDUA FOR SINGLE FAMILY DWELLING USE AT HAENA, KAUAI (BARBARA J. PARKER ON BEHALF OF LOVE-SEEMAN PROPERTIES)

Staff recommended denial based on the fact that a single family dwelling is not consistent with the objectives of the subzone. In this case staff said there were several other reasons. The area in question exists as a cultural site and the applicant failed to satisfy the SMA requirements.

Mr. Kealoha said in 1979 the Board denied about ten applications to construct family dwellings. He asked whether the Board should reconsider, based on the community environments, these actions and review Regulation 4 and all of the maps within Regulation 4 so that the Board may come up with little more clear determination.

He said lots of these applicants complained because under the same subzone there are dwellings which are closer to the ocean that were approved, some are grandfathered, and they may be only one parcel away from each other. He said this puts the Board in a precarious position. He hoped that the staff can have this matter before the Board at some future date for review of Regulation 4 and the subzones.

Mr. Evans admitted there are lots of houses that have been built in that area. Up until Regulation 4 was changed, a single family house was a permitted use. He said when they worked on Regulation 4, they tried to take the criteria set up by the Land Use Commission.

(Mr. Hong was excused and left the meeting at 11:50 A. M.)

Mr. Evans said there was another application on the agenda (Item H-4) which is essentially on the same thing. He said one alternative the applicant can take is to petition the Board to review the boundary. He said the staff can take a look at the boundaries of this entire area and perhaps come back to the Board with suggestions and recommendations.

Mr. Ono asked whether a boundary change would require a full public hearing. Mr. Evans recommended that we have a public hearing on such a matter because of the sensitivity of the matter.

Mr. Higashi asked whether there is any plan for the immediate future to look into this statewide with respect to subzones. Mr. Evans said it's something they would like to do but in view of the staff constraints they are unable to do so at the present time.

ACTION Mr. Yamamoto moved to deny this request as recommended by staff. Mr. Higashi seconded and the motion was unanimously carried.

ITEM H-4 CDUA FOR ACCESSORY STRUCTURES TO EXISTING PASTURE AND SINGLE-FAMILY DWELLING USE AT HONOKALANI, HANA, MAUI (MR. AND MRS. JOHN E. DRYER)

ACTION Unanimously approved as submitted. (Yagi/Kealoha)

ITEM H-5 CDUA FOR SINGLE-FAMILY DWELLING AND ACCESSORY ART STUDIO AT HAENA, KAUAI (MR. AND MRS. WILLIS E. LEACH)

The comments made on Item H-3 applied to this item also. Like Item H-3, the recommendation for this application was for denial. Mr. Evans said he shares the need for possible reassessment of the boundaries of this limited subzone in that area.

ACTION Mr. Yamamoto asked for deferral of this item for further study and until the next Board meeting. There was no objection by the Board.

(See page 12 for Item H-6.)

ITEM H-7 AMENDMENT TO CDUA FOR SUBDIVISION AND WILDLIFE REFUGE USE AT HANALEI, KAUAI (WILSON, OKAMOTO & ASSOCIATES ON BEHALF OF U. S. FISH & WILDLIFE SERVICE)

This was a request for amendment to a previous approved CDUA. Mr. Evans said this amendment is for an extension of taro in the area. When the Board approved the original CDUA that concept was mentioned that they would likely be expanding the taro. He also pointed out to the Board that comments from the Kauai Planning Department are that Federal-controlled lands are excluded from their process, as well as federal lands with federal funds.

ACTION Unanimously approved as submitted. (Yamamoto/Kealoha)

(See page 12 for Item H-8.)

ITEM H-9 REQUEST FOR PUBLIC HEARING ON APPLICATION FOR USE OF LAND WITHIN THE CONSERVATION DISTRICT FOR COMMERCIAL PURPOSE (CLIFF R. SCOTT ON BEHALF OF CHRISTIAN BROADCASTING ASSOCIATION)

ACTION The Board, on Mr. Higashi's motion and seconded by Mr. Yamamoto, unanimously authorized a public hearing on March 13, 1980 in Hilo for the

proposed use, and further authorized the Chairman to prepare and forward the hearing notice to the applicant and other affected persons, and to set the time and place of the public hearing.

ITEM H-6 NARS - REPEAL OF REGULATIONS 6 AND 7 AND REPLACEMENT WITH REGULATION 10

Mr. Higashi suggested that the public hearings be held first before Regulations 6 and 7 are deleted and replaced with Regulation 10. After the public hearing, the master can report back to the Board with the results of the hearing and make his recommendations.

ACTION Mr. Higashi made a motion to delete Item 1 from the submittal and authorized the public hearings, and the Chairman to appoint a hearing master. Mr. Yagi seconded and the motion was unanimously carried.

(See page 11 for Item H-7.)

ITEM H-8 REQUEST FOR LEAVE OF ABSENCE WITHOUT PAY, POSITION NO. 11465, CLERK III, CAROL MATSUSHIGE

ACTION Unanimously approved as submitted. (Kealoha/Yamamoto)

(See page 11 for Item H-9.)

ITEM I-1 APPOINTMENT OF VOLUNTEER CONSERVATION AND RESOURCE ENFORCEMENT OFFICERS FOR COUNTY OF HAWAII AND COUNTY OF MAUI

Mr. Ono made the presentation for Mr. Matsuzaki who was out on a job.

Mr. Ono asked that Mr. Abraham Kaalele's name be deleted from the Molokai roster since he has moved to the mainland.

ACTION Unanimously approved as amended. (Higashi/Kealoha)

ITEM F-14 NANAKULI HOMESTEADERS ASSOCIATION APPLICATION FOR USE OF PORTION OF FORMER CAMP ANDREWS PROPERTY, NANAKULI, OAHU (MATERIALS DISTRIBUTED AT BOARD MEETING)

Mr. Detor distributed to the Board members a letter signed by Mrs. Rose L. Jackman, President of the Nanakuli Hawaiian Homesteaders' Association, Inc. The Association is interested in approximately ten acres of the subject parcel and has requested assistance in applying for a federal grant of \$750,000 for the construction of a cultural plaza at Camp Andrews in Nanakuli.

The former Camp Andrews' site, mauka of Farrington Highway, consists of about thirty acres. This was land that was returned to the State by the Federal government some years ago.

Mr. Detor said at one time they were talking about putting a school there. However, because of the presence of a large ditch that went through the property, it was decided that it might not be the place for it.

This property is included in the land exchange with Hawaiian Homes that was approved some years ago and which was subsequently withdrawn. It is still in the pending status as to whether it will be conveyed by way of an exchange to the Hawaiian Homes.

At the present time, the property is being used on a temporary basis by various people. A portion of the area is being used by DOE for bus parking turnaround. A portion of it is also being used by the Honolulu Community Action Program. We have a request from the City and County of Honolulu who already has a land mauka for park use.

The Nanakuli Athletic Association is using a portion of the area on a temporary basis. Recently the Board gave Hawaiian Homes permission to utilize a portion of it for a gang cesspool disposal system.

Mr. Yagi asked what happens to these people who are presently using the place. Mr. Detor explained that the Association was only making a presentation today to the Board what they want to do.

Mrs. Rose Jackman gave a brief resume and history of how this request was originated, and asked for the Board's kokua in their plight. She said in order to complete their application, they need a letter from the Department of Land and Natural Resources an indication that they will make the land available to them. They have a deadline of January 31 to notify the Federal government.

Mr. Kealoha said he didn't understand why HHL never contacted DLNR with regard to this proposal.

Mr. Ono informed the Board that he and the staff did meet with HHL very recently. At that time the staff felt that it may be better if the entire thirty acres were made available to HHL in anticipation of an exchange with them.

Mr. Detor said all they need right now is assurance that it will be included so they can tell the Federal government that this land is in the proposed land exchange with Hawaiian Homes. He said if we are going to convey it, we can work up something with HHL so they can issue the permit. Mr. Detor said the Deputy Attorney General assigned to HHL said that unless this land is included in an exchange they cannot take it and issue a lease to the community association.

ACTION Mr. Kealoha moved to approve the conveyance of the Camp Andrews site, more particularly identified as Tax Map Key 8-9-02, Parcel 1, to Hawaiian Homes with a stipulation that the Nanakuli Community Association's request be given serious consideration. Mr. Higashi seconded and the motion was unanimously carried.

ITEM J-1 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KAHULUI HARBOR, MAUI (HPBS, INC.)

ACTION Unanimously approved as submitted. (Higashi/Kealoha)

ITEM J-2 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KEEHI LAGOON, HONOLULU, OAHU (WILLIAM J. URSO)

ACTION Unanimously approved as submitted. (Kealoha/Yamamoto)

ITEM J-3 RESUBMITTAL - ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KALIHI-KAI, HONOLULU, OAHU (STANLEY K. YAMASHITA)

ACTION Unanimously approved as submitted. (kealoha/Higashi)

ITEM J-4 CONTINUANCE OF REVOCABLE PERMITS, HARBORS DIVISION

Mr. Garcia said Permit No. H-253 to Kotake Company, Ltd. may not be a consistent use. They were in the area prior to the State purchasing the property from Dillingham Corporation.

Mr. Kealoha questioned why Bureau of Customs is getting free rent for space at Pier 32. Mr. Garcia said because of the service that they provide. Mr. Wong added they provide services for tourists who will be spending money here.

Mr. Kealoha asked whether we can deduct from the annual rental of \$238,000 from the Federal Post Office Building all of the free rent that the Federal agencies are getting from the State. Mr. Ono said this is an appropriate question to pose directly to the GSA people when they arrive next month.

ACTION Unanimously approved as submitted. (Kealoha/Higashi)

ITEM J-5 RESUBMITTAL - MODIFICATION NO. 12 TO LEASE NO. A-62-19, HONOLULU INTERNATIONAL AIRPORT, OAHU (UNITED AIR LINES, INC.)

ACTION Unanimously approved as submitted. (Kealoha/Yamamoto)

ITEM J-6 MODIFICATION NO. 2 TO LEASE NO. DOT-A-73-38 (ADDITION), HONOLULU INTERNATIONAL AIRPORT, OAHU (PHILIPPINE AIRLINES, INC.)

Mr. Garcia said in this particular lease they are using these areas under a space permit and they are converting it to a lease. As a result, their monthly lease rental will be increased to \$2,566.00.

ACTION Unanimously approved as submitted. (Kealoha/Higashi)

ITEM J-7 APPLICATION FOR ISSUANCE OF A SPACE PERMIT, AIRPORTS DIVISION, HONOLULU INTERNATIONAL AIRPORT, OAHU (TRAVELERS KOKUA, INC.)

ACTION Unanimously approved as submitted. (Kealoha/Higashi)

ITEM J-8 RENEWAL OF SPACE PERMIT, CONFORMING USE, AIRPORTS DIVISION, WAIMEA-KOHALA AIRPORT, HAWAII (HAWAIIAN AIRLINES, INC.)

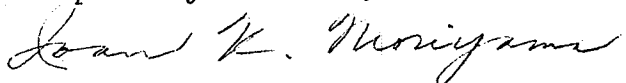
ACTION Unanimously approved as submitted. (Higashi/Yamamoto)

ITEM J-9 REVISION OF RENTAL, RENEWAL OF SPACE PERMITS (REVOCABLE PERMITS), AIRPORTS DIVISION

ACTION Unanimously approved as submitted. (Kealoha/Higashi)

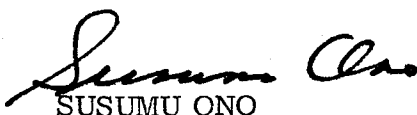
ADJOURNMENT: There was no further business and the meeting was adjourned at 12:45 P. M.

Respectfully submitted,



JOAN K. MORIYAMA
Secretary

APPROVED



SUSUMU ONO
Chairman

jkm