

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

DATE: February 22, 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 10:15 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. James Yamashiro
Mr. Ralston Nagata
Mr. James Detor
Mr. Raymond Hee
Mr. Roger Evans
Mr. Maurice Matsuzaki
Mr. Charles Neumann
Mr. Edgar A. Hamasu
Mrs. Joan K. Moriyama

OTHERS

Mr. Johnson Wong
Mr. Peter Garcia
Mr. Peter Nelligan
Mr. Robert Fukuda (Added Item F-1-f)
Mr. Mamoru Shimokusu (Added Item F-1-f)
Mr. Stanley Kain (Item F-1-c)
Mrs. Osborne (Item F-13)
Mrs. Joyce Alameida (Item H-5)
Mr. Charles Toth (Item F-1-d)
Mr. Ira Purdin (Item F-1-d)
Mr. Bruce West (Item F-1-b)

MINUTES

The minutes of January 25, 1980 were unanimously approved as circulated.
(Hong/Yamamoto)

ADDED
ITEMS

Mr. Kealoha moved to add the following items to the Board agenda, which was seconded by Mr. Hong and unanimously carried:

Land Management

Item F-1-f -- MORTGAGE - David DeLuz, et al, request for consent to mortgage - GL No. 3029, Waiakea, South Hilo, Hawaii

Item F-1-g -- COLLATERAL AGREEMENT - Stanley S. Nakasone's request for consent to issuance of collateral agreement, covering Lot 17, University Heights Residential Subdivision, 3d Increment, Waiakea, South Hilo, Hawaii

Item F-1-h -- COLLATERAL AGREEMENT - Norman L. Kia's request for consent to issuance of collateral agreement, covering Lot 7, Kurtistown Houselot Subdivision, Olaa, Puna, Hawaii

Item F-18 -- Big Island Housing Foundation request for amendment of the character of use provision contained in General Lease No. S-4610, Waiakea, South Hilo, Hawaii

ITEM C-1 REQUEST FOR LEAVE WITHOUT PAY - ELDEN LIU

Mr. Elden Liu has requested a six-months' leave of absence. He would like to improve his educational background and experience to make himself more qualified for a higher position within our department. His interest is in the area of enforcement. Currently he is employed as a General Laborer I.

Mr. Ono informed the Board that we can fill the vacancy on a temporary basis so there will be no loss of man hours to this program.

ACTION Unanimously approved as submitted. (Yagi/Hong)

ITEM C-2 REQUEST TO CONTINUE AND EXPAND PILOT TREE FARMING AND INTERIM PAPAYA USE PROGRAM, HALEPUAA SECTION, NANAWALE FOREST RESERVE, PUNA, HAWAII

This program was initiated back in March 1978 when the department received a request to make some lands available for papaya cultivation. The original request was for not less than ten years. After consultation with the then Chairman, Mr. Thompson, and some Board members, staff felt that it would be in the State's best interest if it went in with a short-term lease and put those land back into forest reserve.

Mr. Landgraf said a comprehensive plant and bird surveys of the area have been completed, and archaeological sites have been identified and those areas have been totally excluded from the use area.

Mr. Landgraf further explained that the conditions in the submittal are those presented in their proposal which was a result of the notice that appeared in the newspaper. He pointed out that in terms of acreages, areas, the intent, etc., nothing in the submittal exceeds the original intent that was accepted by the Board.

Mr. Kealoha said the request here is for 75 acres. He recalled the original proposal was for approximately 600 acres--100 acres for the first year. They would be given about three or four years to develop the first 100 acres, and then would expand the operation for additional 100 acres per year, and going up to 10 years. After the use of the 100 acres, one of the requirements was that the area be cleared to make it available for Forestry to plant trees, 100 acres at a time.

Mr. Landgraf said that is correct. The original proposal was for 696 acres, more or less. However, he said he and his staff were hesitant to come in at this time for the entire area because the area is in conservation. They felt that if they went in with a one-year trial to see what would happen, and if everything would fall into place, they would take this coming year to do a more detailed work and do a complete EIS and a CDUA, a responsibility of the Forestry Division.

Mr. Kealoha said we shouldn't restrict the papaya people from using the 100 acres, and suggested that the submittal be amended.

In discussing Condition No. 15, Mr. Higashi asked whether the filing of the financial statement is to be done after they complete the project. Mr. Landgraf said the intent was that they file the financial statement prior to operations. He suggested that Condition No. 15 be amended accordingly.

There was some discussion on Condition No. 4 on the survey boundaries. Mr. Landgraf said the Diamond Head Papapa has agreed to pay for the survey. The pins and boundary have already been established by us. This would be just relocating the pipes.

Mr. Higashi asked whether this is going to create a subdivision. Mr. Landgraf said this is a survey of the entire 696 acres and there is no intention to subdivide the parcel.

Mr. Hong wanted to know what gauge the staff used in picking the \$600 figure for site preparation noted under Item 2d. Mr. Landgraf said they used the present and immediate land clearing cost.

Mr. Ono asked whether this approach can be applied to other areas on the Big Island. He raised this question because subsequent to the closing date of this notice there was an expression of interest. If it is a good concept he would like to see this applied in the future.

Mr. Landgraf said that was the whole intent of this. They do know that they are in need of land.

ACTION Unanimously approved as amended above. (Higashi/Yagi)

ITEM E-1 APPROVAL TO EXECUTE GRANT AGREEMENTS FOR VARIOUS FEDERAL HISTORIC PRESERVATION GRANT-IN-AID PROJECTS FOR SURVEY AND PLANNING PURPOSES

Mr. Hong questioned Item No. 4. He asked who is the Aloha Tower Committee who will be doing this Maritime Museum Study and Maritime Site Survey, and whether they are coordinating with the State Advisory Committee on the Aloha Tower Complex.

Mr. Ralston Nagata said they would be coordinating with whoever is working on the Aloha Tower complex. What they want to do basically is to try to set up a museum in the Aloha Tower. In addition to that they want to do an initial study of maritime-type sites starting with the Island of Oahu. This would be merely a study to see how they can use the tower, and it doesn't have to be implemented.

Mr. Hong recommended that they touch bases with the advisory committee. Mr. Nagata believed that they have done this, but he will follow up on that.

ACTION Unanimously approved as submitted. (Hong/Kealoha)

ITEM E-2 APPROVAL OF HISTORIC SITE SUBMISSION TO REVIEW BOARD

At this time the Chairman recognized the presence of Mr. Peter Nelligan, Chairman of the Review Board.

Mr. Ono said this is a new procedure that is being implemented based primarily on the Attorney General's opinion. What goes from the Historic Sites Branch to the Review Board should properly come through the Land Board and then to the Review Board. In the past it was going directly from branch to the division, then to the Review Board. This is a new process, and Mr. Ono said we will go through a little bit of a shakedown period. Couple of questions have already been raised internally, he said.

One is, if we adhere to this process, would we expect all of the projects to come through the Land Board, or will there be some delegation of responsibility to the Chairman or staff? If the Board looks at each project and certain projects are approved and forwarded to the Review Board, and certain ones are not, what happens to the files that are not forwarded? Should we still share the information with the Review Board and with the staff?

Mr. Nagata said the Review Board has two roles. Primarily the Board's role is to designate something as being of historical significance by placing it on the Hawaii Register. They also serve another role, in recommending approval back to the State Historic Preservation Officer for nomination of such sites to the National Register. As far as the ability to purchase property that would be the responsibility of this department rather than the Review Board.

Mr. Hong asked whether we need the concurrence of the building owner or property owner to put on this list. He further asked whether the owner is given an opportunity to know that the building is being considered to be on the list.

Mr. Peter Nelligan said under the procedures that the Review Board uses, currently they comply with all of the provisions of the Administrative Procedure Act and they have their own set of rules adopted. They send registered letters to the owners and hold preliminary hearings, where the owners are allowed to come and make whatever statements they want to make, then the Review Board makes a preliminary decision. The owners notified again by registered mail of the preliminary decision and given an opportunity to appeal in contested cases. Under the Administrative Procedures Act, they are given the opportunity to appeal.

Mr. Nagata said it was his understanding that the Review Board plans to take formal action next month to remove those sites that have not gone through the proper procedure.

Mr. Hong wanted to know who serves on this Review Board. Mr. Nelligan said they are two architects, two sociologists, two historians, two archaeologists, and two persons knowledgeable in the Hawaiian culture and traditional Hawaiian society. They are professional people who don't have legal training, and they took the advice of the staff of the Historic Sites Section.

Mr. Nagata said if our department does not concur within ninety days, then the concurrence of our department is not required. However, there might be county ordinances that may prevent or deter further the actions of the property owner.

Another point brought out by Mr. Nagata was, although the opinion of the Attorney General's Office had to do specifically with the submittal of nomination forms to the Review Board, there is another major thing that has to do

with reviews. In the past they have normally taken upon themselves to act on requests for review of projects and prepared comments as department's position on development. Mr. Nagata said they wanted to get some direction from the Board whether they want to be heavily involved in this aspect. This would be similar to a CDUA-type review. The staff's position would be that a lot of these reviews need not be brought to the Board's attention. If there were major reviews, however, the Board would probably want to take action on it.

It was the general consensus of the Board that it was not necessary for the Board to pass on all items of this kind, and that it can be delegated to the Chairman.

Mr. Ono said the delegation to the Chairman may create a problem because he also serves as the State Historic Preservation Officer.

Mr. Hong said we refer to "historic sites." As he saw it, historic sites is something significant that has happened in the history of our State or our nation. He asked what guideline is used for placing something on the historic sites register.

Mr. Nelligan said with respect to the National Register the Federal government has adopted a set of criteria for applying to these sites, and they are incorporated into the Review Board's rules for the National Register. They also use the same criteria, with some minor modifications, for the Hawaii Register.

Mr. Nagata said part of the problem began when the program was initially conceived, when the Federal government got off the ground back in 1966. What they wanted was to come up with as comprehensive list as possible as historic sites that met this broad criteria. Prior to that they were looking at things really of national significance.

Mr. Higashi asked whether all of the counties are represented on the Review Board. Mr. Nelligan said there is no requirement that there be one representative from all the counties. However, he said geographic representation is definitely desirable. He didn't believe there is anybody from the Big Island. It isn't all that easy to get people on the Review Board, Mr. Nelligan said.

The Hawaii Foundation for History and Humanities appointed the Review Board members. Mr. Nagata said the Review Board is actually under Department of budget and Finance.

Mr. Ono said the Board can take action on Item E-2 or wait until the staff develops the procedures. The staff can lay out the various procedures and come to the Board with recommendations. He asked the staff whether there was any timing problem on the list shown on Item E-2.

Mr. Nagata said the Old Haleiwa Elementary School is the only one which required immediate action.

Mr. Ono said the Board can approve the Old Haleiwa Elementary School today and defer the others until the procedure is set up.

ACTION Mr. Kealoha moved, seconded by Mr. Hong, and the Board unanimously approved to submit to the Review Board only the Old Haleiwa Elementary School Classroom and Administration Building, with the understanding that the staff will work out the procedures for submission to the Land Board.

ITEM E-3 RESUBMITTAL - PERMISSION TO NEGOTIATE AND EXECUTE A CONTRACT FOR A CULTURAL RESOURCES INVENTORY AND MANAGEMENT STUDY FOR THE NORTH KOHALA DISTRICT, ISLAND OF HAWAII

ACTION Unanimously approved as submitted. (Higashi/Yagi)

ITEM E-4 FILLING OF A CLERK-TYPIST II POSITION, HILO OFFICE, HAWAII PARKS SECTION

ACTION The Board unanimously approved the exempt appointment of Ms. Gail Arakawa to fill Position No. 21338E, Clerk-Typist II, for a period not to exceed June 30, 1980.

Mr. Yamamoto wanted to know when the helicopters can operate on the Napali coast and asked Mr. Yamashiro this question. Mr. Yamashiro responded that one of the conditions that the Board approved for the helicopters to operate was under a lease. The lease preparation comes under Land Management, he said, and referred the matter of the lease to Mr. Detor.

Mr. Detor said they have not really looked at the lease issue that closely as yet. He said it is going to take sometime. One of the problems is that the CDUA action specified that there be no more than 80 people on the beach at any one time. He wondered how you're going to be putting that in a lease if we have to go through public auction.

Mr. Ono said if this is an impossible situation, he should let the Board know instead of taking no action on it.

Mr. Yamamoto asked whether something can be worked out during an interim. Mr. Detor thought this could be done, maybe through a special use permit basis, like they did with the zodiacs, or maybe on a straight permit basis.

Mr. Yamashiro said in this case we would have to amend the CDUA that was approved by the Board that pertains to the lease. He said the staff will come back to the Board at its next meeting to amend that portion of the CDUA.

ITEM F-1 DOCUMENTS FOR CONSIDERATION

HAWAII

Item F-1-a REVOCABLE PERMIT

BLAIR, LTD., a Hawaii Corporation, portion of the Government land situate at the corner of Manono and Piilani Streets, Waiakea, South Hilo

This was a request to cancel the existing Revocable Permit No. S-3829 to Blair, Limited, effective February 29, 1980 and the issuance of a new permit covering the subject premises, subject to the terms and conditions listed in the submittal. (See page 11 for action on Item F-1-a.)

(See page 10 for Item F-1-b.)

Since the applicant for Item F-1-c was in the audience, the Board deviated from its regular agenda and took up Item F-1-c next.

OAHU

Item F-1-c REVOCABLE PERMIT
VOLUNTEER, INFORMATION & REFERRAL SERVICE - Building 18, Fort Ruger,
Honolulu - for storage purpose - \$86.50 per month

Mr. Detor said this is an organization which helps refugees from far east, in terms of getting them started here in Hawaii. They have been occupying Building 33 at Fort Ruger, through a permit issued by the State Department of Defense (DOD). This area has been turned over to us for use by the State Parks Division, but the applicant wants to continue using the area. However, since State Parks has immediate need of Building 33, staff proposed to house them in Building 18 on a temporary basis until they can find permanent quarters, at a suggested monthly rental of \$86.50, which is based on 5¢ per square foot.

Mr. Ono asked whether it is legal to waive the rental rate as they requested. Mr. Detor said the rental rate is based on the premise that Section 171-43 of the Hawaii Revised Statutes, which deals with leases (this is a permit but staff is going on the same approach), allows a nominal rental to be assessed when it is to be used by a nonprofit or an eleemosynary organization for camp sites, youth athletic activities, or for educational facilities purposes. Section 171-43.1 allows direct disposition to nonprofit or eleemosynary institutions for charitable, education or religious purposes, but it does not specify that the disposition can be made on a nominal rent consideration basis. On this premise, staff is assessing rent.

Mr. Kealoha said DOD should bear the burden of relocating their tenants, not DLNR.

Mr. Detor said his information is that DOD doesn't have anything. We have a building that we can accommodate them at least temporarily.

Mr. Ono said the written testimony that was distributed to the Board members by the applicant saying that they were "surprised and disturbed to learn that a monthly rental fee would be charged" is not accurate.

Mr. Stanley Kain of the Hawaii Council of Churches said they did have a meeting with some of the staff members, but it was following receipt of the letter from DLNR dated January 21, 1980 that they were made aware of the rent. Since they were given an opportunity by DOD for the use of Building 33 for \$1.00 a year, and in view of the fact that there was no prior indication of rental, they felt that the same arrangement would apply for Building 18.

Mr. Detor didn't think the State DOD had the authority to give them a permit on a \$1.00 a year basis to begin with.

Mr. Kain said they are not really questioning the amount of rental. Their question is with the principle of being charged rental in the first place, whatever the amount.

Mr. Detor said staff is suggesting rent because the law simply does not permit waiving the rental.

Mr. Yagi said their organization is doing an honorable venture. However, just because they come before the Board doesn't mean that the Board should disregard the law. He said the Board cannot do that.

Mr. Kain asked whether the Board has the prerogative to ask the Attorney General's Office for clarification with regard to the statutes as it would apply in this instance. Mr. Ono said we do.

Mr. Kain said he is rather anxious to get the Attorney General's opinion on that. The Board suggested that he get his own attorney and take a legal position on it.

Mr. Ono said the Board is not doubting the value of the program. The Board cannot unilaterally reduce the rent, no matter how meritorious that project may be.

Mr. Kealoha asked Mr. Detor what his recommendation is in view of the discussion. Mr. Detor said his recommendation remains the same, unless they can show him some legal means that would permit them on a free basis.

Mr. Kealoha said he wants the record to clearly show that the staff recommendation remains the same at \$86.00 per month, and that it is a reasonable rent for that use, for that organization.

(For action on Item F-1-c, see page 11.)

Item F-1-d MOVERS, INC. - Lots 423, 424 and 427, Sand Island, Honolulu - for baseyard for operation of trucking business - \$603.75 per month

Mr. Detor said they have been informed that the rolling stock for Buckeye have been sold to Mover's Inc. So they are the company operating it.

Staff's recommendation was (1) to cancel Revocable Permit No. S-4518, effective February 10, 1980; and (2) the issuance of a permit to Movers, Inc.

Mr. Charles Toth appeared before the Board and asked the Board to hold off for one month more. He said he wasn't subrenting and that he was in partnership with Ira's Equipment. If the Board is going to cancel the permit, he asked that Ira's Equipment be permitted to stay there. Mr. Toth said he has been paying the rent since 1972 till last month.

Mr. Detor said there is a preliminary injunction right now which enjoins Mr Toth from going on the premises. What has happened is Mr. Toth sold his business to Movers, Inc. and there is a court action on this confirming this arrangement. Mr. Detor said if it doesn't legally complicate matters, he would prefer to wait and see what happens to the court case. He said we don't want to get involved in the case.

ACTION Mr. Kealoha moved to accept staff's recommendation to cancel Revocable Permit No. S-4518 as of February 10, 1980, and authorized the issuance

of a revocable permit to Movers, Inc., under the terms and conditions as listed in the submittal, including an additional condition that the February and March rent be paid in advance, by certified check at the time of the issuance of the permit by Movers, Inc. Mr. Hong seconded, and the motion was unanimously carried.

(See pages 10 and 11 for Item F-1-e.)

ADDED
Item F-1-f

HAWAII

MORTGAGE

DAVID DE LUZ, RONALD CARL ROBERTSON, JOHN and LINDA ANN TOLMIE, and PUNA SHORES, INC., mortgagors, to YORKWOOD SAVINGS AND LOAN ASSOCIATION, mortgagee - Lots 12 and 12A, Ocean View Lots, Waiakea, South Hilo - GL No. 3029

The assignment of the subject lease from Yorkwood Savings to the present lessees was approved by the Board last year. Mr. Robert Fukuda, attorney for Yorkwood Savings and Loan Association, said they didn't realize at that time that they needed approval of the mortgage.

Mr. Fukuda explained that at the time when they drew up the assignment of lease, two subleases were also included. Mr. James Ho, the original lessee, informed him then that they were approved by the Board. However, upon checking with DLNR, he found out that the subleases were not approved by the Board. Back in 1976, Mr. Ho made a sublease of the restaurant to Diamond Enterprise, which sublease is to run until 1984, and another sublease made in February of 1977.

Mr. Fukuda informed the Board that Attorney Mamoru Shimokusu, attorney for Diamond Enterprise, was present at the meeting. He will be submitting to Land Management Division the subleases for Board approval.

Mr. Detor said the sublease is a separate issue and will be presented to the Board for approval at its next meeting which is scheduled for March 14, 1980 in Hilo.

ACTION Mr. Higashi moved, seconded by Mr. Kealoha, and the Board unanimously approved added Item F-1-f as presented.

(See page 11 for Added Items F-1-g and F-1-h.)

ITEM F-13

RESUBMITTAL - RICHARD & PATRICIA BEYER REQUEST FOR SUSPENSION OF WATER AND WATER RIGHTS, LOTS 117 AND 129, WAIMANALO CORE DEVELOPMENT, WAIMANALO, OAHU (TMK: 4-1-22:22 AND 24)

The subject lots were sold by the Waimanalo Development Company and not by the State. However, the lots were subject to a reservation of all water and water rights. In order for the people who are purchasing the lot to get financing through Veterans' Administration, they have asked that the rights be waived. Mr. Detor said we cannot do that. However, he suggested, as we do in state-owned lots that we have sold, that the Board agree to the suspension of these rights during the period of time that it is under mortgage to VA, then it would be removed after that mortgage period is over.

ACTION Unanimously approved as submitted. (Kealoha/Yagi)

Item F-1-b SUBLEASE (MAUI)

PARKER PURDY, Sublessor, and THOMAS S. POWELL, JR., and MADELEINE C. H. POWELL, husband and wife, BRUNO R. WEST and JUDITH D. WEST, husband and wife, Sublessees - portion of the Government land of Wakiu, situate at Hana - GL No. S-4568

ACTION Mr. Yagi moved, seconded by Mr. Yamamoto, and the Board unanimously approved Item F-1-b as submitted.

ITEM F-14 PETER MOIX AND ASSOCIATES, LTD. APPLICATION TO PURCHASE UNIMPROVED ROAD REMNANT, AIEA, OAHU

The subject remnant is a paper road at Aiea Homesteads which the City and County of Honolulu does not intend to develop. Mr. Detor said he has a letter on file from the City and County saying that they are not going to build this road.

ACTION Unanimously approved as submitted. (Kealoha/Yagi)

ITEM H-3 CDUA FOR SUBDIVISION, CONSOLIDATION, AND MAINTENANCE USE AT PAA, KOLOA, KAUAI (GREGORY A. KAMM ON BEHALF OF ADM INTERNATIONAL)

This was deferred at the last meeting because the Board wanted assurance that, should the subdivision be approved, there would be no loss of conservation district land. Staff reviewed the matter and assured the Board that there would be no loss of conservation district boundaries. The basic reason for this, as Mr. Evans pointed out, is when we have a tax map and a parcel is consolidated or subdivided, it may change the lines on a tax map, but that is all that is changed. The land use district boundary lines are then superimposed on the tax map and the conservation district lines don't change, regardless of any change in property ownership, etc., through subdivision or consolidation.

Mr. Evans said Condition No. 7 is a standard condition which should not have been included in this application. He asked that this condition be deleted. On Condition No. 9 (which will be renumbered No. 8), he asked that this be amended to include the Division of Forestry.

ACTION Unanimously approved as amended above. (Yamamoto/Yagi)

ITEM H-5 CDUA FOR SINGLE FAMILY DWELLING USE AT KANEOHE, OAHU (JOYCE K. ALMEIDA)

ACTION Unanimously approved as submitted. (Kealoha/Hong)

Item F-1-e ASSIGNMENT (KAUAI)

JAMES M. BAILEY and ROSELLE BAILEY, husband and wife, as Tenants by the Entirety, in and to one-third undivided interest; and GEORGE F. GOOD and MATILDA S. GOOD, husband and wife, as Tenants by the Entirety, in and to one-third undivided interest; and NORMAN H. LEWIS and NANCY J. LEWIS, husband and wife, as Tenants by the Entirety, in and to one-third undivided interest; but as Tenants in Common as to each other with respect to the three one-third undivided interests, to JAMES M. BAILEY and ROSELLE BAILEY, husband and wife, as Tenants by the Entirety in and to one-half

undivided interest and NORMAN H. LEWIS and NANJI J. LEWIS, husband and wife as Tenants by the Entirety, in and to one-half undivided interest; but as Tenants in Common as to each other with respect to the two one-half undivided interests - Lot 13, Puu Ka Pele Park Lots, Waimea (Kona) - GL No. S-4492

(See page 9 for Item F-1-f.)

ADDED

Item F-1-g COLLATERAL AGREEMENTS (HAWAII)
STATE OF HAWAII, STANLEY S. NAKASONE and HARRIET K. NAKASONE, husband and wife as tenants by the entirety, and AMERICAN SAVINGS & LOAN ASSOCIATION - Lot 17, University Heights Residential Subdivision, 3d Increment, Waiakea, South Hilo - SSA No. S-5544

ADDED

Item F-1-h STATE OF HAWAII, NORMAN L. KIA and CHARMAINE K. KIA, husband and wife, as tenants by the entirety, AMERICAN SAVINGS & LOAN ASSOCIATION and R. K. BUILDERS, INC. - Lot 7, Kurtistown Houselot Subdivision, Oloo, Puna - SSA No. S-5506

ACTION Mr. Kealoha moved, seconded by Mr. Yamamoto, and the Board unanimously approved Items F-1-a, c, e, added Items F-1-g, and h. Item F-1-c was approved with a condition that within the next thirty days if the applicant does not approve of the rental, then this Board approval becomes null and void.

ITEM F-2 COUNTY OF HAWAII'S REQUEST FOR MAINTENANCE EASEMENT AND CONSTRUCTION RIGHT OF ENTRY, KALAPANA ROAD SHORE PROJECT, KALAPANA, PUNA, HAWAII

ACTION Unanimously approved as submitted. (Higashi/Yagi)

ITEM F-3 COUNTY OF HAWAII REQUEST FOR AMENDMENT OF PREVIOUS BOARD ACTION (5/11/79, AGENDA ITEM F-4) AUTHORIZING ISSUANCE OF A LEASE TO THE COUNTY OF HAWAII, COVERING LOT 2, BLOCK 40, OF THE WAIAKEA HOUSE LOTS, WAIAKEA, SOUTH HILO, HAWAII

ACTION Mr. Detor asked to withdraw this item. A question had come up and he said it should be resolved before they go any further with it. There was no objection by the Board.

ITEM F-4 COUNTY OF HAWAII REQUEST FOR CONVEYANCE OF ROAD RESERVE PARCEL, WOOD VALLEY, KAU, HAWAII

ACTION Unanimously approved as submitted. (Higashi/Hong)

ITEM F-5 KINOOLE BAPTIST CHURCH APPLICATION TO LEASE LOTS 14, 15, AND 16 (COMBINED) OF THE PAHOA VILLAGE LOTS, KEONEPOKO IKI, PUNA, HAWAII

ACTION Unanimously approved as submitted. (Higashi/Kealoha)

ITEM F-6 STAFF RECOMMENDATION FOR AMENDMENTS TO PREVIOUS BOARD ACTIONS (11/30/79, AGENDA ITEM F-6 AND 12/14/79, AGENDA ITEM F-6) RELATING TO PANAWEA FARM LOTS, 2ND SERIES, WAIAKEA, SOUTH HILO, HAWAII

ACTION The Board, on Mr. Higashi's motion and seconded by Mr. Kealoha, unanimously

voted to delete from agenda Item F-6, November 30, 1979, the reference to "portion of Parcel 19 of TMK 2-4-49", and added to agenda Item F-6 of December 14, 1979 Board meeting, "Lot 3, 9.079 acres, more or less, TMK 2-4-49: portion of 19."

- ITEM F-7 MAUI ELECTRIC COMPANY, LTD. AND HAWAIIAN TELEPHONE COMPANY APPLICATION FOR TRANSMISSION POLE AND LINE EASEMENT, LAHAINA, MAUI
- ACTION Unanimously approved as submitted. (Yagi/Yamamoto)
- ITEM F-8 SHIGERU SHIMOMURA REQUEST FOR ACCEPTANCE OF DEDICATION OF LAND REQUIRED FOR ROAD WIDENING, NAPILI, LAHAINA, MAUI
- ACTION Unanimously approved as submitted. (Yagi/Yamamoto)
- ITEM F-9 LEON SCHUMAKER APPLICATION FOR EASEMENT, UALAPUE, MOLOKAI
- ACTION Unanimously approved as submitted. (Yagi/Kealoha)
- ITEM F-10 CITY AND COUNTY OF HONOLULU REQUEST FOR DRAINAGE OUTLET MAINTENANCE EASEMENT, ELEPAIO STREET DRAINAGE OUTLET, KAHALA, HONOLULU, OAHU
- ACTION Unanimously approved as submitted. (Hong/Yamamoto)
- ITEM F-11 CITY AND COUNTY OF HONOLULU REQUEST FOR APPROVAL OF ISSUANCE OF FOOD CONCESSION CONTRACT, ALA WAI GOLF COURSE, WAIKIKI, HONOLULU, OAHU
- ACTION Unanimously approved as submitted. (Kealoha/Hong)
- ITEM F-12 STAFF RECOMMENDATION FOR AMENDMENT OF PREVIOUS BOARD ACTION AUTHORIZING ISSUANCE OF LEASE TO HAWAIIAN ELECTRIC COMPANY COVERING SUBSTATION SITE ON SAND ISLAND, HONOLULU, OAHU
- ACTION Unanimously approved as submitted. (Kealoha/Yagi)
- (For actions on Items F-13 and F-14, see pages 9 and 10.)
- ITEM F-15 RESUBMITTAL - STAFF RECOMMENDATION FOR AMENDMENT OF PREVIOUS BOARD ACTION (11/20/79, AGENDA ITEM F-29) AUTHORIZING SALE OF HOUSE AND LOT AT KEKAHA, KAUAI
- ACTION Unanimously approved as submitted. (Yamamoto/Higashi)
- ITEM F-16 STAFF RECOMMENDATION FOR PUBLIC AUCTION SALE OF A LEASE COVER- LOT 62, KAPAA HOMESTEADS, 1ST SERIES, KAPAA, KAUAI
- ACTION Unanimously approved as submitted. (Yamamoto/Yagi)
- ITEM F-17 STAFF RECOMMENDATION TO CANCEL SALE OF LOT 8, WAIMEA HEIGHTS RESIDENTIAL SUBDIVISION, 1ST INCREMENT, WAIMEA, KAUAI
- ACTION Mr. Yamamoto asked to have this item deferred until the next Board meeting. There was no objection by the Board.

ADDED
ITEM F-18

BIG ISLAND HOUSING FOUNDATION REQUEST FOR AMENDMENT OF THE CHARACTER OF USE PROVISION CONTAINED IN G. L. NO. S-4610, WAIA-KEA, SOUTH, HAWAII

Mr. Kealoha asked whether the Board can act on this added item since he questioned whether this request would be considered disposition. He said approval should be made subject to Attorney General's review.

ACTION Mr. Higashi moved, seconded by Mr. Yagi, and the Board unanimously approved the request, subject to approval of the Attorney General's office.

ITEM G-1 FILLING OF ABSTRACTING ASSISTANT V, POSITION NO. 8798

ITEM G-2 FILLING OF CLERK III, POSITION NO. 147

ACTION Mr. Kealoha moved, seconded by Mr. Hong, and the Board unanimously approved the limited-term promotion of Jennie Yamauchi to Position No. 8798, Abstracting Assistant V, SR 13Z, effective March 3 to June 30, 1980, inclusive; and the appointment of Carol Komiyama to Position No. 147, Clerk III, effective March 3, 1980 as submitted under Items G-1 and G-2 above.

ITEM H-1 APPROVAL OF PERSONNEL TRANSACTIONS FOR JANUARY 1980

ACTION Unanimously approved as submitted. (Higashi/Yamamoto)

ITEM H-2 AMENDMENT TO CDUA FOR GOVERNMENTAL FACILITIES AT KALIHI, OAHU (WILSON, OKAMOTO & ASSOCIATES ON BEHALF OF CITY AND COUNTY OF HONOLULU BOARD OF WATER SUPPLY)

This was an amendment to a previously approved CDUA. The Board of Water Supply has asked for building additions to the existing corporation yard at Kalihi. This is to replace the Ala Moana baseyard which is due to be included in the State Parks waterfront park.

ACTION Unanimously approved as submitted. (Kealoha/Yamamoto)

(See page 10 for Item H-3.)

ITEM H-4 CDUA FOR SINGLE FAMILY DWELLING USE AT HONALO, NORTH KONA, HAWAII (GARY W. KLEVER)

This was deferred at the last meeting. A question was asked at that time why the land was placed in the limited subzone. Mr. Evans said the reason for placement of this land in the limited subzone is because of the ocean waves coming onto the property, and this strip of land is considered a coastal high hazard area. He said it is true that nearby is a hotel complex. However, that hotel complex is not in the conservation district. If that complex is located in the conservation district, Mr. Evans said that complex itself is in the high hazard area, and his recommendation would be the same, for denial.

ACTION Mr. Higashi moved, seconded by Mr. Kealoha, and the Board unanimously approved staff's recommendation for denial on the basis that the proposed use conflicts with the objective of the limited subzone.

(See page 10 for Item H-5.)

- ITEM H-6 CDUA FOR SINGLE FAMILY DWELLING USE AT KANEOHE, OAHU (WANKET, SMITH & HOSODA ON BEHALF OF HOUSING PARTNERS HAWAII, INC.)
- ACTION Unanimously approved as submitted. (Kealoha/Yagi)
- ITEM I-1 FILLING OF POSITION NO. 26909, SECRETARY I, SR-11, HAWAII
- ACTION The Board, on Mr. Higashi's motion and seconded by Mr. Yagi, unanimously approved the appointment of Marilyn J. Yasutake to fill the Secretary I Position No. 26909, SR-11, effective March 3, 1980.
- ITEM J-1 APPLICATION FOR ISSUANCE OF A SPACE PERMIT, AIRPORTS DIVISION, LIHUE AIRPORT, KAUAI (MID PACIFIC AIRLINES, INC.)
- ACTION Unanimously approved as submitted. (Kealoha/Hong)
- ITEM J-2 RESUBMITTAL - MODIFICATION NO. 12, LEASE NO. A-62-19, HONOLULU INTERNATIONAL AIRPORT, OAHU (UNITED AIR LINES, INC.)
- ACTION Unanimously approved as submitted. (Hong/Yamamoto)
- ITEM J-3 ADDENDUM NO. 5 TO LEASE NO. DOT-A-74-29, KE-AHOLE AIRPORT, HAWAII (ISLANDER U-DRIVE, INC.)
- ACTION Unanimously approved as submitted. (Higashi/Yagi)
- ITEM J-4 ADDENDUM NO. 2 TO LEASE NO. DOT-A-74-7, LIHUE AIRPORT, KAUAI (TAYLOR TRANSPORTATION CO., LTD. DBA NATIONAL CAR RENTALS)
- ACTION Unanimously approved as submitted. (Yamamoto/Hong)
- ITEM J-5 LEASE - CONCESSION, PASSENGER TERMINAL BUILDING, LANAI AIRPORT, (MAUI SODA & ICE WORKS, LIMITED)
- ACTION Unanimously approved as submitted. (Yagi/Yamamoto)
- ITEM J-6 LEASE - CONCESSION, BUILDING 104, SPACE NO. 103, LIHUE AIRPORT (BRYAN MIYAKE DBA GARDEN ISLAND PORTERS ASSOCIATION)
- ACTION Unanimously approved as submitted. (Yamamoto/Hong)
- ITEM J-7 CONTINUANCE OF REVOCABLE PERMITS, HARBORS DIVISION
- Mr. Garcia said Permit No. H-77-617 to Richard's Plumbing, Inc. is inconsistent use.
- ACTION Unanimously approved as submitted. (Hong/Yamamoto)
- ITEM J-8 USE OF HARBORS DIVISION FACILITIES, PIER 9 PASSENGER TERMINAL, HONOLULU, OAHU (HONOLULU MARATHON ASSOCIATION AND NIKE BLUE RIBBON SPORTS OF BEAVERTON, OREGON)
- ACTION Unanimously approved as submitted. (Hong/Yamamoto)

Mr. Yagi said now that we are losing federal funding towards the construction of airport use, this will affect the Kahului Airport, as well as Lihue Airport. He wanted to know what DOT's plans are, as far as construction is concerned. He suggested that the Board meet with them.

Mr. Ono said since DOT has also asked for a meeting with the Board to discuss some DOT-related issues, a meeting can be arranged.

ADJOURNMENT There was no further business and the meeting was adjourned at 1:45 P. M.

Respectfully submitted,

Joan K. Moriyama

JOAN K. MORIYAMA
Secretary

APPROVED

Susumu Ono

SUSUMU ONO
Chairman

jkm