

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

DATE: APRIL 24, 1981
TIME: 9:00 A. M.
PLACE: DLNR Board Room
1151 Punchbowl Street
Honolulu, Hawaii

ROLL
CALL

Chairman Susumu Ono called the meeting of the Board of Land and Natural Resources to order at 9:05 A. M. The following were in attendance:

MEMBERS

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

STAFF

Mr. Robert T. Chuck
Mr. James Detor
Mr. Roger Evans
Mr. Kenji Ego
Mr. James Yamashiro
Dr. John Corbin
Mr. Maurice M. Matsuzaki
Mrs. Joan K. Moriyama

OTHERS

Deputy A. G. Dona L. Hanaike
Mr. George St. John (Item D-2)
Mr. Bert Hatton (Item D-2)
Mr. Dany Gale (Item F-13)
Mr. Steve Booth (Item F-13)
Mr. Boyce Brown (Item H-1)
Mr. Darwin Haupert (Item J-11)
Mr. John A. Cater (Item F-1-g)
Mr. Peter Garcia

MINUTES

The minutes of March 13, 1981 were unanimously approved as submitted. (Hong/Kealoha)

Mr. Hong asked that the minutes of March 27 and April 10, 1981 be deferred until the next meeting since the board did not have the time to review them. Accordingly, the minutes of March 27 and April 10, 1981 were deferred.

The chairman announced that the board will take the items in the following order in order to accommodate the people in the audience:

RESUBMITTAL - PERMISSION TO ENTER INTO AN AGREEMENT WITH AMFAC TO JOINTLY FUND A FEASIBILITY STUDY FOR THE PUU LUA-KOKEE HYDRO-POWER PROJECT, ISLAND OF KAUAI, AND PERMISSION TO ENGAGE THE SERVICES OF A CONSULTANT

ITEM D-2

This was a resubmittal and concerned a feasibility study for the Puu Lua-Kokee Hydropower Project.

At the last board meeting there were questions from the board, particularly in the area of the method used in the pricing of energy and Amfac's share in financing this project. Attached to the board submittal was a letter from Amfac addressing these two points.

Mr. Chuck said Amfac is committing at this time \$10,000 if there is an overrun on the basis that it would be one-third of the additional cost and the state would pick up the other two-thirds. With regard to Amfac's pricing policy, when and if electricity were sold from this hydroelectric power plant to the electric company, whether or not the Public Utility Regulatory Policy Act (PURPA) method would be used, Mr. Chuck said the letter addressed this fact as follows:

"Our basic pricing policy regarding energy projects is that our investments and activities must provide a rate of return based on the project risk and cost/benefit. We are most interested in reducing the increased cost of power based on oil to the rate payer. We believe that the Puu Lua-Kokee Hydroelectric Project may provide power at rates to the consumer that are less than the cost of oil."

Staff recommended that the board authorize the chairman to enter into an agreement with Amfac to jointly fund a feasibility study for this project and to authorize the chairman to engage the services of a consultant to conduct the feasibility study.

Mr. Bert Hatton and Mr. George E. St. John from Amfac were present to discuss this matter with the board.

Mr. Hong asked Mr. Chuck whether he views the additional \$10,000 to be adequate. Mr. Chuck said yes.

Mr. Hong further asked whether the state would pick up the balance should there be an overrun in cost beyond the \$10,000. Mr. Chuck said that part beyond has not been settled as yet. However, if it goes beyond that they would most probably recommend on the basis of one-third/two-thirds.

Mr. Chuck agreed with Mr. Higashi that there are already lots of data that are available in the Kekaha area and can be made available to the consultant, so the consultant need not go out in the field to get those data.

Mr. Higashi said it was also his understanding that Amfac will supply other data, as needed, not shown in the cost. He said Amfac, in their letter, made a broad statement that they are interested in reducing the cost of energy to the Kauai consumer. However, they did not really say yes or no, Mr. Higashi said, and wondered whether they are going to use PURPA as a vehicle. Mr. Higashi had no objection as far as the study was concerned. He asked whether they would be prepared to bring forth a more definitive description of how they are going to price energy at the time of the land disposition on the small area of state land on which this project will be located.

Mr. St. John thought that would make a lot of sense to do it that way. He said they would be prepared to discuss in detail how they would price it, and they would certainly be willing to honor that commitment before the land disposition is made.

ACTION Unanimously approved as recommended by staff. (Yamamoto/Hong)

RESUBMITTAL - W. A. LAVALLEE REQUEST FOR REVIEW OF VALUE ESTABLISHED FOR ABANDONED RAILROAD RIGHT OF WAY RUNNING ACROSS LOT 721, WAIAKEA HOMESTEADS, 2ND SERIES, WAIAKEA, SOUTH HILO, HAWAII

ITEM F-5

This was a resubmittal. In 1978 the board approved a direct sale of an abandoned railroad right of way over Lot 721 of the Waiakea Homesteads. There was a question as to the value attached to the sale of that abandoned railroad right-of-way segment. The state's appraiser came in with a value of \$46,150. The applicant did not agree. He thought that the price should be somewhat lower.

About two months ago when this matter was taken up the board gave the applicant sixty days in which to get another appraisal. Mr. Detor said they received the appraisal yesterday.

Mr. Higashi said he didn't have a chance to review the appraisal and asked for deferment until the next meeting.

Mr. Hong asked for a copy of the appraisal report. Mr. Detor said copy of the appraisal will be made available to all board members.

ACTION The board had no objection to deferring this matter.

The chairman directed the staff to get this back on the agenda at the May 8 meeting. He asked that in the meantime a copy of the appraisal report be made available to the board members as soon as possible.

PACIFIC SURF & SPORTS APPLICATION FOR R. P. COVERING EITHER DUKE KAHANAMOKU BEACH OR FT. DERUSSY BEACH FOR 1981 PRINDLE 16 CHAMPIONSHIP, HONOLULU, OAHU

ITEM F-13

This was a request for reconsideration of an application which was made by Pacific Surf & Sports, the local distributor for the Prindle Catamarans in Hawaii, to hold the 1981 National Championship off the beach and use part of the beach either in front of the Hawaiian Village Hotel or in front of Fort DeRussy Beach for one week, from September 26 through October 3, 1981.

At the February 13, 1981 board meeting, this request was denied. The applicant has asked for reconsideration of the board's action. Attached to the board submittal was a letter from The Hilton Hawaiian Village which also requested reconsideration.

Mr. Detor said the objection by the board to the original application was that it would tie up the beach to the exclusion of the public for this one-week period. Staff suggested rather than holding it on the beach in front of the Hilton Hawaiian Village that an area to be selected by the chairman be designated in front of Fort DeRussy. The area is bigger and not quite as many people use the beach there. Staff suggested that the board reconsider its previous action and allow them to hold the event, but in front of Fort DeRussy rather than the Hilton Hawaiian Village.

Mr. Hong said it has generally been the view of this board of not obstructing the beach area at all times for public use, especially for activities that are commercial in nature. It is true, he said probably staff is saying that

they are moving into an area least used than in front of the Hilton Hawaiian Village, but it is still a public beach.

Mr. Ono said in the past the hotel has been opposed to any tying up of the beach space.

Mr. Detor said yes, we have had complaints from the hotel, as well as from other parties, as to the activities on the beach.

Mr. Ono asked why this request is any different from the other activities on the beach.

Mr. Detor said according to their letter they feel that this is "an opportunity for promotion of our beach as a tourist destination at a time when so many agencies are calling for increased expenditures for advertising." They feel that this will benefit the tourist industry.

Mr. Danny Gale, owner of Pacific Surf & Sports, said the boats will arrive here from the mainland approximately sixty days prior to the event, and they will be put together in a warehouse and taken down to the beach. All of the boats will be pre-sold. There will be absolutely no selling of the boats on the beach. He also stated that this is an amateur event and there is no money involved.

Mr. Hong said his concern was the tying up of the beach. He asked what the maximum time was. Mr. Gayle said it is from Saturday to Saturday, and they are talking about an area of about 90 feet long, going back about 60 feet. They will have their own security there.

Mr. Ono asked where the actual race was going to take place. Mr. Gayle said the race course is about two miles outside, directly going south from Magic Island.

Mr. Higashi asked whether they are willing to put up any substantial bond, and in the event that there is some commercial or sale activity that they forfeit the bond. Mr. Gayle said yes.

In going back to Mr. Ono's earlier question as to where the actual race was going to take place, Mr. Kealoha asked where the race was going to start from--the beach or does it start $\frac{1}{2}$ mile out.

Mr. Gayle said if the trade wind is blowing, it will start about five miles out to sea. It does not start from the beach.

Mr. Kealoha further asked Mr. Gayle whether they have requested the military for the use of some portion of the grass area. Mr. Gayle said they have not because all of their activities, such as luncheons, awards dinner, etc., will be taking place at The Hilton Hawaiian Village.

Mr. Higashi asked whether they are going to have any sales-oriented displays at The Hilton Hawaiian Village Hotel. Mr. Gayle said no.

Mr. Ono said the military should have been included in this before we reached this stage. Mr. Detor apologized and said they should have but they didn't touch basis with the military.

Mr. Kealoha agreed with Mr. Ono that if it is going to be up to the military boundary that they should be made aware of this request.

Mr. Ono asked about the rental. Mr. Detor said rental would be established subject to the approval of the chairman.

Mr. Kealoha said since we have time on this (the event is not until September 26), he would prefer to see this matter deferred until we touch basis with the military, establish the rental, and set the conditions before the board approves this request.

Mr. Kealoha suggested to the staff that in the resubmittal, Duke Kahanamoku Beach should be deleted and make reference to only Fort DeRussy Beach.

Mr. Ono addressed Mr. Steve Booth, man in charge of sales and marketing at The Hilton Hawaiian Village, and who was present at the meeting. He said in the past he had the feeling that the hotel did not really want too much beach activities taking place, especially at the Duke Kahanamoku Beach. He asked why the change of position on the part of their hotel.

Mr. Booth said in this specific case, considering that it is an event which would attract people from all over the world at major competition, and considering the publicity that they would benefit from it for the state as a whole, they decided to support the 1981 National Championship. He said they view this not as a concessionaire but as an event similar to the Molokai canoe race, which is also held in September. But that is only a one-day event.

Mr. Ono said but we are tying up the beach for eight days. So when he saw a letter of support coming from the hotel he was surprised knowing that their previous position was.

Mr. Booth said they also view this as a temporary situation.

Mr. Ono said what he doesn't like to see is the hotel picking and choosing which event they are going to support. He said they have to be consistent. They are putting the board on the spot, he said.

ACTION The board had no objection to deferring this item until the next board meeting.

ITEM F-17

RESUBMITTAL - DSSH REQUEST FOR ACQUISITION OF SUB-SUBLEASE COVERING OFFICE SPACE (3,736 SQ. FT.) ON THE 2ND FLOOR OF THE KALIHI-PALAMA MULTI-SERVICE COMMUNITY CENTER AT HONOLULU, OAHU

ITEM F-18

RESUBMITTAL - DSSH REQUEST FOR ACQUISITION OF SUB-SUBLEASE COVERING OFFICE SPACE (2,323 SQ. FT.) ON THE 2ND FLOOR OF THE KALIHI-PALAMA MULTI-SERVICE COMMUNITY CENTER, HONOLULU, OAHU

Since Items F-17 and F-18 involved the same building, Mr. Detor asked to take them up together. These were deferred at the last meeting. The building is leased to the Hawaii Housing Authority, then subleased to the Kalihi-Palama Model Cities Association. The proposal to sub-sublease back to state agencies with rental being paid for the occupancy is what concerned the board, Mr. Detor said.

Mr. Detor said it was his understanding that the monies that are collected are actually used to operate the building. He distributed to the board members a listing which was made available by HHA showing where the monies go.

Mr. Detor said the key thing here is the contention that the monies that are collected are used to actually defray the expenses of operating the building.

Mr. Detor said the original renovation and restoration of the building was paid for by the Federal Government through a grant to the Model Cities Association.

ACTION Mr. Kealoha moved to approve Items F-17 and F-18 as submitted. Mr. Hong seconded and the motion was unanimously carried.

ITEM F-14 C&C OF HONOLULU BOARD OF WATER SUPPLY APPLICATION FOR WATER-LINE EASEMENT OVER AND ACROSS PARCEL A OF THE GOVERNMENT LAND OF KUWILI, HONOLULU, OAHU

This was a request for a water pipeline easement for the City and County of Honolulu Board of Water Supply in connection with the development of the Gem leasehold. It is necessary to install the pipeline to service the new building that Gem will be putting up. The easement, however, would go to the Board of Water Supply.

ACTION Unanimously approved as submitted. (Kealoha/Hong)

ITEM H-1 RESUBMITTAL - VIOLATION OF LAND USE WITHIN THE STATE CONSERVATION DISTRICT AT HAENA, KAUAI

This matter was deferred at the last board meeting to allow Mr. Boyce Brown, the applicant's legal counsel, an opportunity to review the matter.

Staff recommended that the board ratify its previous action. The reason for this is the applicant felt that he did not receive proper notification from the department and that he wanted to consult an attorney.

Mr. Evans said the board's previous action was to approve staff's recommendation with one amendment. The fine was changed from \$100 to \$500 since it felt that a \$500 fine to be more appropriate.

Mr. Evans said this matter is approximately eight years old. The then land owner applied for a CDUA for a single family residence at Haena. While the CDUA was being processed a storage shed was constructed and some work was started on the house. Staff had no alternative but to inform the land owner at that time that he had to stop work until such time as the board acted on his request.

Mr. Evans pointed out to the board that when the original owner was notified on August 30, 1972 to cease and desist, a copy of that notice was also sent to Mr. Brown, who was the attorney then. So although the land owners may have changed, both land owners were represented by the same counsel throughout this eight-year period.

Mr. Evans said it was the staff's feeling that the original single family use was appropriate and recommended approval of the single-family residence, and the board approved it. However, the storage shed, which was turned into an A-frame house, was supposed to have come down. It did not. Subsequent to that, the Kauai County Building Department cited the people for lack of a permit for the A-frame. The then owner came in and made another application which would then have allowed a guest house. Staff felt that effectively we were going to have two houses and recommended denial, and the board sustained that denial.

Mr. Kealoha asked what we are trying to ratify. Mr. Evans said what we are trying to ratify is the board's action of November 21, 1980. Generally staff's recommendations at that November 21, 1980 meeting were, as follows:

The board find that violations had occurred; that we do have a regulation; and board approval was required, however, no approval was given.

That the board impose the \$500 penalty.

Removal of the tool shed and that administrative costs be reimbursed.

The land owner failing to comply with this that we request the assistance of our Attorney General's Office to pursue the matter through the courts.

Mr. Evans said the shed was constructed prior to August 30, 1972.

Mr. Kealoha asked why the current land owner was being fined. Mr. Evans said staff's position has been generally consistent that when there is a violation we hold the land owner responsible. If there is a situation such as this, where there have been previous land owners or the land has been turned over several times, they impose the fine on the current land owner as the responsible party. Mr. Evans said the current land owner may have a course of action against the previous land owner.

Mr. Kealoha said the submittal states that the county said the applicant didn't have a permit to build the shed. He said this is the county's responsibility to stop work at that time, not the Department of Land and Natural Resources to require the demolition of the building.

Mr. Evans said we do have a letter from the Kauai County where they did cite them but at the same time they did inform us because it is a conservation district land use matter.

Mr. Ono asked whether the current land owner did some work that was in violation of Regulation No. 4, also whether the prior owner was cited on August 30, 1972 to stop work on the extension before or after the denial.

Mr. Evans said our records show that the current owner requested additions and modifications to this A-frame which were denied by the board. He said the expansion was done before the denial.

Mr. Ono said if the land board denied the request and he continued to work on it, that is another kind of a violation.

Mr. Ono asked what was located on this particular parcel. Mr. Evans said at the present time there is a house plus an A-frame, which is a storage shed. After the change of ownership occurred, they had the basic storage shed and the basic A-frame which was done by the original owner. Then we got the new owner, and when our enforcement staff went out to check, our enforcement staff made a statement that he was in the process of making a lai with a deck upstairs and a shower and toilet facilities downstairs. Our enforcement staff advised him to stop work, which he then did.

Mr. Kealoha said according to the letter from Mr. Itakura of the Kauai Building Department, the Kauai County Building Department doesn't know what is going on. He said there is no place here that shows that the land owner was notified

to demolish the building from the first notice of violation. Now after eight years later we are telling him to knock down the building. Mr. Kealoha asked why was he not advised to knock it down the first time.

Mr. Evans could not answer that question.

Mr. Kealoha further asked why we want to fine him and also require him to knock down the building now. The reason for this, Mr. Evans said, is to place the land vacant again and let him go through the consistent CDUA process.

Mr. Ono asked how this tool shed is currently being used. He said it is critical that we know. Mr. Evans wasn't able to answer that.

Mr. Boyce Brown thanked the board for deferring this matter until today for his convenience. He said in 1972, Robert Stay bought this property from Mr. and Mrs. James Gloss, who live in Kaneohe, and he filed an application. His application was rejected because there was no indication in the records that Mr. Stay owned the property. While it was still in escrow he started to build without the benefit of a permit. So to expedite this matter, they picked up another set of CDUA which they got the Glosses to sign and eventually Mr. Stay did apply for it and did receive a permit for the A-frame. Mr. Brown said Mr. Stay was in error for doing that. He should have applied for a permit for both structures at the same time. The A-frame, 18 feet by 20 feet, was built as a tool shed and work shed. It contains a loft. He said historically somebody may have slept in there on a casual basis. However, there are no plumbing or bathroom facilities.

In April of 1979, his client, Mr. Eno, bought the property. Mr. Eno was not his client at the time he bought the property. He bought the property which had a house and a tool shed on it. He started work to convert the tool shed into a guest house for his mother-in-law. Mr. and Mrs. Eno are currently residing in California. Mr. Brown said what his client did was to start construction on the interior work on an existing building. As soon as he was told that he should obtain a permit, he stopped and to this day nothing further has been done. They did apply for a permit for use as a guest house. That was turned down because at the time of the application, it was the policy of the land board not to have houses in the Haena area.

Subsequently, Mr. Eno learned that the board was reconsidering the policy, so he did nothing. He applied for a CDUA and it was denied. He did no further work, waiting for the outcome of whatever policy change the board might make. Until that policy change came about, he couldn't very well apply for a building permit after the fact because you can't get that unless you have a CDUA permit. In July of last year the building department on Kauai, in a follow-up, stated he never applied for a permit for those interior and renovations. The reason he hadn't was that he was waiting for the board policy change. Mr. Brown said a copy of that letter was sent to Mr. Evans and because of the receipt of that copy that seems to be the reason for this enforcement action. He said Mr. Evans responded by letter of June 19, 1980 where he stated that "we have not at this time received any application from Mr. Eno regarding the completion of his structure." Mr. Brown said Mr. Evans wasn't aware that Mr. Eno in fact had filed an application. That application was processed and had been denied. He was unaware that Mr. Eno was waiting for a change, if any, in the board policy.

Mr. Brown agreed that Mr. Eno should not have started the interior work without the conservation district permit. It seemed to him that if anything ought to be done, that he should be required to undo those improvements and apply for permission to keep that as a tool shed because that is an entirely consistent use with what's there now. He said Mr. Evans stated that we should have him tear down the building to place the land in a vacant position so he can then apply to build the same thing that was torn down. He said that is economically very wasteful.

Mr. Brown said in conversation with Mr. Evans that the policy of one house per lot in a conservation zoning area is an inhouse policy. He said the way to deal with this maybe is to connect the A-frame and make additional bedroom to the main house. However, for purposes of what we have to deal with today, Mr. Brown said if he is going to be fined, the magnitude of the fee should not be \$500.00 because that is what you fine somebody for building it to begin with. He said it should reflect the relative innocent error that he made. He thought he should not be ordered to tear it down, pending the submission of an application to others to remain as a tool and storage shed.

Mr. Higashi asked Mr. Brown whether he felt that his present client has a legal position against the person who actually committed the violation. Mr. Brown thought that Mr. Stay probably had an obligation to disclose that the tool shed had been cited as a violation.

Mr. Higashi said because his client is an innocent person, if any action is taken by this board, he should go after the original owner. If there are any encumbrances on the property or violation, the seller should make the buyer aware.

In following up with Mr. Higashi's thinking, Mr. Ono said if we are to pinpoint the blame or fault it looks like Mr. Stay was the person responsible.

ACTION Mr. Yamamoto moved to ratify its action of November 21, 1980, as amended, by deleting Condition B.1 pertaining to the \$500 fine, and subject to all other recommendations. Mr. Higashi seconded. On the call of the question, the motion was passed with Mr. Kealoha and Mr. Ono voting no.

Mr. Brown asked the board whether it will consider Mr. Eno's application should he apply for a permit. Mr. Higashi said it is hard for the board to say yes or no without having all of the specifics and comments.

Mr. Brown made one further statement. He said it is getting to be a very real problem in the processing of the CDUA's, and the problem seems to be that Mr. Evans has to do everything. He is the enforcement officer and also the application processor. If a person wants to put in a shower in an existing building within a conservation area, he can't do that for six months because that is how long it takes to process a CDUA. He said it doesn't matter whether it is controversial or noncontroversial. The uniform answer is, "It will take six months." He urged the board to consider additional staff so these applications can be processed more expeditiously.

ITEM J-11 RESUBMITTAL - TELEPHONE AGREEMENT, INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC COIN TELEPHONES, HONOLULU INTERNATIONAL AIRPORT, LIHUE AIRPORT, KAHULUI AIRPORT, HANA AIRPORT, GENERAL LYMAN FIELD, KEAHOLE AIRPORT, AND KAMUELA AIRPORT - OAHU, KAUAI, MAUI, HAWAII (HAWAIIAN TELEPHONE CO.)

This was a deferred item. At the last board meeting the board expressed

some concern about the operation of the telephones at the airport, especially when there are problems with the telephones and the public was not able to get their coins back from the pay telephones. Mr. Garcia said a representative from the telephone company was present to answer any question which the board may have.

Mr. Kealoha said we still get complaints about this and asked how we can correct this problem.

Mr. Darwin Hauptert from Hawaiian Telephone said significant changes have been made since they were here last year. In 1980, they installed the coin-free access for 911 and the service numbers of 0, 411 and 611 which are for information, operator, directory and repair services. He said these services are now available without depositing the coins.

Mr. Hauptert said what we have here apparently is the fact that users of the phones, primarily visitors, are not reading the instructions that are on the phones, so they go to the other vendors and other locations at the airports. He said by letter they would like to make a real effort and to contact each of the state vendors at each of the airport locations, advising them of the new services that are available to them. He said they are the only total state and the only total telephone company in the United States that has a coin-free access from all of its telephones.

Mr. Hauptert informed the board that if there is any loss of coins, they process the loss of coins on a cash refund basis if it's under a dollar, whether they are anywhere in the U. S. or in the world. If they are outside of the U. S. and the loss is over a \$1, they refund it by check.

He said unless they know that there is a problem, they wouldn't be able to repair it. So it is a very important thing for them to know when the phone is not operating properly.

ACTION Unanimously approved as submitted. (Kealoha/Hong)

ITEM B-1 ADOPTION OF ADMINISTRATIVE RULES RELATING TO FISHERIES AND REPEAL OF CERTAIN REGULATIONS, SPECIAL PERMIT RULES AND A DECLARATION

ACTION Unanimously approved as submitted. (Higashi/Kealoha)

ITEM B-2 REQUEST FOR APPROVAL TO HOLD PUBLIC HEARINGS FOR THE ESTABLISHMENT OF BLNR POLICY RELATING TO THE DISPOSITION OF JUVENILE PRAWNS AND THE PHASING OUT OF THE PRAWN HATCHERY OPERATION

ACTION Unanimously approved as submitted. (Kealoha/Yagi)

ITEM B-3 FILLING OF POSITION NO. 8739, AQUATIC BIOLOGIST III, FRESHWATER FISHERIES SECTION

ACTION The board, on Mr. Yagi's motion and seconded by Mr. Higashi, unanimously approved the appointment of Dennis M. Shinno, Position No. 8739, Aquatic Biologist III, Freshwater Fisheries Section, effective April 27, 1981.

- PERMISSION TO ADVERTISE FOR BIDS - JOB NO. 4-OW-11, CLEANING MAUNAWILI RESERVOIR, WAIMANALO IRRIGATION SYSTEM, WAIMANALO, OAHU
- ITEM D-1
- ACTION Unanimously approved as submitted. (Kealoha/Hong)
- (See pages 1 and 2 for Item D-2.)
- APPROVAL FOR AWARD OF CONTRACT - JOB NO. 7-OM-11X, AIR COMPRESSOR SHELTER, WAHIAWA RESERVOIR, WAHIAWA, OAHU
- ITEM D-3
- ACTION Unanimously approved as submitted. (Kealoha/Higashi)
- PERMISSION TO ADVERTISE FOR BIDS - JOB NO. 3-9W-44, LEASING CRAWLER TRACTOR AND ACCESS ROAD REPAIR, MOLOKAI IRRIGATION SYSTEM, MOLOKAI
- ITEM D-4
- ACTION Unanimously approved as submitted. (Yagi/Kealoha)
- PERMISSION TO ADVERTISE FOR BIDS - JOB NO. 2-HW-19, CRAWLER TRACTOR AND MATERIALS FOR REPAIR TO THE UPPER HAMAKUA DITCH, WAIMEA IRRIGATION SYSTEM, WAIMEA, HAWAII
- ITEM D-5
- ACTION Unanimously approved as submitted. (Higashi/Yagi)
- PERMISSION TO ADVERTISE FOR BIDS - JOB NO. 3-9W-41, REPLACEMENT OF EXISTING PUMP AT WAIKOLU WELL NO. 23, MOLOKAI IRRIGATION SYSTEM, MOLOKAI
- ITEM D-6
- ACTION Unanimously approved as submitted. (Yagi/Higashi)
- FILLING OF VACANT GENERAL LABORER I POSITION, KONA AIRPORT STATE PARK, HAWAII PARKS SECTION
- ITEM E-1
- ACTION The board, on Mr. Higashi's motion, seconded by Mr. Kealoha, unanimously approved the appointment of Robert W. Enos to fill Position No. 30228, General Laborer I.
- ITEM E-2 ESTABLISHMENT OF A NORTH KOHALA RESOURCES ADVISORY COMMITTEE
- ACTION Unanimously approved as submitted. (Higashi/Kealoha)
- PERMISSION TO SUBMIT NOMINATION OF VARIOUS HISTORIC PROPERTIES TO THE HAWAII HISTORIC PLACES REVIEW BOARD
- ITEM E-3
- ACTION Unanimously approved as submitted. (Yagi/Kealoha)
- PERMISSION TO NEGOTIATE WITH AND EXECUTE CONSULTANT CONTRACT FOR RECONSTRUCTION OF HANAIEI PIER, HANAIEI, KAUAI
- ITEM E-4
- ACTION Unanimously approved as submitted. (Higashi/Kealoha)

ITEM F-1 DOCUMENTS FOR CONSIDERATION

HAWAII

Item F-1-a ASSIGNMENT OF SUBLEASE

SUEKO KIMOTO, wife of Kenneth K. Kimoto, as assignor, to ALBERT ARAUJO, SR., and MARJORIE ARAUJO, husband and wife, assignees - 2082-B Piihonua Road, Piihonua Camp 3, South Hilo - GL No. S-3662

Item F-1-b NOTE AND CHATTEL MORTGAGE

ALBERT ARAUJO, SR., and MARJORIE ARAUJO, husband and wife, as mortgagor, to SUEKO KIMOTO, wife of Kenneth K. Kimoto, as mortgagee 2082-B Piihonua Road, Piihonua Camp 3, South Hilo - GL No. S-3662

Item F-1-c SECOND MORTGAGE

ALBERT ARAUJO, SR., and MARJORIE ARAUJO, husband and wife, mortgagor, to REALTY FINANCE, INC., a Hawaii Corporation, mortgagee - 2082-B Piihonua Road, Piihonua Camp 3, South Hilo - G. L. No. S-3662

Item F-1-d ASSIGNMENT OF SUBLEASE

LAWRENCE Y. MABUNI, Assignor, to MELVIN Y. and PEGGY MABUNI, husband and wife, Assignees - 2132 Piihonua Road, Piihonua Camp 3, South Hilo - GL No. S-3662

Item F-1-e SUBLEASE

HAWAIIAN FRUIT FLAVORS, INC., (aka Hawaiian Fruit Flavors, Incorporated), a Hawaii corporation, as Sublessor, to H. H. Jelly, Inc., a Hawaii corporation, as Sublessee - Lot 2, Block 39, Waiakea Houselots, Waiakea, South Hilo - General Lease No. S-4333

Mr. Detor said under the Sublease Terms and Rental column, the \$5,000 rental per month is not correct. That should be stricken. He said that covers property that is owned by Hawaiian Fruit Flavors.

Item F-1-f ASSIGNMENT

KALFRED K. YEE and HAZEL T. YEE, husband and wife, assignors, to EXOTICS HAWAII-KONA, INC., Assignee - Lot 9, Keahole Agricultural Park - GL No. S-4688

OAHU

Item F-1-g REVOCABLE PERMITS

CURTIS IAUKEA III - to operate rental stand at Waikiki Beach

Mr. Detor said the applicant has requested that we defer this until the next meeting until he obtains more information. Mr. Detor said he would like to give him an opportunity to bring in whatever his side of the case is.

Mr. Kealoha said the decision by the board is going to be the same whether it is deferred or not, and since this is only a request for a permit they can reapply.

Mr. John A. Cater, the applicant's attorney, said they are asking for deferral because they want to get some maps and more clearly put down for the board where this is because it is not in the main drag of Waikiki, also this is a handicapped person's permit and not "beach boy" permit. To that extent, he said he would like to bring in some witnesses to testify.

Mr. Cater said he would like to submit more information so that the board can consider this application favorably.

Mr. Detor said the question of whether it is going to a handicap person doesn't enter into it. He said as far as the application is concerned, the feeling of the staff is still the same.

Mr. Kealoha moved that Item F-1-g be approved as recommended by the staff which is to deny the request for a permit. Mr. Hong seconded and the motion was unanimously carried.

Mr. Ono explained to Mr. Cater that there is nothing to prevent him from coming back to the board and reapply.

Item F-1-h ISLAND ELECTRIC MOTOR SERVICE, LTD. - portion of filled area of Kaliawa Fishery, Kalihi-Kai, Honolulu - for storage of construction equipment - \$1,616.00 per month

KAUAI

Item F-1-i REVOCABLE PERMIT
DAVID WILLIAM ALEXANDER - Lots A, C and D, Kokee Concessions, Kokee Park - for business - guaranteed monthly rental of \$276, or a total of the percentage rentals outlined in the submittal, whichever is the higher

Item F-1-j ASSIGNMENT
WALLACE H. FERREIRA and SANDRA L. FERREIRA, husband and wife, as tenants by the entirety, assignors, to SALVATORE BOSCO, unmarried, as tenant in severalty - Lot 85, Kokee Camp Site Lots, Waimea - GL No. S-4699

ACTION Mr. Kealoha moved to approve Item F-1 as presented, except Item F-1-g for which a separate action was taken. Mr. Hong seconded and the motion was unanimously carried.

ITEM F-2 COUNTY OF HAWAII REQUEST FOR CONVEYANCE OF ROADWAYS AND APPURTENANCES, UNIVERSITY HEIGHTS RESIDENTIAL SUBDIVISION, WAIAKEA, SOUTH HILO, HAWAII

ACTION Unanimously approved as submitted. (Higashi/Yagi)

ITEM F-3 EASTER SEAL SOCIETY FOR CRIPPLED CHILDREN AND ADULTS OF HAWAII COUNTY APPLICATION FOR LEASE COVERING PORTION OF THE HILO HIGH SCHOOL SITE, PIIHONUA, SOUTH HILO, HAWAII

Mr. Detor explained that they have actually occupied this area for a number of years. Couple of years ago the board approved a lease at an alternate location, but they were unable to pick it up. So they are back and want to lease where they are now.

Mr. Detor said he would like to make one amendment under Purpose. This would also be for educational purposes. They do some training there. He said he wanted to include this so they would qualify under Section 171-43.

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

ITEM F-4 HAWAII COUNTY ECONOMIC OPPORTUNITY COUNCIL (HCEOC) APPLICATION TO LEASE LAND AT PONAHAHAWAI, SOUTH HILO, HAWAII

Mr. Detor asked to amend the submittal by changing the section under Statutes,

on top of the first page. It should read 171-43 rather than 43.1. He also suggested that the term be 20 years. He said 65 years is too long for this type of a thing, and the annual rental will be \$1.00.

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

(See page 3 for Item F-5.)

ITEM F-6 MAUI ELECTRIC CO., LTD. REQUEST FOR AMENDMENT OF PREVIOUS BOARD ACTION (9/23/77, AGENDA ITEM F-12 AND 10/24/80, AGENDA ITEM F-8) AUTHORIZING AWARD OF TRANSMISSION LINE EASEMENT AT MAHINAHINA, LAHAINA, MAUI

ACTION Unanimously approved as submitted. (Yagi/Yamamoto)

ITEM F-7 JAMES.K. SCHULER & ASSOCIATES, INC., ET AL, REQUEST FOR APPROVAL OF MAINTENANCE AND UPKEEP AGREEMENT COVERING IMPROVEMENTS ON THE GOVERNMENT BEACH RESERVE AT KIHEI, MAUI

ACTION Unanimously approved as submitted. (Yagi/Yamamoto)

ITEM F-8 MAUI LAND & PINEAPPLE CO., INC. REQUEST FOR HOLDOVER TENANCY, G. L. NO. S-3638, HONOKOWAI, KAA NAPALI, LAHAINA, MAUI

ACTION Unanimously approved as submitted. (Yagi/Yamamoto)

ITEM F-9 DAGS REQUEST FOR ACQUISITION OF LAND REQUIRED FOR MAKAWAO INTERMEDIATE SCHOOL SITE, MAKAWAO-PUKALANI-KULA AREA, MAUI

ACTION Unanimously approved as submitted. (Yagi/Yamamoto)

ITEM F-10 HHA APPLICATION TO PURCHASE HIGHWAY REMNANT AT THE CORNER OF PALI HIGHWAY AND SCHOOL STREET, HONOLULU, OAHU

ACTION Unanimously approved as submitted. (Kealoha/Yagi)

ITEM F-11 ANNIE KAMA KEEAINA APPLICATION TO PURCHASE LOTS 10-A AND 37, HAUULA HOMESTEADS, KOOLAULOA, OAHU

ACTION Unanimously approved as submitted. (Kealoha/Hong)

ITEM F-12 C&C OF HONOLULU APPLICATION FOR STREET LIGHT EASEMENT, PUUHULU ROAD, WAIANAE, OAHU

ACTION Unanimously approved as submitted. (Kealoha/Hong)

(See pages 3 to 5 for Item F-13 and page 6 for Item F-14.)

ITEM F-15 COUNTY OF KAUAI, DEPARTMENT OF WATER SUPPLY, AND CITIZENS UTILITIES CO. APPLICATION FOR EASEMENT AND RIGHT OF ENTRY, KEKAHA, KAUAI

ACTION Unanimously approved as submitted. (Yamamoto/Hong)

ITEM F-16 DOH REQUEST FOR ACQUISITION OF LEASE COVERING A QUONSET HUT AT PAPA IKOU, HAWAII

ACTION Unanimously approved as submitted. (Kealoha/Yagi)

(See pages 5 and 6 for Items F-17 and F-18.)

(See pages 6 to 9 for Item H-1.)

ITEM H-2 APPOINTMENT OF PERSONNEL OFFICER II, DEPARTMENT OF LAND AND NATURAL RESOURCES

ACTION Unanimously approved as submitted. (Yagi/Kealoha)

ITEM H-3 PERMISSION TO CONTRACT WITH THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES TO CARRY OUT A PROJECT IN PRAWN AQUACULTURE ENGINEERING

ACTION Unanimously approved as submitted. (Yagi/Hong)

ITEM H-4 PERMISSION TO CONTRACT WITH THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES TO CARRY OUT A STUDY OF MARKETS FOR AQUACULTURE PRODUCTS

ACTION Unanimously approved as submitted. (Kealoha/Hong)

ITEM H-5 PERMISSION TO CONTRACT WITH THE UNIVERSITY OF HAWAII, DEPARTMENT OF ZOOLOGY TO CARRY OUT A PROJECT IN OPIHI AQUACULTURE RESEARCH

ACTION Unanimously approved as submitted. (Hong/Yamamoto)

ITEM H-6 PERMISSION TO CONTRACT WITH ASTRO-MARINE TO CARRY OUT A PROJECT IN INTENSIVE CULTURE OF TILAPIA

ACTION Unanimously approved as submitted. (Kealoha/Hong)

ITEM H-7 PERMISSION TO CONTRACT WITH THE MARGO WOOD ADVERTISING AGENCY, INC. TO CARRY OUT A PROJECT IN HAWAIIAN PRAWN MARKET DEVELOPMENT

ACTION Unanimously approved as submitted. (Kealoha/Hong)

ITEM H-8 CONSIDERATION OF A PROPOSAL FROM THE OCEANIC INSTITUTE TO DEVELOP METHODS TO CULTURE BLUE-GREEN ALGAE IN AN INTEGRATED AGRICULTURE/AQUACULTURE RESEARCH

ACTION Unanimously approved as presented. (Hong/Yamamoto)

ITEM I-1 APPOINTMENT OF VOLUNTEER CONSERVATION AND RESOURCES ENFORCEMENT OFFICERS FOR HAWAII AND KAUAI

ACTION Unanimously approved as submitted. (Higashi/Yamamoto)

ITEM I-2 TERMINATION OF VOLUNTEER CONSERVATION AND RESOURCES ENFORCEMENT OFFICERS

ACTION Unanimously approved as submitted. (Kealoha/Yamamoto)

ITEM J-1 MODIFICATION NO. 2 TO LEASE NO. DOT-A-75-13, HONOLULU INTERNATIONAL AIRPORT, OAHU (UNITED STATES OF AMERICA)

ACTION Unanimously approved as submitted. (Yagi/Yamamoto)

- CONSENT TO MORTGAGE LEASE NO. A-62-14, HONOLULU INTERNATIONAL AIRPORT, OAHU (ISLAND AIRLINES HAWAII, INC. - UNITED CALIFORNIA DISCOUNT CORP.)
- ITEM J-2
- ACTION Unanimously approved as submitted. (Yagi/Kealoha)
- APPLICATION FOR ISSUANCE OF A REVOCABLE PERMIT, AIRPORTS DIVISION, KEAHOLE AIRPORT, HAWAII (ALOHA AIRLINES, INC.)
- ITEM J-3
- ACTION Unanimously approved as submitted. (Higashi/Yagi)
- APPLICATION FOR ISSUANCE OF REVOCABLE PERMITS, AIRPORTS DIVISION
- ITEM J-4
- ACTION Unanimously approved as submitted. (Kealoha/Higashi)
- APPROVAL OF VENDING MACHINE AGREEMENT, HARBORS DIVISION, ALA WAI AND KEEHI BOAT HARBORS, HONOLULU, OAHU (SONNIE-GAY, LTD.)
- ITEM J-5
- ACTION Unanimously approved as submitted. (Kealoha/Higashi)
- ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, NAWILIWILI HARBOR, KAUAI (AMERICAN PACIFIC INDUSTRIAL LEASING, INC.)
- ITEM J-6
- ACTION Unanimously approved as submitted. (Yamamoto/Higashi)
- ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KAUNAKAKAI WHARF, MOLOKAI (DEL MONTE CORP.)
- ITEM J-7
- ACTION Unanimously approved as submitted. (Yagi/Yamamoto)
- ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, HALEIWA BOAT HARBOR, OAHU (ALFRED L. OGA)
- ITEM J-8
- ACTION Unanimously approved as submitted. (Kealoha/Yamamoto)
- USE OF HARBORS DIVISION FACILITIES, PIER 9 PASSENGER TERMINAL, HONOLULU, OAHU, WITH OPTION TO USE PIER 10 PASSENGER TERMINAL, IF TURNOUT NECESSITATES IT (HONOLULU NONRUN MARATHON STEERING COMMITTEE)
- ITEM J-9
- ACTION Unanimously approved as submitted. (Kealoha/Yamamoto)
- USE OF HARBORS DIVISION FACILITIES, PIER 9 PASSENGER TERMINAL, HONOLULU, OAHU, WITH OPTION TO USE PIER 10 PASSENGER TERMINAL, IF TURNOUT NECESSITATES IT (HONOLULU NON-RUN MARATHON STEERING COMMITTEE)
- ITEM J-10

Mr. Higashi questioned Permit No. H-73-48 to HT&T Co. He suggested a long-term lease. Mr. Garcia said they are still working on it.

Mr. Ono asked whether the Kauai Outdoor Circle permit was a commercial venture. Mr. Garcia said although this is a commercial venture, it is not a large money-making operation. He said they are trying to buy some facility on Kauai to create a means by which they can recycle materials as a means of beautifying the area.

ACTION Unanimously approved as submitted. (Yagi/Kealoha)

(See pages 9 and 10 for Item J-11.)

ITEM J-12 USE OF HARBORS DIVISION FACILITIES, PIER 10 PASSENGER TERMINAL,
HONOLULU, OAHU (FRIENDS OF WALTER H. KUPAU)

ACTION Unanimously approved as submitted. (Yagi/Kealoha)

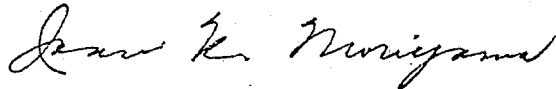
ITEM J-13 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KALIHI-KAI,
HONOLULU, OAHU (CASTLE & COOKE TERMINALS, LTD.)

ACTION Unanimously approved as submitted. (Yagi/Higashi)

Next Meeting The next board meeting is scheduled for May 8, 1981. The chairman said as soon as the place of the meeting is decided the board members will be informed.

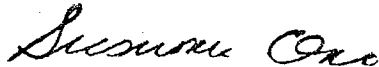
ADJOURNMENT: There was no further business and the meeting was adjourned at 11:20 A. M.

Respectfully submitted,



JOAN K. MORIYAMA
Secretary

APPROVED



SUSUMU ONO
Chairman

jkm