

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

DATE: May 14, 1982

TIME: 9:00 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 9:05 A. M. The following were in attendance:

MEMBERS

Mr. Stanley W. Hong
Mr. Takeo Yamamoto
Mr. Roland Higashi
Mr. Thomas Yagi
Mr. J. Douglas Ing
Mr. Susumu Ono

STAFF

Mr. Roger Evans
Mr. James J. Detor
Mr. Ralston Nagata
Mr. Henry Sakuda
Mr. Libert Landgraf
Mr. Takeo Fujii
Mr. Wayne Hirata
Mr. Robert Lee
Mr. Maurice Matsuzaki
Mrs. Joan K. Moriyama

OTHERS

Dep. A. G. Edwin P. Watson
Dep. A. G. William Tam
Ms. Joyce K. Almeida (Item H-7)
Mr. Norito Kawakami (Item H-8)
Mr. Robert Masuda and two Dep.
Corporation Counsels (Item H-2)
Mr. David Ueno (Item F-21)
Mr. Kazu Hayashida (Item H-1)
Mr. Joseph Spillman and Mr. Melvin
K. Ayau (Item E-5)
Mr. Peter Garcia

MINUTES

The minutes of March 25, 1982 and April 8, 1982 were unanimously approved as submitted. (Hong/Yamamoto)

Added
Item

The board, on Mr. Hong's motion and seconded by Mr. Yagi, unanimously approved to add the following item to the board agenda:

Added Item B-2 -- Filling of Position No. 04658, Fishery Technician IV at the Anuenue Fisheries Research Center, Division of Aquatic Resources

Mr. Ono announced that this is Mr. Hong's last meeting with this board. On behalf of the board and the staff, Mr. Ono expressed his appreciation for a good work done.

Mr. Hong thanked the members of the Land Board and the chairman, under whose leadership he said, this department has become second to none in the state administration. He said he has the highest respect and regard for the chairman of this board and the DLNR staff, particularly the deputy and the division chiefs, for their dedication and cooperation.

The board deviated from the printed agenda and took up the items in the following order to accommodate the people in the audience.

ITEM H-7

VIOLATION OF BOARD-IMPOSED CONDITIONS OF LAND USE AND LAND USE STANDARDS IN THE STATE CONSERVATION DISTRICT AT KANEOHE, OAHU (SUBMITTAL WAS DISTRIBUTED AT BOARD MEETING)

This submittal had to do with the violation of the board-imposed conditions of land use in the conservation district in Kaneohe. On February 22, 1980, the board approved a CDUA for a single-family land use on this particular parcel. Approval was subject to certain specified conditions, and the applicant was notified of the board's action and the required conditions. One of the conditions was, prior to any work being done on the land, that grading and landscaping plan should be submitted and approved by the department.

Mr. Evans said because of several complaints from the public, staff reviewed the conditions. The review indicated that there was substance to the complaints, that grading had taken place on the property without the required grading plan approval of the department. Mr. Evans said he was informed that grading that has been performed is the extent of all the grading that will occur on the property.

Staff recommended that the board find that:

1. The applicant/landowner, through receipt of the board approval letter, had knowledge of conditions imposed by the board as necessary actions to be taken in conjunction with the construction of a single-family residence on the property;
2. That the applicant/landowner has accepted the approval of the board in providing for the land use of a single-family dwelling on the property, but had not acknowledged the conditions of the board until an investigation of public complaints resulted in the staff bringing the matter to the applicant/landowner;
3. Grading has occurred on the property without the required department approval of grading plans;
4. That landscaping has occurred on the property without the required departmental approval of landscaping changes.

Staff further recommended that the board impose the following sanctions:

1. A fine of \$500 for the grading violation of the conditions of land use approval.
2. The administrative fees in the amount of \$50 be assessed to offset department costs incurred by the Division of Conservation and Resources Enforcement, Division of Water and Land Development and the Planning Office.

Staff also recommended, upon compliance with the above-stated sanctions, that the board authorize the chairman to approve the house plans submitted by the applicant.

Should the landowner/applicant fail to comply within sixty days, staff recommended that the matter be turned over to the Department of Attorney General for disposition, which may include litigation in which the state seek to recover administrative and court costs, incorporating grading and landscaping as separate violations of the conditions of use.

Mr. Hong asked whether grading was done knowingly without board approval.

Mr. Evans said it would be reasonable to presume that there was knowledge because the conditions were incorporated in the letter which the applicant received.

Mr. Higashi asked whether the present landowner filed the original application.

Mr. Evans said no.

Mr. Higashi said since the land is being purchased under an agreement of sale, it required the legal landowner to sign the applicant and Ms. Almeida made the application. So in effect she understood the conditions of the original application.

Mr. Evans presumed that she did.

Mr. Ing asked whether there was any further grading after the notice of violation went out to them.

Mr. Evans believed there was. He said the original notice of violation for grading was issued by the City and County, not by our department. It was his understanding that a grading permit was issued by the city after the citation was given. Based on that permit, additional grading was done beyond the scope of the original permit.

Mr. Ing asked whether what is standing on the property now conforms with the plans that have been submitted to this department.

Mr. Evans said the plan that is before the department now for approval is the same as what is on there now. However, they are different from the original plan that was submitted with the CDUA. When the applicant first came to the department (which was approved by the board), there was representation that an A-frame type house was expected to be erected on the property. The actual house plan for review and approval now is not those of an A-frame house, but it does represent what is actually on the property now.

Mr. Ono asked whether staff is satisfied with the house plan as submitted, that it conforms with all of the conditions as far as the land department is concerned.

Mr. Evans said yes.

ACTION Mr. Ing moved to approve staff's recommendation. Mr. Higashi seconded and the motion was unanimously carried.

CDUA FOR CONSOLIDATION AND RESUBDIVISION AT MAKOLELAU, KAMALO,
MOLOKAI (SUBMITTAL WAS DISTRIBUTED AT BOARD MEETING)

This matter came before the board once. However, this was a new application. The original application was for a subdivision, and it involved a large parcel of land. It involved both mauka and makai portions of the property, the main road being the dividing line. In that application, the board approved the subdivision mauka of the road. Based upon staff's recommendation, the board did not approve that portion of the subdivision makai of the road. The reason for that was that the proposed subdivision at that time was to split ownership of the fishponds. Staff felt that this was inappropriate and asked the attorney to consult with his client and submit an application which would not allow the owners to split the fishponds. Also at that time the question of ownership of the fishponds was brought out. Is it owned by the state, or does it remain with the private applicant?

As a result of these concerns, the applicant has resubmitted the application. This new application does not split the fishponds ownership. It remains all under one owner.

On the question of land ownership, the Attorney General's Office has advised us that the adjacent landowner does in fact own the fishponds.

Mr. Evans asked to revised the recommendation beginning on page 8 of the board submittal and distributed an amended page 8. He recommended that this application for consolidation and resubdivision use, including survey and marking of boundaries of private property at Makolelau, Kamalo, Molokai, at TMK 5-5-01:14, 21, 22, 23, 24 and 26, be approved, subject to the following conditions:

1. That the applicant comply with all applicable statutes, ordinances, rules and regulations of the federal, state and city and county governments, and applicable parts of Section 13-2-21 of Title 13, Chapter 2, Departmental Administrative Rules, as amended;
2. The applicant, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim or demand for property damage, personal injury and death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit;
3. Other terms and conditions as prescribed by the chairman;
4. That the applicant provide available information on the well located on the subject property to the Division of Water and Land Development, including the well location, elevation, size and use;
5. That this approval is for subdivision use only, and that all other proposed land use within the conservation district will require a CDUA and approval of the Board of Land and Natural Resources;
6. That Kawiu and Panahana Fishponds shall not be subdivided.

Mr. Hong asked whether the owners were made aware of the staff's new recommendation.

Mr. Evans didn't believe that they were made aware of Condition No. 6.

Mr. Kawakami said they are aware of Condition No. 6 and they go along with the recommendation as presented.

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

ITEM H-2 CDUA FOR AN AFTER-THE-FACT SHUTTLE BUS SYSTEM AT HANAUMA BAY BEACH PARK, OAHU

Mr. Evans amended page 9 of the board submittal on the trolley violation. About the middle section where it reads, "staff may have erred..." he said that should correctly read, "the department may have erred." Again on the same paragraph, three lines below, it should correctly read, "due to department's error" instead of "due to staff's error."

On Condition No. 4 on page 10, regarding historic sites or remains, Mr. Evans said this is a standard condition, and it is not applicable in this case. He asked that this condition be removed.

This after-the-fact submittal came about from public complaints relating to commercial activities occurring at Hanauma Bay. The specific complaint related to the use of a large portion of the land at the bottom of the area for commercial picnics. Our enforcement division was asked to review the complaints, and it was determined that this activity was occurring. It was also determined that commercial divers were using the property; that a trolley was in use; also snorkling equipment were being rented, and that all four of these separate commercial activities required land board approval prior to their effectuation.

Staff met with officials of the City and County Parks and Recreation, and informed them that there appears to be substance to the complaints. The City and County did take some steps to stop the diving activities, commercial picnics, and the renting of the snorkling equipment. However, they felt that trolley was a good use of the area; that it was prudent and proper, relating to safety, in terms of the use of the road. As a result, this application was submitted. A public hearing was held.

Staff recommended approval of the land use only, limited to trolley, for commercial purposes.

Mr. Hong said should the city wish to have further concessions with regard to snorkling, diving, etc., what do they need to do?

Mr. Evans said essentially they would have to go through the same process we are going through here--submit a CDUA, go through a public hearing process, etc.

Mr. Hong asked whether a greater portion of Hanauma Bay is county owned.

Mr. Evans said the land area in the Hanauma Bay Park is owned in fee by the City and County. The water and submerged land are all state owned.

Mr. Hong said then the granting of a commercial activity within their own county-owned area outside the conservation district would be totally within the realm and jurisdiction of the county.

Mr. Evans said that is correct. We would have no interest.

Mr. Ing asked whether both the parking lot and the road leading down to the beaches are in conservation district.

Mr. Evans said that is correct.

Staff recommended approval for this use. Incorporated in this approval also was the resolution of the violations that have occurred in the past.

Mr. Ono said before we go into the violation portion, we should clear up the land use portion first. He asked, if approval is granted, whether the specific route with the dimensions is spelled out, or can the tram go anywhere within the park limits.

Mr. Evans said he hadn't considered that. Should the board approve this request, he recommended that a condition be added specifying that the tram route be limited to the existing route.

Mr. Yagi wanted to know who owns the tram. The reason he asked this question is that he wanted to know why the city is being penalized instead of the tram owner.

Mr. Evans said it is concessioned out by the city. However, he didn't know who owned it. On the land use violation, he said it has been the practice of the staff that the liability lies with the landowner. In this case it is the City and County.

Mr. Yagi asked what is the difference between this and Mr. Walter Ritte's erecting the twelve structures on Molokai and penalizing him, as well as the landowners.

Mr. Evans said in Ritte's case, Mr. Ritte came in with a CDUA and admitted that he did it, that he was responsible. Mr. Ritte didn't feel the landowner should be responsible. The board, nevertheless, still incorporated the landowner as people with liability. Mr. Evans said in this case, staff communicated with the landowner, the City and County.

Mr. Yagi asked why the city was being fined only \$2,000. Why wasn't it made on the basis of \$500 per day?

Mr. Evans said the reason they didn't recommend \$500 per day is because a cease and desist letter was sent to them. In that cease and desist letter, they were asked to stop the activities or come in with an application. The city did take measures to stop certain activities, and they also came in with an application. On March 29 of this year, the City and County was informed that our review appeared to indicate that the commercial activities were continuing. However, that communication was not put in a formal written cease and desist format, something that is required before we can recommend a \$500 per day fine. Had that been done, Mr. Evans said perhaps they would have recommended \$500 per day fine.

Mr. Yagi asked why wasn't that cease and desist notice sent out?

Mr. Evans said when a letter was sent to them the early part of last year, they were told to cease and desist on the activities, or come in with an application. They came in with an application. If we had not offered them an opportunity to come in with the application, Mr. Evans said then staff would have come in with a \$500 per day fine; or had the city not come in with an application, we would have issued a cease and desist letter.

Mr. Hong said Mr. Yagi brought out a good point with regard to the fine as to who should be penalized--the landowner or the tram owner. He said it needs more thought. If the landowner knowingly permits someone to use the conservation district land for commercial activities and violates the regulation, then we can look to the landowner for the violation and the penalty. On the other hand, if someone without permission and without approval of the landowner uses conservation district land for commercial purposes and violates the regulation, then we should look to the violator. He said there should be some distinction that should be drawn.

Mr. Evans pointed out to page 9 of the board submittal, third paragraph from the bottom which states, "Notwithstanding the standard process of staff in addressing violations of land use in the conservation district with the landowner, staff stands ready to work with the landowner to the degree necessary to identify persons, firms, or corporations, who, upon notification by the landowner, violate the provisions for land use in the conservation district." Mr. Evans said they would provide whatever support they could, should the city asks us to help them, to insure that compliance is met. In this instance, we did, he said.

Mr. Ono said he would like to split this submittal into two parts and asked the board to take up the land use portion first.

ACTION Mr. Hong moved for approval on Part 1 of staff's recommendation with regard to the use, with the amendments as suggested by the staff. Mr. Higashi seconded and the motion was unanimously carried.

On the violation portion (Condition No. 7 of the submittal, page 10), because they have taken what they feel is the standard approach, Mr. Evans said they have been able to determine to their satisfaction that four different types of commercial activities have occurred, all of which require board approval. None of these activities received approval from the board. Staff recommended that there be a financial sanction imposed on the city and recommended a fine of \$500 per violation, for a total of \$2,000.00.

Mr. Ono asked whether there has been any challenge by the applicant as to the so-called alleged violations.

Mr. Evans said the fact that these four activities have occurred, there has been no challenge. As to the categorization of them, however, there have been discussions, Mr. Evans said.

Mr. Yagi noted that there was a news article in this morning's paper about the commercial scuba diving activities. Assuming that the facts are correct, he asked whether there would be any violation, and whether that violation has anything to do with this CDUA.

Mr. Evans said it would appear that there may be additional violations.

Mr. Yagi asked whether that would add another \$500 to the violation. He was bringing this up because he said he didn't want to show any prejudice between a governmental agency and the private sector.

Mr. Evans said that has not been our practice.

Mr. Evans said it is clear from their understanding of Chapter 183-41 that violations are not restricted to landowners. Persons, firms, corporations are also subject to that particular statutes. He said staff would be willing to sit down with the city and try to work out the problems.

Mr. Ono said if the newspaper article is correct, the question is whether there is a violation; and if there is a violation, what do we do?

Mr. Evans said he would ask the DLNR enforcement division to review it. If they are able to determine that there is a violation by the individuals involved, staff would issue a cease and desist to the individual and they would also probably involve the city.

Mr. Ono said he doesn't want to see the enforcement problem become a state enforcement problem. The city still has managerial responsibility for that area, and he wants to make that distinction. Otherwise, the state would be policing the beach and the surrounding areas.

Mr. Robert Masuda, City and County Parks and Recreation Director, said the city administration has great concern for the conservation value of Hanauma Bay. They are working with DLNR staff in turning over Hanauma Bay Beach Park to the state as a state park because of its conservation values. They feel that the particular violations that Mr. Evans has indicated maybe traced back to the previous administration's interpretation of what maybe constituted as commercial. He said the previous administration apparently, without benefit of legal counsel, determined that it was not commercial activity. On the basis of that determination, they went ahead and allowed snorkels and fins to be rented and entered into an agreement on the tram.

Mr. Masuda said their administration, in consultation with DLNR Planning Office staff took a different approach and went to court, and got a ruling that these activities are in fact violations, and, therefore, have taken a rather vigorous action to cease these activities except the tram. He said if there is a violation, it's probably due to that one particular interpretation.

Deputy Corporation Counsel Cora Tanaka felt that the city should not be fined regarding the commercial picnics, commercial diving and renting of the snorkeling equipment. One of the reasons for this is that the board has the authority to enforce the regulations on any person, not solely the landowner, violating the conservation rules. The other reason is that the city was not a willful violator of the regulation. She said the city is not willfully allowing these activities, and that they are trying to prevent them. They are not solely liable for all of these violations. They are trying their best to work with the prosecuting attorney's office and with the police department to make sure that these activities are not being conducted.

Regarding the renting of the snorkeling equipment concession, Mr. Masuda said upon learning of the violation, they specifically prohibited the selling or rental of the equipment, etc., from the new two-year contract.

Mr. Ono asked whether there is any disagreement and whether they dispute that there were these four types of violations.

Mr. Masuda said on the concession stand, the city took specific and direct actions to cease that activity. In regards to the tram, the city did take

specific and direct action to apply for a CDUA. In regards to any of the other violations, Mr. Masuda said the city does not condone that, nor is the city a willful violator of any violations of the conservation regulation. In fact, he said, he would appreciate the continued assistance and working with DLNR staff in maintaining the laws, not only of the city but the conservation regulations.

Mr. Yagi said if the city and county permits such a thing, then the city is a party to the willful violation.

Mr. Masuda said they recognize the nature of the circumstances. They don't particularly appreciate the fact that things may have been done not in keeping with the intent and purposes of the conservation regulation. He said the city administration has been actively attempting to live within the conservation regulation.

Mr. Ing asked what has been done since the court order.

Mr. Masuda said they have issued warnings to everyone that they perceive as potential violators. They have had their park enforcement officers detailing out on the beach.

Mr. Ono asked what has been done in the enforcement area since the official notice went out to them. He said we get complaints that these kinds of "commercial activities" continue to take place. That is why we had our enforcement officers over there, he said, but he didn't know what the city has done to tighten up to make sure that there is no further violation.

If these kinds of illegal activities continue to take place after November, Mr. Ono said then the city has to assume some of the responsibilities. He said the city's approach seems to be diverting the responsibility to the individual operators or the state.

Ms. Tanaka said their officers are trying to enforce the regulation at Hanauma Bay. However, they are unable to find sufficient evidence to actually cite these individuals that are violating the regulations.

Mr. Ono asked specifically what has been done to monitor that area.

Mr. Masuda said they have requested the assistance of the prosecutor's office to help them develop a case which is apparently difficult to develop at this time. They also have the HPD officers out there to cite anyone who is in violation.

Mr. Ono, said the crux of the city's testimony was that they are the landowner but somebody else should be held responsible. If that is the case, he said, why did they, as the landowner, have to go to court to stop these commercial activities? They say one thing when it comes to conservation rules, and when it comes to city ordinance, they take a different degree of interest in trying to enforce the rules, regulations or ordinance.

The deputy corporation counsel who represented the city on this case said essentially what happened in that situation was that two companies--Polynesian Adventure Tours and Dan's Dive Shop--were cited by police officers at Hanauma Bay. They then sought to enjoin the city. Judge James Wakatsuki at that time found that the city ordinance was enforceable, the deputy corporation counsel said.

Mr. Masuda said their interest both in conservation rule, as well as the city ordinance, is of equal interest because when they did go to court as defendants in that particular case, in their argument on that particular city ordinance, the judge found that particular city ordinance was enforceable. All what they were attempting to do was to use that city ordinance and enforce that in order to keep within the intent of the conservation regulation. They felt that they weren't in a position to use the conservation regulation as the basis for the city to pursue citations. So that became the instrument by which the city was able to cite.

Mr. Masuda said they wanted to let the board know that the city is at least attempting to be very conscientious and its concern about Hanauma Bay as a conservation resource. Although there may have been four kinds of activities, he said, in effect they felt that there was really only one violation.

Mr. Hong was impressed with the present city administration's concern and appreciated their argument. However, regarding their argument of trying to draw a distinction between the prior administration and the current administration is a very difficult thing to do.

ACTION Mr. Ing moved to approve staff's recommendation on Part 2 of Item H-2, regarding the violation. Mr. Higashi seconded the motion.

Mr. Ing said he supports the present city administration's efforts to minimize the commercial activity in the conservation district.

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

ITEM F-21 ISLAND HOLIDAYS, LTD. APPLICATION TO LEASE PARCEL F OF THE WAILUA COCONUT GROVE, WAILUA, KAUAI

This was an application by Island Holidays, Inc. who are the operators of Coco Palms Hotel on Kauai for a new lease covering the coconut grove. This is located adjacent and mauka of the Coco-Palms Hotel. It is presently under lease from the state and that lease will expire February of next year.

They are asking for a new lease which will commence at the expiration of the current lease. The terms and conditions listed are basically the same as that which exists in the present lease. The hotel takes care the premises, and they are keeping it as a coconut grove.

Mr. Hong asked whether this area that is to be maintained by the hotel is opened to the public, and whether that fact is made known to the public by posting a sign.

Mr. Detor said it is opened to the public and there has never been any attempt to stop anyone from walking through. While there is no question the grove is a great benefit to the hotel, Mr. Detor said at the same time it does save the state from having to upkeep or maintain the grove.

ACTION Unanimously approved as submitted. (Yamamoto/Yagi)

ITEM H-1 CDUA FOR INSTALLATION OF A DEEP WELL PUMP AND CONSTRUCTION CONTROL BUILDING AT HAIKU, KOOLAUPOKO, OAHU

The purpose of this application is for the installation of a deep well pump

and to construct a control building on the property. This application did have the benefit of a public hearing before the board recently. As a follow-up to the public hearing, staff met with the Division of Water & Land Development (DOWALD) and also representatives of the Board of Water Supply (BWS). They followed up on several concerns and both DOWALD and BWS did respond. Staff felt that the proposed use is reasonable and recommended approval, subject to the ten specific conditions listed in the submittal. Mr. Evans pointed out to the board that as a part of this application, an EIS was completed and has been accepted.

Mr. Higashi asked that Condition No. 11 be added to the effect that future pumping shall be subject to minimum stream flow standard that the state shall establish.

Mr. Kazu Hayashida, Manager and Chief Engineer of the Board of Water Supply, agreed with the recommendation and indicated that they support the concept.

ACTION Mr. Hong moved to approve staff's recommendation, as amended above. Mr. Yagi seconded and the motion was unanimously carried.

PERMISSION TO NEGOTIATE WITH THE FRIENDS OF IOLANI PALACE, INC., AND EXECUTE DOCUMENT FOR A MANAGEMENT CONTRACT OF IOLANI PALACE AND BARRACKS, HONOLULU, OAHU

ITEM E-5

Mr. Joseph Spillman, temporary acting project director, and Mr. Melvin Ayau, the new project director for the Iolani Palace project, were present at the meeting.

Mr. Ono had a question on the amount. He asked whether that is a negotiable item. He asked whether it is automatic that the contract be this amount.

Mr. Nagata said this is the amount that is in the budget, and that is all that they would be able to provide. It was his understanding, and they have indicated to him, that if that is all that is available, they would do what is necessary to live within this means. Mr. Nagata said the way the contract is written, it is not so specific that we are going to have a certain amount of work to be done. The statements in the contract would be along the lines of trying to develop an interpretive program, that kind of thing. There is no fixed amount.

ACTION Unanimously approved as submitted. (Hong/Yagi)

FILLING OF POSITION NO. 4659, AQUATIC BIOLOGIST VII, FISHERIES BRANCH CHIEF IN THE AQUATIC RESOURCES DIVISION

ITEM B-1

ACTION Mr. Higashi moved, seconded by Mr. Hong, and the board unanimously approved the appointment of Paul Y. Kawamoto to Position No. 4659, Aquatic Biologist VII, Fisheries Branch Chief, effective June 1, 1982.

ADDED FILLING OF POSITION NO. 04658, FISHERY TECHNICIAN IV, ANUENUE FISHERIES RESEARCH CENTER, DIVISION OF AQUATIC RESOURCES

ITEM B-2

ACTION The board, on Mr. Higashi's motion and seconded by Mr. Hong, unanimously approved the appointment of Eric L. Wong to Position No. 04658, Fishery Technician IV.

ITEM C-1 MASTER'S REPORT ON PUBLIC HEARING

ACTION The board, on Mr. Hong's motion and seconded by Mr. Yagi, unanimously approved the addition of approximately 17.5 acres to the Lihue-Koloa Forest Reserves, Kalaheo, Koloa, Kauai.

ITEM C-2 FILLING OF FORESTER III POSITION NO. 27099, HAWAII

ACTION The board, on Mr. Higashi's motion and seconded by Mr. Hong, unanimously approved the appointment of Roger H. Imoto to fill vacant Position No. 27099,

ITEM D-1 PERMISSION TO ADVERTISE FOR BIDS - JOB NO. 4-OW-23, DRILLING KULIOUOU WELL (1843-02), HONOLULU, OAHU

ACTION Unanimously approved as submitted. (Hong/Yagi)

ITEM D-2 PERMISSION TO ADVERTISE FOR BIDS - JOB NO. 3-9W-45, MOLOKAI IRRIGATION SYSTEM, INSTALLATION OF STRAINERS

ACTION Unanimously approved as submitted. (Yagi/Hong)

ITEM E-1 FILLING OF TWO PARK CARETAKER II POSITIONS, NO. 26472 AND NO. 30396, SAND ISLAND STATE PARK, HONOLULU, OAHU PARK SECTION

ACTION Mr. Tim Rajkowski and Mr. Shoichi Tenga were unanimously appointed to Position Nos. 26472 and 30396, respectively.

ITEM E-2 SPECIAL USE PERMIT TO THE KONA JAYCEES FOR THE USE OF THE OLD KONA AIRPORT, KAILUA-KONA, HAWAII

Mr. Nagata said they were requested to cut the day by one day so the date of the carnival will be July 9 and 10.

ACTION The board, on Mr. Higashi's motion and seconded by Mr. Hong, unanimously approved Item E-2 as amended.

ITEM E-3 PERMISSION TO ADVERTISE FOR BIDS, JOB NO. 24-KP-19, PUMP REPLACEMENT, WAIMEA CANYON LOOKOUT, KOKEE STATE PARK, WAIMEA, KAUAI

Mr. Nagata said there is one correction to be made to the submittal. Actually there are two state parks at Kokee, and this has to do with the Waimea Canyon State Park.

ACTION Unanimously approved as presented. (Yagi/Hong)

ITEM E-4 POLICY ON THE USING, POSSESSION, OR SALES OF ALCOHOL AT WAILOA RIVER STATE RECREATION AREA, HILO, HAWAII AND WAILUA RIVER STATE PARK, WAILUA, KAUAI

This had to do with the policy on the using, possession, or sales of alcohol at the Wailoa River State Recreation Area in Hilo and the Wailua River State Park in Wailua, Kauai. Mr. Nagata said the submittal reads that there is one designated pavilion at the Wailua River State Park on Kauai. They were informed that there are two pavilions instead.

Mr. Higashi inquired whether the use, not the sale, of alcohol within the pavilion is a permitted use.

Mr. Nagata said this has been a long-standing informal thing that has been going on at these two locations. It was his understanding that when the park rules were adopted in June 1981, it was an oversight on their part not to come to the board right away to rectify this.

Mr. Nagata said actually the permits that they have been issuing in the past really do not allow the use of alcohol at Wailoa or at Wailua. As far as the sale of alcohol beverages are concerned, he said the rules apparently allowed pre-sale outside of the park area.

Mr. Ono asked whether we have permitted the sale of alcohol beverages before.

Mr. Higashi said under the old rule, he believed that it was silent and people were serving alcohol beverages. So when the new regulation was adopted, there was some sort of misunderstanding, and last week someone got cited at the Wailoa State Park.

Mr. Ono wanted to know whether we have to go through a public hearing process to make this change. He asked whether the present rule authorizes or specifies the sale of liquor under certain conditions.

Mr. Nagata said there is a provision within the State Parks' regulations that states the using or possession of alcohol within the premises is prohibited, except with the written permission of the board, or its authorized representative. Regarding sale, Mr. Nagata said there is another provision which says that begging, hitchhiking or soliciting of transportation of commercial solicitation of any kind, except transactions with authorized concessionaire, are prohibited on the premises.

Mr. Higashi asked if it is possible to make this recommendation effective the first of this month to take care this organization who was cited. He felt badly about this organization who was cited recently because they made the application over a year ago to use the Wailoa State Park. This organization applied under the old rule and they were not informed that selling of liquor for some benefit of a non-profit group was prohibited.

Mr. Ono said he would prefer not to make this retroactive and asked whether the board had any objection to deferring this until the attorney general's office has a chance to look into this matter.

ACTION The board had no objection to deferring this item as suggested by the chairman.

(See page 11 for Item E-5.)

ITEM F-1 DOCUMENTS FOR CONSIDERATION

MAUI

Item F-1-a REVOCABLE PERMIT
BERNADETTE ROSA - Government land at Peahi, Makawao, for pasture purpose - at \$11.00 monthly rental

HAWAII

Item F-1-b MORTGAGES

MELCHOR V. VENTURA and AVELINA V. VENTURA, husband and wife, Mortgagors, to STATE OF HAWAII, by its Department of Agriculture, Mortgagee - Lot 7, Panaewa Farm Lots, 2nd Series, Waiakea, South Hilo - GL No. S-4635

Item F-1-c

RYOICHI OKAMOTO and REIKO OKAMOTO, husband and wife, Mortgagors, to STATE OF HAWAII, by its Department of Agriculture, Mortgagee - Lot 27, Keonepoko Iki Farm Lot Subdivision (Pahoa Agricultural Park), Keonepoko Iki, Puna - GL No. S-4630

OAHU

Item F-1-d REVOCABLE PERMITS

HONOLULU DISPOSAL SERVICE, INC. - Lot 112A, Sand Island, Honolulu, for storage of trucks and containers - at a monthly rental of \$520.00

MAUI

Item F-1-e

MAUI LAND AND PINEAPPLE COMPANY, INC. - Government land at Hanakao and Honokowai, Lahaina - for intensive agriculture - cultivation of pineapple - monthly rental to be established by staff appraisal, same subject to review and approval by the chairman

Item F-1-f

HALEAKALA RANCH COMPANY - government land at Kaupo, Hana - for pasture purpose - monthly rental to be established by staff appraisal, same subject to review and approval by the chairman

OAHU

Item F-1-g

MOKULEIA HOMESTEADS - Auku, Waialua, for pasture use

Mr. Detor asked to withdraw Item F-1-g. The people who own the land around it are asking for a permit, but there is some question as to the water. We have asked the applicant for information concerning the water to this parcel. There are couple of other applications that have come in for this parcel prior to Mokuleia Homesteads. If we cannot furnish water, Mr. Detor said then it would be justifiable for us to give Mokuleia Homesteads this permit rather than to the other applicants. Mr. Detor said they would like to check it out further.

The board had no objection to withdrawing this item.

MAUI

Item F-1-h

REVOCABLE PERMITS

DEPARTMENT OF LAND AND NATURAL RESOURCES, Division of Water and Land Development (DOWALD) - Bunker 101-C, Kahului Airport - for storage purpose - at \$10 per month, subject to approval of DOT, Airports Division

Mr. Detor said he would also like to withdraw this item. They have received more information on this and they are working with DOWALD. He said they are not prepared to go ahead with it now.

The board had no objection to withdrawal of this matter as requested by Mr. Detor.

OAHU

Item F-1-i TRANS-PACIFIC FREIGHTWAYS CORP - Lots 516-B and 516-C, Sand Island, Honolulu - for storage and parking of trucks and equipment - at a monthly rental of \$1,704.00

ACTION The board, on Mr. Hong's motion and seconded by Mr. Higashi, unanimously approved Item F-1 as submitted, except Items F-1-h and F-1-i which were withdrawn.

ITEM F-2 HAWAII ELECTRIC LIGHT COMPANY, INC. REQUEST FOR AMENDMENT OF PREVIOUS BOARD ACTION (1/22/82, AGENDA ITEM F-4) AUTHORIZING SALE OF EASEMENT AT KEOPU 2ND, NORTH KONA, HAWAII

ACTION Unanimously approved as submitted. (Higashi/Yamamoto)

ITEM F-3 ANTONE MENDES REQUEST FOR RIGHT OF ENTRY TO USE STATE ROAD AT AHUALOA, HAMAKUA, HAWAII

ACTION Unanimously approved as submitted. (Higashi/Yagi)

ITEM F-4 COUNTY OF HAWAII REQUEST FOR APPROVAL OF IMPROVEMENT PLANS, G. L. NO. S-4565, KAILUA-KONA, HAWAII

ACTION Unanimously approved as submitted. (Higashi/Hong)

ITEM F-5 STAFF RECOMMENDATION FOR EXCHANGE OF LAND BETWEEN THE DEPT. OF HAWAIIAN HOME LANDS AND THE STATE OF HAWAII, WAIAKEA, SOUTH HILO, HAWAII

ACTION Mr. Higashi moved for approval and Mr. Yamamoto seconded the motion.

Mr. Ono said the responsibility for providing land for this flood control project is the county.

Mr. Detor said at the time when the board approved the exchange in principle, it also authorized making other state land available to the county for the same project. The state is not obligated to do so, however, he said.

Mr. Ono said he would like to proceed with this, but he would like to at least acknowledge the fact that this is county's responsibility, and that eventually we will have to deal with the county for some kind of a settlement. He further stated that he would like to continue to keep county's ties intact on this particular case, and asked that the motion be so amended to include this understanding.

Mr. Higashi so amended his motion and Mr. Yamamoto seconded the amended motion.

On the call of the question, the amended motion was unanimously carried.

ITEM F-6 AMFAC SUGAR COMPANY REQUEST FOR CANCELLATION OF GENERAL LEASE NO. S-4410, WAIAKEA, SOUTH HILO, HAWAII

ACTION Unanimously approved as submitted. (Higashi/Hong)

<u>ITEM F-7</u>	STAFF RECOMMENDATION FOR CANCELLATION OF GENERAL LEASE NO. S-4013, COVERING LOT 9, KAHAKULOA HOMESTEADS, KAHAKULOA, WAILUKU, MAUI
ACTION	Unanimously approved as submitted. (Yagi/Yamamoto)
<u>ITEM F-8</u>	ULUPALAKUA RANCH, INC. REQUEST FOR HOLDOVER TENANCY, G. L. NO. S-3700, KANAIO HOMESTEADS, HONUULA, MAUI
ACTION	Unanimously approved as submitted. (Yagi/Yamamoto)
<u>ITEM F-9</u>	MAUI COUNTY COUNCIL, INC., BOY SCOUTS OF AMERICA, REQUEST FOR HOLDOVER TENANCY, GENERAL LEASE NO. S-3684, KAHAKULOA HOMESTEADS, KAHAKULOA, MAUI
ACTION	Unanimously approved as submitted. (Yagi/Yamamoto)
<u>ITEM F-10</u>	RESUBMITTAL - ROXIE BERLIN APPLICATION TO PURCHASE RECLAIMED LAND AT UKUMEHAME, WAILUKU, MAUI
ACTION	Unanimously approved as submitted. (Yagi/Yamamoto)
<u>ITEM F-11</u>	RESUBMITTAL - STANLEY RAYMOND, ET AL, APPLICATION TO PURCHASE REMNANT PARCELS AT WAIAKOA, KULA, MAUI
ACTION	Unanimously approved as submitted. (Yagi/Yamamoto)
<u>ITEM F-12</u>	FRANK CUELHO, JR. REQUEST FOR HOLDOVER TENANCY, G. L. NO. S-3683, PUKOO, MOLOKAI
ACTION	Unanimously approved as submitted. (Yagi/Yamamoto)
<u>ITEM F-13</u>	CAROLINE WRIGHT APPLICATION TO PURCHASE RECLAIMED LAND AT KANEOHE BAY, KANEOHE, KOOLAUPOKO, OAHU
<u>ITEM F-14</u>	GILBERT BLACK APPLICATION TO PURCHASE RECLAIMED LAND AT KANEOHE BAY, KANEOHE, KOOLAUPOKO, OAHU
ACTION	Items F-13 and F-14 were unanimously approved as submitted. (Hong/Yamamoto)
<u>ITEM F-15</u>	RESUBMITTAL - DSSH REQUEST FOR ACQUISITION OF LAND FOR HALAWA MEDIUM SECURITY FACILITY, HALAWA, HONOLULU, OAHU

This matter was deferred at the last board meeting, at which time a question was raised by the chairman as to whether or not DSSH needed both this site and the Waiawa Military Reservation site.

Mr. Detor read into the record a memo dated May 13, 1982 from Mr. Franklin Y. K. Sunn, Director of the Department of Social Services and Housing, as follows:

"I understand that at the recent meeting of the Board of Land and Natural Resources, some questions were raised about our plans in currently requesting the acquisition of land in Halawa Valley for the proposed Medium Security Facility (MSF). These concerns were apparently raised because of the recent strong interest by our Department and in

Waiawa Military Reservation property, currently owned by the Federal Government.

"The purpose of this memorandum is to clarify the Department's intentions regarding our interest in both sites on Oahu.

"National Standards for Correctional Institutions established by the United States Department of Justice sets the maximum size of new facilities at a capacity of no more than 500 inmates. Current projections of the correctional population on Oahu indicate that the Corrections Division must be prepared to accommodate as many as 2,300 inmates by the year 1990. Of this number, about 1,800 will be Oahu inmates. Upon completion of the Halawa MSF, we expect to have only about 1,100 bedspaces. Thus, in order to properly confine the expected inmate population, it appears that an additional major correctional facility may be required after the completion of the planned Halawa MSF."

Mr. Detor said they further stated that "because the Federal Government takes so long in surplusing, and there is no guarantee that they are going to get the other facility at Waiawa, they would like to go ahead with this."

ACTION Unanimously approved as submitted. (Hong/Higashi)

ITEM F-16 HONOLULU MYOHOJI APPLICATION FOR EASEMENT FOR ACCESS PURPOSES, KAHOOKANE, PAUOA, HONOLULU, OAHU

ACTION Unanimously approved as submitted. (Hong/Higashi)

ITEM F-17 T & Y PARTNERSHIP REQUEST FOR CONSENT TO SUBLEASE PORTION OF GENERAL LEASE NO. S-4023, NAWILIWILI, LIHUE, KAUAI

ACTION Unanimously approved as submitted. (Yamamoto/Hong)

ITEM F-18 STAFF RECOMMENDATION FOR ISSUANCE OF E. O. SETTING ASIDE LAND FOR ADDITION TO HALELEA FOREST RESERVE, HALELEA, KAUAI

ACTION Unanimously approved as submitted. (Yamamoto/Hong)

ITEM F-19 STAFF RECOMMENDATION FOR AMENDMENT OF PREVIOUS BOARD ACTION (4/23/82, AGENDA ITEM F-16) AUTHORIZING EXCHANGE OF LANDS BETWEEN THE STATE OF HAWAII AND LIHUE PLANTATION CO., LTD., WAILUA AND NAWILIWILI, KAUAI

This was an amendment to a previous board action. In reviewing the earlier board submittal staff had noted that to comply with the "public purpose" aspect of the land exchange statute that the amendment was in order.

Mr. Ono, however, pointed out that the "public purpose" aspect was not clear in the submittal.

Mr. Detor said when the board took action on April 23, 1982, the subsequent action recommending to the Governor the issuance of executive order placing it to the county was not included so he asked that the previous board action be amended accordingly.

Mr. Ono had no objection to this as long as the document satisfies the public purpose.

ACTION Unanimously approved as submitted. (Yamamoto/Hong)

ITEM F-20 DOWALD REQUEST FOR CONSTRUCTION RIGHT OF ENTRY TO KEALIA FOREST RESERVE, KEALIA, KAPAA, KAUAI

ACTION Unanimously approved as submitted. (Yamamoto/Hong)

(See page 10 for Item F-21.)

ITEM F-22 DOH REQUEST FOR APPROVAL OF RENEWAL OF LEASE COVERING OFFICE SPACE IN THE J. WALTER CAMERON CENTER, WAILUKU, MAUI

ACTION Unanimously approved as submitted. (Yagi/Hong)

ITEM F-23 DOH REQUEST FOR ACQUISITION OF RENTAL AGREEMENT (MONTH-TO-MONTH TENANCY) COVERING A DWELLING AT WAIMEA, KAUAI

Mr. Higashi noted that the dwelling is going to be rented out to three nurses. He asked what happens if one nurse moves out. Is the DOH picking up the balance?

Mr. Detor said he was pretty sure that the lease doesn't get into number of people. He said he will check it out.

ACTION Unanimously approved as submitted. (Yagi/Hong)

ITEM F-24 DOH REQUEST FOR ACQUISITION OF RENTAL AGREEMENT (MONTH-TO-MONTH TENANCY) COVERING SUITE 200 OF THE KUAKINI PROFESSIONAL PLAZA, KAILUA-KONA, HAWAII

Mr. Higashi asked why this is on a month-to-month basis. He said if you go on an annual basis, you can negotiate for a better rate. He asked that this matter be deferred and asked the staff to check it out.

ACTION The board had no objection to deferring this matter.

ITEM F-25 DEPARTMENT OF THE ATTORNEY GENERAL REQUEST FOR ACQUISITION OF LEASE COVERING OFFICE SPACE ON THE 5TH FLOOR OF THE CAPITAL INVESTMENT BUILDING, HONOLULU, OAHU

Mr. Hong wasn't sure whether he has a conflict on this matter. The chair ruled that there was no conflict.

ACTION Unanimously approved as submitted. (Yagi/Hong)

ITEM F-26 DOH REQUEST FOR APPROVAL OF RENEWAL OF LEASE COVERING ROOM 301 OF THE TANI BUILDING, HONOLULU, OAHU

Mr. Detor said the lessor will be paying for janitorial services so he asked that the submittal be amended by deleting "and janitorial services" under the PAYMENT, UTILITY CHARGES' column.

ACTION Unanimously approved as amended. (Yagi/Hong)

ITEM F-27 OFFICE OF THE PUBLIC DEFENDER REQUEST FOR ACQUISITION OF LEASE COVERING ROOM 103 OF THE CENTURY BUILDING, HILO, HAWAII

ACTION Unanimously approved as submitted. (Higashi/Hong)

ITEM F-28 DOH REQUEST FOR ACQUISITION OF LEASE COVERING APARTMENT A OF BUILDING 8, PRINCEVILLE, HANAIEI, KAUAI

ACTION Unanimously approved as submitted. (Yamamoto/Yagi)

ITEM F-29 HAWAII HOUSING AUTHORITY REQUEST FOR RIGHT OF ENTRY TO CONDUCT FEASIBILITY STUDY, KALUAAHA, MOLOKAI

ACTION Unanimously approved as submitted. (Yagi/Hong)

(See pages 10 and 11 for Item H-1 and pages 5 to 10 for Item H-2.)

ITEM H-3 REQUEST FOR PUBLIC HEARING FOR COMMERCIAL USE OF LAND WITHIN CONSERVATION DISTRICT FOR COMMERCIAL PURPOSES

ACTION Unanimously approved as submitted. (Higashi/Hong)

ITEM H-4 CDUA FOR REVIEWING AND TRANSMITTING FACILITY FOR CABLE TELEVISION AT KOLOA, KAUAI

ACTION Unanimously approved as submitted. (Yagi/Hong)

ITEM H-5 CDUA FOR THE ESTABLISHMENT OF SIX NATURAL AREA RESERVES ON THE ISLANDS OF OAHU, KAUAI AND HAWAII

This was a resubmittal. When this matter was taken up earlier, the board asked two questions. One was, who has the responsibility for the adjustment of the boundaries? Mr. Evans said the answer to that is this board.

The second question was, what happens if geothermal or some type of resources are found in these areas in the future? Mr. Evans said the NARS staff indicated to him that there is a procedure by which that type of use could go to the NARS Commission. Staff has been able to ascertain there does not appear to be any geothermal potential on these lands. They don't know about groundwater potential, however. So he said it is conceivable that such a request could be entertained in the future by the NARS Commission.

Mr. Evans said under Recommendation A.3, on page 15 of the submittal, he would like to have that amended to read, "That the Kipahoehoe Natural Area Reserve, makai boundary be revised to the mauka side of the jeep trails from Lae O Heku to Paakai Point." He asked that the rest of the statement be deleted. They would like to have the boundary start mauka of the jeep trail along the shoreline. They would like the area between the jeep trail and the shoreline for people to still use that is not in the natural area reserve.

Mr. Ono asked whether the requested approval gives the staff the go ahead with all the necessary process, including withdrawing, re-issuing executive orders, etc.

Mr. Evans said no. He asked that the submittal be amended by adding Section C, authorizing the staff to take whatever actions necessary on each of the reserves by recommending that the governor have them formally withdrawn from the current set asides, and that executive orders be issued setting aside the areas as NARS.

ACTION Mr. Hong moved, seconded by Mr. Higashi, and the board unanimously approved Item H-5 as amended above.

Mr. Ono directed Mr. Evans, Mr. Lee and Mr. Detor to work on this, process it so that it gets to the governor as soon as possible for the issuance of the executive orders. He asked that the staff give this the highest priority.

ITEM H-6 CDUA FOR THE INTERIM PAPAYA USE AND PILOT TREE FARMING OF THE HALEPUA'A POSITION OF THE NANAWALE FOREST RESERVE AT PUNA, HAWAII (SUBMITTAL WAS TO BE DISTRIBUTED AT BOARD MEETING)

Mr. Evans asked that Item H-6 be withdrawn.

ACTION The board had no objection to withdrawing Item H-6.

(See pages 2 to 5 for Items H-7 and H-8.)

(Mr. Hong was excused and left the meeting at 11:40 A. M.)

ITEM I-1 APPOINTMENT OF LICENSE AGENT, HILO, HAWAII

ACTION Hawaii Hunting Supplies was unanimously appointed as a license agent to sell hunting and fishing licenses. (Higashi/Yamamoto)

ITEM I-2 APPOINTMENT OF LICENSE AGENT, MAKAWAO, MAUI

ACTION Outdoor Sports was unanimously appointed as a license agent to sell hunting and freshwater fishing licenses. (Higashi/Yamamoto)

ITEM J-1 LEASE OF LAND, HONOLULU INTERNATIONAL AIRPORT, OAHU (GENERAL AVIATION SERVICES, LTD.)

ACTION Unanimously approved as submitted. (Yagi/Yamamoto)

ITEM J-2 LEASE OF LAND, HONOLULU INTERNATIONAL AIRPORT, OAHU (NORTHWEST AIRLINES, INC.)

ACTION Unanimously approved as submitted. (Ing/Yagi)

ITEM J-3 FOREIGN EXCHANGE SERVICES CONCESSION, HONOLULU INTERNATIONAL AIRPORT, OAHU

ACTION Unanimously approved as submitted. (Yagi/Yamamoto)

ITEM J-4 ADDENDUM NO. 2 TO LEASE NO. DOT-A-76-20, GENERAL LYMAN FIELD HAWAII (UNITED AIR LINES, INC.)

ACTION Unanimously approved as submitted. (Higashi/Yagi)

<u>ITEM J-5</u>	<u>MODIFICATION NO. 4 TO LEASE NO. DOT-A-73-29, HONOLULU INTERNATIONAL AIRPORT, OAHU (AMERICAN AIRLINES, INC.)</u>
ACTION	Unanimously approved as submitted. (Yagi/Higashi)
<u>ITEM J-6</u>	<u>MODIFICATION NO. 7 TO LEASE NO. DOT-A-62-32, HONOLULU INTERNATIONAL AIRPORT, OAHU (HAWAIIAN AIRLINES, INC.)</u>
ACTION	Unanimously approved as submitted. (Yagi/Yamamoto)
<u>ITEM J-7</u>	<u>MODIFICATION NO. 12 TO LEASE NO. DOT-A-73-35, HONOLULU INTERNATIONAL AIRPORT, OAHU (WESTERN AIRLINES, INC.)</u>
ACTION	Approved as submitted. (Higashi/Yagi)
	Mr. Ing did not vote and disqualified himself.
<u>ITEM J-8</u>	<u>CONSENT TO MORTGAGE AND MEMORANDUM OF LEASE (LEASE NO. DOT-A-79-18), HONOLULU INTERNATIONAL AIRPORT, OAHU (PARADISE HELICOPTERS, LTD. TO LIBERTY BANK)</u>
ACTION	Unanimously approved as submitted. (Higashi/Yagi)
<u>ITEM J-9</u>	<u>ISSUANCE OF A REVOCABLE PERMIT, GENERAL LYMAN FIELD, HAWAII (ALIKA COOPER & SONS, INC.)</u>
ACTION	Unanimously approved as submitted. (Higashi/Yamamoto)
<u>ITEM J-10</u>	<u>ISSUANCE OF REVOCABLE PERMITS, AIRPORTS DIVISION</u>
	Mr. Garcia made a correction to the submittal. The location for Revocable Permit No. 3605 to Royal Hawaiian Airways, Inc. should be Keahole Airport instead of Honolulu International Airport.
ACTION	Unanimously approved as submitted above. (Higashi/Yamamoto)
<u>ITEM J-11</u>	<u>ISSUANCE OF REVOCABLE PERMITS, AIRPORTS DIVISION</u>
ACTION	Unanimously approved as submitted. (Yagi/Higashi)
<u>ITEM J-12</u>	<u>RENEWAL OF REVOCABLE PERMITS, CONFORMING USE, AIRPORTS DIVISION</u>
ACTION	Unanimously approved as submitted. (Higashi/Ing)
<u>ITEM J-13</u>	<u>ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 11, HONOLULU HARBOR, OAHU (AMERICAN GLOBAL LINES, INC.)</u>
ACTION	Unanimously approved as submitted. (Higashi/Yagi)
<u>ITEM J-14</u>	<u>ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 18, HONOLULU HARBOR, OAHU (HPBS, INC.)</u>
ACTION	Unanimously approved as submitted. (Yagi/Yamamoto)

ITEM J-15 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 1, HONOLULU HARBOR, OAHU (FRED L. WALDRON, LTD.)

ACTION Unanimously approved as submitted. (Yagi/Yamamoto)

ITEM J-16 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KEEHI LAGOON, HONOLULU, OAHU (AMFAC DISTRIBUTION CO., LTD., DBA AMFAC MARINE SUPPLY, INC.)

Mr. Garcia said although the purpose is for expansion, there is not going to be any construction. He said they want to use the submerged land just to tie down their boats without further construction of the facility. If any construction is going to be involved, they would have to come in with a CDUA.

Mr. Ono said we should have the reason why they are going through the permit route. They are going to stay there a long time.

Mr. Garcia said the problem on the long-term lease is the administrative cost involved because it would have to go through public auction. Another reason is that they would be offering a parcel of submerged land that could not be used by anybody else except Amfac.

Mr. Ono said that is not what they are saying in the submittal. He suggested that the reason why they are going on the permit route should be adapted to that particular situation.

Mr. Higashi asked how much income do they derive from this. He wanted to know what kind of economic value is there.

Mr. Ono said the other related question is if they are going to tie up the boats over there, what would be the rates compared to their small boat harbor rates.

Mr. Garcia asked to defer this matter until the next meeting so they can get the answers for the board.

ACTION The board had no objection to deferring this item.

ITEM J-17 USE OF HARBORS DIVISION FACILITIES, PIER 9 PASSENGER TERMINAL, HONOLULU HARBOR, OAHU (DEPARTMENT OF THE TREASURY, U. S. CUSTOMS SERVICE)

ACTION Unanimously approved as submitted. (Yagi/Yamamoto)

ITEM J-18 ISSUANCE OF REVOCABLE PERMIT NO. HY-82-686, HIGHWAYS DIVISION, EWA, OAHU (TERUO AND SHIZUE NOSAKA, DBA TANAKA STORE)

ACTION Unanimously approved as submitted. (Yagi/Yamamoto)

ITEM J-19 ISSUANCE OF REVOCABLE PERMIT NO. HY-82-687, HONOLULU, OAHU (NOBU OKUHARA, INC.)

ACTION Unanimously approved as submitted. (Yagi/Yamamoto)

ITEM J-20 ISSUANCE OF REVOCABLE PERMIT, KAWAIHAE HARBOR, HAWAII
(AMERICAN PACIFIC INDUSTRIAL LEASING CORP.)

ACTION Unanimously approved as submitted. (Yagi/Yamamoto)

ITEM J-21 ISSUANCE OF REVOCABLE PERMIT, PIER 15, HONOLULU HARBOR, OAHU
(JOHN M. MASAKI AND MICHAEL MURAOKA, DBA MIBO)

ACTION Unanimously approved as submitted. (Yagi/Yamamoto)

ITEM J-22 ISSUANCE OF REVOCABLE PERMIT, HONOLULU INTERNATIONAL AIRPORT,
OAHU (HAWAIIAN AIRLINES, INC.)

ACTION Unanimously approved as submitted. (Higashi/Yagi)

ITEM J-23 APPROVAL OF CONSENT TO SUBLEASE A PORTION OF THE PREMISES OF
LEASE NO. 42, PIER 35, HONOLULU HARBOR, OAHU (NATIONAL COMPANY,
INC. - FTM ALUMINUM, INC.)

ACTION Unanimously approved as submitted. (Yagi/Ing)

ITEM J-24 RENT-A-CAR CONCESSION, HONOLULU INTERNATIONAL AIRPORT, OAHU

ACTION Unanimously approved as submitted. (Ing/Yagi)

ITEM J-25 TRAVEL INSURANCE AND COMMUNICATIONS SERVICES CONCESSION,
HONOLULU INTERNATIONAL AIRPORT, OAHU

ACTION Unanimously approved as submitted. (Yagi/Yamamoto)

For the information of the board, Mr. Garcia said the Waikiki Surf Club has made an application to hold a benefit luau on May 28, 1982 at the pier facilities at Honolulu Harbor. The next board meeting is on May 28, and it was too late to be placed on today's agenda so he will be bringing that to the board at the next board meeting.

ADJOURNMENT: There was no further business and the meeting was adjourned at 12 noon.

Respectfully submitted,

Joan K. Moriyama

JOAN K. MORIYAMA
Secretary

APPROVED

S. Ono
SUSUMU ONO
Chairman

jkm