

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

DATE: June 25, 1982
TIME: 9:00 A. M.
PLACE: Board Room, Department of Land
and Natural Resources
Room 130, 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 9:10 A.M. The following were in attendance:

MEMBERS

Mr. Roland Higashi
Mr. Thomas Yagi
Mr. Takeo Yamamoto
Mr. J. Douglas Ing
Mr. Moses Kealoha
Mr. Susumu Ono

STAFF

Mr. James Detor
Mr. Henry Sakuda
Mr. Libert Landgraf
Mr. Charles Neumann
Mr. Maurice Matsuzaki
Mr. Roger Evans
Mr. Roy Sue
Ms. Sherrie Samuels
Mrs. LaVerne Tirrell

OTHERS

Mr. Edwin Watson, Deputy A. G.
Mr. Peter Garcia, DOT
Mr. James Miyaki (Item F-1-a)
Mr. Mervyn Gilliland (Item F-1-n)
Mr. George Lindsey and
Mr. Jim Lau (Item F-11)
Mr. Paul Tom and
Mr. Mervyn Jones (Item F-12)
Mr. Calvin Choy (Item H-1)
Mr. Lutkenhouse (Item H-2)
Mr. Cline Mann (Item F-6)
Mr. Vincent Brown (Item H-7)

MINUTES

The minutes of May 14, 1982 were unanimously approved as submitted. (Higashi/Yagi)

ADDED
ITEMS

Upon motion by Mr. Higashi and a second by Mr. Yamamoto, the board unanimously approved the addition of the following items to the agenda:

Forestry & Wildlife

Item C-1 -- Award of Contract, Project No. DFW-17, Furnishing and Delivering Fencing Materials, Kahikinui Fence Construction Project, Kahikinui Forest Reserve, Maui.

State Parks

Item E-9 -- Appointment of Assistant State Parks Administrator

Land Management

Item F-16 -- Filling of Position No. 12741, Clerk Stenographer II, Clerical Support Services, Honolulu, Oahu.

Item F-17 -- Filling of Position No. 12693, Clerk Stenographer II, Honolulu, Oahu.

Items were considered as follows in order to accommodate those persons present at the meeting:

ITEM F-12

STAFF RECOMMENDATION FOR EXCHANGE OF LAND, IN PRINCIPLE, WITH HAWAII HOUSING AUTHORITY AND SUBSEQUENTLY WITH THE DEPARTMENT OF HAWAIIAN HOME LANDS, WAIANAE KAI, OAHU.

This involves a 150 houselot subdivision in Waianae-Kai containing 25 acres which is owned by the Hawaii Housing Authority. Two houses are presently on the property. The calculated value is somewhat in excess of \$6 million. Because Hawaii Housing Authority is not going ahead with selling the subdivision the proposal is for the HHA to convey it to the Department of Land and Natural Resources in exchange for lands owned by the State. DLNR will then turn around and exchange with Hawaiian Home Lands who would use said subdivision in their housing program. In exchange, DHHL will convey to the State lands which the state already has on the books and are using. What staff is recommending at this point, said Mr. Detor, is that the board approve the exchanges, in principle, and then we can work out the details later.

Mr. Paul Tom of HHA said that, in terms of the subdivision, it is a fully completed subdivision with all installed underground utilities and sewer connection. The significance of the tract is that it is available for immediate building of houses. The HHA had approved of and directed to sell the lots to the general public. However, staff felt that before this was done that it should be offered first to some other government agency. Accordingly, Hawaiian Home Lands was contacted and after they reviewed the matter it was decided, in principle, of the transfer.

Mr. Mervyn Jones of Hawaiian Homes thought this to be an ideal location for a subdivision. One reason being that it is near the school and ready to go.

Mr. Yagi asked what the outlook was for getting an allocation from the Farmers Home Administration.

We initially met with them last year, said Mr. Jones, to finance about 70% of our homes that are now under construction. We have about 240 homes coming up now and they were going to finance 70% of these. Although the allocation was set aside for us many of the homesteaders could not qualify for Farmers Home so we now have an allocation designated but have no more lots. Therefore, this area would be ideal for HHL to use the money which has already been set aside. We talked to them about this project and this project would qualify for FHA so all we need to do is wrap up the deal.

Would we just be approving this in principle, asked Mr. Higashi?

Yes, said Mr. Detor, as far as this particular piece is concerned. However, staff would be coming back to the board with specific values and specific parcels involved to conclude the exchange. If you approve it at this point the only parcel that is definitely involved would be the 150-lot subdivision. We would have to come back with the other parcels that are involved in the exchange.

Mr. Jones explained that Hawaii Housing, in this exchange, is only looking to recoup their cost.

Mr. Ono commented that this was a unique approach to solving several problems and thought it a good idea since this particular issue involves three agencies i.e. Hawaiian Home Lands, Hawaii Housing Authority and Land and Natural Resources for the three bosses to get together to express their view points on the exchange, appraisals, etc.

ACTION

The board, upon motion by Mr. Ing and a second by Mr. Kealoha, unanimously approved, in principle 1) the land exchange proposal with Hawaii Housing Authority, subject to further approval of the Board of Land and Natural Resources of the parcels to be conveyed to HHA and 2) the subsequent land exchange with the DHHL, subject to further approval of the Board, of the lands to be conveyed to DLNR by DHHL. The board also authorized the Chairman to enter in an agreement with Hawaii Housing Authority and Department of Hawaiian Home Lands to effectuate the land exchange proposals.

ITEM F-1-n

ISLAND HOLIDAYS REQUEST FOR CONSENT TO TRANSFER GRANT OF EASEMENT NO. S-4227, KAHALUU, NO. KONA, HAWAII.

Mr. Detor explained that this involves partially submerged lands which front the Keauhou Beach Hotel in Kona. The hotel itself is situated on Bishop Estate lands. However, the easement belongs to the State and was sold to Island Holidays when the hotel was constructed. AMFAC is in the process of selling the hotel and the reason they are asking for consent to transfer the easement is because the new owners will be taking over the hotel property and they would like the easement to go along with the sale. Consideration, as far as the easement is concerned, is a minimum of \$10.

Is the use to continue as a hotel, asked Mr. Ono?

My understanding, said Mr. Detor, is that it is to continue as a hotel. I have heard that possibly in the future this may change but how soon I don't know. One possible use is maybe a retirement home, but no definite decision has been made.

In answer to Mr. Ing's question, Mr. Gilliland said that this easement is directly under the hotel where the pilings hit the water.

In the original approval of the easement, was the use specified, asked Mr. Ono? Because if there is going to be a change in use it should come back to the board. It might have been approved with the assumption of having it stay as a hotel area.

Mr. Gilliland of American Factors said that it will remain as a hotel. The people who are planning to purchase this hotel are going to develop a retirement community across the street and this is a part of that community. When people want to come and visit the residents within this community they will have a place to stay.

Mr. Gilliland stated that the applicants came to AMFAC to purchase this property inasmuch as it fits into their overall development plan. In essence, Island Holidays will still be operating the hotel.

Mr. Ono asked that a condition be inserted where, if somewhere down the road the hotel use changes, then it should come back to the board. We are assuming that it will be used as a hotel, but we don't know for how long.

ACTION

Unanimously approved as amended, subject to review and approval of assignment of documents by the State Attorney General. (Higashi/Ing)

ITEM F-6

RICHARD SMART APPLICATION FOR ROAD EASEMENTS AT WAIMEA, SO. KOHALA, HAWAII.

This is a request for the purchase of two easements in the Puukapu area in Waimea. This is a part of an overall project involving the repair and replacement of the Parker Ranch water system, which conveys water to be used for cattle operations. These two easements are a part of that particular project.

Cline Mann, representing Parker Ranch, explained that the system is about 81 years old. It was built in 1901 and is in need of repair. The plan is to replace the lines in their exact location except in a few cases where they would like to re-route the lines and one of the rerouting is to be continued around the airport instead of across the runway where it is now. In order to reroute this line they will need to go through their own lands as well as private and state lands. The easement lines go through Hawaiian Home lands but we are not doing anything with this for the present time.

Mr. Detor explained that during the time the application was being processed, thanks to Mr. Mann's research, it was discovered that this was State land instead of Hawaiian Home lands.

In answer to Mr. Ono's question, Mr. Mann said that their water comes from the present system and this improved system will not be taking any more water than they are now.

For the record, Mr. Ono stated that the Agenda is in error and asked that it be corrected to read: Richard Smart Application for Road Easements at "Waimea, South Kohala" instead of "Laupahoehoe, No. Hilo".

ACTION

Finding that the subject areas are of minimum size relative to the intended use and with the correction of the Agenda as stated above, Mr. Higashi moved to authorize the direct sale of the subject easements to the applicant under the terms and conditions listed in the submittal. Following receipt of consent from the Governor and the County of Hawaii respecting the easement crossing TMK 6-5-01:3, moved also to authorize grant of right of entry to the applicant to the lands listed in the submittal for construction purposes subject also to the conditions listed in said submittal. Mr. Ing seconded and motion carried unanimously.

ITEM F-11

STAFF RECOMMENDATION FOR CANCELLATION OF REVOCABLE PERMIT NO. S-5782, SAND ISLAND, HONOLULU, OAHU.

This permit is issued to Lokahi Hawaiians, a Hawaii non-profit educational organization for "training area for Ka Makai (ocean) program" purposes at the monthly rental of \$1.00 per month.

The board originally approved issuance of the permit in January, 1980 for an area of approximately 5,000 to 10,000 square feet.

Staff is recommending cancellation for violation of the terms, more specifically the violations as listed in the submittal e.g. using more space than the submittal calls for, opening the park gate to Sand Island on various occasions, using park electricity, unauthorized constructions on the premises, etc.

Since this submittal was written, said Mr. Detor, we had a meeting with the Lokahi people and they had indicated that they would bring in today items to correct this situation. Also, the permit was never issued because they were supposed to bring in before the permit could be issued certain information as listed in the letter attached to the submittal. This was never done so the permit was never issued.

Mr. George Lindsey, legal counsel for Lokahi explained that the whole matter of misunderstanding stems from the fact that Dr. Hew Len was in charge of submitting these required papers and for some reason this was not done. Secondly, my understanding from Jimmy Lau who is the day-to-day person in charge, there was a subsequent agreement allowing him to stay there to watch whatever equipment they had. There are a lot of violations that are alleged in the report by the enforcement officers and, as discussed at our prior meeting, many of these are too broad or too vague to allow us to answer or to effectively participate in a hearing.

First of all we have submitted all the material necessary to issue the permit to Mr. Detor and, secondly, we would be happy to make any payments that may be due on the rental. Thirdly, in terms of the violation, if we can peg exactly what the violations were, we could of course then remedy the situation. Lastly, for the very short period of time that I have been involved in this matter, we have at least been able to come up with the documents required. I would like to request that the board give us a little more time to work out whatever other problems we have and a reasonable time to remedy the situation.

In answer to Mr. Ing's question, Mr. Lindsey said that Mr. Jimmy Lau would be physically on the premises and he is now aware of the nature and extent of the activities which are permitted on said property. However, there previously was a misunderstanding.

Mr. Kealoha called to the applicant's attention the fact that should the board reconsider their plea and violations occur thereafter, the chairman may have the authority to immediately cancel the permit without the board's consent.

Mr. Lindsey said that they were aware of this fact.

Does your affiliation with Roosevelt High School still exist, asked Mr. Ono?

Mr. Jimmy Lau said yes. They are still getting credit for participating in the program. Mr. Lau said that he also works with the Counselors from both Kawanakoa and Farrington Schools and the students receive work study credit.

Mr. Ing said that if they did not have the names of the counselors that they are working with at the different schools, then he would like to have that provided to the board as soon as possible.

In answer to Mr. Ono's question, Mr. Detor said that the status is: 1) they are occupying the premises, and 2) the permit has not actually been formalized inasmuch as material required prior to issuance of the permit has not been received so it is kind of in limbo.

How much time would you need in order to get the required information prior to issuance of your permit, asked Mr. Ing?

We have most of the information said Mr. Lindsey, so I would say about one to one-and-one half weeks.

Mr. Detor suggested that they have the material ready prior to the next Oahu meeting which would not be until August. If everything is in order, fine. If not, we will come back in August with a "no" recommendation.

Mr. Kealoha said that if any violations take place between now and then we will definitely cancel your permit.

In answering to some of Mr. Yagi's concerns, Mr. Lindsey explained that a lot of these violations occurred because of a lack of communication which they are now trying to remedy.

Deputy A. G. Watson said that should the board decide to approve this permit at the next meeting then the following things should be made very clear:

1. The area they are to use be definite -- whether it's 5,000 or 10,000 sq. ft. or 2.3 acres of park land so they don't come back to the board saying that there was never an understanding as to what area they were to occupy.
2. When the permit is sent to them, that it be signed and returned within two weeks. We have cases where permits have not been signed or returned for 4-5 years. Now they are in court saying that they never had a permit to begin with. Therefore the land board had no conditions for them to operate under.

ACTION

Mr. Ing moved for deferral of this item to the next Oahu meeting. In the interim, the conditions imposed by the prior letter of the board dated February 22, 1980 are to be met, in addition to the other items discussed this morning and come back to the board at the next Oahu meeting for consideration. Mr. Higashi seconded and motion carried unanimously.

Mr. Ono also directed staff to clean up all of their records and come back to the board with up-to-date information.

ITEM H-7

CDUA FOR THE ANZCAN CABLE LANDING SITE AND ACCESSORY USES AT WAIANAEE, OAHU (M & E PACIFIC, INC.).

This is a request by M & E Pacific, Inc. for cable landing and accessory use at Waianae.

Mr. Evans called the board's attention to Condition No. 9 which state's that should the cable require removal in the future, that the cable would be removed at the direction of the state and not just a request considered by the applicant.

Mr. Vincent Brown said that COMPAC is agreeable to removing the cable as requested. The only thing that their experts noted is that when the cable is in the reef it gets really embedded and crusted with coral and it may damage the coral in different sections.

Mr. Ono said that the way the condition is worded it is not an absolute requirement but subject to further review and discussion so these points will have to be discussed at that time.

ACTION

The board unanimously approved the applicant's request for the ANZCAN cable landing site and the terminal building expansion at Keawaula, Oahu on property designated as TMK: 8-1-01:7, 8, 18 and 23, subject to the conditions listed in the submittal.

ITEM H-2

CDUA FOR ARBORETUM AND BOTANICAL GARDEN USE AT SOUTH HILO, HAWAII
(HILO HAWAIIAN GARDEN, DBA ONOMEA BAY TROPICAL BOTANICAL GARDEN).

Mr. Evans said that after considering the input from the public hearing staff did have and continues to have a general feeling that within the resource subzone at that location, conceptionally, this may be a very positive thing. However, in the recommendation we would like to make a few changes. (At this point, a new set of conditions was passed out to the board by Mr. Evans to replace those listed on pages 10-11.) Briefly, said Mr. Evans, staff's recommendation for denial was based on the four points which was just handed to you.

Mr. Ono remarked that it is kinda difficult to consider recommendations which are just handed to you at the meeting.

We do have time on this particular application, explained Mr. Evans so there would be no problem if this item were deferred. We would then have time to further survey the situation.

Mr. Lutkenhouse said that he had already applied for an SMA permit. However no county public hearing has yet been held since none is required.

Do you think these problems could be resolved within two weeks, asked Mr. Higashi? I think so said Mr. Lutkenhouse.

Lutkenhouse said that he filed for both these permits with the Planning Commission and DLNR on January 14, 1982. There were many months of silence before I got any action. If you have any further questions I will be happy to answer them.

Mr. Higashi said that the board would not be able to act on this matter until the applicant got his SMA approved.

Mr. Evans said that regardless of how staff feels, the way the law is structured if the applicant does not have his SMA from the county we, by law, are required to deny the application. However, should we receive the SMA permit from the County then, basically, we could change our recommendation of denial.

ACTION

Mr. Ono asked that this item be deferred to the next meeting of the board to be held on July 9, 1982. In the meantime, Mr. Lutkenhouse can get together with Mr. Higashi and the DLNR staff in Hilo regarding the alleged violations. He can also get together with the County people to push the SMA permit.

ITEM H-1

CDUA FOR SUBDIVISION AND ESTABLISHMENT OF A RADIO STATION SITE AT SUMMIT
CAMP WITH PERMISSION TO LAND HELICOPTERS FOR CONSTRUCTION AT WAILUA,
KAWAIHAU, KAUAI (HAWAIIAN TELEPHONE COMPANY).

Mr. Evans asked that "Halelea" Forest Reserve which is listed under Landownership be changed to "Lihue-Koloa" Forest Reserve instead.

Hawaiian Telephone has requested deferral of this item inasmuch as they have some problems with Condition No. 5 which is listed in the submittal. This deferral, said Mr. Evans, would allow staff to take another look at Condition No. 5 and if there is justification then there might be a change in the submittal.

Hawaiian Telephone Company's concern is the possibility of future competition by the State in terms of the telephone business.

There are three reasons why we put this condition in there, said Mr. Evans. The first reason is that the Department of Defense specifically made this request. DAGS, also, made this request.

One thing that staff has consistently been coming to the board with is that when there's a tower we try to minimize the number of towers by putting on them the most number of antennas possible. We feel comfortable with this request particularly because it is State land. However, I did represent to Hawaiian Telephone that I would try to seek a deferral so I could get together with them to discuss this problem.

Have we inserted this condition in any previous application, asked Mr. Ono?

It has been a standard condition for about the past one to two years for all applications of this type, said Mr. Evans.

Mr. Ono asked that Mr. Evans check the previous applications and approvals to see what the conditions were in respect to this particular point. If we are embarking on a new policy, then I think everybody should know about it.

Mr. Calvin Choy of the Hawaiian Telephone Company said that the way the condition was written there may be no problem in this case. However, we may have, in the future, situations where we would have to do extensive improvements to get to the site, e.g. roadways, electrical facilities, etc. and the cost to us would be significant. Normally, when we project the cost and the projected revenues to offset this cost, we look at the cost section of projected revenues for the years to come. If we are to go ahead with this project and all of a sudden the state should come back and say that they have decided to use our site to establish a telecommunication system for the state and/or for the counties, a significant part of our revenues would be reduced. There seems to be an inequity there where we cannot recoup some of the development cost that was incurred -- the cost to go in and establish the site.

Essentially, what we are doing is subsidizing the government to take away some of our revenues and that is the only reason why we are concerned about this.

Looking back at all of our previous applications I think, and I would have to check of course, this covenant was not included. However, we did have discussions with the State Forester and the Civil Defense people that in the event that they wanted to come into any of our sites we would have no objection. For example, we put up Hualalai Radio Tower recently and the State Forester asked if we would consider allowing them to come in for fire protection and fire prevention. We have no objections to that but the way Condition No. 5 is written it is so broad that it does cause us some problems.

ACTION

Deferred.

<u>ITEM B-1</u>	REQUEST FOR APPROVAL TO RENEW FOUR AGREEMENTS BETWEEN THE BOARD OF LAND AND NATURAL RESOURCES (BLNR) AND THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII (RCUH) TO CONTINUE ADMINISTRATIVE SUPPORT SERVICES FOR HAWAII FISHERIES DEVELOPMENT ACTIVITIES.
ACTION	Unanimously approved as submitted subject to the Governor's approval and approval as to form by the Attorney General's Office. (Yagi/Kealoha)
<u>ITEM B-2</u>	FILLING OF POSITION NO. 9620, AQUATIC BIOLOGIST VI, MARINE FISHERIES SECTION CHIEF POSITION ON OAHU.
ACTION	Upon motion by Mr. Kealoha and a second by Mr. Yagi, the board unanimously approved the appointment of Alvin Z. Katekaru to Position No. 9620, Aquatic Biologist VI, Marine Fisheries Section Chief effective July 1, 1982.
<u>ADDED ITEM C-1</u>	AWARD OF CONTRACT, PROJECT NO. DFW-17, FURNISHING AND DELIVERING FENCING MATERIALS, KAHIKINUI FENCE CONSTRUCTION PROJECT, KAHIKINUI FOREST RESERVE, MAUI
ACTION	The board unanimously voted to award contract DFW-17 to the low bidder, Carnation Company for the sum of \$4,383.48. (Yagi/Higashi)
<u>ITEM E-1</u>	APPROVAL TO ENGAGE THE SERVICES OF A CONSULTANT TO PROVIDE RELOCATION ASSISTANCE FOR DISPLACED PERSONS IN CONNECTION WITH ACQUISITION FOR LANDS FOR STATE PARKS PROJECTS.
ACTION	One of the questions posed at the last meeting, said Mr. Ono, was whether we shouldn't get a permanent position or go through the contract process. Because this type of service is only short term, Mr. Sue felt that it was cheaper for the State to hire on a consultant basis and contract it out rather than hire a full-time employee inasmuch as we don't know how long we will be extending the acquisition program.
<u>ITEM E-2</u>	AWARD OF CONSTRUCTION CONTRACT, JOB NO. 24-KP-19X, PUMP REPLACEMENT, WAIMEA CANYON, KAUAI.
ACTION	The board unanimously voted to award the Construction Contract to the low bidder, Roscoe Moss Company with a total sum bid of \$11,775.00. (Yamamoto/Yagi)
<u>ITEM E-3</u>	AWARD OF CONSTRUCTION CONTRACT, JOB NO. 5-OP-43, ASPHALT CONCRETE PAVING, PUU O MAHUKA HEIAU STATE MONUMENT.
<u>ITEM E-4</u>	AWARD OF CONSTRUCTION CONTRACT, JOB NO. 5-OP-42, PARK SECURITY RESIDENCE, WAIMANALO STATE RECREATION AREA, OAHU.
ACTION	Mr. Kealoha moved for approval of Items E-3 and E-4 as submitted. Motion carried unanimously with a second by Mr. Higashi.
<u>ITEM E-5</u>	AWARD OF CONSTRUCTION CONTRACT, JOB NO. 23-HP-20A, PAVILION KONA AIRPORT STATE PARK, KAILUA-KONA, HAWAII.
ACTION	The board unanimously voted to award a Construction Contract for the basic bid and Additive Alternates 1, 2 and 3 on Job No. 23-HP-20A to the low bidder, Constructors Hawaii, Ltd. for a total award amount of \$1,208,156.50 contingent upon the allotment of required funds from the Governor. (Higashi/Kealoha)

- ITEM E-6 AWARD OF CONSTRUCTION CONTRACT, JOB NO. 36-MP-25, COMFORT STATION AND PARKING, PUA A KAA, HANA ROAD WAYSIDE, MAUI.
- ACTION Upon motion by Mr. Higashi and a second by Mr. Yagi, the board unanimously voted to award a construction contract for the basic bid and alternate to the low bidder COVCO Hawaii Corporation for a total contract sum of \$132,403.08.
- ITEM E-7 AWARD OF CONSTRUCTION CONTRACT, JOB NO. 5-OP-35, CLEARING AND GRADING, RAINBOW BAY STATE PARK, AIEA, OAHU.
- ACTION The board voted unanimously to award a Construction Contract for the basic bid and additive alternate 1, on Job 5-OP-37 to the low bidder, Ideal Construction for a total contract sum of \$51,953.50. (Kealoha/Yagi)
- ITEM E-8 AWARD OF CONSTRUCTION CONTRACT, JOB NO. 5-OP-37, TRAIL IMPROVEMENTS, DIAMOND HEAD STATE MONUMENT, HONOLULU, OAHU.
- ACTION Unanimously approved as submitted. (Kealoha/Higashi)
- ADDED
ITEM E-9 FILLING OF POSITION NO. 21646, ASSISTANT STATE PARKS ADMINISTRATOR.
- Inasmuch as this is a personnel matter, Mr. Ono said that Item E-9 and Item I-3 would be deferred to the end of the calendar and discussed in an executive session.
- ACTION See Page 17 for Action on Added Item E-9.
- ITEM F-1 DOCUMENTS FOR CONSIDERATION
- Item F-1-a DEPARTMENT OF EDUCATION REQUEST FOR REVOCABLE PERMIT, covering portion of the warehouse building at Hart Street, Honolulu, Oahu for storage and office purposes being TMK 1-5-33:por. 9 - Rental: Gratis.
- Mr. Detor explained that the Division of State Park is using a small area within the building. However, DOE will put up a wall to divide the area between themselves and State Parks.
- Item F-1-b DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES REQUEST FOR CONSENT TO OPERATION AND USE AGREEMENT, covering portion of the Koloa Multi-Purpose Neighborhood Center and Court House, Koloa, Kauai being TMK: 2-8-08:17 - Rental: Gratis
- Item F-1-c KENNETH SHIMIZU REQUEST FOR CONSENT TO TRANSFER SSA NO. S-5507, Lot 5, Kurtistown Lots, O'laa, Puna, Hawaii to KENNETH Y. SHIMIZU and LORY M. T. SHIMIZU, husband and wife, as tenants by the entirety.
- Item F-1-d KENNETH SHIMIZU REQUEST FOR CONSENT TO COLLATERAL AGREEMENT, SSA NO. S-5507, Lot 5, Kurtistown Lots, O'laa, Puna, Hawaii for the purpose of securing a loan from the lending agency prior to the completion of the building requirement.
- Item F-1-e MARK COLLINS APPLICATION FOR REVOCABLE PERMIT covering land at Kakio and Makaalea, Hana, Maui for pasture purposes being TMK: 1-4-11:20 containing 6.52 acres - Rental: \$10.00 per month.
- Item F-1-f AL COVIC APPLICATION FOR REVOCABLE PERMIT covering portion of government land at Ualapue-Kapualei, Molokai for docking of fishing boat and drying of fish nets being TMK: 5-6-03:01 containing 0.340 acre - Rental: \$10.00 per month.

- Item F-1-g RAYMOND SILVA AND NORMAN DIEGO APPLICATION FOR REVOCABLE PERMIT, covering land at Kaluaaha-Waiialua, Molokai for pasture purposes being TMK: 5-7-05:31 containing 61.70 acres - Rental: \$26.00 per month
- Item F-1-h BIG ISLAND TOBACCO CORPORATION REQUEST FOR CONSENT TO MORTGAGE to BANK OF HAWAII G. L. No. S-4306 covering Lot 2, Hilo Industrial Development, Pohaku Street Section, Waiakea, So. Hilo, Hawaii being TMK 2-2-58:4, containing 14,421 sq. ft.
- Item F-1-i ALFRED MONTGOMERY and NAOMI L. MONTGOMERY, husband and wife, REQUEST FOR CONSENT TO ASSIGNMENT OF G. L. NO. S-4641 to HARRY J. MEDEIROS covering Lot 88, Kaapahu Homesteads, Mauka Section, Kaapahu, Hamakua, Hawaii being TMK: 4-4-13:11 containing 20.50 acres.
- Item F-1-j HUEHUE RANCH APPLICATION FOR REVOCABLE PERMIT covering various parcels in Kona, Hawaii for pasture purposes being TMK: 7-2-04:4, 17, 7-2-05:8, 7-2-06:12, 17 and 7-3-01:2 - Rental: \$415.00 per month.
- Item F-1-k HAJIME TANAKA REQUEST FOR CONSENT TO MORTGAGE G. L. NO. S-4422, to TSUTOMU NAKAUCHI covering Lot 8, Keonepoko Iki Farm Lot Subdivision (Pahoa Agricultural Park), Keonepoko-Iki, Puna, Hawaii containing 10.00 acres
- Item F-1-l KIYOSHI INADA REQUEST FOR CONSENT TO MORTGAGE G. L. NO. S-4774 to HAWAII PRODUCTION CREDIT ASSOCIATION covering Lot 26, Panaewa Agricultural Park, Waiakea, So. Hilo, Hawaii containing 10.01 acres.
- Item F-1-m DONALD S. AND HELEN E. SHINTAKU REQUEST FOR CONSENT TO MORTGAGE G. L. NO. S-4760 to HAWAII PRODUCTION CREDIT ASSOCIATION covering Lot 13, Panaewa Agricultural Park, Waiakea, So. Hilo, Hawaii containing 18.698 acres.
- Item F-1-n ISLAND HOLIDAYS REQUEST FOR CONSENT TO TRANSFER GRANT OF EASEMENT NO. S-4227, Kahaalu, No. Kona, Hawaii.
- Item F-1-o LOKAHI HAWAIIANS' REQUEST FOR FESTIVAL SITE, Honolulu, Hawaii.

(See Page 3 for Action)

The applicants asked that this item be withdrawn inasmuch as they have found another site for their festival.

ACTION Unless otherwise noted, the board, upon motion by Mr. Kealoha and a second by Mr. Higashi, unanimously approved Item F-1 as submitted.

ITEM F-2 HILO ASSOCIATION TO HELP RETARDED CITIZENS REQUEST FOR AMENDMENT OF G. L. NO. S-4601, WAIAKEA, SO. HILO, HAWAII.

The lease covers two separate lots and the applicant would like permission to consolidate the two lots within the lease. Such consolidation, according to Housing Consultant Services, is necessary to avoid a technical violation of set-back requirements of the County of Hawaii in connection with the construction of the Hale Ulu Hoi Housing Project.

ACTION In order to amend the metes and bounds description and pertinent exhibits for General Lease No. S-4601, the board unanimously approved the consolidation of Lots 2 and 3, Block 94, of the Waiakea Houselots into one lot to comply with set back requirements of the County of Hawaii and authorizing Housing Consultant Services, as consultant to the lessee, to pursue, on behalf of the Department of Land and Natural Resources, approval of said consolidation from the County of Hawaii and compliance, as necessary, with the applicable requirement of Federal, State and County of Hawaii governments

ITEM F-3

PHILIP GRAY, ET AL, APPLICATION FOR ROAD AND UTILITY EASEMENTS AT KUKIO 2ND, NO. KONA, HAWAII.

Mr. Detor explained that this is a follow-up of a CDUA application which was approved by the board on March 25, 1982.

ACTION

Mr. Ono asked that this item be deferred in order for staff to double-check the maps submitted to the board to make sure that the area in question is the same as that which was approved by the board on March 25, 1982. Mr. Higashi asked that the Planning Office also get together with the Land Management staff to check all the terms and conditions. Mr. Detor assured the board that the terms and conditions listed in Item F-3 are exactly as those listed in the CDUA application.

Deputy A. G. Watson noted that on all the different islands when there are sales of roadways and utility easements to private properties, the State is providing the easement. Isn't this a case where we are providing them the necessary easements so that they can develop their property? In some cases I have questioned why we have gone the minimum cost of a roadway easement only and yet in other cases we have gone the cost of improvements to their land. In other words, we have not been consistent on the other islands. It depended on how the Land Agent was preparing his submittal. If this is a roadway which is required by the County in order for him to develop his property then our appraised value should be accordingly and not just the roadway easement one time and the appraised value of the improvements another time.

Mr. Ono asked that staff address Mr. Watson's comments in order that there be consistency in the method of arriving at a value or payment to the State and then report back to the board.

ITEM F-4

THELMA SPRINGER ET AL, APPLICATION TO PURCHASE HIGHWAY REMNANT PARCELS, NO. KONA, HAWAII.

ACTION

Finding the subject parcels are unsuitable for development as a separate unit because of its size and shape and are remnants by definition, the board, upon motion by Mr. Higashi and a second by Mr. Ing. unanimously approved the direct sale of the subject remnant subject to the terms and conditions listed in the submittal.

ITEM F-5

RESUBMITTAL - KAZUHISA ABE, ET AL, APPLICATION TO LEASE AT PUBLIC AUCTION GOVERNMENT LAND OF MAKAULA-OOMA MAUKA TRACT, NO. KONA, HAWAII.

This is an application for lease covering approximately 1200 acres for general agriculture purposes.

Mr. Higashi asked that Condition No. 3 be amended by deleting the following sentence:

"That the Lessee shall plant macadamia nut trees on one-hundred acres within the first five years of the lease."

When asked by Mr. Higashi, Mr. Detor stated that as far as he knows there is no ag water available.

Mr. Ono felt that there is an obligation on the part of the State to let those bidding on the property know that water may be a problem.

ACTION

Mr. Higashi moved for approval as amended. Mr. Yagi seconded and motion carried unanimously.

<u>ITEM F-6</u>	<u>RICHARD SMART APPLICATION FOR ROAD EASEMENTS AT WAIMEA, SO. KOHALA, HAWAII.</u>
ACTION	(See Page 4 for Action)
<u>ITEM F-7</u>	<u>BLAIR, LTD. APPLICATION FOR ROAD EASEMENTS AT LAUPAHOEHOE, NO. HILO, HAWAII.</u>
	Mr. Detor said that he had been asked by the Attorney General's office to either defer or withdraw this item inasmuch as litigation is pending on this in connection with the conservation district use application.
ACTION	Deferred.
<u>ITEM F-8</u>	<u>KIHEI CANOE CLUB REQUEST FOR REVISION OF MONTHLY RENTAL RATE, REVOCABLE PERMIT NO. S-5815, KIHEI, MAUI.</u>
ACTION	Because of its non profit status, the board, upon motion by Mr. Yagi and a second by Mr. Yamamoto, voted unanimously to authorize reducing the monthly rent of Revocable Permit No. S-5815 issued to Kihei Canoe Club from \$26.00 a month to \$10.00 a month effective July 1, 1982 with a corresponding reduction in the collateral security deposit from \$52.00 to \$20.00; all other terms and conditions to remain the same.
<u>ITEM F-9</u>	<u>OUT-OF-STATE TRAVEL REQUEST FOR JAMES J. DETOR AND A BOARD MEMBER TO ATTEND THE ANNUAL WSLCA CONFERENCE.</u>
ACTION	The board unanimously approved the out-of-state travel for Mr. Detor to attend the Western States Land Commissioners Association conference to be held in Cable, Wisconsin for the period July 24-30, 1982. (Higashi/Yamamoto)
<u>ITEM F-10</u>	<u>HONOLULU MYOHOJI REQUEST FOR AMENDMENT OF PREVIOUS BOARD ACTION (5/14/82, AGENDA ITEM F-16) AUTHORIZING SALE OF EASEMENT AT KAHOOKANE, PAUOA, HONOLULU, OAHU.</u>
ACTION	Unanimously approved as submitted. (Yagi/Ing)
<u>ITEM F-11</u>	<u>STAFF RECOMMENDATION FOR CANCELLATION OF REVOCABLE PERMIT NO. S-5782, SAND ISLAND, HONOLULU, OAHU.</u>
ACTION	(See Page 6 for Action)
<u>ITEM F-12</u>	<u>STAFF RECOMMENDATION FOR EXCHANGE OF LAND, IN PRINCIPLE, WITH HAWAII HOUSING AUTHORITY AND SUBSEQUENTLY WITH THE DEPARTMENT OF HAWAIIAN HOME LANDS, WAIANAE KAI, OAHU.</u>
ACTION	(See Page 3 for Action)
<u>ITEM F-13</u>	<u>STAFF RECOMMENDATION FOR PUBLIC HEARING ON WITHDRAWAL OF LAND FROM FOREST RESERVE, NA PALI COAST, NA PALI, KAUAI.</u>
ACTION	The board, upon motion by Mr. Yamamoto and a second by Mr. Ing, voted unanimously to approve and recommend to the Governor of Hawaii that a public hearing be held on the island of Kauai covering the proposed withdrawal of the subject area from the Na Pali-Kona Forest Reserve and that Mr. Libert K. Landgraf, State Forester, be appointed Master. The time and place of the public hearing to be determined by the Chairman, with the approval of the Governor.

ITEM F-14 DALE MATSUMURA REQUEST FOR EXTENSION OF IMPROVEMENT REQUIREMENT DEADLINE, G. L. NO. S-4648, KAPAA, KAUAI.

ACTION The board unanimously authorized a six (6) month extension of the improvement requirement deadline specified by General Lease No. S-4648, said extension to be conditioned upon the lessee filing an acceptable bond guaranteeing completion of construction of the parking and landscaping improvements in the amount of \$3,500.00. (Yamamoto/Yagi)

ITEM F-15 JAMES BLACKWELL REQUESTS FOR APPROVAL OF RELOCATION OF DITCH RIGHT OF WAY, CONVEYANCE OF ROADWAY TO COUNTY OF KAUAI AND CONSTRUCTION RIGHT OF ENTRY, WAILUA, KAUAI.

Mr. Detor said that there were some problems with the terms and conditions listed in this submittal and asked that it be withdrawn.

ACTION Withdrawn.

ITEM F-16 ADDED FILLING OF POSITION NO. 12741, CLERK-STENOGRAPHER II, CLERICAL SUPPORT SERVICES, HONOLULU, OAHU.

ITEM F-17 ADDED FILLING OF POSITION NO. 12693, CLERK-STENOGRAPHER II, HONOLULU, OAHU.

ACTION Mr. Yagi moved for the appointment of Miss C. Ruby Okafuji to Position No. 12741 and the appointment of Miss Leane K. Nakano to Position No. 12693 effective July 16, 1982. Mr. Yamamoto seconded and motion carried unanimously.

ITEM G-1 FILLING OF LAND DOCUMENT RECEIVING CLERK II, POSITION NO. 152.

ITEM G-2 FILLING OF LAND DOCUMENT RECEIVING CLERK I, POSITION NO. 140.

ITEM G-3 FILLING OF ABTRACTOR VI, POSITION NO. 143.

ITEM G-4 FILLING OF ABSTRACTING ASSISTANCE V, POSITION NO. 162.

ACTION Mr. Ing moved for approval of Items G-1, G-2, G-3 and G-4 as submitted. Mr. Kealoha seconded and motion carried unanimously.

ITEM H-1 CDUA FOR SUBDIVISION AND ESTABLISHMENT OF A RADIO STATION SITE AT SUMMIT CAMP WITH PERMISSION TO LAND HELICOPTERS FOR CONSTRUCTION AT WAILUA, KAWAIHAU, KAUAI (HAWAIIAN TELEPHONE COMPANY).

ACTION (See Page 8 for Action)

ITEM H-2 CDUA FOR ARBORETUM AND BOTANICAL GARDEN USE AT SOUTH HILO, HAWAII (HILO HAWAIIAN GARDEN DBA ONOMEA BAY TROPICAL BOTANICAL GARDEN).

ACTION (See Page 7 for Action)

ITEM H-3 CDUA FOR CONSOLIDATION AND SUBDIVISION OF PRIVATE PROPERTY AT PALOLO, OAHU (GREGORY LEE).

The reason for this subdivision is to leave equal parts of the property to family members.

ACTION Unanimously approved as submitted, subject to the terms and conditions listed in the submittal. (Kealoha/Ing)

ITEM H-4 CDUA FOR KAOPA 272-FOOT RESERVOIR AND ACCESS ROAD WITH UTILITY EASEMENTS AT KAILUA, OAHU (LONE STAR HAWAII, INC.)

ACTION Unanimously approved as submitted, subject to the terms and conditions listed in the submittal. (Higashi/Ing)

<u>ITEM H-5</u>	<u>CDUA FOR A SINGLE-FAMILY DWELLING AT PUNA, HAWAII (LESLIE & LOIS STRONG).</u>
ACTION	Unanimously approved as submitted. (Higashi/Yagi)
<u>ITEM H-6</u>	<u>CDUA FOR A BEDROOM EXTENSION TO AN EXISTING DWELLING AT MANOA, OAHU (DR. CLAYTON HONBO).</u>
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
<u>ITEM H-7</u>	<u>CDUA FOR THE ANZCAN CABLE LANDING SITE AND ACCESSORY USES AT WAIANAE, OAHU.</u>
ACTION	(See Page 6 for Action)
<u>ITEM H-8</u>	<u>RESUBMITTAL OF A CDUA FOR SINGLE FAMILY RESIDENTIAL USE ON TWO ADJACENT LOTS AT KANEOHE, OAHU (CARL SMITH).</u>

This was deferred at the last meeting at the request of the applicant in order that staff could reconsider its recommendation for denial. Staff's request for denial was based on the fact that the request was for two single family units and seemed speculative in nature and the agent for the applicant has worked it out with the applicant that rather than have the two lots for housing speculation, what they have suggested basically is that within the general subzone one house be built on the lot and the other lot be for access purposes. Under these circumstances staff is now recommending approval.

Mr. Ono asked what conditions had changed in order for staff to change their recommendation.

The change, said Mr. Evans, is that the request was for the applicant to put up two houses on two separate lots. The reason being that they were going to sell the houses once board approval was obtained. We felt that it was speculative in nature and therefore recommended to the board that even though it is in the general subzone the intent should be to live rather than get a paper approval and then sell the property. As a result, the applicant requested deferral and they have subsequently changed their proposal. They wish to withdraw the request to build more than one house and they want basically one house plus access to the second lot. This we felt to be reasonable in the general subzone and therefore have recommended approval on that basis.

Under the non-conforming use you may have a difficult time denying a house unit in the future, said Mr. Higashi.

What if a new owner comes in and asks for non-conforming use, asked Mr. Ing?

That is a good question and I would like to ask that this item be deferred and in two weeks I will have an answer, said Mr. Evans.

ACTION	Deferred.
<u>ADDED ITEM H-9</u>	<u>REQUEST FOR PUBLIC HEARING APPLICATION FOR USE OF LAND WITHIN CONSERVATION DISTRICT.</u>
ACTION	Unanimously approved as submitted. (Higashi/Yagi)

<u>ITEM I-1</u>	<p>OUT-OF-STATE TRAVEL FOR NOAH PEKELO AND ONE MEMBER OF THE BOARD OF LAND AND NATURAL RESOURCES.</p>
ACTION	<p>Mr. Matsuzaki asked that the submittal be amended by including his name in place of Noah Pekelo's.</p> <p>The board unanimously approved the out-of-state travel request for Mr. Maurice Matsuzaki and a member of the board to attend the 1982 Joint Annual Conference of the Western Association of Fish and Wildlife Agencies, and Western Division American Fisheries Society sheduled in Las Vegas, Nevada on July 18-22, 1982. (Higashi/Yagi)</p>
<u>ITEM I-2</u>	<p>FILLING OF POSITION NO. 33291, CONSERVATION AND RESOURCES ENFORCEMENT OFFICER II (KAUAI).</p>
ACTION	<p>The board unanimously approved the appointment of Milton K. C. Ching to fill the Conservation and Resources Enforcement Officer II, Position No. 33291 effective July 1, 1982. (Higashi/Yagi)</p>
<u>ITEM I-3</u>	<p>REQUEST FOR TRANSFER.</p>
ACTION	<p>Inasmuch as this is a personnel matter, Mr. Ono asked that it be deferred to the end of the calendar and discussed in an executive session.</p> <p>(See Page 17 for Action)</p>
<u>ITEM J-1</u>	<p>MODIFICATION NO. 8 TO LEASE NO. A-62-22, HONOLULU INTERNATIONAL AIRPORT, OAHU.</p>
ACTION	<p>Unanimously approved as submitted. (Ing/Higashi)</p>
<u>ITEM J-2</u>	<p>APPLICATION FOR ISSUANCE OF REVOCABLE EPMITS, AIRPORTS DIVISION, PERMIT NO. 3602, ETC.</p>
ACTION	<p>Unanimously approved as submitted. (Higashi/Ing)</p>
<u>ITEM J-3</u>	<p>APPLICATION FOR ISSUANCE OF REVOCABLE PEERMITS, AIRPORTS DIVISION, PERMIT NO. 3620, ETC.</p>
ACTION	<p>Unanimously approved as submitted. (Yagi/Higashi)</p>
<u>ITEM J-4</u>	<p>ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIERS 52 and 53, HONOLULU HARBOR, OAHU (MATSON TERMINALS, INC.).</p>
ACTION	<p>The location listed in the submittal is Piers 52 and 53. Mr. Garcia asked to have listed after 53 "and other locations around the harbor as required by harbor operations".</p> <p>Unanimously approved as submitted and as amended. (Ing/Kealoha)</p>
<u>ITEM J-5</u>	<p>ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 19, HONOLULU HARBOR, OAHU (SEAWARD MARINE SERVICES, INC.)</p>
ACTION	<p>Withdrawn, at the request of the Department of Transportation inasmuch as there have been some change in plans.</p>
<u>ITEM J-6</u>	<p>ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, NAWILIWILI HARBOR, KAUAI (R. ELECTRIC INC.).</p>
ACTION	<p>Inasmuch as the submittal had not been signed by the Director of Transportation, Mr. Ing moved for approval as submitted subject, however, to obtaining the signature of said Director of Transportation. Mr. Kealoha seconded and motion carried unanimously.</p>

ITEM J-7 USE OF HARBORS DIVISION FACILITIES, PIER 9, PASSENGER TERMINAL, HONOLULU, OAHU (ALOHA UNITED WAY).

ACTION Unanimously approved as submitted. (Ing/Kealoha)

ITEM J-8 USE OF HARBORS DIVISION FACILITIES, PIER 9 AND 10 PASSENGER TERMINALS, HONOLULU, OAHU (PROTECT KAHOOLAWE OHANA).

ACTION Unanimously approved as submitted. (Yagi/Yamamoto)

ITEM J-9 RESUBMITTAL OF RENT-A-CAR CONCESSION, HONOLULU INTERNATIONAL AIRPORT, OAHU.

The original submittal was approved by the board at its meeting of May 14, 1982 under Item J-24. Since then, the Department of Transportation has made some changes due to requests made by the prospective bidders after they had reviewed the sample documents. The lease document has been approved as to form by the Attorney General's Office.

ACTION Unanimously approved as submitted. (Ing/Kealoha)

EXECUTIVE SESSION The board went into executive session from 11:40 A.M. to 11:50 A.M. to go over two personnel matters, i.e. Items E-9 and I-3.

RECONVENE The meeting reconvened at 11:55 A.M.

ADDED
ITEM E-9 FILLING OF POSITION NO. 21646, ASSISTANT TO PARKS ADMINISTRATOR

ACTION Mr. Ing moved for the filling of Position No. 21646 by Ralston Nagata. Mr. Higashi seconded and motion carried. Messrs. Yagi and Yamamoto voted no. For the record, Mr. Yagi said that his no vote was not a personal matter but a matter of principle.

ITEM I-3 REQUEST TO TRANSFER

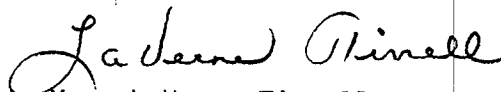
Mr. Yagi moved to approve the transfer of Mr. Roger Pai from the island of Maui to the island of Oahu. Mr. Kealoha seconded and motion carried unanimously.

After the transfer of Mr. Pai, asked Mr. Ono, who would be the Maui Senior Enforcement Officer?


After looking at all the qualifications, background and experience, Mr. Matsuzaki said that Mr. Patrick Ah Sam would be probably the most likely candidate.

ADJOURNMENT: The meeting adjourned at 12:05 P.M.

Respectfully submitted,


Mrs. LaVerne Tirrell
Secretary

APPROVED


SUSUMU ONO
Chairman

It