

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

DATE: October 22, 1982  
TIME: 9:00 A. M.  
PLACE: DLNR Conference Room  
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. Takeo Yamamoto  
Mr. Roland Higashi  
Mr. Thomas Yagi  
Mr. Moses W. Kealoha  
Mr. Susumu Ono

(Mr. J. Douglas Ing was absent and excused.)

STAFF: Mr. Roger Evans  
Mr. James J. Detor  
Mr. Henry Sakuda  
Mr. Takeo Fujii  
Mr. Archie Viela  
Mrs. Joan K. Moriyama

OTHERS: Dep. A. G. Edwin P. Watson  
Military and Corps of Engineers  
Representatives (Items H-2 and H-3)  
Mr. Jeff Watanabe (Item H-1)  
Mr. Tamotsu Sahara (Item F-13)  
Mr. Peter Garcia

MINUTES

The minutes of September 24, 1982 were unanimously approved as distributed. (Higashi/Yagi)

Added  
Items

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

Administration

Item H-4 -- Request for Personnel Action

Item H-5 -- Request for Public Hearing for Use of Land within Conservation District for Commercial Use

The board deviated from the printed agenda and took up the items in the following order:

ITEM H-2

CDUA FOR FIELD TRAINING EXERCISES ENTITLED "THERMAL GALE '82"  
(SUBMITTAL WAS DISTRIBUTED AT THE BOARD MEETING)

This was a conservation district use application for military training

activities on Maui, Molokai and Hawaii. When the proposal came in, it also included lands within the protective subzone of the conservation district, as well as lands within the natural areas reserve system. Staff recommended approval of the application, excluding those lands mentioned above, and subject to a number of conditions. Staff also recommended granting of a right of entry within the conservation district.

It was the staff's understanding that this exercise has already commenced approximately a week ago. By this action, this application became an after-the-fact application. As a result, staff included Condition 15 which calls for a financial sanction of \$500 per island for commencing the activity prior to receiving board approval.

Mr. Yagi asked why the army did not get board approval before commencing with the exercise.

It was Mr. Evans' understanding that the army's time schedule did not allow for processing time that would normally take place. However, the expiration date of the CDUA is December 1, 1982 (as noted on page 1 of the board submittal) so we are well within our normal processing time, he said.

Mr. Higashi asked whether we have an environmental assessment on this application.

Mr. Evans said yes. Based upon that assessment, he said staff was able to formulate a judgment that there won't be any significant effect on the environment and issued a negative declaration.

Mr. Higashi asked if trooping into Kulani forest will have no environmental damage. He said there is some concern about that.

Mr. Evans said there maybe some concern by the general public. In the past, staff has recommended to the army that they go out and hold public hearings to provide the public with the information of their intent, and to also receive input from the public before they actually undertake these kinds of military training activities. But, he said, there has been a negative response on behalf of the military along that line.

Mr. Yagi asked why the military is taking such a negative attitude in response to the public's concerns.

Mr. Evans did not know. He thought perhaps the representatives from the military can best answer that question.

Mr. Larry Fushikoshi and Mr. Masao Tanimoto from the Real Estate Division of the Corps of Engineers were present, as well as several military personnel.

Mr. Ono said the CDUA was not submitted until late August. He said the Corps of Engineers has been working with the staff for a number of years, and they know the procedure. They know what the time requirements are, the staff capabilities, the requirement of environmental assessment, etc. He asked why wasn't the application submitted earlier.

Mr. Masao Tanimoto, Chief of the Real Estate Division, Corps of Engineers, said they are very aware of the six months' time limit. However, since

this is a small exercise they asked for a waiver from the normal CDUA process. He said if this were a regular big exercise, they would have informed the army that they don't think they will be able to get it through within the six-month period.

Mr. Higashi asked whether the military is prepared to pay the fine.

Mr. Tanimoto said yes. They have been in contact with the DLNR staff. They were first informed by them that this matter would be on the September 24 board agenda. Later on they were informed that it was going to be on the October 8 meeting. Since it wasn't presented then, they tried to contact the chairman to see if he could, under DLNR's regulations, obtain delegation of authority (by phone) from the board to give the army permission before the exercise started.

Mr. Ono said Mr. Tanimoto was informed that the chairman had no authority to give such verbal approval.

Mr. Higashi asked what was meant by small exercise.

Mr. Tanimoto said someone directly connected with the exercise who can answer that was supposed to have been here. But he hasn't shown up yet.

Mr. Ono asked why they asked to be put on top of the agenda knowing that the key guy most familiar with this project was not here.

Mr. Lee Dunlap from Fort Shafter, who deals in training resources and who is partially responsible for development of resources base for the exercise, said the exercise is a strength of about 220 people from U. S. and six foreign countries. These people get to the target areas by two or three different meetings of infiltration, either sea infiltration, using small boats, helicasting where they drop people out of helicopters, parachute infiltration and air/land infiltration. He said no vehicles are involved.

Mr. Yagi questioned why the army has such a negative approach of notifying the public, or informing the community of what the military's plans are.

Mr. Dunlap said they don't have a negative viewpoint about a public hearing. In fact, they try to be good neighbors and try to become involved in the community affairs. However, the army as a singular agency either does not know how, or is not authorized, to conduct a public hearing unless it's a vehicle like the Land Board, where they are on the agenda so that the public can comment on it. He said they are not opposed to opposition. In fact they like valid viewpoints, but when they are in a public hearing, and you can't say anything, and the tv cameras are on you, they are at a roadblock. So they try to use the vehicle such as the Land Board or the Hawaiian Homes Commission meetings.

Mr. Higashi said he would like to ask some questions to the person who is in charge to get some idea what kind of activity is involved, damages, if any, etc.

Mr. Ono suggested, and the board members unanimously agreed, that this matter be deferred until the person in charge of this project arrives.

(See pages 10 and 11 for continuation of Item H-2.)

REQUEST FOR EXTENSION OF TIME PURSUANT TO BOARD APPROVED  
CDUA FOR MILITARY ACTIVITIES

This was a request by the military for a time extension for military activities relating to their training program, Nap-of-the-Earth (NOE) flights. The board approved a CDUA in 1977 for these military activities, subject to several conditions.

Initially staff's recommendation was for denial. The reason for recommending denial at that time was to provide the army with an opportunity to present its NOE program at a public meeting, and the necessity for its implementation. The board at that time felt the need for the staff and the army to get together to work things out. Subsequently, the application was approved subject to a number of conditions. One of the conditions was a 5-year limitation, which is about to expire, and they are now requesting an extension.

Staff reviewed the conditions which the board had originally approved and found that there were certain requirements that the military was supposed to comply with. The records showed that there was noncompliance of these conditions. As a result, staff recommended:

- A. That the CDUA No. 9/7/76-844 not be renewed for cause established by the lack of the U. S. Army to comply with conditions imposed by the board.
- B. That the board impose a financial sanction of \$500.00 upon the applicant for the violation of Condition No. 4 imposed on May 13, 1977.

Staff pointed out to the board that the State Department of Defense has a similar application, and our forestry staff has reported that they are complying with the conditions.

Mr. Ono asked whether the reason for recommending denial is because of noncompliance and not because of the effect on the environment.

Mr. Evans said that is correct.

Mr. Yagi asked why the army was giving us such a bad time. Is it arrogance? He said the Hawaii State National Guard complied with our request. He couldn't see why the army couldn't.

The Civil Affairs Officer from the 25th Infantry Division said the answer to that is simply ignorance of the requirement. The requirement was established five years ago, and the people at the level who were supposed to be making the reports just didn't realize that they were supposed to be doing it. He said when the army applied for this CDUA extension and they discovered that they were in arrears with the conditions in May, they immediately began preparing the reports. He said they didn't choose to ignore the conditions at the 25th Division level. They just were not aware of the conditions until it was pointed out to them by Mr. Evans.

Mr. Higashi asked whether they use helicopter in their scope of activity, and if they do, whether there would be any height limitation problems. He said there were complaints of low-flying helicopters.

The Civil Affairs Officer said he has been in that position since April, and he is the person in the division who receives and handles such complaints. He said he handled three complaints, one on Kauai and two on this island. Subsequent investigation showed that one of them was an army aircraft and two of them were not. He said their aviators are far more aware of the land restrictions than the normal infantryman. If the state imposed a height restriction, he said it would affect their training because the concept of Nap-of-the-Earth flying is that you stay as low as possible so you won't be observed. This is a very important aspect of their training.

Mr. Yagi said staff's recommendation is that the CDUA not be renewed for cause established by the lack of the U. S. Army to comply with conditions imposed by the board. He asked whether they will comply with the conditions should the board not go along with staff's recommendation.

The officer said absolutely. They will comply with the conditions.

Mr. Ono asked what kind of assurance will the board have.

Mr. Yagi said if they fail to comply with the conditions, we should forthwith cancel it, and make this a part of the condition.

The officer said because they are obviously embarrassed at their failure to comply with the conditions, he said he would be willing to accept that.

Mr. Higashi said another thing that he would want to have as a condition is if there is any reporting of complaints relating to noise, or to the activity, that they also report to the board so we would have such a record.

The officer said that is not a problem because in that particular area they have not had any complaint, primarily because it's in an uninhabited area. The complaints they get are in the areas that are zoned urban or agriculture.

Mr. Higashi asked whether the military is prepared to pay the \$500.00 fine.

The officer said yes. He said it's very important to them to retain that area, from the training standpoint. They realize that they have been remiss and are fully prepared to make sure that they do it right. He said arrogance is not something they try to do. They try very hard to be good neighbors.

**ACTION**

Mr. Yagi moved to approve the army's request to renew and accepted Recommendation B of the staff which recommended a financial sanction of \$500.00. In the event that the army fail to comply with the conditions imposed by the board on May 13, 1977, Mr. Yagi said this approval shall be terminated forthwith. Mr. Yamamoto seconded the motion.

The question on the time frame was discussed. Mr. Evans suggested that the board approve the time frame of a year.

Mr. Tanimoto said this particular land is owned by Zions Securities and they have a five-year license from them, subject to getting CDUA approval from the land board.

The officer said because of this experience they aren't going to make the mistake of failure to turn in a piece of paper. They don't have any problem of complying with the requirement to keep the board informed. So from the standpoint of doing the paperwork, since they'll be doing the Zions property paperwork in five years, he said, it would be good if they could do both at the same time.

Mr. Higashi said it is a two-way street. Our staff also has to recognize that if they don't receive the report, they should let the board know. It's a matter of two sides recognizing that the report has to come in. The question of the time frame of one or five years, he said, would be immaterial.

The board agreed to extend the time for another five years.

On the call of the question, Item H-3 as amended was unanimously carried.

ITEM H-1

CDUA FOR SHORELINE MAINTENANCE CLEARING AT KALAHUIPUA'A,  
SOUTH KOHALA, HAWAII

Staff recommended approval of the application subject to a number of conditions, and further, that the board grant an immediate right of entry so that the work could be done.

Mr. Evans said he discussed this matter with the applicant's representative and there appears to be a question on Condition No. 12. He said Condition 12 was drawn up from Act 86. Page 2 of that act says that the taking of these materials are prohibited with the following exceptions: "(1) The taking from a public beach of such materials for reasonable, personal and noncommercial use."

Staff felt that this request would be a reasonable use. However, there are three criteria that they have to meet. It has to be for "reasonable, personal and noncommercial use." According to a memo by the applicant's representative, Mr. Evans said they are suggesting that under the law corporation is a personal use. So that would leave us only with the non-commercial aspect.

Mr. Higashi said as he read this submittal he got the impression that taking of these materials maybe a commercial venture for profit. He said taking of these materials out of the ocean and storing it to another place should not be considered a commercial venture.

Mr. Ono asked the staff whether they checked with the attorney general's office.

Mr. Evans said no.

Mr. Watson said the memo has been referred to Mr. Johnson Wong yesterday. In going over the memo with him, they concurred and have ruled that this is a personal taking and that it is for noncommercial purposes. He said the board would have to make a determination as to whether or not both the taking and the amount taken may be reasonable. That is an administrative matter. There is no mention made here on the value of the materials being taken. He said there is some value to that.

Mr. Evans said considering Mr. Watson's statement, Condition 10 should be deleted.

Mr. Higashi questioned Condition No. 7. (Any clearing shall be performed during a period of extreme low tides and as quickly as possible to minimize the amount and duration of sediment transport.) He understood that they are going to run a bulldozer or some kind of a vehicle. He asked what is the maximum height of the water that the machine can go in.

Mr. Jeff Watanabe, the attorney representing the applicant, said the machinery that will be used are basically bulldozer-type machinery that have sealed bottoms. It was his understanding that the machines can go in approximately five to six feet of water. One of the problems that they have with Condition No. 7 is, the depth of the water basically determines where you can clean at what particular period of time. They have about 40 some odd hours of work estimated that needs to be done. He said Condition 7 attempts to say that "we don't want you going in there at other than low tide or extreme low tide in order to do the clearing." The problem with that, he said, is during that period of time that they are going to be doing the clearing, extreme low tide starts at about 6 P. M.

Mr. Higashi said the tide has no effect because the machine can go only to a certain depth.

Mr. Watanabe said that is correct. So there is a practical limitation. He said there may be a concern on the part of the Aquatic Resources about sediment. What the staff has recommended, and the applicant would certainly be willing to comply with, is the use of filtration screen, makai of the project, so that it would prevent a lot of that material from leaving the inland area. On those grounds, he asked that Item 7 be eliminated.

Mr. Watanabe said staff's recommendation on Item A, as well as Item 6, says that the cleanup be on a one-time basis. He said at times the area in question can be subject to high surf. Because there are about 4,000 tons of sand being put mauka of the highwater mark area, they suspect that under storm conditions some of that will wash back inland. If there is any future maintenance work that's required, they would like to have the ability to obtain approval from the chairman of this board. They don't suspect that they will have this type of operation again where they have heavy equipment involved. If they are going to be using heavy equipment to do this kind of work again, Mr. Watanabe said they would request that they would have to come back to the entire board.

Mr. Higashi asked about Condition No. 11, "That the clearing activities shall not be conducted beyond 100 feet from the shoreline."

Mr. Watanabe said that's fine. He said it actually happens to coincide with the Army Corps' permission that was given to them.

Mr. Higashi said he would like our Aquatic Resources staff on the Big Island to work together with them. This is the first time that we are going into a project such as this and he would like to take advantage of some of the information that can be provided us. Once it is finished doesn't mean that they won't be seeing our men around. If there is any negative effect, we want to know about it, too, he said.

Mr. Watanabe said they have no problem with that. He said he would also like to add one more item which also relates to some concern raised by the Aquatic Resources people, and that's on the oil and petroleum leakage from the heavy equipment. He said the equipment that will be used are all sealed. He said there is a crank case bending devise that extends above the equipment which is the only place something can come out or go into the engine area. However, they are aware that accidents can occur. So Mauna Lani has agreed to contract for the rental and leasing of special oil-spill equipment which includes both the floater system, as well as the special surface pump, and the availability on site of high petroleum-absorbent material. So if there is an accident for any reason, Mr. Watanabe said that equipment will be standing by. Mauna Lani is really sensitive to it because it's next to some fishponds that are an important resource, resource not only to the state but to the resort.

Mr. Watanabe further stated that the applicant appreciates the board's position on this and also the work done in conjunction with the Aquatic Resources people.

ACTION Mr. Higashi moved that the board take the following action:

1. The application for shoreline maintenance clearing be approved as indicated in the recommendation made by the staff, and delete "one-time shore line maintenance" from the recommendation.
2. Delete Conditions 7 and 12.
3. Add Condition No. 12 that our Aquatic Resources Division monitor and record the effects of the operations for a period of time.
4. Amend Condition B by deleting the "one-time shoreline maintenance" and authorize the immediate right of entry.

Mr. Watanabe said he would like to add one minor item to Condition 6 as follows: "as well as any subsequent work done that they be required to report any follow up to the chairman and obtain his approval." He said for any kind of major work, the applicant has no problem coming back to the board. They felt that the board has the right to be kept absolutely informed about that.

Mr. Higashi amended his motion to reflect that any future maintenance activities require prior approval of the chairman, with the understanding that if the chairman considers that the activities are major, then it comes to the board. Mr. Yagi seconded the amended motion.

On the call of the question, Item H-1 as amended was unanimously carried.

ITEM F-13 RESUBMITTAL - U. H. (KAUAI COMMUNITY COLLEGE) REQUEST FOR  
RIGHT OF ENTRY TO HANAPEPE SALT POND, HANAPEPE, KAUAI

This was a request of the U. H. Community College for right of entry to utilize a portion of the Hanapepe Salt Pond. This was deferred at the last board meeting. The students of the Kauai Community College participate



in the salt making activity at the Hanapepe Salt Pond. In addition to that, Mr. Detor said they observe the life cycles of the brine shrimps, as well as study the Hawaiian Stilts that frequent the area during certain parts of the year.

Mr. Detor asked that the submittal be amended to the extent that the activities on the brine shrimp and the Hawaiian stilts be coordinated with our Divisions of Forestry & Wildlife and Aquatic Resources.

ACTION Unanimously approved as amended. (Yamamoto/Yagi)

ITEM B-4 RESUBMITTAL - ADOPTION OF CHAPTER 13-34, ADMINISTRATIVE RULES, PUPUKEA MARINE LIFE CONSERVATION DISTRICT, OAHU

This was a resubmittal. Briefly, a public hearing was conducted at the Sunset Beach Elementary School on Oahu on August 24, 1982 on a rule to adopt the marine life conservation district at Pupukea. Subsequent to that staff revised the original rule, based on the public hearing and written comments. Staff subsequently came before the board at its meeting on September 24, 1982. This matter was deferred pending further discussion by the staff with Mr. Ortiz on the proposed expression whether to allow continued netting in the northern most corner of the marine life conservation district. They have subsequently agreed to revise the draft proposal, and they are providing for the continuation of netting in the very northern most corner of the marine life conservation district. It presently prohibits the taking of coral and there is a prohibition on netting in most of the area. Spearing with scuba is prohibited, as well as taking of fish and shellfish, except by pole and line in the marine life conservation district. They provided for taking of limu and spearing by free diving. Spearing by scuba diving is prohibited.

Staff recommended that the board adopt the proposed Chapter 13-34 to establish the Pupukea Marine Life Conservation District.

Mr. Ono asked whether the latest change has been discussed with the city.

Mr. Sakuda said copies of the draft were sent to the city and they have not received any response from them yet. He said a letter was also sent to the city bringing to their attention the allegation of commercial activity in the area. We were informed that they are investigating this problem. The city at the same time posed a question to us whether the area in question is in fact in conservation district or not. Mr. Sakuda said staff will follow up on that.

Mr. Higashi asked whether we are required to have another public hearing under the Administrative Rules and Regulations to include netting.

Mr. Sakuda said during the public hearing there was brief discussion about netting problem. He didn't think there would be any problem to allow netting.

Mr. Ono said it would be more appropriate to refer this question to the legal counsel.

Mr. Watson said so long as it was brought up and it was addressed at the hearing, they have no problem with it.

ACTION Mr. Kealoha moved for approval as presented. Mr. Yamamoto seconded the motion.

Mr. Ortiz reminded the board that he was very unhappy with the commercial activities by the scuba divers. They are creating traffic problems and inconveniencing the residents there.

Mr. Ono said the board will be looking into the commercial activities.

Mr. Kealoha said we have not been able to pin it down, but we certainly will continue to look into this. As far as the rules as it stands, he said it is not permanent. If the present rule needs to be amended it can be considered in the future.

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

Item H-2      Continuation from Page 3

The Operations Office for Thermal Gale, Captain Days, apologized for being late this morning. He said the exercise itself is a complex, multi-national exercise involving several nations and several services (army, navy, air force). Basically the concept is a six or ten-men team, being infiltrated in an uninhabited desolate area, moving without being seen, without disturbing anybody or anything. That is basically their special operations. Their special operations tactics is not to be heard or seen during the whole exercise.

Captain Days said the whole idea is to move so that you don't disturb anything at all. Where it takes a regular conventional unit to an area in 15 to 20 minutes, it will take their people three to four hours to move through because they move separately and undetected without leaving any trail.

Mr. Ono asked whether any explosives are going to be used or have been used.

Captain Days said they are not allowed and are not used. The only pyrotechnics that they are allowed in the area are smoke grenades for signal use for real emergencies, for medivac, evacuation, etc. They will be using blank ammunitions.

Mr. Higashi asked approximately how many people are involved in this operation.

Captain Days said the actual participants total 153 people.

Mr. Ono asked whether in April he knew what he was going to get involved in, insofar as the area was concerned--the kind of terrain, etc.

Captain Days said the only guidance that he received was that they will conduct a multi-national combined operation. He said their first two weeks here involved with foreign nationals from all different countries to discuss what they want to accomplish, and they had to stimulate all that into their training plans. He said it took about three weeks to accomplish that. So they really didn't begin getting a good feel of what they wanted to do until nearly the end of May. Captain Days added that he is from Fort Bragg,

and the reason that they had to bring people from Fort Bragg is because there are no special forces people here in Hawaii.

Mr. Ono said if they had tentative plans back in April or May, and had the request come to this board at that time, we won't be faced with this kind of problem. However, the request came in late August and created this timing problem.

Mr. Ono asked the army representatives how we can prevent such a thing (working right against the operational deadline) from happening again in the future.

Mr. Tanimoto said they have received orders from the Commanding Officer that they are to let him know when they have less than six months to submit a CDUA so he can follow up on it.

Mr. Higashi asked whether they anticipate having this as an on-going training.

Captain Days said this exercise at this time is a one-time affair. If it happens again, it won't happen again for another three years.

Mr. Watson said the problem is not with the military forces. The problem seems to be with the civilian technicians. They are the ones who talk to the various governmental agencies to get the necessary approvals. He said we have better coordination with the National Guard because the people are stationed there. They don't rotate as often and they are aware of the problems.

ACTION Mr. Higashi moved to approve the application with amended Condition 15.

Mr. Evans suggested that on Condition 15, the financial sanction be \$500 per island within the conservation district since not all islands may involve conservation district.

Mr. Yagi seconded and the motion was unanimously carried.

ITEM B-1

REQUEST FOR APPROVAL TO CONTRACT THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII TO ASSIST THE DIVISION OF AQUATIC RESOURCES IN CONDUCTING SEAWEED RESTORATION AND MANAGEMENT INVESTIGATIONS

ACTION Unanimously approved as submitted. (Kealoha/Yamamoto)

ITEM B-2

FILLING OF POSITION NO. 10905, AQUATIC BIOLOGIST IV, MARINE SECTION, FISHERIES BRANCH, DIVISION OF AQUATIC RESOURCES, OAHU

ACTION The board, on Mr. Yagi's motion and seconded by Mr. Yamamoto, unanimously approved the appointment of Brian K. Kanenaka to Position No. 10905, Aquatic Biologist IV, effective November 1, 1982.

ITEM B-3

REQUEST FOR APPROVAL TO CONDUCT PUBLIC MEETINGS AND HEARINGS ON MARINE FISHERIES MANAGEMENT TO CONTROL FISHING ACTIVITIES AT KAUNAKAKAI HARBOR ON MOLOKAI AND AT KAHULUI HARBOR ON MAUI

ACTION Unanimously approved as submitted. (Yagi/Yamamoto)

(See pages 9 and 10 for Item B-4.)

ITEM D-1 FLOOD HAZARD REDUCTION TECHNICAL SESSION

ACTION Unanimously approved as submitted. (Kealoha/Higashi)

ITEM F-1 DOCUMENTS FOR CONSIDERATION

KAUAI

Item F-1-a REVOCABLE PERMIT

RUDY P. RAMOS and LESLIE VIDINHA - Portion of the Nawiliwili Harbor Disposal Area - for open storage - \$61.00 per month

HAWAII

Item F-1-b ASSIGNMENT OF LEASE

ESTATE OF HIRAOKI KONO (deceased), assignor, to ELAINE K. KONO (widow), assignee - Parcel III, comprised of lots 6 and 15, Waiakea Business and Industrial Lots, Waiakea, South Hilo - GL No. S-3592

Item F-1-c AMENDMENT TO SUBLEASE

WILLIAM MACKENZIE, Trustee, et al, sublessor, and HAWAII PLANING MILL, LTD., a Hawaii corporation, sublessee - Parcel IV, comprised of Lots 7, 8, 9, 16, 17 and 18 of the Waiakea Business and Industrial Lots, Waiakea, South Hilo - GL No. S-3611

Mr. Detor pointed out to the board that Condition B says, "Review and approval by staff appraiser to determine if adjustment in basic lease rentals is necessary." He asked that this condition be stricken because this is a tidal wave lease and it does not contain a provision permitting that.

Item F-1-d MORTGAGE

CHIYOKI AND AILEEN M. TANAKA, husband and wife, mortgagors, and HAWAII PRODUCTION CREDIT ASSOCIATION, mortgagee - Lot 4, Panaewa Agricultural Park, Waiakea, South Hilo - GL No. S-4751

MAUI

Item F-1-e REVOCABLE PERMIT

EMIL P. TEDESCHI - Government land, being portion of Kanahena, Kualapa, Kalihi, Papaka, Honuaula, Makawao - for waterline easement at \$10.00 per month.

HAWAII

Item F-1-f SUBLEASE MORTGAGE, ATTORNMENT, AGREEMENT AND ESTOPPEL CERTIFICATES

SPENCER ENTERPRISES, INC., and SHELDON C. N. SPENCER (aka Sheldon Clarke Nohea Spencer), mortgagor, and First Hawaiian Bank, mortgagee - Lots 12 and 12-A, Ocean View Lots, Waiakea, South Hilo - GL No. 3029

Item F-1-g MORTGAGE

MASAO AND EVELYN Y. NAKAMURA, husband and wife, mortgagor, to HAWAII PRODUCTION CREDIT ASSOCIATION, mortgagee - Lot 12, Panaewa Agricultural Park, Waiakea, South Hilo - GL No. S-4759

ACTION Item F-1 was unanimously approved as amended above. (Higashi/Yagi)

<u>ITEM F-2</u>	DSSH REQUEST FOR CANCELLATION OF DSSH LEASE NO. 80-1 COVERING PORTION OF THE HILO REHABILITATION COMPLEX, PIHONUA, SOUTH HILO, HAWAII
ACTION	Unanimously approved as submitted. (Higashi/Kealoha)
<u>ITEM F-3</u>	DOA REQUEST FOR AMENDMENT OF PREVIOUS BOARD ACTION (4/12/79, AGENDA ITEM F-10) AUTHORIZING RECOMMENDING ISSUANCE OF AN E.O. SETTING ASIDE LAND AT OMAOPIO, MAKAWAO, MAUI
ACTION	Unanimously approved as submitted. (Yagi/Higashi)
<u>ITEM F-4</u>	HHA REQUEST FOR RECONVEYANCE OF ABANDONED ROADWAY, PAWAA IKI, HONOLULU, OAHU
ACTION	Unanimously approved as submitted. (Kealoha/Higashi)
<u>ITEM F-5</u>	HAITSUKA BROTHERS, LTD. REQUEST FOR EXTENSION OF TERM OF LAND LICENSE NO. S-283, KAENA QUARRY SITE, WAIALUA, OAHU
ACTION	Unanimously approved as submitted. (Kealoha/Higashi)
<u>ITEM F-6</u>	BILLY CASEY, SR. APPLICATION FOR EASEMENT AT WAIONO, KOOLAULO, OAHU
ACTION	Unanimously approved as submitted. (Kealoha/Yamamoto)
<u>ITEM F-7</u>	MRS. DICKSON HARTWELL APPLICATION TO PURCHASE RECLAIMED LAND AT KANEOHE BAY, KANEOHE, KOOLAUPOKO, OAHU
ACTION	Unanimously approved as submitted. (Kealoha/Higashi)
<u>ITEM F-8</u>	HILTON HAWAIIAN VILLAGE REQUEST FOR USE OF DUKE KAHANAMOKU BEACH FOR LUAU SHOW AND FIREWORKS DISPLAY, HONOLULU, OAHU
ACTION	Unanimously approved as submitted. (Kealoha/Higashi)
<u>ITEM F-9</u>	DOT REQUEST FOR APPROVAL OF AMENDMENT OF LEASE COVERING BASEYARD ON LANAI
ACTION	Unanimously approved as submitted. (Higashi/Yamamoto)
<u>ITEM F-10</u>	STAFF RECOMMENDATION FOR LEASE OF LOT 82 OF THE HANAPEPE TOWN LOTS, HANAPEPE, KAUAI
ACTION	Unanimously approved as submitted. (Yamamoto/Higashi)
<u>ITEM F-11</u>	STAFF RECOMMENDATION FOR AMENDMENT OF PREVIOUS BOARD ACTION (1/8/82, AGENDA ITEM F-12) AUTHORIZING SALE OF REMNANT AT KALAEHO, KOLOA, KAUAI
ACTION	Unanimously approved as submitted. (Yamamoto/Higashi)
<u>ITEM F-12</u>	STAFF RECOMMENDATION FOR CANCELLATION OF GENERAL LEASE NO. S-3955, KAPAA, KAUAI
ACTION	Unanimously approved as submitted. (Yamamoto/Higashi)

(See pages 8 and 9 for Item F-13.)

ITEM G-1 FILLING OF CLERK III, POSITION NO. 147, OAHU

ACTION The board, on Mr. Higashi's motion and seconded by Mr. Yagi, unanimously approved the appointment of Shirlene Miyashiro to Position No. 147, Clerk III, effective November 1, 1982.

(See pages 6 to 8 for Item H-1, pages 1 to 3 and 10 and 11 for Item H-2 and pages 4 to 6 for Item H-3.)

ADDED  
ITEM H-4 REQUEST FOR PERSONNEL ACTION

ACTION The board, on Mr. Higashi's motion and seconded by Mr. Yamamoto, unanimously approved the appointment of Ms. Dorothy Chun to Position No. 13044, Secretary II, effective November 8, 1982.

ADDED  
ITEM H-5 REQUEST FOR PUBLIC HEARING FOR USE OF LAND WITHIN CONSERVATION DISTRICT FOR COMMERCIAL USE

ACTION Mr. Higashi moved for approval and Mr. Yamamoto seconded the motion.  
Mr. Yagi asked whether we can add the CDUA for the mule ride on Molokai.  
Mr. Evans said yes. The board will be conducting a public hearing on Maui on December 17, 1982, so the Molokai public hearing can be scheduled about the same time.  
Mr. Higashi amended his motion to include the Molokai application. Mr. Yamamoto seconded and the amended motion was unanimously carried.

ITEM J-1 MODIFICATION NO. 3 TO CONTRACT NO. DOT-A-74-13, HONOLULU INTERNATIONAL AIRPORT, OAHU (APCOA, INC.)

ACTION Unanimously approved as submitted. (Higashi/Yagi)

ITEM J-2 MODIFICATION NO. 1 TO LEASE NO. DOT-A-77-21, HONOLULU INTERNATIONAL AIRPORT, OAHU (AIRTOUR ACQUISITION CORP.)

ACTION Unanimously approved as submitted. (Yagi/Kealoha)

ITEM J-3 MODIFICATION NO. 8 TO LEASE NO. A-62-32, HONOLULU INTERNATIONAL AIRPORT, OAHU (HAWAIIAN AIRLINES, INC.)

ACTION Unanimously approved as submitted. (Yagi/Kealoha)

ITEM J-4 MODIFICATION NO. 11 TO LEASE NO. A-62-22, HONOLULU INTERNATIONAL AIRPORT, OAHU (ALOHA AIRLINES, INC.)

ACTION Unanimously approved as submitted. (Yagi/Kealoha)

ITEM J-5 ISSUANCE OF NEGOTIATED LEASE, NAWILIWILI HARBOR, KAUAI (MATSON NAVIGATION CO.)

ACTION Unanimously approved as submitted. (Yagi/Higashi)

ITEM J-6      SALE OF LEASE BY PUBLIC AUCTION, HONOKOHAU BOAT HARBOR, HAWAII

ACTION      Unanimously approved as submitted. (Higashi/Kealoha)

ITEM J-7      ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KAWAIHAE HARBOR, HAWAII

This was a resubmittal. At a previous meeting Mr. Ing asked whether a CDUA was required because it included submerged land. Mr. Garcia said it was his understanding that the pipes are floating and they will be anchored.

ACTION      Unanimously approved as submitted. (Higashi/Kealoha)

ITEM J-8      ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, MAALAEA HARBOR, MAUI (ROBINETTE SHEPLEY)

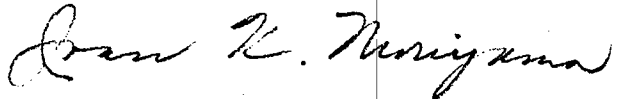
ACTION      Unanimously approved as submitted. (Yagi/Yamamoto)

ITEM J-9      CONTINUANCE OF REVOCABLE PERMITS, HIGHWAYS DIVISION

ACTION      Unanimously approved as submitted. (Kealoha/Yagi)

ADJOURNMENT: There was no further business, and the meeting was adjourned at 11:10 A. M.

Respectfully submitted,



JOAN K. MORIYAMA  
Secretary

APPROVED



SUSUMU ONO  
Chairman

jkm