

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

DATE: August 12, 1983  
TIME: 9:00 A. M.  
PLACE: DLNR Board Room  
Kalanimoku Building  
1151 Punchbowl Street  
Honolulu, Hawaii

Roll  
Call

The meeting of the Board of Land and Natural Resources was called to order by Chairman Susumu Ono at 9:10 A. M., with the following in attendance:

Members

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

(Mr. Thomas Yagi was absent and  
excused.)

Staff

Mr. Roger Evans  
Mr. Robert T. Chuck  
Mr. James Detor  
Mr. Henry Sakuda  
Mr. Melvin Young  
Mr. Maurice Matsuzaki  
Mrs. Joan K. Moriyama

Others

Dep. A. G. Dona L. Hanaike  
Mr. Robert Rau, Attorney (Item H-5)  
Mr. William F. Quinn, Mr. Bernard Hill,  
Mr. Russell Saito and Mr. Nakanishi  
(Item H-2)  
Mr. John Loomis and Mr. Ned Broadbent  
(Item H-3)  
Mr. Sam Mokuahi (Item D-1)  
Mr. Brian Gray (Item H-7)  
Mr. Thomas Matsuda (Item F-14)  
Mr. Ben Matsubara and Mr. Gill (Item H-8)  
Mr. Peter Garcia

Minutes

The minutes of June 24, 1983 were unanimously approved as circulated.  
(Ing/Kealoha)

Added  
Items

Mr. Ing moved, seconded by Mr. Kealoha, and the board unanimously  
voted to add the following items to the board agenda:

Administration

Item H-10 -- Request to ratify staff action in requiring a public hearing to  
consider an amendment to the 1977 Mauna Kea Plan for  
a pending CDUA for a 138 KV transmission line from  
Kaumana to Keamuku, Hawaii

Item H-11 -- Filling of Personnel Clerk III Position No. 33450, Oahu

The board took up the matters in the following order to accommodate the people in the audience:

ITEM H-5      CDUA FOR TWO PRIVATE BOAT MOORING USES IN KANEOHE BAY, OAHU

Mr. Robert Rau, attorney for Geraldine Sim, the applicant, said the applicant is on a business trip in Florida and she has asked that this matter be deferred until the next meeting in Honolulu.

Mr. Ono said there is time since the 180-day on this CDUA falls on the latter part of next month.

ACTION      The board had no objection to deferring Item H-5 to the next Oahu meeting.

ITEM H-2      VIOLATION OF CONDITIONS OF LAND USE WITHIN THE STATE CONSERVATION DISTRICT BY HAWAIIAN TELEPHONE CO.

This was a violation of conditions of land use within our state conservation district at Koloa, Kauai, by Hawaiian Telephone Company. CDUA 1309 was approved by the board for a passive microwave land use, subject to a number of conditions. One of the conditions (Condition 7) read, "That prior to approval of the subsequent construction plans, photographs be taken and reviewed by Kauai County Planning Department such that any visual intrusion in the Lihue and Kalaheo view corridor be minimized."

It came to the staff's attention, through public complaint, that the antenna was in fact constructed and is in place, and the construction plans have not been approved.

Based upon that staff recommended that the board find the applicant in violation of:

1. Conditions 1, 2, 3, 7, 13 and 14 of our general conditions applicable to any land use allowed in the conservation district set forth in our Administrative Rules.
2. Condition 7 of the specific conditions placed upon this particular land use.

Because of the above violations, staff recommended that the board impose:

1. A maximum fine of \$500.00 per violation, or \$3,500.00, as a financial sanction for the violations; and
2. Administrative costs of \$250.00 for these violations.

In addition to that, staff recommended that the board consider the applicant's options which are separate and distinct from the financial sanction. Those options basically were:

1. The removal of the antenna.
2. Considering the applicant's option to remove the structure, allow the applicant to make such modifications as necessary within sixty days

to the board's satisfaction, that the structure is in compliance with all conditions of land use as stated in the board's approval of land uses, and those set forth in the standard section of our Administrative Rule 13-2; provided, however:

- a. Should the applicant accept this alternative, then upon completion of the necessary modification to the satisfaction of the board, the antenna be allowed to remain.
- b. Should the applicant accept this alternative and the necessary modifications not be to the satisfaction of the board, that a daily financial sanction be imposed by the chairman in consultation with the board for the time period from the date of the determination of non-satisfaction.
- c. That the applicant then be given an additional sixty days to make further modification if satisfactory to the board, and will allow the antenna to remain; if unsatisfactory, require removal by the applicant within thirty days.

Mr. Kealoha said the board has not approved the construction plans. He asked how they can modify something which the board has not approved.

Mr. Evans said Mr. Kealoha is correct, that the board has not approved the construction plans. The construction plans would only be approved should we go through the modification aspect, and that modification prove to be satisfactory to the board.

Mr. Yamamoto asked whether the telephone company got approval from the Kauai Planning Department.

Mr. Evans wasn't sure.

Mr. Higashi asked whether the applicant discussed alternatives with the staff.

Mr. Evans said the counsel for the applicant did discuss the process by which the counsel could state their case before the board. They did not, however, discuss the staff's recommendation.

Mr. Ono said they did submit photographs which showed the proposed alternate designs.

Mr. Higashi asked whether the proposal made by Hawaiian Telephone was reasonable.

Mr. Evans said one photograph shows the condition as it is today. The other one is a touched-up photograph of what they felt could modify and satisfy the conditions. He said staff would want to discuss the modifications before approval of the construction plans. There seems to be a significant difference between what is shown on the photograph and the statements that were made as a part of the environmental assessment, statements to the effect that the visual intrusion would be insignificant. Staff didn't feel that the photograph correlates well with the statements that were made.

Mr. William F. Quinn, representing the applicant, read from a prepared written statement in response to staff's submittal, and distributed a copy of his statement to the board members.

In response to Mr. Yamamoto's inquiry, Mr. Quinn said the building permit was granted by the County of Kauai and the building permit did have with it photographs of the site, etc.

On behalf of Hawaiian Telephone Company, Mr. Quinn apologized for their oversight in failing to comply with the conditions. He said the final plans and specifications, which should have been approved by the chairman prior to construction, reflected exactly the design that had been presented to the board in connection with the CDUA.

Mr. Quinn further stated that Conditions 1, 2 and 3 are all environmental concerns, and they believed they were satisfied because of the Assessment and Negative Declaration. They do not agree that Conditions 1, 2 and 3 are separate conditions.

Mr. Higashi said the applicant had the opportunity to address those conditions when they were brought before the board. He said if they had the feeling that it was related to the environment and that it was one condition, then they should have stated it at that time.

Mr. Quinn said staff has recommended that Hawaiian Telephone be allowed to make modifications to the reflector in an effort to satisfy the board that the conditions for land use have been met. Hawaiian Telephone would like the board's permission to accept this alternative. It has designed the reflector to attempt to meet the board's requirements. If the board allows such modifications to be made, he said, Hawaiian Telephone can complete the work within sixty days after all necessary permits and approval for the work have been obtained. If they should provide revised plans for this modification for prior approval, he said, that would be one way to satisfy Mr. Kealoha's concerns.

Mr. Ono asked Mr. Quinn whether he had any suggestions how to keep the phone company moving to get the permits in the most expeditious manner. He said if they say they can complete the work after all the permits are obtained, then it may be two years.

Mr. Quinn said that is a genuine concern. He said Mr. Bernard Hill is here and he is prepared to give his assurance to that effect. He also added that the time span probably ought to have some flexibility in it with regard to bad weather condition since it is necessary that the personnel, materials and equipment must be moved in and out by helicopter.

Should the board not be satisfied with the modifications after they are completed, Mr. Quinn said, Hawaiian Telephone would like to use an additional sixty days as recommended by the staff to try further to satisfy the board. In connection with that, he said, they have one further objection to the staff's recommendations. The staff has suggested that Hawaiian Telephone be subject to a daily financial sanction. They have already spent \$90,000 for the modification. If the modification is still not satisfactory, staff has set a financial sanction for every single day while they are modifying it. He said it seems punitive and it doesn't really seem to be satisfying the useful administrative purpose. He said he can assure the state that

should they ultimately fail to make changes to the board's satisfaction, and if the board directs the telephone company that the reflector be removed, that it will be removed as expeditiously as possible.

Mr. Bernard Hill, Vice President of Network Engineering and Construction of Hawaiian Telephone Company, wanted the board to know that he was here today at the request of Mr. Donald Kuyper, the President. They are all very concerned in the management of Hawaiian Telephone Company that these violations of the CDUA took place. He assured the board that they have examined all of their procedures and processes which will assure them in guaranteeing that this will not happen again.

Mr. Ing asked whether someone read the conditions that were attached to the approval, and if they did, why weren't they followed.

Mr. Hill said it was completely an oversight and a very bad violation of what they have ever done before. He apologized for Mr. Kuyper, for himself and for the management of the company. They have no intention of letting this happen, and it will not happen again. He said their intentions were really honorable.

Mr. Hill further stated that they feel that what they will be proposing in the way of modifications to the reflector should satisfy the requirements of the board, and should satisfy the requirements of the people of Kauai. They are concerned about the reflector as it stands right now. He hoped that the board will give them an opportunity to show this to the board and let them go ahead with the modifications.

Mr. Ing asked Mr. Russell Saito, Network Engineering Director for Hawaiian Telephone, whether that reflector can be moved forward engineering wise.

Mr. Saito said the reflector location is quite critical. He said if they move it down to the slopes, there wouldn't be enough surface to reflect the microwave service because part of the reflecting service would be blocked by some of the terrain from Kukuiohono. He said the site itself is quite critical in the sense that it is about the only place in the Kahili area where they have the right angle. He said if they were to move up to the tv station site, they could not get by with a passive reflector.

Mr. Higashi asked if this site wasn't granted, what would be their alternate plan.

Mr. Saito said they looked at the tv station site of the ridge. He said it would have been more expensive there, for one thing, and there are lots of other users at the site. Their need, as far as space, power, etc., it would mean that probably they would have to displace some of the people to go in there. He said it didn't seem to be as practical an alternative.

There was a brief discussion on the cost differential. Mr. Higashi asked how much they are talking about.

Mr. Saito believed that this total project as they started out would be about \$750,000. An active repeater on the same site would be in the neighborhood of \$1.3 million. Up on the ridge would be closer to \$1.8 million.

In relation to the cost to the customer, Mr. Higashi asked whether this is a PUC regulated charge or deregulated charge.

Mr. Saito said this is a regulated charge. If it is included in the rate base, and they are allowed to earn on the rate base, then by that means they'll just pass it on to the customer.

A Mr. Nakanishi of M & E Pacific, Inc. was also present to answer any question which the board may have.

Mr. Ing asked how he arrived at these conclusions.

Mr. Nakasnishi said they assessed every aspect of the environmental conditions. The normal procedure is to do preliminary investigation. He said in the case of Kahili, they visited the site with a helicopter and looked down in the area towards the roads and the towns. They took a picture and they tried to visualize. He said it is slightly higher than what they had envisioned.

Mr. Higashi asked Mr. Quinn whether he has looked over the staff's recommendations.

Mr. Quinn said he has looked them over and his objection was to the daily fine while they are still trying to meet satisfaction of the board. Second is that a flat sixty days probably would not be enough. He said Mr. Hill or he will give firm assurances that they will try to get the necessary permits as quickly as possible to expedite the matter. Once they are permitted to go in and do the work, they will do within sixty days and submit it to the board. If it is not satisfactory, then they would like to see if they can meet the board's requirements in the next sixty days.

Mr. Yamamoto said they can always come back for an extension because he knows the weather conditions there are very bad.

Mr. Higashi said the fear of the board is that they may feel that they would pay the fine of \$3,500 and let it ride.

Mr. Quinn said he doesn't know what form the board wants the assurance but Mr. Hill will certainly give the assurance that they will expedite the effort to get the modifications completed.

Mr. Hill assured the board that they do not wish to pay the fine and they do not wish to have a penalty. They wish to do the job properly to the satisfaction of the board as expeditiously as they can. Their rough estimate is that they would be finished sometime around the end of the year, provided the weather isn't really bad.

Mr. Higashi asked, in terms of working days, how many working days will that be.

Mr. Hill said four months of working days.

Mr. Yamamoto asked Mr. Evans to get together with the Kauai County Planning Department. They said they got their building permit. He said before a building permit is issued the plan must have state approval on it.

Mr. Evans said he discussed this specific problem with the Planning Director of Kauai County, and they both discussed specifically Condition 7. This is not the first time that this has happened. He said within the last several

weeks, there has been some correspondence between the Planning Director and himself to attempt to insure that this problem is alleviated.

Mr. Ono asked Mr. Quinn what is Hawaiian Telephone's position, assuming that this board levies a fine. He asked whether the telephone customers would have to pay for that.

Mr. Quinn couldn't answer that.

Mr. Hill said generally it's part of their operating expense. They put that repeater up there for the customers. He said it would be up to the PUC whether they would allow them to put it in or not.

Mr. Ing asked whether the company is willing not to include any fines as part of this for rate increase.

Mr. Hill said begrudgingly he can assure the board that they will not put it in as one of their extensions.

ACTION Mr. Yamamoto moved for approval as recommended by the staff with one amendment that removal of the antenna be deleted.

Mr. Higashi offered a further amendment to the motion to allow Hawaiian Telephone Company six months to complete the entire process of permitting construction; also delegate the chairman the authority to impose a daily fine as prescribed by law, and the amount to be determined by the chairman, if no satisfactory work is in progress at the end of six months. He said that should insure the board's feeling that work is progressing along, and if terms are not met, it will not be brought back before the board again but administratively handled in imposing the fine. He said the total process of the permitting and the construction should be finished within six months. He said the original \$3,500 fine stands with the understanding that it shall not be included as an operating expense.

Mr. Ono asked for clarification on the amendment made by Mr. Yamamoto on the deletion of the removal of the antenna. He asked whether the intent was to delete the removal no matter how much progress is made or not made.

Mr. Yamamoto said his intent is that it may be reimposed if satisfactory work is not done.

Mr. Ing seconded. On the call of the question the amended motion was unanimously carried.

Mr. Ono commented that after the six-month period expires and there is work yet to be done he is going to look at it as being unsatisfactory progress.

ITEM H-3 RESUBMITTAL OF CDUA FOR REHABILITATION AND UPGRADING OF THE EXISTING HYDROELECTRIC SYSTEM FOR LIHUE PLANTATION CO., LTD. AT LIHUE-KOLOA FOREST RESERVE, KAUAI

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Mr. Ing disqualified himself from voting on this matter.

ACTION Approved as submitted. (Yamamoto/Higashi)

ITEM D-1 KAWAIAHAO CHURCH WATER USE PERMIT APPLICATION, HONOLULU GROUND WATER CONTROL AREA

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ACTION Unanimously approved as submitted. (Kealoha/Higashi)

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At the request of the board, Dr. Jonathan Shimada, Deputy Director of the Department of Transportation, briefly gave the status on the United Airlines request to fly in and out of Keahole Airport in Kona. They are still in the planning stage, he said. They are anticipating services on September 7, 1983. Their one flight a day, seven days a week, will be mainly in the afternoon about 1 P. M. That time of the day at Keahole is very light, and they don't anticipate any kind of major problems.

Dr. Shimada also reported on the status of air cargo operators and the availability of spaces at General Lyman Field. In the area that is used basically for air cargo operators, they have about five operators who are in there now or who have requested areas for revocable permits. Some of these have not been transmitted to the board because they have not met all the financial requirements, he said. All of the areas that could be used for air cargo are being used for air cargo, or allotted to those people who have made requests.

Mr. Higashi asked whether DOT is going to relocate the present tenants who are not in airport-related business if future requests come in.

Dr. Shimada didn't think so at the moment because they do have other areas where financially viable operators could develop.

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ITEM H-7 CDUA FOR NONCONFORMING SINGLE-FAMILY RESIDENTIAL USE AT LANI-KAI, OAHU

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Mr. Evans informed the board that the applicant is not in agreement with Conditions 13, 14 and 15. These conditions were included at the recommendation of the Board of Water Supply.

Mr. Ing suggested that Condition 13 read, "That the applicant comply with all of the requirements of the Board of Water Supply." Delete Conditions 14 and 15.

Mr. Brian Gray of Gray, Hong and Associates, representing the applicant said they have no objection to the suggested amendment.

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

ITEM H-6 CDUA FOR CONSTRUCTION AND USE OF A FLOATING DOCK AT KUAPA POND, AT HAWAII KAI, HONOLULU, OAHU

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ACTION Unanimously approved as submitted. (Ing/Yamamoto)

Mr. Evans informed the board that the original landowner, Mr. Charles H. Cook, has apparently sold the property to a Mr. Makinney, who intends to continue processing for the boat dock.

ITEM F-14

STAFF RECOMMENDATION FOR DIRECT LEASE OF STATE LANDS AT MAUNALAHA VALLEY, MAKIKI, HONOLULU, OAHU

This was a recommendation that the board approve the list of names attached to the submittal for award of leases at Maunalaha Valley. In the 1981 Session, the Legislature passed a bill which authorized the board to directly award leases up to a maximum of 65 years to people who have been residing at Maunalaha Valley for a number of years. Mr. Detor said this is the preliminary processing of the award of those leases. If the board approves this, staff will be coming back to the board shortly with the criteria for the terms and conditions that would be included in the leases.

Mr. Detor said he would like to make one amendment. He asked that Thomas K. Kaaiai, Jr. be added to Lot 9. Mrs. Kaaiai is an elderly person and she would like to include her son's name.

Mr. Thomas Matsuda, staff attorney with Legal Aid, who has been helping the staff by contacting the people, spelling out the conditions to them, as well as establishing their eligibility, was present at the meeting.

Mr. Ing said he would like to have the provisions of the lease itself approved by the board.

Mr. Ono wanted to be absolutely sure that there are only twenty-nine families involved as indicated in the submittal. He didn't want them to come back later and say that they forgot somebody after this whole thing has been finalized.

Mr. Matsuda said they have accounted for everybody.

ACTION Unanimously approved as amended. (Ing/Yamamoto)

REQUEST FOR TIME EXTENSION TO PERFORM CONDITIONS OF DECISION AND ORDER ISSUED BY THE BOARD OF LAND AND NATURAL RESOURCES ON FEBRUARY 25, 1983, RELATING TO THE APPLICATION BY THE ESTATE OF JAMES CAMPBELL FOR EXPLORATION AND DEVELOPMENT OF GEOTHERMAL ENERGY AT KAHAUALE'A, HAWAII, ALSO IDENTIFIED AS TAX MAP KEY 1-1-01:01

ITEM H-8

This was a request for time extension to perform conditions of a Decision and Order (D&O) issued by the Board of Land and Natural Resources on February 25, 1983. This D&O related to the application of Estate of James Campbell for exploration and development of geothermal energy at Kahauale'a on the Big Island, and contained forty-three general and specific conditions providing guidelines and safeguards for an orderly exploratory program. The Order set time periods for eleven conditions where specific actions are required.

On July 6, 1983, the applicant, through their counsel, filed a motion to extend the time to perform certain of the conditions in the D&O. On July 11, 1983, the Volcano Community Association (VCA), through their legal counsel, filed a Memorandum in Opposition to Campbell's Motion.

Mr. Evans further stated that Campbell Estate specifically sought permission to extend the time to perform Conditions 9.3.2 and 9.3.1 relating to a one-year ambient air quality monitoring survey and an environmental monitoring plan.

Staff noted that this matter is presently under litigation in the Third Circuit Court.

Mr. Evans said after the board's D&O, there was a request for reconsideration from the VCA. On March 11, 1983, the board issued an order denying VCA's motion for reconsideration.

Staff felt this request for time extension is reasonable and recommended that the board authorize the extension. The extension shall be in effect as of July 9, 1983, and within a period of next six months, February 11, 1984, that the applicant shall commence from one year the ambient air quality survey; and within 120 days after the commencement of the ambient air quality survey, the applicant to submit an environmental monitoring plan to the board.

Mr. Ono asked Mr. Evans when did the first deadline fall on. He asked that question because the staff's submission makes reference to February 25, 1983 as the date.

Mr. Evans said according to the final order, which was handed by the board on March 11, 1983, insofar as the board said that this is the final order, staff felt that everything would begin at that date.

Mr. Ono asked whether the Attorney General's Office had a chance to look at the document.

Mr. Evans said every document that came in has been forwarded to the Attorney General's Office, and they basically concurred with the staff's position that this contested case hearing is closed, and this is to be treated as a CDUA request for time extension.

Mr. Ben Matsubara, attorney for James Campbell Estate, concurred with the staff's recommendation.

Mr. Ing asked when they plan to commence with the ambient air quality survey.

Mr. Matsubara said it's set in phases. He said there are phases in the requirements that they are requested to submit. They intend to submit an exploration plan, and as part of that incorporate the ambient air survey before the end of this year.

Mr. Ing said if they wait until that time, what is going to happen is that we are not going to allow them to commence exploration until that ambient air survey is done. He said what we want is a baseline.

Mr. Matsubara said it's their concern, too, that they have a valid baseline prior to drilling to determine what the ambient conditions are in the area. So, he said, they are scheduling it so that this survey will be in effect prior to the actual expiration so that valid data regarding the ambient conditions can be provided. He said they are attempting to schedule it so that the data which the board has will fulfill that one year, prior to actual drilling.

Mr. Higashi asked what was the reason for not starting early.

Mr. Matsubara said the board's final decision was on March 11, 1983. On March 23, 1983, the VCA filed a temporary restraining order in the Third

Circuit Court requesting that they not do anything under the CDUA. The temporary restraining order was denied on April 6, 1983. On May 13, 1983, they filed a motion to stay with the Third Circuit again. The motion to stay was not heard by the Third Circuit Court until July 8, 1983, and it was denied by the Third Circuit Court on July 26, 1983, which was after the time they were required to complete the certain conditions. The 120 days ran out on July 9, 1983. The court then decided the motion to stay until after that date. Since the time board's order has been issued, there have been numerous court battles regarding them pursuing what they are entitled to do under the CDUA, and that has caused some of the delay, Mr. Matsubara said.

Mr. Higashi asked whether they foresee any other litigation that would stop them from proceeding further.

Mr. Matsubara said unfortunately he doesn't have any control over that. He hoped that there aren't any others. However, he said they are proceeding as best as they can within the legal framework as these other proceedings face them.

Mr. Matsubara further stated that there are three pending lawsuits. One is a complaint in the Third Circuit Court challenging the board's acceptance of the Environmental Impact Statement. Then there are two appeals in the board's order.

Mr. Anthony Gill was present in place of Mr. Ken Kupchak, attorney for VCA and others, and said he finds himself in a position of essentially agreeing with the original order that the board issued requiring the immediate beginning of the taking of certain scientific data. He said what is really at stake here is the fact that there is on the face of the violation of the very direct and ambiguous order of this board. He said the real point is under the rules of this board, there must be sufficient written justification, and so it's incumbent upon this board to inspect the written record as presented and discover whether there is any sufficient written justification and that ruling should be filed. He said that the motions to stay, both of which were denied, did not relieve the obligation to proceed because unless the stay is granted the order should stand.

Mr. Gill said the board should insist on the full disclosure in writing of all the reasons. If the board's inclination is to grant an extension of some sort, it should be clear that work is to begin immediately, with a threat of some penalty because the board is quite correct in requiring a one-year ambient air study, he said.

Finally, he said, the board should make it clear that the board in granting the extension is not in essence creating a six-year CDUA, on top of the five-year plan, which is already an extension of the three. He said they are totally in agreement that scientific study should be undertaken immediately.

For clarification, Mr. Matsubara said they are not asking for extension beyond the five years granted by the board for exploration, just some adjustment upfront because of the legal proceedings. All of this, he said, will be done within the original time span. Regarding the carrying-on of scientific studies while the litigation was in progress, Mr. Kupchak stated in his Memorandum in Opposition to their request, on page 2, that he had no objection to the

scientific studies continuing as long as they did not claim creation of vested rights. He said that also occurred at the court hearing. He said he told him that if they agreed to do absolutely nothing that he will have no objections to them going forward. By absolutely nothing, meaning claiming no vested rights in anything they've done while these things are progressing. He said he disagreed with that. That is why they went through with the hearing. So that was the only condition under he would have permitted them to continue doing what they did.

Mr. Ono asked Mr. Matsubara what his reaction was with regard to Mr. Gill's two other suggestions, should the board grant approval, that he would like to see certain conditions attached.

Mr. Matsubara said as he recalled one of the conditions was that they begin with all due haste to conduct the ambient air survey, with some kind of penalty should that activity not start immediately. He said they have no objections proceeding along those lines.

Mr. Gill said the other suggestion was that essentially the position that VCA took is that the purported legal basis for delaying, the technical point that the board must deal with is that sufficient written justification must be presented to the board to the board. Otherwise, he said, there could be complications later in the record. They are suggesting that the affidavit of Mr. Matsubara probably is not enough on that point. He said he would be willing to be corrected, but the only written evidence before the board which offers any justification for the extension is one clause of Mr. Matsubara's affidavit. He felt that should submit a further letter which details more precisely on this.

Mr. Ing said it was his understanding that the explanation went along with the affidavit, and the reason Mr. Matsubara didn't do it is because VCA filed the temporary restraining order and then filed a motion to stay. (Both of which were denied, the last of which was denied on July 26, 1983.) Had he proceeded, he said, it would have been tantamount to an act of bad faith on his part.

Mr. Matsubara said the affidavit attached in support of the request is four pages long and contains eighteen paragraphs and sets forth all the proceedings regarding why they didn't proceed. He said it's not a simple one paragraph affidavit.

ACTION Mr. Higashi moved for approval, Mr. Kealoha seconded, and the board unanimously approved Item H-8 with the following amendments:

1. That this extension does not relinquish the applicant's responsibility to complete all exploratory activities within five years as specified in Condition 9.2.1 of the Decision and Order; and
2. That a penalty shall be assessed for non-compliance with the deadline of the extension.

ITEM B-1 REQUEST FOR APPROVAL OF REVISED DRAFT COOPERATIVE AGREEMENT FORM FOR PRAWN AQUACULTURE INDUSTRY DEVELOPMENT

ACTION Unanimously approved as submitted. (Ing/Higashi)

REQUEST FOR APPROVAL TO AMEND/RENEW FOUR AGREEMENTS: TWO WITH THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII (RCUH), AND ONE EACH WITH THE WESTERN PACIFIC REGIONAL FISHERY MANAGEMENT COUNCIL (WPRFMC) AND THE UNIVERSITY OF HAWAII, DEPARTMENT OF PATHOLOGY (UH)

ITEM B-2

ACTION Unanimously approved as submitted. (Ing/Yamamoto)

REQUEST FOR APPROVAL TO CONTRACT THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII (RCUH) AND THE UNIVERSITY OF HAWAII, DEPARTMENT OF ANIMAL SCIENCES (UH) TO ASSIST THE DIVISION OF AQUATIC RESOURCES IN IMPLEMENTING THREE NEW FISHERIES DEVELOPMENT PROJECTS

ITEM B-3

ACTION Unanimously approved as submitted. (Ing/Yamamoto)

(See page 8 for Item D-1.)

PERMISSION TO ADVERTISE FOR BIDS - JOB NO. 35-MW-37, DRILLING KEANAE WELL (5108-01), KEANAE, MAUI

ITEM D-2

ACTION Unanimously approved as submitted. (Higashi/Yamamoto)

AUTHORIZE THE CHAIRPERSON TO EXECUTE THE PROJECT AGREEMENT AND OPERATION AND MAINTENANCE AGREEMENT FOR THE FIRST PHASE OF THE WAIMANALO WATERSHED PROJECT, CITY AND COUNTY OF HONOLULU

ITEM D-3

ACTION Unanimously approved as submitted. (Ing/Yamamoto)

ITEM D-4 SOIL AND WATER CONSERVATION DISTRICT DIRECTORS

ACTION The board, on Mr. Higashi's motion and seconded by Mr. Ing, unanimously approved to certify the following appointed and elected persons, for the term to end June 30, 1986, to serve as Directors of the respective Soil and Water Conservation Districts:

Clifford Migita, farmer - (appointed) - Windward Oahu SWCD  
William Paris, Rancher (elected) - Kona SWCD

ITEM D-5 AUTHORIZATION TO HOLD PUBLIC HEARING ON INSTREAM USE PROTECTION RULES

ITEM D-5

ACTION Unanimously approved as submitted. (Ing/Yamamoto)

ITEM D-6 OFFICIAL DUTY AND PER DIEM STATUS - NATIONAL WATER RESOURCES ASSOCIATION 1983 ANNUAL CONFERENCE

ITEM D-6

ACTION Unanimously approved as submitted. (Ing/Yamamoto)

ITEM F-1 DOCUMENTS FOR CONSIDERATION

ITEM F-1

HAWAII

Item F-1-a

REVOCABLE PERMIT

COUNTY OF HAWAII, DEPARTMENT OF PARKS AND RECREATION - state-owned submerged lands adjoining property owned by Bishop Estate, at Kapuwai Cove, Honaunau, South Kona - for boat launching ramp - gratis

This was a follow-up of County of Hawaii CDUA, which was approved by the board on June 9, 1983, for a permit covering state-owned submerged lands at Honaunau in Kona for a boat launching ramp. The terms and conditions listed in the submittal were those which were approved in connection with the CDUA.

Mr. Higashi questioned Condition 12 which states that no dredging or explosives shall be used in conjunction with this work. He asked whether this was included in the CDUA approval. He said when the ramp touches the submerged land, there has to be some kind of action of leveling the property.

Mr. Evans thought that was a condition of the CDUA.

Mr. Ing suggested that "dredging or" be deleted from Condition 12, so it would read, "No explosives shall be used in conjunction with this work."

**ACTION** Mr. Higashi moved, seconded by Mr. Yamamoto, and the board unanimously approved Item F-1-a with the amendment as suggested above by Mr. Ing.

Item F-1-b ASSIGNMENT OF LEASE  
RICHARD M. MATSUURA and RUTH H. MATSUURA, husband and wife, tenants by the entirety, assignors, to RICHARD M. MATSUURA and RUTH H. MATSUURA, husband and wife, and STEPHEN K. MATSUURA (son), assignees - Lot 21, Panaewa Agricultural Park, Waiakea, South Hilo - G. L. No. S-4768

KAUAI

Item F-1-c LAND PATENT  
Issuance of a Land Patent in confirmation of L.C.Aw. Nos. 3587 and 6752, Apanas 1, 2, 3 and 4 to Awardee, KAMOOPOHAKU, alias IONA, by application of Security Title Corporation under Escrow L3050 - land at Waimea, Kona.

Item F-1-d REVOCABLE PERMIT  
JOHN K. HASHIMOTO and JUNEDALE U. HASHIMOTO - Portion of the Government (Crown) land of Hanalei, Anini, Hanalei - for single-family residential purpose - \$110.00 per month

HAWAII

Item F-1-e ASSIGNMENT OF LEASE WITH ASSUMPTION OF MORTGAGE  
TSI, LTD., Assignor, to KUAOLA FARMS, LTD., Assignee - Lot 3, Panaewa Farm Lots, 2nd Series, Waiakea, South Hilo - GL No. S-4632

Item F-1-f MORTGAGE  
MASARU SHINDO, doing business as Hilo Soda Works, husband of Tamae Shindo, Mortgagor, to FIRST HAWAIIAN BANK, Mortgagee - Lot 1-A of the Kanoelehua Industrial Lots, situated at Waiakea, South Hilo - GL No. S-3716

Item F-1-g ASSIGNMENT OF GRANT OF EASEMENT  
JAMES H. DAVIS and MABEL M. DAVIS, husband and wife, as tenants by the entirety, as assignors, and James H. Davis, Jr., (married) assignee covering Easement A at Puukapu, Waimea, South Kohala - Grant of Easement No. S-4105

Item F-1-h MORTGAGE

TADASHI HIGAKI and JEAN A. HIGAKI, husband and wife, and CHIE'S NURSERY, a Limited Partnership, Mortgagor, to FEDERAL LAND BANK OF SACRAMENTO, Mortgagee - Lot 8, Panaewa Farm Lots, 2nd Series, Waiakea, South Hilo - G. L. No. S-4636

KAUAI

Item F-1-i REVOCABLE PERMIT

PAUL ALAPAI for The Kapaa Boxing Club - Lot 1, Block Q, Kapaa Town Lots, Kapaa, Kawaihau (Puna) - for Youth Athletic Activities - \$25.00 per month

OAHU

Item F-1-j REVOCABLE PERMITS

ROBERT & THERESIA LEE - Waimanalo - TMK 4-1-09:262, containing 28.439 acres - for pasutre - \$30.00 per month

ACTION

Mr. Kealoha asked for deferral of this item. The Board had no objection.

Item F-1-k

AU'S PLUMBING & METAL WORK, INC. - Lot 519, Sand Island, Honolulu for storage and work area for a mechanical contracting business - \$714.00 per month

Item F-1-l

HARRY K. SONODA, MASONRY - Lot 539, Sand Island, Honolulu - for storage of masonry equipment and vehicles - \$300 per month

Item F-1-m

DR. & MRS. BENJAMIN BRANCH  
DR. MARC SCHLACHTER  
DOUGLASS L. SMOYER  
EDGAR KUDLICH  
MR. & MRS. KEITH BURCHETT  
(Separate permits for each parcel)  
Malaekahana, Koolauloa; TMK Nos. 5-6-01:49, 62, 57, 64 and 53 - for residence purpose (not to be used for rental purposes) - monthly rental to be determined by appraisal, same subject to review and approved by the chairperson

Mr. Ono asked the staff to have the rents on these permits determined as soon as possible.

Mr. Detor said staff is working on it.

Item F-1-n

CLARENCE Y. FUNASAKI and GRADY PAULY - Lot 516A, Sand Island, Honolulu - for storage and work area - \$600.00 per month

Item F-1-o

ASSIGNMENT  
TOSHIO SUGITA, Assignor, to TOSHIO SUGITA and KENNETH Y. IBARA, Assignees - Paea, Waianae - G. L. No. S-4877

Item F-1-p

REVOCABLE PERMIT  
N. K. CORPORATION - Lot 132, Sand Island, Honolulu - for automotive body and fender shop (dismantling of automobiles and the salvage of automobile parts is prohibited) - \$1,842.00 per month

HAWAII

Item F-1-q MORTGAGE  
FETULIMA TAMASESE and BRENDA L. TAMASESE, husband and wife, Mortgagor, to STATE OF HAWAII, by its Department of Agriculture, Mortgagee - Lot 26, Keahole Agricultural Park, Phase II, Kalaoa-Ooma, North Kona - GL No. S-4839

KAUAI

Item F-1-r SECOND REAL PROPERTY MORTGAGE, SECURITY AGREEMENT AND FINANCING STATEMENT  
R.K.U. ENTERPRISES, INC., Mortgagor, to FIRST HAWAIIAN BANK, Mortgagee, Lot 23, Hanapepe Town Lots, 1st Series, Hanapepe (GL No. S-3977); and Lot 23, Hanapepe Business Lots, Hanapepe (GL No. S-4573)

HAWAII

Item F-1-s SALE OF LEASEHOLD INTEREST BY AGREEMENT OF SALE  
WILLIAM PRICHARD JENKINS (married), Tenant in Severalty, as Vendor, to CENTURY THREE DEVELOPMENT CORPORATION, a Hawaii Corporation, as Vendee - Lot 6, Hilo Industrial Development, Leilani Street Section (GL No. S-4331); and Lot 7, Hilo Industrial Development, Leilani Street Section, Waiakea, South Hilo (GL No. S-4332)

MOLOKAI

Item F-1-t REVOCABLE PERMIT  
BOSWELL TRUCKING - Government land at Kaunakakai - for storage of equipment and materials - \$125.00 per month

MAUI

Item F-1-u LAND PATENTS  
Land Patent to be issued in confirmation of Land Commission Award No. 11290 to NUUANU by application of Kaupo Ranch, Ltd. - land situate at Ili of Kalihi, Niunalu, Kaupo, Hana

Item F-1-v Land Patent to be issued in confirmation of Land Commission Award No. 7788 to KAHALUA by application of Kaupo Ranch, Ltd. - Land situate at Ili of Opupao, Lolei, Kaupo, Hana

HAWAII

Item F-1-w SUBLEASE  
BAYSHORE REALTY INVESTMENT, INC., Sublessor, and SPENCER ENTERPRISES, INC., Sublessee - Portion of the Government land of Waiakea, bounded by Kamehameha Avenue, Lihikai Street and Banyan Drive, Waiakea, South Hilo - G.L. No. S-4316

MAUI

Item F-1-x LAND PATENTS  
Land Patent to be issued in confirmation of Land Commission Award No. 2642, Apana 2, to MAILEHUNA by application of Kaupo Ranch, Ltd. - land situate at Ili of Ohia, Papaauhauiki, Kaupo, Hana

Item F-1-y Land Patent to be issued in confirmation of Land Commission Award No. 8559-B, Apana 19 to WM. C. LUNALILO by application of Kaupo Ranch, Ltd. covering the Ahupuaa of Kaapahu, situate at Kipahulu, Hana

ACTION The board, on Mr. Kealoha's motion and seconded by Mr. Higashi, unanimously approved Item F-1 as submitted, with the exception of Item F-1-a for which a separate action was taken, and Item F-1-j, which was deferred.

<u>ITEM F-2</u>	KALAPANA-KAIMU PILIKAI COMMUNITY ASSOCIATION REQUEST FOR AMENDMENT OF PREVIOUS BOARD ACTION (3/25/82, AGENDA ITEM F-3) AUTHORIZING GRANT OF EASEMENT AT PUNA, HAWAII
ACTION	Unanimously approved as submitted. (Higashi/Yamamoto)
<u>ITEM F-3</u>	JAMES E. MILES CONSTRUCTION, INC. REQUEST FOR EXTENSION OF TIME WITHIN WHICH TO SATISFY IMPROVEMENT REQUIREMENT, GENERAL LEASE NO. S-4664, WAIAKEA, SOUTH HILO, HAWAII
ACTION	Unanimously approved as submitted. (Higashi/Kealoha)
<u>ITEM F-4</u>	STAFF RECOMMENDATION FOR WITHDRAWAL AND RESET ASIDE OF LAND AT WAIAKEA, SOUTH HILO, HAWAII
ACTION	Unanimously approved as submitted. (Higashi/Yamamoto)
<u>ITEM F-5</u>	DOT REQUEST FOR EXECUTIVE ORDER SETTING ASIDE AVIGATION EASEMENT, PALAAU, MOLOKAI
ACTION	Unanimously approved as submitted. (Higashi/Yamamoto)
<u>ITEM F-6</u>	DOT REQUEST FOR APPROVAL TO EXCHANGE LANDS FOR THE KALAUPAPA LOOKOUT ROAD PROJECT, FASP NO. S-0470(1), KALAE TO PALI LOOKOUT, MOLOKAI
ACTION	Unanimously approved as submitted. (Higashi/Yamamoto)
<u>ITEM F-7</u>	VIJAY WENK APPLICATION FOR ACCESS AND UTILITY EASEMENT, HONOPOUHOOLAWA, HAMAKUALOA, MAKAWAO, MAUI
ACTION	Unanimously approved as submitted. (Higashi/Kealoha)
<u>ITEM F-8</u>	STAFF RECOMMENDATION FOR DIRECT ISSUANCE OF LEASE TO HAWAII PROTEA COOPERATIVE, PORTION OF GOVERNMENT LAND AT OMAOPIO HOMESTEADS, KULA, MAUI
ACTION	Unanimously approved as submitted. (Kealoha/Higashi)
<u>ITEM F-9</u>	GRANT OF EASEMENT FOR WATERLINE, METER, AND FIRE HYDRANT PURPOSES TO COUNTY OF MAUI, DEPARTMENT OF WATER SUPPLY, LAHAINA INTERMEDIATE SCHOOL SITE, LAHAINA, MAUI
ACTION	Unanimously approved as submitted. (Ing/Higashi)
<u>ITEM F-10</u>	BISHOP ESTATE APPLICATION TO PURCHASE HIGHWAY REMNANT AT WAIU, EWA, OAHU
ACTION	Unanimously approved as submitted. (Ing/Higashi)
<u>ITEM F-11</u>	U. S. ARMY CORPS OF ENGINEERS REQUEST FOR RIGHT OF ENTRY FOR SURVEY, KAHANA BAY NAVIGATION IMPROVEMENTS, KAHANA, KOOLAULOA, OAHU

Mr. Detor said the way this is set up there are two phases. There is no

CDUA required for the first phase. But when they get into the second phase, they have to file a CDUA. So he asked that Condition No. 11 of the Recommendation be amended to read, "Entry to the subject areas shall be for the first phase only."

- ACTION Unanimously approved as amended above. (Ing/Higashi)
- 
- ITEM F-12 DIRECT SALE OF GOVERNMENT LANDS TO HAWAII HOUSING AUTHORITY, TMK 9-9-44:20, 22 & 24, AIEA, EWA, OAHU
- 
- ACTION Unanimously approved as submitted. (Ing/Kealoha)
- 
- ITEM F-13 BOARD OF WATER SUPPLY, CITY & COUNTY OF HONOLULU, REQUEST FOR WATERLINE, METER AND FIRE HYDRANT EASEMENTS OVER STATE LAND AT KAHOOKANE (NUUANU), HONOLULU, OAHU
- 
- ACTION Unanimously approved as submitted. (Ing/Yamamoto)
- (See page 9 for Item F-14.)
- 
- ITEM F-15 REQUEST FOR CONSENT TO MORTGAGE AND ASSIGNMENT OF G. L. NO. NO. S-3856 TO FRED M. AND TOSHIKO NAKAYAMA, LOT 9, WAIMANALO FARM LOTS, WAIMANALO, KOOLAUPOKO, OAHU
- 
- ACTION Unanimously approved as submitted. (Ing/Yamamoto)
- 
- ITEM F-16 DEPARTMENT OF EDUCATION REQUEST TO AMEND ITS LEASE FOR TEMPORARY MILILANI UKA ELEMENTARY SCHOOL SITE, MILILANI, OAHU
- 
- ACTION Unanimously approved as submitted. (Ing/Yamamoto)
- 
- ITEM F-17 NONAKA-WONG, INC. APPLICATION FOR SEWER EASEMENT, HANAPEPE, KAUAI
- 
- ACTION Unanimously approved as submitted. (Yamamoto/Kealoha)
- 
- ITEM F-18 NONAKA-WONG, INC. APPLICATION TO LEASE LOT 87, HANAPEPE TOWN LOTS, HANAPEPE, KAUAI
- 
- Mr. Detor said they presently have a revocable permit and they are now applying for a lease on state property, which is adjacent to the former Mike's Cafe area, and they want to use that for parking and landscaping in connection with the development of their own property. Actually they have developed it as a floral garden and they want to continue to use it.
- Mr. Ono said he is opposed to the specific use for floral garden which would allow the permittee to be the only one eligible.
- ACTION Mr. Detor suggested that this item be deferred so staff can take a look at it again. The board had no objection.
- 
- ITEM F-19 DSSH REQUEST FOR ACQUISITION OF LEASE COVERING ROOM 316, 715 SOUTH KING STREET, HONOLULU, OAHU
- 
- ACTION Mr. Ing moved for approval, Mr. Yamamoto seconded, and the motion was unanimously carried.

Mr. Ono asked about the leases that are coming in now and how they relate to the possible renting of space in the Federal Building. There are spaces available there at a lesser price than we've been paying private interest.

Mr. Detor said he talked to Mr. Mike Tokunaga, the Deputy Comptroller, who referred him to Mr. Teuane Tominaga of the Public Works Division. Mr. Tominaga informed him that with the Labor Building and another building coming up, they are actually coming to a point now where they have empty spaces, and they have right now 65,000 square feet of empty state space.

Mr. Ono questioned then why we have been getting requests from various state agencies for private spaces. He said he would like to suspend any action on requests for leasing private office spaces in Honolulu until DAGS gives us a report.

Mr. Ing asked to reconsider his earlier motion and asked for deferral. The board had no objection to deferring this item.

Mr. Ono asked Mr. Detor to ask DAGS to prepare a report for this board showing what kinds of spaces are available, where the demands are coming from, and what kinds of demands there are.

ITEM F-20      DOH REQUEST FOR ACQUISITION OF LEASE COVERING DWELLING AT 3420 KUHIO HIGHWAY, LIHUE, KAUAI

ACTION      Unanimously approved as submitted. (Ing/Yamamoto)

ITEM F-21      STAFF REQUEST FOR AMENDMENT TO PREVIOUS SUBMITTAL REGARDING LEASE OF OFFICE SPACE FOR DEPARTMENT OF BUDGET AND FINANCE, HILO, HAWAII

ACTION      Unanimously approved as submitted. (Higashi/Kealoha)

ITEM F-22      DSSH REQUEST FOR ACQUISITION OF OFFICE LEASE COVERING ROOMS 411, 413, 415 AND 417, 1149 BETHEL STREET, HONOLULU, OAHU

ITEM F-23      DSSH REQUEST FOR ACQUISITION OF OFFICE LEASE FOR ENTIRE 2ND FLOOR OF THE BRAINARD & BLACK BUILDING AT 1712 SOUTH KING ST., HONOLULU, OAHU

ACTION      Items F-22 and F-23 were deferred for the same reason as Item F-19.

ITEM F-24      DSSH REQUEST FOR ACQUISITION OF OFFICE LEASE AT 3176 AKAHI STREET, LIHUE, KAUAI

ACTION      Unanimously approved as submitted. (Kealoha/Ing)

ITEM H-1      CDUA FOR AN AFTER-THE-FACT CONSTRUCTION OF A TEN-FOOT BY FOUR-FOOT CONCRETE SLAB USE AT KAILUA-KONA, HAWAII

ACTION      Unanimously approved as submitted. (Kealoha/Ing)

(See pages 2 to 7 for Item H-2 and page 7 for Item H-3.)

ITEM H-4 CDUA FOR A PRIVATE BOAT MOORING USE IN KANEOHE BAY, OAHU

ACTION Unanimously approved as submitted. (Ing/Yamamoto)

(See page 2 for Item H-5, page 8 for Item H-6, page 8 for Item H-7 and pages 9 to 12 for Item H-8.)

REQUEST FOR PUBLIC HEARINGS FOR USE OF LANDS WITHIN CONSERVATION DISTRICT FOR COMMERCIAL/SUBDIVISION/PROTECTIVE SUBZONE USE: OA-1602, MA-1580, MA-1591, MA-1594, OA-1596, OA-1597, HA-1590, HA-1588, HA-1589 AND OA-1583

ITEM H-9

Mr. Evans said legally there are two public hearings required for CDUA MA-1591. One for the conservation district, and if approved, another one for withdrawal from the forest reserve. He suggested that, rather than duplicating it by having two hearings, combine them, thus streamlining the process. He, therefore, asked to add "withdrawal from the forest reserve" under RATIONALE.

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

REQUEST TO RATIFY STAFF ACTION IN REQUIRING A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE 1977 MAUNA KEA PLAN FOR A PENDING CONSERVATION DISTRICT USE APPLICATION FOR A 138 KV TRANSMISSION LINE FROM KAUMANA TO KEAMUKU, HAWAII

ADDED  
ITEM H-10

ACTION Unanimously approved as submitted. (Higashi/Yamamoto)

ADDED  
ITEM H-11 FILLING OF PERSONNEL CLERK III POSITION NO. 33450, OAHU

ACTION The board, on Mr. Ing's motion and seconded by Mr. Yamamoto, unanimously approved the appointment of Miss Susan E. Morishige to Position No. 33450, Personnel Clerk III.

ITEM I-1 APPOINTMENT OF LICENSE AGENT

ACTION Mr. Higashi moved, Mr. Yamamoto seconded, and the board unanimously approved the appointment of Sportsmen - Hawaii as a license agent to sell hunting and fishing licenses.

ITEM J-1 CONSENT TO SUBLEASE AGREEMENT, PORTION OF BUILDING 360, EWA CONCOURSE, HONOLULU INTERNATIONAL AIRPORT, OAHU (CONTINENTAL AIR LINES, INC. TO WESTERN AIR LINES, INC.)

Mr. Ing said he was disqualifying himself to vote on Item J-1 and left the room.

ACTION Approved as submitted. (Higashi/Yamamoto)

ITEM J-2 LEASE, INSTALLATION, OPERATION AND MAINTENANCE OF A VERY HIGH FREQUENCY OMNIDIRECTIONAL RANGE SYSTEM AND A TACTICAL AIR NAVIGATION SYSTEM (VORTAC) FACILITY, HONOLULU INTERNATIONAL AIRPORT, OAHU (FEDERAL AVIATION ADMINISTRATION)

Mr. Garcia said Public Law 97-248 (Tax Equity and Fiscal Responsibility

Act of 1982) says, "the airport operator or owner will furnish without cost to the Federal Government for use in connection with any air traffic control or navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction at Federal expense of space or facilities for such purposes." For this reason, he said DOT proposes not to charge any rent.

Mr. Garcia asked to make one amendment to the submittal on Item J-2 under "Term" so it would read, "for a period of twenty years commencing July 1, 1983 and ending on June 30, 2003."

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

ITEM J-3 LEASE, INSTALLATION, OPERATION AND MAINTENANCE OF A VISUAL APPROACH SLOPE INDICATOR AND RUNWAY AND IDENTIFIER LIGHTS (VASI/REIL) FACILITIES, GENERAL LYMAN FIELD (GLF), HAWAII (FEDERAL AVIATION ADMINISTRATION)

ACTION Unanimously approved as submitted. (Ing/Yamamoto)

ITEM J-4 LEASE, INSTALLATION, OPERATION AND MAINTENANCE OF A SIX-BOX VISUAL APPROACH SLOPE INDICATOR SYSTEM (VASI) FACILITY, HONOLULU INTERNATIONAL AIRPORT, OAHU (FEDERAL AVIATION ADMINISTRATION)

ACTION Unanimously approved as submitted. (Ing/Yamamoto)

ITEM J-5 ADDENDUM NO. 2 TO LEASE NO. DOT-A-75-17, MOLOKAI AIRPORT, MOLOKAI (TROPICAL RENT-A-CAR SYSTEMS, INC.)

ACTION Unanimously approved as submitted. (Ing/Yamamoto)

ITEM J-6 ADDENDUM NO. 3 TO LEASE NO. DOT-A-78-22, LIHUE AIRPORT, KAUAI (HAWAIIAN AIRLINES, INC.)

ACTION Unanimously approved as submitted. (Yamamoto/Kealoha)

ITEM J-7 MODIFICATION NO. 4 TO LEASE NO. A-62-8, HONOLULU INTERNATIONAL AIRPORT, OAHU (LOCKHEED AIR TERMINAL, INC.)

ACTION Unanimously approved as submitted. (Ing/Yamamoto)

ITEM J-8 APPLICATION FOR ISSUANCE OF REVOCABLE PERMIT NOS. 3785 AND 3781, AIRPORTS DIVISION

ACTION Unanimously approved as submitted. (Ing/Yamamoto)

ITEM J-9 APPLICATION FOR ISSUANCE OF REVOCABLE PERMIT NOS. 3772, 3774, 3775 AND 3778, AIRPORTS DIVISION

ACTION Unanimously approved as submitted. (Ing/Yamamoto)

ITEM J-10 APPLICATION FOR ISSUANCE OF REVOCABLE PERMIT NOS. 3776 AND 3779, AIRPORTS DIVISION

ACTION Unanimously approved as submitted. (Ing/Yamamoto)

ITEM J-11 REVISION OF RENTAL, RENEWAL OF REVOCABLE PERMITS, AIRPORTS  
DIVISION

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ACTION Unanimously approved as submitted. (Yamamoto/Ing)

ITEM J-12 RENEWAL OF REVOCABLE PERMITS, CONFORMING USE, AIRPORTS  
DIVISION

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ACTION Unanimously approved as submitted. (Ing/Yamamoto)

ITEM J-13 CONTINUANCE OF REVOCABLE PERMITS, HARBORS DIVISION

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ACTION Approved as submitted. (Higashi/Yamamoto)

Mr. Ing was excused from voting on this item.

ITEM J-14 ISSUANCE OF REVOCABLE PERMIT NO. HY-83-701, HIGHWAYS DIVISION,  
HONOLULU, OAHU (THE EARLY SCHOOL, INC.)

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ACTION Unanimously approved as submitted. (Ing/Yamamoto)

ADJOURNMENT: There was no further business and the meeting was adjourned at  
12:30 P. M.

Respectfully submitted,



JOAN K. MORIYAMA  
Secretary

APPROVED



SUSUMU ONO  
Chairman

jkm