

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

DATE: May 25, 1984
TIME: 9:00 A.M.
PLACE: Kalanimoku Building
Room 132, Board Room
1151 Punchbowl Street
Honolulu, Hawaii

ROLL
CALL

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

Absent & Excused

Mr. Thomas Yagi

STAFF

Mr. James Detor
Mr. Ronald Walker
Mr. Ralston Nagata
Mr. Roger Evans
Mr. Takeo Fujii
Mr. Maurice Matsuzaki
Ms. Patricia Edwards
Ms. Sherrie Samuels
Mr. James Lam
Mr. Bill Brewer
Mrs. LaVerne Tirrell

OTHERS

Deputy Atty. Gen. Edwin P. Watson
Deputy Atty. Gen. Dona Hanaike
Mr. Peter Garcia, DOT
Mr. Warren Yamamoto (Item D-6)
Mr. Harry Cooper (Item E-2)
Mr. Lockwood (Item F-5)
Mr. Lee Sandau (Item F-11)
Ms. Lynn Tilton (Item F-21)
Mr. Raymond Nylén (Item H-3)
Mr. Benda (Item E-5)
Ms. Shirley Bailey (Item J-5)

MINUTES:

Mr. Ing moved for approval of the March 23, 1984 minutes as submitted.
Mr. Yamamoto seconded and motion carried unanimously.

ADDED
ITEM

Upon motion by Mr. Ing and a second by Mr. Kealoha, the board voted unanimously to add the following item to the agenda:

Division of State Parks

Item E-7 -- Filling of Truck Driver, Position No. 22762, Oahu Park Section.

To accommodate those applicants present at the meeting, items on the Agenda were considered in the following order:

ITEM F-5

STAFF RECOMMENDATION FOR APPROVAL OF MASTER PLAN FOR ABALONE AQUACULTURE FACILITIES AT KEAHOLE, NO. KONA, HAWAII.

Mr. Higashi asked how long it would be before the whole area of 21.29 acres would be utilized.

Mr. Lockwood explained that this would be a phase process. Initially, two tanks will be erected. Shortly thereafter the first pond will be constructed. This project would take about four years -- one section at a time.

Mr. Ono asked Mr. Lockwood if their group was still as enthusiastic now about their project as they were about six to nine months ago.

Mr. Lockwood said that they were. Everything is moving ahead very rapidly. Assuming that the State Surveyor has completed his work, the sublease is scheduled to be executed next Tuesday and the tanks are already on order.

Mr. Ono said that he appreciated having staff's Recommendation "B" listed, but he felt that if there is a major amendment to the plan it would be more appropriate to come back to the board.

Mr. Detor said that he had no objection to that amendment. The reason staff made this recommendation is because almost all of the State leases have a provision in it that the Chairman is to approve the plans. Staff was just following in that line.

Mr. Higashi felt that the board could just go along with staff's recommendation. However, if there are any major deviations, then it can be brought back to the board.

ACTION

Mr. Higashi moved to approve the master-plan drawings as submitted and to expedite future master-plan amendments and final construction drawings, authorize the Chairperson to act on its behalf in reviewing and approving such amendments and drawings. Motion carried unanimously with a second by Mr. Yamamoto.

ITEM F-11

STAFF RECOMMENDATION FOR TERMINATION OF VOLLEYBALL PLAYING AT FORT DERUSSY BEACH, HONOLULU, OAHU.

Mr. Detor explained that the board, at its meeting of October 21, 1983, approved an extension of six months, to April 13, 1984, of its authorization to permit the playing of volleyball on the beach in front of Fort DeRussy. The approval was subject to staff monitoring of the activities going on during that trial period with further instructions to come back to the board with a recommendation at the end of this period.

Mr. Detor said that some twenty-six inspections were conducted between the hours of 10:00 a.m. and 4:40 p.m., including weekends during the period October 23 through February 28, 1984 and the results of this inspection are listed in the submittal.

As a result of these inspections, staff's recommendation is for the termination of volleyball playing at Ft. DeRussy Beach for the reasons listed in the submittal.

In answer to Mr. Ing's question regarding the nature of the complaints received, Mr. James Lam stated that basically the people who have been using this area have been deprived of using the beaches. The ball spiking activity and running around causes sand to be kicked into their faces and drinks and disturbs them. In other words, they cannot enjoy the beach. Mr. Lam said that almost all of the calls received are on that order --

that people resent the intrusion and privacy of that area. Since the date of the board's extension approval, six telephone complaints came in. Prior to that there were eleven telephone complaints and seven written complaints, all of the same order.

When asked by Mr. Ing who these complaints came from, Mr. Lam stated that they did not want to give their names because they were afraid of reprisal.

Mr. Ing asked whether these people were residents or visitors.

Mr. Lam said that the written complaints were from visitors.

Mr. Higashi asked if any complaints had come from the hotel.

Mr. Detor said that a letter was received from the Hilton Hotel just this morning saying that they had no objection to volleyball. Of course, said Mr. Detor, the volleyball playing is in front of Ft. DeRussy.

Mr. Ono asked what their response would be if the volleyball playing was moved back to where it was.

Mr. Ing said that when the present area was selected, he, Mr. Kealoha and Mr. Detor went out there to look at the area to find an area on the beach that was wide enough to accommodate this activity. Ft. DeRussy is a wide and lengthy beach so there was a lot of area there. When use of the court was authorized it was presumed that this space was going to be occupied by volleyball players at least during the time that they were playing. So with regard to the first and second factors raised, those are pretty much just by the nature of the game itself and he did not want to use that against the playing of volleyball at the beach.

The public complaints, however, are another thing, said Mr. Ing and that is why he was concerned and curious about where the complaints were coming from. If the complaints are such that people are saying that they want to use this 40' x 70' feet area to sunbathe in addition to all the rest of the Ft. DeRussy Beach area, he felt that this is somewhat unfair. Especially if there are other areas that could be used at the time of the volleyball playing. If they say that we want that particular area to be used exclusively for the use of sunbathers and nothing else, that's one thing. If the beach is completely crowded and that is the only spot remaining on the beach then that's another thing.

Mr. Detor said that his personal sympathy is with volleyball. But based on the inspections and what they feel would be the assignment of priorities as to the use of the beach, then it should be for the people who are using the beach for sunbathing and that kind of activity. Along that line, if you permit volleyball playing then you're going to extend it to frisbee throwing and other kinds of activity.

Mr. Kealoha asked whether specific times for playing were listed in the permit.

Mr. Lam said that specific times were listed -- 10:00 a.m. to 6:00 p.m.

Mr. Ing said that a number of conditions were put in the permit itself and asked if there were any violations to these conditions.

None, except for use of a larger area than was allowed, said Mr. Lam.

Mr. Detor clarified by saying that they were not actually occupying a larger area, just that the ball would roll out of the area assigned.

Mr. Ono asked what the military's feelings were on this matter.

Mr. Lam said that the military had indicated that they are not in favor of continued playing in the area.

Mr. Ono asked whether the military had rescinded their invitation to let the public use their courts.

Mr. Detor said that he understood that their courts are still open for play.

After questioning Mr. Lam, Mr. Kealoha did not feel that there were enough complaints lodged to warrant cancelling the permit. Even though there has been monitoring during certain hours and days at the beach, staff should be more specific with respect to the violations based on the conditions of the permit.

Knowing that this permit was only for six months, Mr. Ono asked Mr. Detor whether the volleyball players had made any attempts to look at alternatives.

Mr. Detor said that he didn't know.

Mr. Lee Sandau, representing the volleyball players, responded to the questions as follows:

1. Complaints. Mr. Sandau said that six phone call complaints without any names isn't too bad a record. He thought the reason the people felt that the volleyball players were in the wrong is because there is a big sign posted at Ft. DeRussy which says no ball playing and Sandau said that they are about 150 feet away from that sign. Once people realized that we were allowed to play there then the complaints tapered off.
2. How the military felt about the court there. Mr. Sandau said that although Mr. Lam had said that the military was not in favor of the ball players being there, he himself had checked just yesterday with the Commandant who said that no one had ever checked. When I told the Commandant that the report suggested that we play at De Russy, we got into the difference between the two man sand volleyball game and the six man game that is being played on the court in operation now he was very hesitant about allowing a two man game there because that court, if you look at the report, is used more than the State beach court. So trying to go over there and trying to play two man might cause some conflict or friction.
3. Hilton Hawaiian Village Hotel's feelings about the court. Mr. Sandau said that when we talked about the court being in front of the Hilton about 2-1/2 years ago, they had no objections. He did not know how they felt about this right now. He said that they do have a lot of support from the lifeguards and licensees in the area.

Mr. Sandau requested that this request be held up until after the big volleyball tournament scheduled for July. In the meantime the players would like to continue talks with Mr. Detor and come up with some agreement that would satisfy everybody.

Mr. Ono asked if they were prepared to give the board some idea of what they might be proposing.

Referring to the report, Mr. Sandau said that of the 40 inspections made, not once were they there before noon and only twice were they there before 1:00 p.m., and another two times they were there before 2:00 p.m. He therefore felt that they could come to some agreement to let the sunbathers have the area during the early hours. Mr. Sandau felt also that most sunbathers would probably be leaving there by 2:00 p.m. anyway.

4. Alternate Courts. Mr. Sandau said that although he has not gone to the courts at Ala Moana he understood from pictures he has seen and what the other players have told him is that there are two big cement blocks protruding from where the poles are and it is a very dangerous situation. It is not the kind of place where you can play the type of game that they are used to playing.

Because Mr. Sandau had said that they would be willing to compromise, Mr. Kealoha asked what this compromise would be.

Mr. Sandau said that one compromise would be to further limit the hours. Maybe just the afternoon hours -- say maybe from 2:00 p.m. to 6:00 p.m. instead of from 10:00 a.m.

When asked by Mr. Kealoha whether 2:00 p.m. to sunset would also be o.k. for the weekends and holidays, Mr. Sandau answered that this would be fine with him.

Assuming that this extension might not be granted, Mr. Ono asked Mr. Sandau whether their group had looked for other sites.

Mr. Sandau did not know. But he was sure that when the other court is opened up at Ft. DeRussy they will check to see if this is a court which this gang can play. There is a fence around the area now so they can't tell. The existing court, however, is not suitable and unless the City makes modifications down at Ala Moana that won't be suitable either.

Mr. Ono asked how feasible the Ala Moana area would be if the City would make modifications to the Ala Moana courts.

Mr. Sandau said that from his standpoint he wouldn't play there. The area is too close to the water and the road.

Mr. Ing said that when the courts were moved from the Hilton area to Ft. DeRussy and the board authorized the continuation on a six-month basis, he understood that the reason for the six months is that they could monitor the playing activity and the six month period was like a probationary period to see how the play was being conducted and to see whether there are any violations of the permit itself. It was not his understanding that it was for a temporary period after which time they may consider terminating the play of volleyball. He said that he was in agreement with the players that that beach has been used for playing volleyball at least from the late 50's. It has been somewhat of a gathering spot. He said that he was not in favor of limiting beach activities to strictly passive use.

Mr. Ing said that he is against the termination of the permit for a number of reasons. The nature of complaints seem to be more along the line of just having the activity on the beach itself. In addition, there haven't been any serious violations of the conditions of the permit. When those conditions were set up it was his understanding that if it could be followed that this activity would be compatible with beach activities.

Mr. Ing moved to deny staff's recommendation to terminate volleyball playing on the beach and, instead, moved to allow the permit to be extended. Mr. Higashi seconded.

When asked by Mr. Higashi about the hours, Mr. Kealoha said that if we accepted Mr. Ing's motion then we would have to set a new set of conditions with the extension of the permit.

Mr. Ono said that he was voting against the motion as made. He would rather see some adjustments made then he would consider those new conditions with the amended motion. But not as is -- without knowing the new conditions. He would also like to consider the player's compromise.

Mr. Detor said that since it is obviously the feeling of the board that, possibly under adjusted circumstances, this permit be continued, he suggested that the board defer action until after the July tournament. In the meantime staff can work out a set of conditions to be brought back to the board.

Mr. Kealoha said that he would like this to be brought back before the July tournament.

ACTION

Mr. Ing withdrew his first motion to deny staff's recommendation and moved instead that:

1. The existing permit be continued under those conditions listed in said permit.
2. All parties concerned continue discussions as to what might be brought back to the board for the June 22, 1984 meeting. No further action to be taken by the board this morning.

Motion carried unanimously with a second by Mr. Yamamoto.

ITEM F-21

DEPARTMENT OF SOCIAL SERVICES REQUEST FOR ACQUISITION OF SUBLEASE COVERING THE 6TH FLOOR AT 33 SO. KING STREET, HONOLULU, OAHU.

In answer to Mr. Ono's question, Mr. Detor said that this space will be used to house the Hawaii Automated Welfare Information Agency.

Mr. Ono wanted to know whether this was an over-the-counter type of service. He was concerned inasmuch as the location is on the 6th floor of the building.

Ms. Lynn Tilton, Commercial Real Estate Broker, said that she assisted the DSSH in finding this space and the public will not really be coming into this office.

ACTION

Mr. Ing moved for approval as submitted, subject to the review and approval of the lease agreement by the Office of the Attorney General. Mr. Yamamoto seconded and motion carried unanimously.

ITEM E-3

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

Mr. Nagata said that \$416,000 of operating funds are available for the next fiscal year.

In answer to Mr. Ing's question, Mr. Nagata said that the amount is an increase from last year's amount. \$416,000 was also appropriated last year, however only about \$400,308.00 was used.

Mr. Ing asked what happens after negotiations.

Mr. Nagata said that staff follows through with the process of consummating a contract with the organization.

When asked by Mr. Ing, Mr. Nagata said that typically the final contract does not come back to the board in that it has been a standard form contract which State Parks has been using for the last four or five years.

Mr. Nagata said that this year they would like to include the management of the Coronation Pavilion as a part of the contract.

For clarification, Mr. Nagata explained to Mr. Ono that last year this amount was viewed as a granting aid and a memo was received from the Department of Budget and Finance advising us that in fairness to all the granting aids, DLNR would have to restrict 3.7% of the available amount. This year, however, they have informed us that this will not be the case inasmuch as this is not considered a granting aid. Therefore, if any restrictions are placed, it will be for the whole department.

Mr. Nagata asked that this be amended by stating that although there is an appropriated amount of \$416,000 the negotiations would be up to, but depending on our departmental restrictions and needs, it may be lessened accordingly.

ACTION

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

ITEM E-2

REQUEST TO USE MAGIC ISLAND FOR PARKING FOR THE 1984 ALOHA WEEK PARADE, HONOLULU, OAHU.

Mr. Nagata said that the first request for parking was for the hours 9:00 a.m. to 1:00 p.m. However in subsequent discussions with Mr. Harry Cooper, Executive Director of Aloha Festivals, they would be interested in using the entire parking lot starting at 6:00 a.m. instead of 9:00 a.m.

Mr. Ono asked that staff make sure that the City will definitely be responsible for the gates at Ala Moana Park. If they will not be responsible, then make sure the State is. Mr. Ono said that there seemed to be some confusion as to who was responsible at the time of the Carol Kai Bed Race.

Mr. Nagata asked that staff's recommendation be amended to allow parking from 6:00 a.m. instead of 9:00 a.m.

ACTION

Mr. Ing moved that the board authorize the issuance of a permit to Aloha Festivals to park buses and support vehicles at Magic Island on September 29, 1984 from 6:00 A.M. to 1:00 P.M. Motion carried unanimously with a second by Mr. Higashi.

Mr. Ono asked that Mr. Nagata work closely with the City on this project to make sure that there is no slip up.

ITEM H-3

RESUBMITTAL OF A CDUA FOR AN 800 SQUARE FOOT STORAGE STRUCTURE AT KAHALUU, KOOLAUPOKO, OAHU (RAYMOND NYLEN).

Mr. Evans stated that this was an item which was deferred at the last meeting inasmuch as the applicant was unhappy with the conditions listed in the submittal.

Mr. Ing asked what the building would be used for.

Mr. Evans said that the building would be used to store material which he is presently storing in his garage.

Mr. Ing asked if the applicant understood that the structure is not to be used for rental purposes under any circumstances.

Mr. Evans said that as a part of staff's normal process a copy of the submittal was sent to the applicant. Condition No. 7 specifically states that this structure is not to be used for rental or any other commercial purposes nor shall it be used for residential purposes.

In answer to Mr. Ono's question, Mr. Nysten said that he did have a chance to review the submittal and was unhappy with Conditions 7 and 8.

Mr. Nysten said that he objected putting anything on his deed that runs with the land. Besides the cost, he does not want to put any restrictions on his deed. He felt that this is a personal thing and he wants his deed free and clear.

Mr. Ing explained to Mr. Nysten that Condition No. 8 is a non-negotiable condition.

In clarification, the board explained to Mr. Nysten that all eleven conditions listed in the submittal would have to be recorded in the deed to his property.

Mr. Nysten said that the structure he proposes to build will be for storage purposes only and the shower and the bath is for his use when he is up in that area. The structure was not intended for residence purposes because there is no electricity in that area. He does a lot of work outside and he needs an area to clean up.

Insofar as Condition No. 7 is concerned, which prohibits using the structure for rental or commercial purposes, Mr. Nysten said that he did not want this included in his deed because there are three houses on the property. He and his father live in one and the other two are rented out. He felt also that in the future he might want to convert the storage area into a stable from which some kind of income could be derived. He did not want to close the possibility of a commercial venture. Although this is not the intent he did not want to have this put in his deed. It just didn't seem to be good sense to cloud his title for something that is just convenient for him today, cause this restriction does run with the land.

Mr. Ing said that this is the reason for the condition. In the past people have put up storage structures, sell the property and the next person down the line comes along, encloses it and then rents it out. This is not allowed on conservation land.

Mr. Higashi asked whether Mr. Nysten was in the business of renting out horses.

Mr. Nysten said that the horses would be for the two tenants living in the area now and not for a commercial venture.

When asked by Mr. Ing, Mr. Nysten said that he has an application in the Land Use Commission requesting that his property all be taken out of the Conservation District. As far as the status of the application, Mr. Nysten said that this week an environmental impact statement was submitted.

Mr. Ono asked about when the house Mr. Nysten presently occupies was built. He said in 1960. Also the first storage area.

Mr. Ono asked Mr. Evans whether Mr. Nysten can legally rent out the house which he currently occupies.

Mr. Evans said that if the house was built prior to the regulation and the house was not being rented out and the regulation comes in, he cannot rent it out unless he does a CDUA for commercial purposes. On the other hand, if he had been renting it out prior to the regulation, he could continue to rent it out. So the question would be not only was he using it as a single family residence but was he renting it out prior to 1964?

Just to clear up my mind because the house I am living in has never been rented out before, you're saying that it would be illegal for me to rent it out, asked Mr. Nylen?

Without land board approval, said Mr. Evans.

Mr. Ono suggested that after this meeting, or sometime soon, that he get together with DLNR staff to see what he can and cannot do on conservation lands, before he goes to the Land Use Commission, so that he could get a better understanding.

Do you feel that if these conditions are put in the deed that it will hurt your case at the Land Use Commission, asked Mr. Higashi?

Mr. Nylen said that he didn't think of that. But now I find that I can't even rent out my house.

Even though Mr. Nylen did not like what the board was requiring him to do, Mr. Ono said that he understood Mr. Nylen's feelings but we are dealing with conservation lands and there are certain rules in existence and what staff is trying to do is make sure that the rules are adhered to. So the board is trying to suggest ways that might make things a little easier for Mr. Nylen.

Mr. Nylen said that he would like to hold off on this until he has had a chance to meet with the staff to see what he can and cannot do on conservation lands.

ACTION

Deferred to the next meeting on the island of Kauai.

ITEM E-5

PLACING RESTRICTIONS ON CERTAIN WATER SPORT ACTIVITIES ON THE WAILUA RIVER, WAILUA RIVER STATE PARK, KAUAI.

Mr. Ono said that he had concerns as to whether or not State Parks has jurisdiction over matters such as water skiing, speedboats, etc.

Mr. Nagata said that because of these concerns they checked further into the matter and in checking with the Department of Transportation, they indicated that strictly from a recreational skiing standpoint, without regard to commercial type activities, they may be the proper department to address this matter to so DLNR has written to them to look into the concerns which were originally raised to DLNR.

Besides the Transportation Department, Mr. Ono asked also that we check with the Coast Guard and the Corps of Engineers.

Mr. Ono asked that staff also look into the problem of possible erosion, a concern expressed by Mr. Yamamoto.

Mr. Kealoha suggested also that staff request an opinion from the Office of the Attorney General.

Mr. Benda thanked everyone for advising them and for deferring this matter. Inasmuch as the matter is being deferred, he thought it best to address the matter when it is taken up at the Kauai meeting. He thought that he might be able to assist in the jurisdictional aspect by doing some research and then submit these findings to the board.

ACTION Deferred to the next Land Board meeting on Kauai with the understanding that staff will be coming back with more details.

ITEM J-6

MODIFICATION TO PARTIAL ASSIGNMENT OF LEASE AND ASSIGNMENT OF LEASE - LEASE NO. A-62-14, HONOLULU INTERNATIONAL AIRPORT, OAHU (RALPH A. AOKI, TRUSTEE FOR THE BANKRUPTCY ESTATE ISLAND AIRLINES HAWAII, INC. - LOCKHEED AIR TERMINAL, INC.).

Mr. Garcia said that this is a partial assignment of the present lease. He explained that Island Airlines has gone into bankruptcy and Mr. Aoki is the Trustee for the estate and he has worked out an agreement with Lockheed and the State to finish off the bankruptcy.

ACTION Mr. Ing moved for approval of the Modification to Partial Assignment of Lease and Assignment of Lease No. A-62-14. Mr. Yamamoto seconded and motion carried unanimously.

ITEM J-5

ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, NAWILIWILI SMALL BOAT HARBOR, KAUAI (ISLAND ADVENTURE, INC.).

ACTION Mr. Yamamoto moved to approve issuance of a permit to Island Adventure, Inc. for 1500 sq. ft. open unpaved area and water column and air space about 800 sq. ft. of submerged land at a monthly rental of \$76.00. Mr. Higashi seconded and motion carried unanimously.

ITEM C-1

FILLING OF VACANT SECRETARY I POSITION, POSITION NO. 2940, ISLAND OF MAUI.

ACTION Mr. Ing moved to approve the hiring of Mrs. Diane Arconado to fill Position No. 2940. Motion carried unanimously with a second by Mr. Kealoha.

ITEM D-1

PERMISSION TO ADVERTISE FOR BIDS - JOB NO. 22-HW-34, DRILLING PAUUILO EXPLORATORY WELL (6223-01), PAAUILO, HAWAII.

ACTION Unanimously approved as submitted, subject to the Governor's approval. (Higashi/Yamamoto)

ITEM D-2

PERMISSION TO ADVERTISE FOR BIDS - JOB NO. 4-OW-25, MAUNAWILI DITCH IMPROVEMENT, MAUNAWILI, KOOLAUPOKO, OAHU.

Mr. Fujii asked that this item be withdrawn inasmuch as they are having difficulty obtaining a right-of-way from the landowner so staff is looking at this from another perspective with the possibility of acquisition.

ACTION Withdrawn.

ITEM D-3

PERMISSION TO ADVERTISE FOR BIDS - JOB NO. 4-OW-30, PUMP AND CONTROLS FOR WAIALAE NUI WELL (1747-03), HONOLULU, OAHU.

Mr. Ono asked that the agenda be corrected to read "Waialae Nui" instead of "Waianae Nui".

ACTION Unanimously approved as amended, subject to the approval of the Governor. (Ing/Yamamoto)

ITEM D-4

APPROVAL FOR AWARD OF OF CONTRACT - JOB NO. 4-OW-22, DRILLING KAPAKAHI WELL (1746-03), HONOLULU, OAHU.

ACTION

Mr. Ing moved to award the contract for the above project to Roscoe Moss Company for their low bid of \$277,450.00 subject to the Governor's approval. Mr. Yamamoto seconded and motion carried unanimously.

ITEM D-5

SOIL AND WATER CONSERVATION DISTRICT DIRECTORS

ACTION

Mr. Yamamoto moved, Mr. Higashi seconded and the board unanimously voted to certify the appointed and elected persons for the terms shown below to serve as Directors of the respective Soil and Water Conservation Districts:

<u>District</u>	<u>Name</u>	<u>Elected/Appointed</u>	<u>Term to End</u>
West Kauai	Bruce Robinson	Elected	6/30/87
	Sadao Inazu	Elected	6/30/87
	Gregory Williams	Appointed	6/30/87
Puna	Randy Cabral	Appointed	6/30/87
	William Subica	Elected	6/30/87

ITEM D-6

APPLICATION FOR STREAM CHANNEL ALTERATION PERMIT FOR MAINTENANCE DREDGING OF THE KAHALUU STREAM MULTIPURPOSE LAGOON, KAHALUU, KOOLAUPOKO, OAHU.

Mr. Fujii said that this is the first application submitted in compliance with Administrative Rule 13-167 for protection of instream uses of water in Windward Oahu. This rule requires that no Windward Oahu stream channel shall be altered until an application for a permit to undertake the work has been filed and a permit is issued by the Board.

Mr. Higashi asked where the silt would be moved to.

Mr. Warren Yamamoto of the City & County Department of Public Works said that what they have done with previous contractors is when the silt is dried, it is distributed within the area and they will probably do the same with this project. He said that the community had asked that any material coming out of Kahaluu remain in Kahaluu.

In answer to Mr. Ing's question, Mr. Fujii said that our department will monitor the work.

Mr. Ing asked why the permit had to be valid for a period of two years. He felt this to be a long time.

Mr. Fujii said that they felt that the work would take at least two years.

Mr. Yamamoto explained that besides dredging, it would take approximately six months to dry out the dredged material after which time it would be distributed in the area so they would need about two years to complete the job.

ACTION

Mr. Ing moved to approve the application for a Stream Channel Alteration Permit for Maintenance Dredging of Kahaluu Multipurpose Lagoon, TMK: 4-7-26:23, subject to the conditions listed in the submittal. Motion carried unanimously with a second by Mr. Higashi.

ITEM E-1

FILLING OF GROUNDSKEEPER I, POSITION NO. 04374, WASHINGTON PLACE, OAHU PARK SECTION.

ACTION

Mr. Ing moved to approve the appointment of Mrs. Eleanor Asibal to fill Position No. 04374, Groundskeeper I, assigned to Washington Place, Oahu Park Section. Motion carried unanimously with a second by Mr. Higashi.

ITEM E-2

REQUEST TO USE MAGIC ISLAND FOR PARKING FOR THE 1984 ALOHA WEEK PARADE, HONOLULU, OAHU.

(See Page 7 for Action)

ITEM E-3

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

(See Page 7 for Action)

ITEM E-4

REQUEST TO ISSUE A SPECIAL USE PERMIT FOR THE PATTY SMITH FUN RUN AT AINA MOANA (MAGIC ISLAND) STATE RECREATION AREA, HONOLULU, OAHU.

ACTION

Mr. Ing moved to approve the use of the Magic Island a.c. walkway as part of the race route for the Patty Smith Memorial Fun Run on Sunday, November 18, 1984. Mr. Higashi seconded and motion carried unanimously.

ITEM E-5

PLACING RESTRICTIONS ON CERTAIN WATER SPORT ACTIVITIES ON THE WAILUA RIVER, WAILUA RIVER STATE PARK, KAUAI.

(See Page 10 for Action)

ITEM E-6

RESUBMITTAL - RIGHT-OF-ENTRY TO ARCHAEOLOGICAL CONSULTANTS OF HAWAII TO PERFORM AN ARCHAEOLOGICAL SURVEY ON STATE LANDS LOCATED AT WAIANAPAPA, MAUI.

Mr. Nagata said that when this was first brought to the board there was a question as to whether this was to occur on lands zoned conservation and whether or not a conservation district use application had to be processed.

In checking, Mr. Nagata said he found that it is within the conservation district however he was informed by Mr. Evans that the planned survey work does not require a CDUA.

ACTION

Mr. Kealoha moved to grant permission to establish a Right-of-Entry Permit with Archaeological Consultants of Hawaii to perform an archaeological survey on State lands located at Waianapanapa, TMK: 1-3-05:2 and 1-3-06:7.

ADDED
ITEMS

Mr. Ing moved to add the following items to the Agenda:

Division of State Parks

Item E-7 -- Filling of Truck Driver, Position No. 22762, Oahu Park Section.

Item E-8 -- Filling of Park Caretaker II, Position No. 32754, Sand Island State Park, Oahu Park Section.

Item E-9 -- Filling of Park Caretaker II, Position No. 27098, Aina Moana (Magic Island) State Park, Oahu Park Section.

Item E-10 -- Request for Leave of Absence Without Pay.

- ITEM E-7 FILLING OF TRUCK DRIVER, POSITION NO. 22762, OAHU PARK SECTION.
- ACTION Mr. Kealoha moved to approve the appointment of Mr. Rajkowski to fill Position No. 22762. Mr. Higashi seconded and motion carried unanimously.
- ITEM E-8 FILLING OF PARK CARETAKER II, POSITION NO. 32754, SAND ISLAND STATE PARK, OAHU PARK SECTION.
- ACTION Mr. Ing moved to approve the lateral transfer of Mr. Paul Hookano to fill the vacant Park Caretaker II, Position No. 32754 at Sand Island, Oahu Park Section. Mr. Higashi seconded and motion carried unanimously.
- ITEM E-9 FILLING OF PARK CARETAKER II, POSITION NO. 27098, AINA MOANA (MAGIC ISLAND) STATE PARK, OAHU PARK SECTION.
- ACTION Mr. Ing moved to approve the selection of Mr. Masaki Tsutsui to fill the vacant Park Caretaker II, Position No. 27098 at Aina Moana (Magic Island), Oahu. Mr. Yamamoto seconded and motion carried unanimously.
- ITEM E-10 REQUEST FOR ONE YEAR LEAVE OF ABSENCE WITHOUT PAY.
- (This item was taken up in an Executive Session of the Board)
- ITEM F-1 DOCUMENTS FOR CONSIDERATION
- Item F-1-a CONSENT TO SUBLEASE - David L. Rovens and Hisashi Tanaka as Lessor, and Honolulu Television and Communication Corporation dba Oceanic Cablevision as Lessee - Lot 19, Shafter Flats Industrial Development, Honolulu, Oahu, G. L. No. S-4126.
- Item F-1-b ASSIGNMENT OF SUBLEASE - Elaine Kono, et al all being partners of Mill Investment Co., a dissolved, Hawaii general partnership to Elaine Kono, et al, as tenants in common - Waiakea, So. Hilo, Hawaii - G. L. No. S-3723.
- Item F-1-c REVOCABLE PERMIT - Paul Hurley & Grant Yata application for R.P. covering Lots 2-B, 3 & portions of Lots 5 and 6 of the Wailua Rice and Kula Lots, Wailua, Kauai for pasture purposes. Area: 15.401 acres. Monthly Rental: \$36.00.
- Item F-1-d ASSIGNMENT OF LEASE - William Carl Peters to Marie T. Peters, Lot 23, Ocean View Lease Lots, Waiakea, So. Hilo, Hawaii - G. L. No. 3156.
- Item F-1-e ASSIGNMENT - Dorothy Pauline Clar, to Dezma Alec Dunn and Dorothy Pauline Dunn, Lot 29, Kokee Camp Site Lots, Waimea, Kauai - G. L. No. S-4716.
- Item F-1-f CONSENT TO MORTGAGE - Richard M. Matsuura and Ruth H. Matsuura to the Federal Land Bank of Sacramento - Lot 21, Panaewa Agricultural Park, Waiakea, So. Hilo, Hawaii - G. L. No. S-4768.
- ACTION Mr. Ing moved for approval of Items F-1-a through F-1-f as submitted. Mr. Kealoha seconded and motion carried unanimously.
- ITEM F-2 F. NEWELL BOHNETT APPLICATION FOR EASEMENT, PUUANAHULU, NO. KONA, HAWAII.
- Mr. Detor said that the applicant is developing a subdivision on his own private land but one of the roads would have to cross an unimproved government roadway.
- Mr. Detor explained that there is an alleged violation of Mr. Bohnett's lease but that this violation was not related to this request.
- ACTION Deferred at Mr. Higashi's request.

ITEM F-3

EXCHANGE CLUB OF WAIMEA APPLICATION FOR EASEMENT, WAIMEA, SO. KOHALA, HAWAII.

Mr. Detor said that the applicant would like to place a memorial marker on State land that is currently under permit to Richard Smart, who has no objection to this.

He would like to erect a memorial marker to perpetuate the memory of Camp Tarawa, which was utilized during World War II by the U. S. Marine Corps in preparation for assaults on Iwo Jima and Saipan.

ACTION

Mr. Higashi moved to authorize the direct sale of the abovedescribed easement to the applicant subject to the conditions listed in the submittal and also authorize the issuance of an immediate construction right-of-entry to the applicant subject to the standard indemnity and hold-harmless clause. Mr. Kealoha seconded and motion carried unanimously.

ITEM F-4

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES APPLICATION FOR EASEMENT AT KEAUAHULU, NO. KONA, HAWAII.

ACTION

The board, upon motion by Mr. Higashi and a second by Mr. Kealoha, voted unanimously to:

1. Authorize the gratis disposition of perpetual, non-exclusive easement, 1,010 meters in length and 6 feet in width (3 feet on either side of the centerline) for EDM-baseline purposes to the Survey Division, subject to the conditions listed in the submittal; and
2. Approve grant of right of entry issued by the Chairperson by letter dated May 18, 1984, to allow establishment of EDM baseline at Old Kona Airport, subject to those conditions listed in the submittal.

ITEM F-5

STAFF RECOMMENDATION FOR APPROVAL OF MASTER PLAN FOR ABALONE AQUACULTURE FACILITIES AT KEAHOLE, NO. KONA, HAWAII.

(See Page 2 for Action)

ITEM F-6

RICHARD LEVIN APPLICATION FOR EASEMENT, KAWAIPAPA, HANA, MAUI.

Mr. Detor explained that this involves land which was sold back in 1927 by the Territory. The grant document shows a right of way which leads to the main road but the document itself does not say that the land is conveyed together with an easement to the road. The tax map does not show this so in a sense it may be technically landlocked. The submittal requests that an easement be granted free of charge. The law says that when you grant an easement you do it on the basis of appraisal of the fair market value of that easement, yet he may have the right to access to the road.

Mr. Detor requested the board to indicate that it would approve giving him access one way or the other. As soon as the legal problem is settled, he may have to buy it and, on the other hand, he may have the right to use it. Accordingly, Deputy Attorney General Johnson Wong has asked that this item be deferred until he has time to take a look at it.

ACTION

Mr. Ing moved to defer this item for further review by the Office of the Attorney General. Staff, however, to notify the applicant that the board does intend to convey the easement -- whether gratis or by some manner of payment. Motion carried unanimously with a second by Mr. Kealoha.

ITEM F-7

RESUBMITTAL - MARK A. ALEXANDER APPLICATION TO LEASE PORTION OF THE GOVERNMENT LAND OF AAPUEO 3, KULA, MAKAWAO, MAUI.

Mr. Detor said that this item was deferred at the last meeting for two reasons:

1. Question arose as to whether the Department of Agriculture had been consulted on this matter.
2. Whether, under the zoning laws, this would be considered an industrial use by the County and whether they would need a variance inasmuch as this land is zoned ag.

In answer to the first question, Mr. Detor said that he was in receipt of a letter from the Department of Agriculture and they have stated that the market for locally produced hogs and cattle on Maui appears to be fairly stable. The number of pigs sold in Maui County has increased from 12,600 to 15,300 and liveweight sold has increased from 2.5 to 2.7 million pounds from 1978 to 1982. They go on to say that the number of cattle has decreased, however, and liveweight sold has decreased. They say that there are three slaughterhouses on Maui at the present time, one of which meets federal standards, the other two are grandfathered to state standards which existed prior to 1969. Any new slaughterhouses or meatpacking operation would be required to conform to current standards which include an annual certificate of sanitation issued by the Board of Agriculture as well as inspection by Agriculture personnel. They end up by saying that although no information has been provided to establish what the capacity of the proposed operation would be and whether the capacity of the existing slaughterhouses on Maui are inadequate to the available market we believe that it may benefit consumers of local meat products to have modern facilities constructed and operated at current standards. We therefore have no objection to the proposed disposition if the concerns noted are satisfactorily addressed.

On the zoning business, Mr. Detor said that he checked with the Maui Planning Department and they said that they had no authority there that it rested with the Land Use Commission. Staff has contacted the Land Use Commission but are not yet in receipt of an answer.

Mr. Ing said that he was confused with the County's position. They came in with a permit for a slaughterhouse so what are they going to do.

Mr. Detor said that he was surprised also when they said that they were not involved and asked that they go to see the Land Use Commission.

ACTION

Mr. Ing moved to authorize the sale of a lease to the applicant by direct negotiation or authorize a sale by public auction if deemed necessary by the Attorney General's Office covering the parcel in question under the terms and conditions listed in the submittal. Mr. Yamamoto seconded and motion carried unanimously.

ITEM F-8

JAMES EGAN REQUEST FOR AMENDMENT OF PREVIOUS BOARD ACTION AUTHORIZING REMOVAL OF WORLD WAR II AIRCRAFT FROM FOREST RESERVE AT HAUULA, OAHU.

Mr. Detor said that the board on March 9, 1984 approved a request to remove an aircraft from the Hauula Forest Reserve subject to certain conditions. One of these conditions was the time frame. In the written submittal today staff is asking that the board amend its action by permitting the applicant to conduct his one day removal operation during the period June 6, 1984 through July 8, 1984.

Mr. Detor said that since the submittal was written the applicant telephoned and asked for a further change. He still only wants one day but between June 8, 1984 to August 8, 1984. Mr. Detor therefore asked that the submittal be amended accordingly.

ACTION

Mr. Ing moved to amend the Board's action of March 9, 1984, under agenda Item F-16, by permitting the applicant to conduct his one day removal operation during the period June 8, 1984 through August 8, 1984. Mr. Yamamoto seconded and motion carried unanimously.

ITEM F-9

STAFF RECOMMENDATION FOR CONSUMMATION OF LAND EXCHANGE WITH THE HAWAIIAN HOMES COMMISSION, WAIANAE, OAHU.

Mr. Ono said that communication was received from the Department of Hawaiian Homes after this submittal was prepared and felt that the board should review this communication and see how it impacts this particular F-9 proposal and then consider this after that assessment is made.

ACTION

Deferred in order to incorporate the Department of Hawaiian Homes Commission's comments into this submittal.

ITEM F-10

CITY AND COUNTY OF HONOLULU APPLICATION FOR SEWER EASEMENT, MOANALUA, HONOLULU, OAHU.

Mr. Detor said that this is for the Post Office Building at the Honolulu Airport and what they want to do is to get an easement which crosses land which is under the jurisdiction of the Department of Transportation. The Department of Transportation has no objection.

ACTION

Mr. Ing moved to approve to grant the City and County of Honolulu a perpetual non-exclusive easement for sanitary sewer purposes over, under and across the requested area, subject to the terms and conditions listed in the submittal.

ITEM F-11

STAFF RECOMMENDATION FOR TERMINATION OF VOLLEYBALL PLAYING AT FORT DERUSSY BEACH, HONOLULU, OAHU.

(See Page 6 for Action)

ITEM F-12

JORDAN LEISURE, INC. REQUEST FOR RIGHT OF ENTRY, FORT DERUSSY BEACH, HONOLULU, OAHU.

Mr. Detor said that this is a right of entry to Fort DeRussy Beach for the Kraft Family Reunion which is to take place on Friday, June 29, 1984 and would involve various types of beach activities.

ACTION

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

ITEM F-13

STAFF RECOMMENDATION FOR PUBLIC AUCTION SALE OF A LEASE COVERING LOT 19 OF THE HANAPEPE RICE & KULA LOTS, HANAPEPE, WAIMEA, KAUAI.

ACTION

Finding the area to be an economic unit in terms of the intended use and finding also that the area is presently unsuitable for hunting, Mr. Yamamoto moved to approve the public auction sale of a lease for general agriculture purposes under the terms and conditions listed in the submittal. Mr. Ing seconded and motion carried unanimously.

- ITEM F-14 STAFF RECOMMENDATION FOR PUBLIC AUCTION SALE OF A LEASE COVERING LOT 7-A OF THE HANAPEPE RICE & KULA LOTS, HANAPEPE, WAIMEA, KAUAI.
- ITEM F-15 STAFF RECOMMENDATION FOR PUBLIC AUCTION SALE OF A LEASE COVERING LOTS 23-A AND 23-B OF THE WAILUA RICE & KULA LOTS, WAILUA, KAUAI.
- ITEM F-16 STAFF RECOMMENDATION FOR PUBLIC AUCTION SALE OF A LEASE COVERING LOTS 12, 13 & 14 OF THE WAILUA RICE & KULA LOTS, WAILUA, KAUAI.
- ITEM F-17 STAFF RECOMMENDATION FOR SALE OF A LEASE COVERING LOT 15 AND ADJOINING LAND OF THE WAILUA RICE AND KULA LOTS, WAILUA, KAUAI.
- ACTION Mr. Yamamoto moved for approval of Items F-14 through F-17 as submitted, subject to those conditions listed in the submittal. Mr. Higashi seconded and motion carried unanimously.
- ITEM F-18 ROY MACMILLAN REQUEST FOR EXTENSION OF TIME WITHIN WHICH TO SATISFY BUILDING REQUIREMENT, LOT 8, WAIMEA HEIGHTS, 1ST INCREMENT, WAIMEA, KAUAI.
- ACTION Mr. Yamamoto moved to approve an extension from May 18, 1984 up to November 17, 1984 of the construction deadline contained in Special Sale Agreement No. S-5572, subject to the vendee furnishing an updated building compliance bond in an amount of not less than \$500.00 guaranteeing completion of the residence by November 17, 1984; such bond to be posted within thirty (30) days from notification of receipt of the extension. Mr. Higashi seconded and motion carried unanimously.
- ITEM F-19 U. S. AIR FORCE REQUEST FOR AMENDMENT OF PREVIOUS BOARD ACTION (3/23/84, AGENDA ITEM F-10) AUTHORIZING ISSUANCE OF LEASE COVERING MICROWAVE RELAY SITE AT KALALAU AND WAIMEA, KAUAI.
- Mr. Detor said that at its meeting of March 23, 1984 the board authorized issuance of a five-year lease to the Air Force for access roadway and microwave relay site on Kauai. One of the conditions was an annual lease rental. There was a nominal lease rent of \$250.00 established. The Air Force has come back and asked for reconsideration of the rent charge on the grounds that they put up the antenna there and the County and the State are using the antenna at no charge. On those grounds, staff is requesting amendment of the March 23rd submittal.
- Mr. Ing asked to what extent the State and the County used the antenna.
- Mr. Detor said it's available for use throughout the day but they did not know just how much it is used.
- Mr. Ing felt that if we waive the \$250.00 rental then it should be stated in the Lease that the State and County may use the antenna at no cost.
- ACTION Mr. Yamamoto moved to amend the board's action of March 23, 1984 under agenda Item F-10 by deleting the condition which would assess a rental to the U. S. Air Force for the State lands described in the submittal. Motion carried unanimously with a second by Mr. Higashi.
- ITEM F-20 DEPARTMENT OF HEALTH REQUEST FOR APPROVAL OF LEASE COVERING ROOM 301 OF TANI BUILDING, HONOLULU, OAHU.
- Mr. Ono asked whether the Tani Building was totally occupied by State agencies.
- Mr. Detor said that he wasn't sure but he thought it was.

Mr. Ono asked that Mr. Detor have someone check to see how much rental we pay per annum to rent space in the Tani Building. It might be more economical to buy the whole building.

ACTION

Mr. Ing moved to approve the request to lease by the Department of Health subject to the review and approval of the lease document by the Office of the Attorney General. Mr. Yamamoto seconded and motion carried unanimously.

ITEM F-21

DEPARTMENT OF SOCIAL SERVICES REQUEST FOR ACQUISITION OF SUBLEASE COVERING THE 6TH FLOOR AT 33 SO. KING STREET, HONOLULU, OAHU.

(See Page 6 for Action)

ITEM F-22

DEPARTMENT OF HEALTH REQUEST FOR ACQUISITION OF LEASE AT PUNA, HAWAII.

ACTION

Mr. Higashi moved to approve the Department of Health's request to lease subject to the review and approval of the lease agreement by the Office of the Attorney General. Mr. Yamamoto seconded and motion carried unanimously.

ITEM F-23

DEPARTMENT OF SOCIAL SERVICES REQUEST FOR APPROVAL OF RENEWAL OF LEASE COVERING OFFICE SPACE ON THE 6TH FLOOR OF THE KAPIOLANI COMMERCIAL CENTER, HONOLULU, OAHU.

Because the floor area was so great and the rental so high, Mr. Ing asked that this item be deferred.

Mr. Ono asked that a study be made of the rental and the space used and also have someone from DSSH present at the next meeting to answer any questions that the board may have.

ACTION

Deferred.

ITEM F-24

HANA EQUIPMENT CO., LTD. APPLICATION FOR LAND LICENSE, KAWAIPAPA AND WAKIU, HANA, MAUI.

Because Mr. Yagi was not present at the meeting, Mr. Detor asked that this item be deferred inasmuch as Mr. Yagi had expressed his desire to be present when this item was taken up.

ACTION

Deferred.

ITEM F-25

VFW APPLICATION TO LEASE STATE LAND AT WAIKIKI, HONOLULU, OAHU (BRIEFING)

(This item was taken up after Item F-26)

Mr. Detor explained that this 25,000 sq. ft. property located on Kalakaua Avenue has been occupied for many years by the VFW as a clubhouse. They are there on a month-to-month permit. DLNR was unable to issue a direct lease to them until the 1983 Legislature amended the law to permit direct leases to organizations of this kind that are chartered by Congress. They are now interested in converting their permit to a lease and putting up new facilities. Before getting into a formal presentation to the board, the VFW felt that they would first like to brief the board on their plans for the area. They are not asking for any action at today's meeting.

Mr. Will Chee, Project Manager for the Veterans of Foreign Wars Memorial Hall Project, after introducing three ranking members of the VFW -- Mr. Mel Mossman, State Commander, Mr. Louis Balasanos, Chairman of the Building and Land Development Committee and Mr. Jake Akiona, State Quartermaster, went on to explain their project to the board.

In essence, Mr. Chee said that the project would consist of a meeting hall, office spaces within the hall, a kitchen, a bar, a parking lot and landscaping improvements. Estimated construction cost is between \$1.5 million to \$2.0 million. He felt that there may be concerns by the board members concerning the VFW's ability to 1) fund improvements and 2) afford the monthly lease rental.

Mr. Mossman said that the building being planned will be three stories high. They feel that they will be able to fund this several ways. One is by direct pledges from their own members. On the National level they hope to sell pins and tee shirts, caps, etc. They have a membership, nationwide, of two million members. Once they get a go-ahead on the lease, they intend to solicit all the major corporations.

In answer to Mr. Ing's question, Mr. Detor said that the VFW is paying approximately \$134.00 per month for use of the area.

Mr. Ing then asked what the consideration would be should they get a long term lease.

Mr. Detor said that this would have to be established by an independent appraiser -- but the rental would be considerably higher than what they are paying now.

Mr. Ono said that because we have requests for State lands from other organizations e.g. American Legion and Amvet, he wondered if it would be possible, because they also are eligible for direct awards, to build a multi-story structure reserving certain floors for each organization. He asked whether a set-up like this would be out of the question or is it a possibility. Mr. Ono was looking for a way where rental could be shared, thus making it easier for everybody and at the same time providing them necessary space.

Mr. Balasanos said that they are in favor of getting together with the Veterans organizations providing they don't have to wait another forty-five years to do this.

Mr. Ono said then that they had no objection to the concept of the idea, but the problem will be in how they do it.

Mr. Balasanos, about two years ago when the VFW was instrumental in getting the law changed, said that he did approach the Commanders of the various organizations to assist him. Their answer was that it could never be done so the VFW went ahead on their own.

In answer to Mr. Ing's question, Mr. Balasanos said that they have about 2000 active members, including the Ladies Auxiliary.

Representatives of the VFW who were present at the meeting went on to brief the board on the background of the VFW in the islands.

Mr. Ono stated that he would like to continue the discussion with Mr. Detor and the VFW and would also like to have Mr. Hamasu join in as kind of a team to pursue this matter further. At least then there will be something more tangible being developed through these discussions. Mr. Ono said that he would also like to include in those discussions the possibility of adding other veteran organizations into this project. Mr. Ono said that his biggest concern is the lease rental that they would have to pay. Even without an appraisal of the property, because the site is a valuable piece of land, he's sure that the rental for the area will be pretty sizable. So to spread the cost of that rental they will have to look at other alternatives.

ITEM F-26

THE TIGER TRUST REQUEST FOR AMENDMENT OF PREVIOUS BOARD ACTION AUTHORIZING SALE OF A LEASE COVERING LAND AT HALAWA, EWA, OAHU.

Mr. Detor said that this a request for an amendment to a previous board action. The board approved the sale at auction of a lease covering three concrete bunkers at Halawa which were built during World War II for storage of ammunition. Later on, they stored firecrackers there. The land is surrounded by Queen's Hospital land and the people who applied for this particular lease are leasing land which they're developing a subdivision on. The board's action, in approving the sale of a lease, specified it would be for parking and storage. They would now like to also use it for their office so they are asking that the submittal be amended to say parking stall and offices. In addition, staff would like to put a specific improvement requirement figure in the submittal which was omitted in the original submittal.

ACTION

Upon motion by Mr. Ing and a second by Mr. Yamamoto, the board voted unanimously to amend its action of April 8, 1984, under Agenda Item F-7, as follows:

1. Change specific use provision to include office space use.
2. Require a minimum expenditure of \$200,000.00 within the first two (2) years of the lease term and rehabilitation of the existing bunkers and construction of new facilities. Plans and specifications shall be subject to review and approval by the Chairperson.
3. An improvement bond in the amount of \$100,000.00 to be submitted within thirty days of receipt of the completed lease document.
4. Successful bidder to be responsible for preparation of the required environmental assessment document.
5. Other terms and conditions as may be prescribed by the Chairperson.

ITEM H-1

RESUBMITTAL OF A REQUEST FOR TIME EXTENSION FOR A PREVIOUSLY APPROVED CDUA FOR A SINGLE FAMILY RESIDENCE AT KIHOLO BAY, NORTH KONA, HAWAII.

ITEM H-2

RESUBMITTAL OF A REQUEST FOR TIME EXTENSION FOR A PREVIOUSLY APPROVED CDUA FOR A SINGLE FAMILY RESIDENCE AT KIHOLO BAY, NORTH KONA, HAWAII.

Mr. Evans said that the reason that these items were being resubmitted is because staff failed to list in the submittal the date that the letter was received requesting the one-year extension and that is critical. If they come in with the request for the extension after the one year has already transpired staff's guidelines set by the board have been to require them to go through the whole process again. In this case they did come in before the one year expired.

Going through the process again -- you mean filing for a new CDUA, said Mr. Ing.

Mr. Evans said that is according to the rule.

Mr. Ing felt that in all fairness to those people obtaining CDUA's if they are going to build we should say more specifically that if they fail to commence construction within a year then the CDUA will become null and void so that they then do something by that date.

Mr. Ono thought this was a good idea and maybe this could be incorporated as standard language in the CDUA.

ACTION

Mr. Higashi moved to authorize the subject Time Extension for both Items H-1 and H-2 with the following conditions:

1. That the extension shall be in effect as of March 24, 1984; and
2. That the extension shall be effective for a period of one (1) year.

ITEM H-3

RESUBMITTAL OF A CDUA FOR AN 800 SQUARE FOOT STORAGE STRUCTURE AT KAHALUU, KOOLAUPOKO, OAHU.

(See Page 9 for Action)

ITEM H-4

UPDATE FOR INFORMATION PURPOSES, STATUS OF CONSOLIDATION AND RESUBDIVISION OF PRIVATE LAND WITH FUTURE HOUSING PLANS ON TANTALUS, OAHU.

What happened in the past was Dr. and Mrs. Adrian Brash did come in to ask for a consolidation and resubdivision of private land on Tantalus. The board did approve it and they also approved at that time that the couple could build a house on each one of the existing lots. There was no increase in the lots and no increase in the density as a result of this. However the applicant is having trouble because if you use the new subdivision approval that the board granted and if he wants to build on one of the lots he has to grade a driveway and that driveway is under the new City Ordinance. The driveway alone will cost him \$250,000.00 so he met with staff. If he builds his first house under the old subdivision he does not have to spend this money for the driveway because the new subdivision driveway law would not apply so staff suggested that he do that and what staff wants is to be on the record that the board has been informed of this action.

ITEM H-5

CDUA FOR A SIXTY-FOOT WIDE ROADWAY AND UTILITY EASEMENT USE IN THE WAIAKEA FOREST RESERVE, WAIAKEA, SOUTH HILO, HAWAII.

Mr. Evans requested the modification of one condition should the board approve this submittal.

Mr. Evans asked that Condition No. 10 be deleted because of the potential precedence that might occur. Staff felt that if they start to incorporate standard conditions from a particular County -- what would happen if somebody wants to build a house for example and the County says that our standards in the P-1 District is that no residence be allowed then we feel that something such as this might be used as precedence where staff would have to apply in a different area which staff necessarily would not want to apply.

Mr. Higashi asked that Condition No. 12 be amended by requiring the applicant to pay the State a fair market value on all planted trees which have economic value which are removed for the road-widening.

ACTON

Mr. Higashi moved to approve this application for a sixty (60) foot wide non-exclusive roadway and utility easement over TMK: 2-4-08:1 & 22 in the Waiakea Forest Reserve, South Hilo, Hawaii subject to the those conditions listed in the submittal, but as amended. Those amendment are:

1. Condition No. 10 to be deleted.
2. Condition No. 12 to be amended to read as follows:
 12. That the applicant pay the State a fair market value on all planted trees which have economic value to the State, which are removed for the road-widening.

Motion carried unanimously with a second by Mr. Kealoha.

- PERMISSION TO CONTRACT WITH THE RESEARCH CORP. OF U.H. TO CONTINUE RESEARCH ON THE USE OF MARINE COPEPOD, EUTERPINA ACUTIFRONS, AS A FOOD FOR CULTURED MARINE FISH LARVAE.
-
- ITEM H-6
- ACTION Mr. Higashi moved to authorize the Chairperson to negotiate and subject to the Governor's approval, enter into a contract with the Research Corporation of the University of Hawaii for the subject project. Mr. Kealoha seconded and motion carried unanimously.
- ITEM I-1 APPOINTMENT OF LICENSE AGENT - HAWAII - SPORTSMEN
- ITEM I-2 APPOINTMENT OF LICENSE AGENT - B & L MARINE, BIKE & SPORTS, INC.
- ACTION Mr. Higashi moved for approval of both Items I-1 and I-2 as submitted. Mr. Kealoha seconded and motion carried unanimously.
- ITEM I-3 APPOINTMENT OF VOLUNTEER CONSERVATION AND RESOURCES ENFORCEMENT OFFICERS: OAHU, KAUAI, MAUI, AND MOLOKAI.
- ACTION The board unanimously approved the appointment of those individuals named in the Item I-3 as Volunteer Conservation and Resources Enforcement Officers. (Ing/Kealoha)
- ITEM J-1 LEASE, HONOLULU INTERNATIONAL AIRPORT, OAHU (PACIFIC AEROSPACE MUSEUM).
- ACTION Mr. Ing moved to approve the Lease as outlined in the submittal. Motion carried unanimously with a second by Mr. Yamamoto.
- ITEM J-2 APPLICATION FOR ISSUANCE OF REVOCABLE PERMIT 3883, HONOLULU INTERNATIONAL AIRPORT, OAHU (MID PACIFIC AIRLINES, INC.).
- Mr. Ing asked whether they were already using the facilities.
- Mr. Garcia said that at previous meetings space was taken away from Hawaiian Airlines. Because of this they are able to put Mid Pacific on a revocable permit so that they make the transfer quickly. They will later covert this to a lease. They are slated to move into this area at the end of June.
- Mr. Ing said that at some point in time he would like to have someone from Mid Pacific come before the board. He said that he had a few questions about the way they operate.
- ACTION Unanimously approved as submitted. (Kealoha/Higashi)
- ITEM J-3 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 23, HONOLULU HARBOR, OAHU (HAWAIIAN FLOUR MILLS, INC.).
- ACTION Mr. Ing moved to approve the issuance of this permit subject to the terms and conditions listed in the submittal. Mr. Yamamoto seconded and motion carried unanimously.
- ITEM J-4 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 8 SHED, HONOLULU HARBOR, OAHU (VIP CRUISES, INC.).
- ACTION Mr. Ing moved to approve the issuance of this permit subject to the terms and conditions listed in the submittal. Mr. Yamamoto seconded and motion carried unanimously.
- ITEM J-5 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, NAWILIWILI SMALL BOAT HARBOR (ISLAND ADVENTURE, INC.).

(See Page 10 for Action)

MODIFICATION TO PARTIAL ASSIGNMENT OF LEASE AND ASSIGNMENT OF LEASE -
LEASE NO. A-62-14, HONOLULU INTERNATIONAL AIRPORT, OAHU (RALPH A. AOKI,
TRUSTEE FOR THE BANKRUPTCY ESTATE ISLAND AIRLINES HAWAII, INC. - LOCKHEED
AIR TERMINAL, INC.).

ITEM J-6

(See Page 10 for Action)

APPLICATION FOR ISSUANCE OF REVOCABLE PERMIT 3886, NON-CONFORMING USE,
AIRPORTS DIVISION, LIHUE AIRPORT, KAUAI (HAWAIIAN BITUMULLS & PAVING
CO., LTD.).

ITEM J-7

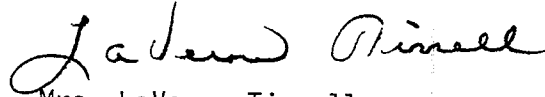
ACTION

Unanimously approved as submitted. (Yamamoto/Kealoha)

ADJOURNMENT:

There being no further business, the meeting was adjourned at 1:20 p.m.

Respectfully submitted,



Mrs. LaVerne Tirrell
Secretary

APPROVED:



SUSUMU ONO
Chairperson

It