

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

DATE: July 27, 1984  
TIME: 9:00 A.M.  
PLACE: Kona Surf Hotel  
Mauna Kea Conference Room  
Keauhou, Hawaii

ROLL  
CALL

Chairman Susumu Ono called the meeting of the Board of Land and Natural Resources to order at 9:05 A.M. The following were in attendance:

MEMBERS: Mr. Roland Higashi  
Mr. J. Douglas Ing  
Mr. Moses W. Kealoha  
Mr. Mr. Thomas Yagi  
Mr. Leonard Zalopany  
Mr. Susumu Ono

STAFF: Mr. James Detor  
Mr. Ralston Nagata  
Mr. Gordon Soh  
Mr. Libert Landgraf  
Mrs. LaVerne Tirrell

OTHERS: Deputy Atty. Gen. Johnson Wong  
Mr. Peter Garcia, DOT  
Mr. Eckert (Item E-1)  
Mr. Buddy Soares (Item F-1-D)  
Mr. F. Newell Bohnett (Item F-2)  
Mr. William Barlow (Item H-2)  
Mr. Dan Ecklund (Item H-6)  
Dr. Donald Hall (Item H-8)

MINUTES

Mr. Kealoha moved for approval of the April 27, 1984 minutes as circulated. Mr. Ing seconded and motion carried unanimously.

ITEM E-1

REQUEST TO USE THE OLD KONA AIRPORT STATE PARK IN KAILUA-KONA, HAWAII FOR A FUND RAISING CARNIVAL.

The Kona Hawaiians Pop Warner Football Organization has requested use of the old Kona Airport runway to hold a fund raising carnival from September 20-23, 1984. The applicant also plans to have a beer garden which will be operated in compliance with all liquor regulations.

Mr. Nagata said that staff's recommendation is to deny this request.

Mr. Higashi said that carnivals have been allowed in the past.

Mr. Nagata said that carnivals were allowed in the past but it was his understanding that it was more of an interim kind of arrangement where there was limited development. However, as more park use is increased, staff is trying to limit this kind of activity.

In answer to Mr. Ing's questions, Mr. Nagata said that insurance was required when carnivals were allowed in the past. Also they have had at least three carnivals in the area.

Mr. Ing asked also whether there were any problems in the past.

Mr. Nagata said that he was not aware of any major complaints but it has inconvenienced some of the park boys.

Mr. Ono asked whether any alcoholic beverages have been allowed in the area -- not necessarily only for sale.

Mr. Nagata said to his knowledge, no.

Mr. Ono said that as far as sale of alcoholic beverages, such a practice has been discouraged.

Mr. Nagata said that the State Parks Rules do not allow alcoholic beverages on State Parks without the permission of the board.

Mr. Yagi asked if there were any alternative sites in Kona for a carnival.

Mr. Nagata felt that it could possibly be held on some school grounds.

Mr. Higashi said that he would like to allow the carnival to be held at the Kona Airport on the requested date. However, he asked that the following conditions be imposed:

1. Insurance be obtained to provide adequate protection to the State.
2. The beer garden be disapproved and that no alcoholic beverages be permitted on the premises and that the applicants be responsible to provide adequate security to insure that no alcoholic beverages will be served or consumed on the premises.
3. Provide security so that a reasonable amount of traffic can be had at the end of the park. Specifically where they had the "No Parking" area that they allow at least one main vehicle traffic end of the park.

Mr. Higashi moved for approval of the submittal with the above conditions. Mr. Yagi seconded.

Mr. Ing asked whether the amount of insurance required would be \$1 million dollars.

Mr. Higashi said that he would like to check the amount of insurance paid at the last carnival and require the same amount of the present applicant.

Mr. Nagata didn't feel that the amount of insurance required a few years ago would be appropriate today.

Mr. Higashi said that he would leave that judgment to the Chairman.

ACTION

Mr. Higashi moved to approve subject to the above conditions and also to any other conditions as may be prescribed by the chairman. Mr. Yagi seconded and motion carried unanimously.

ITEM F-2

RESUBMITTAL - F. NEWELL BOHNETT APPLICATION FOR EASEMENT, PUUANAHULU, NO. NO. KONA, HAWAII.

Mr. Detor said that this application for a 20-ft. wide easement over and across an unimproved government roadway in the Puuanahulu Homesteads on the Big Island was deferred at a previous meeting.

The reason for asking for this easement was to accommodate a private subdivision that the applicant, Mr. Newell Bohnett, is installing on his own land. The County requires as a condition of the approval of the sub-

division, that he obtain this easement so that it would become part of a roadway system in the subdivision.

Mr. Ono asked if this roadway would be maintained as a private road.

Mr. Detor said that this was his understanding.

Mr. Higashi stated that he had asked for deferral of this item at the last meeting so he could look into the Puuwaawaa investigation. He said that he had had an opportunity to meet with the enforcement people doing the investigation and, at this point, he was satisfied that the investigative work is going on so he would like to see Puuwaawaa separated from this application.

ACTION

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

Mr. Ono asked Deputy A.G. Johnson Wong whether the board could indefinitely hold off on any request by the applicant unrelated to the investigation.

Mr. Wong said yes, until the investigation is resolved.

On the investigation itself, Mr. Ono asked that staff come back to the board with a report no later than the second meeting of September, 1984.

Mr. Ono stated also that staff will respond to the letter received from the Conservation Council on this matter.

ITEM H-8

STATUS REPORT: RESOLVED ISSUES ON CDUA HA-1573 FOR THE UH'S MAUNA KEA MANAGEMENT PLAN.

Mr. Soh said that on February 10, 1984 the board approved a CDUA for the installation of a permanent powerline and improvements to the Summit Access Road, and approved the University's Management Plan, as a conceptual plan subject to the Board of Land and Natural Resources and the University of Hawaii resolving several issues. The board also set a 180-day deadline of August 8, 1984, at which time this department and the University of Hawaii should have resolved these issues.

Mr. Soh said that the several meetings involving the Divisions for the Department of Land and Natural Resources, the University of Hawaii and the County of Hawaii were held to discuss the issues in the Management Plan with the result that staff recommends the following:

- A. That the Board accept the preliminary proposals developed through meetings with the Department of Land and Natural Resources, the University of Hawaii, and the County of Hawaii on the Mauna Kea Management Plan;
- B. That the Board defer Final action on the Revised Management Plan until such time as the University is able to hold public informational meetings with the various community groups on the Island of Hawaii; and
- C. That as a short-term approach for commercial recreational uses on Mauna Kea applicants be allowed to file Conservation District Use Applications with the understanding that should these applications be approved, the approval will be "temporary" until such time as the Commercial Recreational Management Plan Conservation District Use Application has been completed.

Regarding Recommendation "C", Mr. Higashi said a commercial use for skiing on the mountain was approved by the board. He asked whether that was considered a temporary or permanent use.

Mr. Soh said that he was not aware that a use had already been approved.

Regarding Recommendation "A", Mr. Higashi could see no reason why the County of Hawaii should be involved in the Mauna Kea Management Plan and asked that they be deleted in the development of the proposal.

Dr. Hall of the University of Hawaii emphasized that the present material before the board is a status report. General agreement was reached at the meetings held with the DLNR. They also concur with staff's recommendation.

Dr. Hall said that the main areas which they feel need further work is the actual areas which will be under the University's management. They feel that they need to manage the road along the summit and the mid-level facility. As far as the process for commercial activities, the University has committed to participate with the co-applicant for a CDUA for commercial activities and they agreed with the first recommendation.

Mr. Ono asked Dr. Hall how the University felt about the County of Hawaii being a partner in developing the plan and following up with management and implementing of said plan.

Dr. Hall said that he didn't expect them to be a part of implementing the plan.

Mr. Ing asked what the University's time table was for the hearings.

Dr. Hall said that they needed to work out the details of the report and the hearings would be scheduled soon thereafter.

Mr. Ing asked whether the University would be able to come back to the board with a report within the next six or seven months.

Dr. Hall thought they could but he did not want to speak for the president.

ACTION

Mr. Higashi moved to accept staff's recommendation as a status report and delete the County of Hawaii thereon in as somebody we receive input from but not to participate in developing or managing the plan. Mr. Kealoha seconded and motion carried unanimously.

The board requested that the University come back to the board within the next seven months with a report.

ITEM F-4

RESUBMITTAL - BRILHANTE-HAWAII, INC. APPLICATION FOR WATERLINE EASEMENT, PONAHAHAWAI, SO. HILO, HAWAII.

Mr. Detor said that this item was deferred at the last meeting because there was a question on the relocation clause. The Hawaii County Department of Water Supply normally waive the relocation clause. However, the easement proposed to later be turned over to the County did have a relocation clause. The matter was deferred in order to check with the County. They have not been able to check with the County Planning Department yet and their advice is needed before a final decision can be made so they have asked that this item be deferred until the next meeting.

ACTION

Deferred.

ITEM F-1-C

ROBERT LEE APPLICATION FOR REVOCABLE PERMIT, WAIMANALO, OAHU.

ITEM F-1-D

HERBERT & KENNETH OMIZO APPLICATION FOR REVOCABLE PERMIT, WAIMANALO, OAHU.

ITEM F-1-E

WAIMANALO POLO CLUB APPLICATION FOR REVOCABLE PERMIT, WAIMANALO, OAHU.

Mr. Detor asked that the above three items be taken up at the same time.

Location of the above areas were pointed out to members of the board on a map provided by Mr. Detor.

Mr. Detor said that Item F-1-C was for pasture use; Item F-1-D concerned a permit for agricultural production and Item F-1-E is a request to build a polo facility in an area which was formerly under lease to Mrs. Marks, whose lease was cancelled.

In any event, Mr. Detor said that there appears to be somewhat of a conflict as far as the boundaries and staff would like to have this resolved.

He explained that Mr. Omizo would like to expand his area of production and would also like to have a part of the area which the Polo people have requested. Because of the heavy vegetative growths, Mr. Detor said that it is difficult to estimate or take measurements of distances so the parties concerned felt that a mutually agreeable boundary can be determined after the existing vegetation has been cleared.

Mr. Ono asked how many people were on the waiting list for lands in Waimanalo.

Mr. Detor said about two or three.

It was felt by the board that those people on the waiting list should be accommodated before letting the Omizo's have additional land.

Mr. Detor suggested deferring Mr. Omizo's request until those on the waiting list are accommodated.

Mr. Detor said that one of the complications here is that the other applicants are requesting land for pasture use and the Omizo's are talking about agriculture production and ag use has always been given preference over pasture use.

ACTION

Mr. Ing moved for approval of Item F-1-e. Mr. Yagi seconded and motion carried unanimously. Items F-1-C and and F-1-D were deferred. (See Page 10 for amended action on F-1-E.)

ITEM H-2

CDUA FOR SUBDIVISION OF STATE LANDS FOR A GRANT OF EASEMENT AT DIAMOND HEAD, OAHU (ALBERT WILLIAM BARLOW).

Mr. Kealoha said that according to staff's report, about two years ago staff was notified by the applicant that these so-called violations had occurred since 1954. The applicant has been there for over thirty years, well ahead of the establishment of the Diamond Head Monument, the transfer of title, the Conservation Regulation No. 4, and everything else. Yet, in the last thirty years no one has served notice to the applicant that he may be in violation.

Now that he wants to sell the property primarily because of the death of his wife, he informs the board that there is a violation 1) that he had a permit rather than an easement. No specific boundaries were delineated so he was really not aware that part of his structure was on conservation lands.

Mr. Kealoha said that the last paragraph on page 4 states as follows:  
"Chapter 171-44, HRS, provides for a twenty (20) year maximum lease term, whereas Chapter 171-13, HRS, provides for an easement granted in perpetuity, reserving for the State the right to terminate the easement upon termination of the purpose for which the easement was granted. Yet staff comes in and recommends to issue the applicant an easement for twenty years and at the end of twenty years the area to be reverted back to its original condition, which means tearing down his house. He's been there for thirty years, we want to give him another twenty years more and then tell him to tear down his house.

Mr. Kealoha said that what bothered him was that we cite a section of the HRS, then ignore it and move on to a different recommendation. He wondered if under today's condition, because of the fact that this is a part of the Diamond Head Monument, whether or not we can dispose in fee that portion of State land. Mr. Kealoha asked Mr. Soh how they had arrived at Recommendation No. 3.

Mr. Soh it was because of comments received from the Division of State Parks.

Mr. Kealoha said that he could understand fining Mr. Barlow, but not Condition No. 3. He felt that staff should be more consistent.

Mr. Yagi felt that the applicant should go to the LUC to have the boundary changed.

Mr. Ing said that he was more concerned about why the violation occurred in the first place.

Mr. Soh said that the records were not up to date on that.

Mr. Ono said that he would like to see this item deferred and get the Division of Land Management directly involved.

ACTION

Mr. Kealoha moved to approve the subdivision for a grant of easement subject to the conditions listed in the submittal except Condition No. 3, which is to be deleted. Mr. Higashi seconded, motion carried unanimously.

Mr. Ono asked that Messrs. Soh, Detor and Nagata get together and come up with some kind of a plan eventually to have the entire slope surveyed to see if we may have similar kinds of encroaching.

ITEM H-6

CDUA FOR A NONCONFORMING SINGLE FAMILY RESIDENTIAL USE AT THE VOLCANO HOUSE LOTS, VOLCANO, HAWAII (DAN ECKLUND & ROBERTA M. SOTO-ECKLUND).

ACTION

Mr. Higashi moved to approve this application for a nonconforming single family residential use of the Limited Subzone of the Conservation District on TMK: 9-9-01:30 at Volcano House Lots, Volcano, Hawaii, subject to the conditions listed in the submittal. Mr. Yagi seconded and motion carried unanimously.

ITEM B-1

FILLING POSITION NO. 27167, FISHERY TECHNICIAN III, IN THE DIVISION OF AQUATIC RESOURCES (OAHU).

ACTION

Mr. Ing moved to approve the appointment of Ms. Priscilla R. Banis to Position No. 27167, Fishery Technician III. Mr. Yagi seconded and motion carried unanimously.

- ITEM B-2 FILLING OF A TEMPORARY FISHERY AIDE I POSITION NO. 32694, IN THE DIVISION OF AQUATIC RESOURCES (OAHU).
- ACTION Mr. Ing moved to approve the appointment of Lori E. Kishimoto to the temporary Fishery Aid I, Position No. 32694. Mr. Yagi seconded and motion carried unanimously.
- ITEM D-1 FILLING OF ENGINEERING TECHNICIAN VII POSITION, DIVISION OF WATER AND LAND DEVELOPMENT (OAHU).
- ACTION Mr. Ing moved to approve the appointment of Mr. Richard Jinnai to Position No. 11252, Engineering Technician VII effective August 1, 1984.
- ITEM E-1 REQUEST TO USE THE OLD KONA AIRPORT STATE PARK IN KAILUA-KONA, HAWAII FOR A FUND RAISING CARNIVAL.
- (See Page 2 for Action)
- ADDED ITEMS Upon motion by Mr. Ing and a second by Mr. Higashi, the board voted unanimously to add the following items to the agenda:
- ADDED ITEM E-2 FILLING OF PARK CARETAKER II, POSITION NO. 26472, SAND ISLAND STATE RECREATION AREA, OAHU PARK SECTION.
- ACTION Mr. Yagi moved to approve the selection of Mr. Lance Imura to fill the vacant Park Caretaker II, Position No. 26472 at Sand Island State Recreation Area. Mr. Zalopany seconded and motion carried unanimously.
- ADDED ITEM E-3 FILLING OF CLERK TYPIST III POSITION NO. 12969, STAFF AND SUPPORTIVE SERVICES, OAHU ADMINISTRATION OFFICE.
- ACTION Mr. Yagi moved to approve the appointment of Mrs. Shoko Carlson to fill Position No. 12969, Clerk Typist III, assigned to Staff and Supportive Services. Mr. Zalopany seconded and motion carried unanimously.
- ITEM F-1 DOCUMENTS FOR CONSIDERATION
- Item F-1-A HIROSHIMA SHIMA APPLICATION FOR REVOCABLE PERMIT, MANOWAIOPAE HOMESTEADS, NO. HILO, HAWAII, BEING TMK: 3-6-11:1 containing 0.773 acre for gardening purposes. Rental: \$10.00 per mo. commencing August 1, 1984.
- Item F-1-B HAROLD CABBAB APPLICATION FOR REVOCABLE PERMIT COVERING PORTION OF LOT 62, HANAPEPE TOWN LOTS, 1ST SERIES, HANAPEPE, WAIMEA, KAUAI, BEING TMK: 1-9-10:POR. 32, containing 2,057 sq. ft., more or less for residential use. Rental: \$57.00 per mo. commencing August 1, 1984.
- Item F-1-C ROBERT LEE APPLICATION FOR REVOCABLE PERMIT, WAIMANALO, OAHU.
- Item F-1-D HERBERT & KENNETH OMIZO APPLICATION FOR REVOCABLE PERMIT, WAIMANALO, OAHU.
- Item F-1-E WAIMANALO POLO CLUB APPLICATION FOR REVOCABLE PERMIT, WAIMANALO, OAHU.
- (See Page 5 for Action on Item Nos. F-1-C, D and E)
- Item F-1-F HANAHULI ASSOCIATION, LTD. APPLICATION FOR LAND PATENT IN CONFIRMATION OF LCA NO. 5043, KOALI, HANA, MAUI BEING TMK: 1-5-09:por. 17 containing 1.40 acres.
- Item F-1-G HANA RANCH, INC. APPLICATION FOR LAND PATENT IN CONFIRMATION OF LCA NO. 4843, ALEAMAI, HANA, MAUI CONTAINING 4.88 ACRES.

- Item F-1-H HANA RANCH, INC. APPLICATION FOR LAND PATENT IN CONFIRMATION OF LCA NO. 4842, ALEAMAI, HANA, MAUI CONTAINING 5.10 ACRES.
- Item F-1-I HANA RANCH, INC. APPLICATION FOR LAND PATENT IN CONFIRMATION OF LCA NO. 4927, AHUPUAA OF PALEMO, HANA, MAUI CONTAINING 2.50 ACRES.
- Item F-1-J HANA RANCH, INC. APPLICATION FOR LAND PATENT IN CONFIRMATION OF LCA NO. 5180, AHUPUAA OF SO. NIUMALU, HANA, MAUI CONTAINING 17.17 ACRES.
- Item F-1-K SUMIE LI APPLICATION FOR REVOCABLE PERMIT PORTION OF LAND ADJOINING NUUANU STREAM, PAUOA, HONOLULU, OAHU, BEING TMK: 2-2-10:34 AND POR. 21 CONTAINING 5,000 SQ. FT. FOR PARKING PURPOSES. RENTAL: \$31.00 PER MO. COMMENCING AUGUST 1, 1984.
- Item F-1-L KIYOICHI YAMAGUCHI, TRUSTEE IN DISSOLUTION OF YAMAGUCHI ENTERPRISES, INC. REQUEST FOR CONSENT TO ASSIGN MORTGAGE OF G. L. NO. S-4417, PAHOA AG. PARK, KEONEPOKO IKI,, PUNA, HAWAII TO KIYOICHI YAMAGUCHI, PATSY TOSHIKO YAMAGUCHI, AND CLIFFORD YAMAGUCHI.
- Item F-1-M ELIZABETH B. PERRY REQUEST FOR RIGHT OF ENTRY TO FORMER ARMY CHAPEL BUILDING AT FORT RUGER, HONOLULU, OAHU FOR WEDDING CEREMONY PURPOSES.
- ACTION Mr. Yagi moved for approval of Item Nos. F-1-A, F-1-B and F-1-F through F-1-M as submitted. Mr. Zalopany seconded and motion carried unanimously. See Page 5 for Action on Items F-1-C, D & E.
- ITEM F-2 RESUBMITTAL - F. NEWELL BOHNETT APPLICATION FOR EASEMENT, PUUANAHULU, NO. KONA, HAWAII.
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- (See Page 3 for Action)
- ITEM F-3 RUSSELL A. PACHECO APPLICATION TO PURCHASE ABANDONED WATER MAIN RIGHT OF WAY, PIIHONUA, SO. HILO, HAWAII.
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- ACTION Finding the subject area to be physically unsuitable for development as a separate unit because of its size and shape and by definition is a remnant, the board, upon motion by Mr. Higashi and a second by Mr. Yagi voted unanimously to approve the direct sale of the remnant to the applicant subject to the terms and conditions listed in the submittal.
- ITEM F-4 RESUBMITTAL - BRILHANTE-HAWAII, INC. APPLICATION FOR WATERLINE EASEMENT, PONAHAHAWAI, SO. HILO, HAWAII.
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- (See Page 4 for Action)
- ITEM F-5 STAFF RECOMMENDATION FOR AMENDMENT OF PREVIOUS BOARD ACTION AUTHORIZING SALE OF LAND LICENSE TO HANA EQUIPMENT CO., LTD. (6/22/84, AGENDA ITEM F-6), HANA, MAUI.
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- ACTION Upon motion by Mr. Yagi and a second by Mr. Zalopany, the board unanimously voted to amend its action taken at its June 22, 1984 meeting under Agenda Item F-6 by:
1. Revising Recommendation "C" to read as follows:
    - C. Approve the direct sale of a land license together with a twenty (20)-ft.-wide road easement to Hana Equipment Co., Ltd., covering the above-described area under the foregoing terms and conditions which are by reference incorporated herein, in addition to the following terms and conditions:



2. Adding the following Recommendation "D".:

- D. Approve the withdrawal of the subject 14-acre portion from General Lease No. S-4524 issued to Hazel Oliveira and Louis J. Abreu dba H & E Ranch without any reduction in the annual lease rent presently charged the lessees.

ITEM F-6

EDITH S. MITSUNAGA REQUEST FOR CHANGE OF PERMITTEE DESIGNATION, REVOCABLE PERMIT NOS. S-4366 & S-5869, SAND ISLAND, HONOLULU, OAHU.

ACTION

Mr. Kealoha moved to authorize cancellation of Revocable Permit Nos. S-4366 and S-5869 and issuance of new permits covering the same areas and under the same terms and conditions to Edith S. Mitsunaga. Mr. Higashi seconded motion carried unanimously.

ITEM F-7

HILTON HAWAIIAN VILLAGE HOTEL REQUEST FOR RIGHT OF ENTRY, FORT DERUSSY BEACH, HONOLULU, OAHU.

ACTION

Mr. Ing moved to approve a right of entry to Hilton Hawaiian Village for the use of some 6,000 sq. ft. of beach area fronting Ft. DeRussy for the purposes of arranging volleyball playing in connection with the Advanced Micro Devices International Sales Conference on August 6 and 9, 1984, subject to the terms and conditions listed in the submittal. Motion carried unanimously with a second by Mr. Kealoha.

ITEM F-8

DEPARTMENT OF TRANSPORTATION REQUEST FOR CONVEYANCE OF WAIANAE ROAD-WAIPAHU CUTOFF TO CITY AND COUNTY OF HONOLULU, EWA, OAHU.

ACTION

Mr. Ing moved to approve the conveyance of the roadway lots listed in the submittal to the City and County of Honolulu. Mr. Kealoha seconded and motion carried unanimously.

ITEM F-9

CITY & COUNTY OF HONOLULU REQUEST FOR EXECUTIVE ORDER SETTING ASIDE LAND AND EASEMENTS FOR THE NANAKULI SEWAGE PUMP STATION, NANAKULI, WAIANAE, OAHU.

ACTION

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

- A. Approve of and recommend to the Governor the issuance of an Executive Order to effectuate:
1. Withdrawal of 7,651 sq. ft. (Parcel 1) from the operation of Governor's Executive Order No. 104.
  2. Reset aside the 7,651 sq. ft. (Parcel 1) to the City and County of Honolulu, Department of Public Works for the Nanakuli Sewer Pump Station project, subject to disapproval by the Legislature by two-thirds vote of either the Senate or the House of Representative or by majority vote of both, in any regular or special session next following the date of setting aside or withdrawal, or withdrawal and setting aside.
- B. Approve to grant the City and County of Honolulu perpetual non-exclusive easements for access, utility and slope purposes for parcels A-U-1 and S-1, subject to the terms and conditions listed in the submittal.
- C. Pending the reset aside, approve to grant the applicant immediate construction right-of-entry to the subject site, subject to the terms and conditions listed in the submittal.
- D. Authorize the City and County of Honolulu to obtain the necessary subdivision approval on our behalf.

ITEM F-10

STAFF RECOMMENDATION FOR CANCELLATION OF SSA NO. S-5418 COVERING LOT 29 OF THE HANAPEPE HEIGHTS HOUSE LOTS, HANAPEPE, KAUAI.

Mr. Detor explained that Mr. and Mrs. Edward Banasihan had paid for their lot in full but were unable to get financing to build their house. Staff, accordingly, requested cancellation of SSA S-5418 effective October 21, 1983.

The board did not take action on staff's request inasmuch as their attorney James Wada verbally requested at the time of the meeting that a contested case hearing be held on the forfeiture action. This request was subsequently forwarded to the Attorney General's Office for review. As a result of the AG's review, the Banasihan's were notified by certified letter dated July 9, 1984 that their request for a contested case hearing was being denied and also that we were unable to grant them additional time in which to build a qualified residence on Lot 29. In addition, they were extended one last offer to repurchase their lot with a July, 1984 deadline to accept the offer. Mr. Detor said that the deadline was to expire this coming Monday so he had called Honolulu this morning to see if any word was received from Mr. and Mrs. Banasihan and was told that they did call and said that they would accept the State's offer to repurchase their lot. Inasmuch as the problem is now resolved, Mr. Detor asked that staff's request be withdrawn.

ACTION Withdrawn.

ITEM F-11

STAFF RECOMMENDATION FOR SALE OF THREE RESIDENTIAL HOUSELOTS ON OVER-THE-COUNTER BASIS, KEKAHA GARDENS SUBDIVISION, KEKAHA, KAUAI.

ACTION

Mr. Zalopany moved to authorize the disposition of those lots which were unsold at the public auction of June 7, 1984, at the previous upset prices, the 30-day period to commence July 27, 1984. Mr. Yagi seconded and motion carried unanimously.

ITEM F-12

DEPARTMENT OF SOCIAL SERVICES REQUEST FOR APPROVAL OF MODIFICATION OF LEASE COVERING OFFICE SPACE AT 770 KAPIOLANI BLVD., HONOLULU, OAHU.

DSSH has requested that their lease be amended by increasing the square foot area by 2,300 sq. ft., thereby making a new total of 5,382 sq. ft. and increasing the rent from \$3,236.10 to \$5,651.10 per month effective June 4, 1984.

ACTION

Mr. Ing moved to approve the amendment of the lease as requested by the Department of Social Services and Housing. Mr. Kealoha seconded and motion carried unanimously.

ITEM F-13

DEPARTMENT OF HEALTH REQUEST FOR APPROVAL OF RENEWAL OF LEASE AGREEMENT COVERING OFFICE SPACE AT 2131 KALAKAUA AVENUE, SUITE 210, HONOLULU, OAHU.

ACTION

Mr. Ing 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. Kealoha seconded and motion carried unanimously.

ITEM F-1-E

With respect to Item F-1-e, Mr. Kealoha asked whether a right of entry had been requested in order that they may start cleaning up.

Mr. Detor said yes.

Mr. Ing amended his earlier motion by authorizing both a right of entry and a permit to the Waimanalo Polo Club.

- ITEM H-1      ALLEGED VIOLATION OF LAND USE WITHIN THE CONSERVATION DISTRICT AT MOOMOMI BEACH IN KALUAKOI, WEST MOLOKAI, COUNTY OF MAUI.
- ACTION      Upon motion by Mr. Yagi and a second by Mr. Zalopany, it was found by the board that there is insufficient evidence of a violation of Title 13, Chapter 2, Administrative Rules which governs land uses in the Conservation District.
- Mr. Ono asked if the complainant had gone on site with any staff member.
- Mr. Soh didn't know.
- Motion carried. Messrs. Ono and Ing voted no. Mr. Ono was not totally convinced that we had all the information.
- ITEM H-2      CDUA FOR SUBDIVISION OF STATE LANDS FOR A GRANT OF EASEMENT AT DIAMOND HEAD, OAHU, (ALBERT WILLIAM BARLOW).
- (See Page 6 for Action)
- ITEM H-3      CDUA FOR A 60-SQ. FT. CONCRETE PAVING AT TANTALUS, OAHU, TMK: 2-5-12:13 (MICHAEL SPEIDEL).
- ACTION      Mr. Ing moved to approve the applicant's request to repair driveway on property designated as TMK: 2-5-12:13 on Tantalus, Oahu, subject to the terms and conditions listed in the submittal. Mr. Kealoha seconded and motion carried unanimously.
- ITEM H-4      REQUEST FOR A TIME EXTENSION ON A PREVIOUSLY APPROVED CDUA FOR A SINGLE FAMILY RESIDENCE ON TMK: 1-5-87:13 at PUNA, HAWAII.
- ACTION      Mr. Higashi moved to authorize this time extension request for CDUA HA-1546 subject to the conditions listed in the submittal. Mr. Yagi seconded and motion carried unanimously.
- ITEM H-5      AMENDMENT TO AN APPROVED CDUA FOR THE INSTALLATION OF SWIMMING POOL, A GARDEN SPRINKLER SYSTEM, AND GARDEN STORAGE HOUSE AT PAHOA, PUNA, HAWAII, TMK: 1-5-9:39 (JERRY E. MERRILL).
- ACTION      Mr. Higashi moved to approve the installation of an above-ground swimming pool, above-ground sprinkler system, and construction and use of a 15' x 15' garden storage shed, on property identified as TMK: 1-5-9:39 at Puna, Hawaii in the Resource Subzone of the Conservation District, subject to the terms and conditions listed in the submittal. Mr. Yagi seconded and motion carried unanimously.
- ITEM H-6      CDUA FOR A NONCONFORMING SINGLE FAMILY RESIDENTIAL USE AT THE VOLCANO HOUSE LOTS, VOLCANO, HAWAII (DAN ECKLUND & ROBERTA M. SOTO ECKLUND).
- (See Page 6 for Action)
- ITEM H-7      REQUEST FOR PUBLIC HEARING FOR USE OF LAND WITHIN CONSERVATION DISTRICT.
- ACTION      Mr. Ing moved to authorize and allow the Chairperson to schedule public hearing for CDUA OA-1614 for Makani Kai Marina at Kaneohe, Oahu and also authorize the Chairperson to prepare and forward the hearing notice to the applicant and other affected persons. Mr. Higashi seconded and motion carried unanimously.
- ITEM H-8      STATUS REPORT: RESOLVED ISSUES ON CDUA HA-1573 FOR THE UH'S MAUNA KEA MANAGEMENT PLAN.
- (See Page 4 for Action)

- ITEM J-1      APPLICATION FOR ISSUANCE OF REVOCABLE PERMIT 3896, ETC., AIRPORTS DIVISION.  
ACTION      Unanimously approved as submitted. (Yagi/Zalopany)
- ITEM J-2      APPLICATION FOR ISSUANCE OF REVOCABLE PERMIT 3904, LIHUE AIRPORT, KAUAI (UNITED AIRLINES, INC.).  
ACTION      Unanimously approved as submitted. (Zalopany/Yagi)
- ITEM J-3      APPLICATION FOR ISSUANCE OF REVOCABLE PERMIT 3906, NON-CONFORMING USE, INTERNATIONAL AIRPORT, OAHU (DAN'S DIVE SHOP, INC.).  
ACTION      Unanimously approved as submitted. (Ing/Kealoha)
- ITEM J-4      APPLICATION FOR ISSUANCE OF REVOCABLE PERMIT 3875, NONCONFORMING USE, KAHULUI AIRPORT, MAUI (M. FUNES CONCRETE, INC.).  
ACTION      Unanimously approved as submitted. (Yagi/Ing)
- ITEM J-5      SALES OF LEASE BY PUBLIC AUCTION, HARBORS DIVISION, PIER 5, HONOLULU HARBOR, OAHU.  
ACTION      Unanimously approved as submitted. (Ing/Higashi)
- ITEM J-6      CONSENT TO ASSIGNMENT OF SUBLEASE REPRESENTING A PORTION OF THE PREMISES OF LEASE NO. 42, PIER 35, HONOLULU HARBOR, OAHU (NATIONAL COMPANY, INC.).  
ACTION      Unanimously approved as submitted. (Ing/Higashi)
- ITEM J-7      ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KEEHI SMALL BOAT HARBOR, HONOLULU, OAHU (JAN K. HOSKINSON).  
ACTION      Unanimously approved as submitted. (Ing/Kealoha)
- ITEM J-8      ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, NAWILIWILI HARBOR, KAUAI (DON & ANN MOSES, DBA LADY ANN CHARTERS).  
ACTION      Unanimously approved as submitted. (Zalopany/Yagi)
- ITEM J-9      ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KEEHI LAGOON COMMERCIAL SUBDIVISION, HONOLULU, OAHU (IMPERIAL TRUCKING, INC.).  
ACTION      Unanimously approved as submitted. (Yagi/Zalopany)
- ITEM J-10      ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KEEHI LAGOON COMMERCIAL SUBDIVISION, HONOLULU, OAHU (ACTION DISPOSAL, INC.).  
ACTION      Unanimously approved as submitted. (Ing/Kealoha)
- ITEM J-11      ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, MAALAEA SMALL BOAT HARBOR, MAUI (L. KIRK BABCOCK).  
ACTION      Unanimously approved as submitted. (Yagi/Zalopany)
- ITEM J-12      CONTINUANCE OF REVOCABLE PERMITS H-80-854, ETC., HARBORS DIVISION.  
ACTION      Mr. Yagi moved for approval as submitted. Motion carried with a second by Mr. Zalopany.  
Mr. Ing was disqualified from voting on this item.

- ITEM J-13      ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, NEAR PIER 35, HONOLULU, OAHU (FAMILEE ENTERPRISES, INC.).  
ACTION      Unanimously approved as submitted. (Ing/Kealoha)
- ITEM J-14      USE OF HARBORS DIVISION FACILITIES, PIER 9, PASSENGER TERMINAL, HONOLULU OAHU (VELMA P. KEKIPI).  
ACTION      Unanimously approved as submitted. (Ing/Kealoha)
- ITEM J-15      USE OF HARBORS DIVISION FACILITIES, PIER 9 AND 10 PASSENGER TERMINAL, HONOLULU, OAHU (MUSCULAR DYSTROPHY ASSOCIATION).  
ACTION      Unanimously approved as submitted. (Yagi/Zalopany)
- ITEM J-16      USE OF HARBORS DIVISION FACILITIES, IRWIN PARK, PARKING AREA, HONOLULU, OAHU (HAWAII STATE AFL-CIO).  
ACTION      Unanimously approved as submitted. (Yagi/Zalopany)
- ITEM J-17      LEASE, GENERAL LYMAN FIELD, HAWAII (U.S.A., 201ST COMBAT COMMUNICATION SQUADRON, HAWAII AIR NATIONAL GUARD (HANG)).  
ACTION      Unanimously approved as submitted. (Higashi/Zalopany)
- ADJOURNMENT:      There being no further business, the meeting was adjourned at 10:55 A.M.

Respectfully submitted,



Mrs. LaVerne Tirrell  
Secretary

APPROVED:



SUSUMU ONO  
Chairperson

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