

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

DATE: August 24, 1984  
TIME: 9:00 A.M.  
PLACE: Kalanimoku Building  
Room 132, Board Room  
1151 Punchbowl Street  
Honolulu, Hawaii

ROLL  
CALL

Vice-Chairperson J. Douglas Ing 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. Thomas Yagi  
Mr. Moses W. Kealoha  
Mr. Leonard H. Zalopany  
Mr. J. Douglas Ing

Absent & Excused

Mr. Roland Higashi  
Mr. Susumu Ono

STAFF

Mr. Henry Sakuda  
Mr. Libert Landgraf  
Mr. Manabu Tagamori  
Mr. Ralston Nagata  
Mr. James Detor  
Mr. Gordon Soh  
Mr. Charles Neumann  
Ms. Patty Edwards  
Mrs. LaVerne Tirrell

OTHERS

Deputy Atty. Gen.  
Mr. Peter Garcia, DOT  
Dr. Harold Masumoto (Item H-1)  
Ms. Portia Hebron (Item B-2)  
Messrs. Greff, Hegarty and  
Senator Abercrombie (Item E-1)  
Mr. Vernon Char (Item F-1-G)  
Mr. Kent Keith (Items F-19 and F-20)  
Mr. Pete Moynahan (Item H-2)  
Mr. Randall Hee (Item H-6)

MINUTES:

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

ADDED  
ITEMS

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

Division of State Parks

Item E-2 -- Filling of Groundskeeper I Position No. 30241, Waianapanapa State Park, Maui Park Section.

Division of Land Management

Item F-1-j -- Noboru Nakagawa, et al Request for Consent to Mortgage, G. L. No. 2908 Covering Lokoaka Fish Pond, Keaukaha, Waiakea, So. Hilo, Hawaii.

Item F-24 -- Use of State Lands in North Kohala, Hawaii for Emergency Cattle Grazing.

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

ITEM H-1

CDUA FOR CONSTRUCTION OF THE UNIVERSITY OF CALIFORNIA TEN-METER TELESCOPE; TEMPORARY USE OF THE CONCRETE BATCH PLANT; AND EXPANSION OF HALE POHAKU AT MAUNA KEA, HAWAII (UH).

Mr. Soh said that since the submittal was prepared, staff was advised by Mr. Bob Lee of the Natural Area Reserve System that Condition No. 12 is superfluous.

With respect to Conditions 8 and 9, Mr. Kealoha asked that the Divisions of Forestry and Parks be notified before the removal of the mamane and ulei trees.

ACTION

Mr. Kealoha moved to approve this application for construction of the University of California's Ten Meter Telescope; temporary use of the concrete batch plant and expansion of Hale Pohaku at Mauna Kea, Hawaii, subject to the conditions listed in the submittal, except Condition 12, which is to be deleted and, with respect to Conditions 8 and 9, that the Divisions of Forestry and Wildlife and State Parks be notified before the removal of the mamane and ulei trees. Mr. Zalopany seconded and motion carried unanimously.

Mr. Soh asked whether a new condition would be added wherein the Divisions of Forestry and Parks would be notified prior to the removal of the mamane and the ulei trees.

Mr. Ing said that this was an amendment to Condition No. 8.

ITEM F-19

DPED REQUEST FOR ACQUISITION OF LEASE COVERING SUITE 1280 OF THE CENTRAL PACIFIC PLAZA, HONOLULU, OAHU.

Mr. Ing stated that the board has always been concerned about the high cost of renting space and this particular space is renting for \$2.03 per sq. ft. which is probably the highest which has ever been submitted for approval.

Mr. Ing asked what efforts had been made to locate other space and why this particular space is necessary.

Mr. Keith said that they had been notified by DAGS that they would have to vacate space in the old Federal Building and they have also been given responsibilities which require them to hire more people and finally they have just gotten a reorganization of the department approved by the governor so they are in the process of trying to move, review and allocate space for effective functioning of the department. In that process they have looked around at different buildings which are available and have compared prices. Some of the prices they found were lower but they were either unimproved or they would have had to take up a lot more space than needed in order to fit their staff in. In this particular instance, the Central Pacific Building abuts their building and the difference is that in the two leases that are before the board today one is on the 12th floor and one is on the 9th. Their pricing policy is that if you move above the 10th floor you pay more per sq. ft. Mr. Keith said that they were not able to get space below the 10th floor for the Natural Energy Lab. They had space which was too large and DPED did not want to pay for the extra square footage so that is why the request is structured the way it is.

ACTION

Mr. Kealoha moved for approval subject to the review and approval of the Lease Agreement by the Office of the Attorney General. Mr. Zalopany seconded and motion carried unanimously.

ITEM F-20

DPED REQUEST FOR ACQUISITION OF LEASE COVERING SUITE 919 OF THE CENTRAL PACIFIC PLAZA, HONOLULU, OAHU.

ACTION

Mr. Yagi moved for approval subject to the review and approval of the Lease Agreement by the Office of the Attorney General. Mr. Zalopany seconded and motion carried unanimously.

ITEM F-1-G

FOREMOST DAIRIES, INC. REQUEST FOR CONSENT TO SUBLEASE PORTION OF G. L. NO. S-4101, WAIMANALO, OAHU.

Foremost Dairies, Inc. has been plagued with waste disposal problems at its dairy site in Waimanalo for many years.

They would like to sublease to Universal Synergetics, Inc. (UNISYN), who proposes to take the dairy waste and convert it to useful and economic products.

ACTION

Mr. Yagi moved to approve the subject sublease under the terms and conditions listed in the submittal, together with an added condition (No. 5) that this be subject also to any conditions deemed necessary by the Chairman. Mr. Zalopany seconded and motion carried unanimously.

ITEM E-1

REQUEST FOR SPECIAL USE PERMIT TO MAKE COMMERCIAL TOUR BOAT LANDINGS ON NA PALI COAST STATE PARK, KAUAI.

Mr. Nagata said that Mr. Clancy Greff, dba Na Pali Zodiac has been operating a commercial tour boat operation in the area under Special Use Permit No. 81-02 issued May 4, 1981. He has also been assisting the parks operation by hauling supplies and removing rubbish on a space available basis.

Mr. Tom Hegarty is requesting that he be allowed to provide a similar service.

In reviewing Mr. Hegarty's request, staff felt that they would also like to make some changes to Mr. Greff's permit conditions so that it would be in line with today's environmental situation. It is staff's intent to have both permits subject to the same conditions.

Mr. Ing asked what it would take to amend the present Management Plan.

Mr. Nagata felt that minor changes to the plan could be done by the Board.

Mr. Zalopany asked that this matter be deferred to the next meeting of the board.

Mr. Kealoha also asked that the Division of State Parks come back with a clearer definition of the net effect of the present operator as opposed to the new application.

Mr. Ing informed both Messrs. Greff and Hegarty that the board intended deferring this matter until both the effect on Mr. Greff's operation and the carrying capacity to be brought in by boat can be reassessed.

Mr. Hegarty was not happy with the board's decision but felt that he was not in any position to voice any dissent to the matter -- as long as it is not denied. Mr. Hegarty said that he has been in operation longer than Mr. Greff so this is not a matter of cutting into his business which is absolutely thriving. He said that the recommendation is to split the time allowed on the beach at Nualolo between himself and Mr. Greff. The board would grant him permission to use the beach in the morning and Mr. Greff in the afternoon. As far as Kalalau, although he felt that he should have a right to take campers in, the primary concern of his business is day use -- scenic tours for the tourists rather than camping transportation.

Mr. Ing asked whether the campers and the day users fall within the 80 carrying capacity.

Mr. Nagata said that the 80 carrying capacity has to do with the total amount of campers.

Mr. Ing asked whether there was any carrying capacity for day users covered in the Management Plan.

Mr. Nagata didn't think so but said that he would check to make sure.

Mr. Ing asked also whether Mr. Nagata would be in a position to return with recommendations on both the Management Plan and the quota allowed to be brought in by boat for Kalalau and the effect that Mr. Hegarty's permit would have on Mr. Greff's operation by the next meeting?

Mr. Nagata said yes.

Mr. Yagi asked what would happen should a third party come in with an application.

Mr. Nagata said that one of the reasons Mr. Hegarty's application has been held back is because there has been some talk about possibly working out some kind of a longer-term lease arrangement. However, if the business is indeed thriving, he could see where other operators may want to come into the area and, at such point and time, unless whatever limitations there are can be redistributed, this kind of a service would probably have to be let on a bid basis.

Mr. Hegarty asked if there was anything he could discuss with the board members in order to clarify some of the points raised. He felt that he and Mr. Greff were the only two in a position to explain what is happening in the area inasmuch as they have been operating their business for ten years. Himself on the open ocean and Mr. Greff for landings. He said that his application for landings has been ongoing since 1978.

Mr. Ing felt that Messrs. Nagata, Greff and Hegarty should get together to work out some kind of solution to the problems.

Mr. Greff said that his only concern is that he has not seen the permit that is being discussed this morning so he would be happy to discuss this with Mr. Nagata so he could see what is in the permit.

Mr. Kealoha felt that since all parties were present, rather than defer the item to the next meeting maybe it could be deferred to the end of the meeting to see if it could be resolved. If that's not possible, then it can be deferred to the next meeting.

Mr. Ing denied Senator Abercrombie's request to testify inasmuch as this was not a public hearing.

ACTION

Deferred to the end of the Agenda. (See Page 18 for Action)

ITEM H-6

CDUA FOR PROPOSED BEACH LANDING ACTIVITIES AT WAINIHA BEACH, KAUAI, HAWAII  
TMK: 5-8-6:30 (RANDALL HEE).

Mr. Soh explained that at the present time the applicant contemplates landing approximately 6,700 tons of construction material and equipment and would like approval from the board to transport this material to the construction site through an ocean route using Wainiha Beach as a landing site. No equipment or material of any kind will be stored or stockpiled on the beach.

ACTION

Mr. Zalopany moved for approval of this application subject to the conditions listed in the submittal.

When asked by Mr. Ing whether he had questions regarding the submittal, Mr. Hee said that his only question was regarding Recommendation No. 4 which requires him to get approval from the Division of Land Management. He asked whether this approval would require another board meeting.

Mr. Detor explained that the approval cannot be given simultaneously inasmuch as staff does not know ahead of time whether the board will accept the CDUA or not. The best staff can do is come back at the next meeting if the CDUA is approved.

Before acting on Mr. Zalopany's motion, Mr. Soh called to the board's attention that the county has reservations about this landing and has tried to suggest an overland route. Accordingly, Mr. Soh proposed that the board authorize the chairman to review and authorize any overland route to which the county and the applicant may mutually agree.

Mr. Ing could not understand why the chairman would be involved with the overland route.

Mr. Soh said that the only thing is that at this time the details of an overland route are uncertain and the board may wish to maintain a certain amount of control over any kind of understanding reached by the applicant and the county.

Mr. Ing said that he would be against that. He felt that if they are going to use an overland route which would entail use of certain beaches then he would want it to come back to the board.

Mr. Hee said that during the analysis of the submittal the Planning Office did contact them about the overland route and he did send a description. They also requested that portions of the overland route which cross conservation lands be included with this. He also noticed that the recommendation includes a mauka land route traversing TMK 5-3-1:7 and 5-4-03:7, Anini, Kauai and Hanalei Beach. Mr. Hee said that it is their intention to use an overland route when they can but some things cannot be delivered overland.

Mr. Hee stated further that Ann Shimazu had told him that if an overland route is to be used then the application would need to be amended so he did send a letter to the Chairman requesting to amend the application. This letter was dated May 14, 1984.

Inasmuch as the amendment had not been taken up at the public hearing, Mr. Ing was not sure that it could be considered at this meeting.

Mr. Ing said that one way to approach this is to act on the beach landing today and defer the amended portion. However, he wanted clarification since, at the time of the public hearing, the application had not been amended, whether that can be included for disposition.

Mr. Hee said that deferment of the overland route portion of the submittal would be fine with him.

ACTION

Mr. Zalopany withdrew his earlier motion and moved instead to approve the application for beach landing activities only at the Wainiha Beach, Kauai, also known as TMK 5-8-6:30. Mr. Yagi seconded and motion carried unanimously.

Inasmuch as the original application did not include the overland route, Deputy Attorney General Ed Watson suggested that the applicant come back to the board with a separate application for the overland route.

ITEM H-5

CDUA FOR A SINGLE FAMILY RESIDENCE AT PUAKEA BAY, NO. KOHALA, HAWAII,  
TM 5-6-01:POR. 24 (GEORGE ISSACS).

The applicant proposes to develop a residential dwelling on a small portion of Lot C-1 facing the ocean, together with a guest cottage and a swimming pool. Future consideration will also be given to the possible addition of a kennel for two to three dogs and a corral.

Mr. Kealoha moved to approve as submitted by staff, subject to those conditions listed in the submittal.

Mr. Ing said that he didn't remember ever seeing a request before the board for a residence and a guest cottage. It seemed more like having two dwellings on one lot.

Mr. Soh said that it has been a practice of the board not to allow more than one dwelling per lot.

Mr. Ing said that as far as he knew this practice has not changed.

ACTION

Mr. Kealoha withdrew his earlier motion to approve and asked instead that this item be deferred to the next meeting scheduled for September 14, 1984, at which time staff can come back to the board with a clarification regarding the guest cottage.

Mr. Yagi asked that staff check their policies regarding guest cottages and also bring this information back to the board.

ITEM H-4

CDUA FOR A PROPOSED GARDEN PARK AND DESIGNATION OF SHORELINE EASEMENT AT  
PUAKEA BAY RANCH, NO. KOHALA, HAWAII, TMK 5-6-01:POR. 24 (GEORGE ISSACS).

ACTION

Mr. Kealoha moved to approve this application for the designation of an eight-foot wide shoreline path and the designation of a 20-foot wide utility and access easement over Lot C, subject to the terms and conditions listed in the submittal. Mr. Yagi seconded and motion carried unanimously.

ITEM H-7

CDUA FOR AN ACCESSORY USE TO AN EXISTING SINGLE FAMILY DWELLING AT HANAIEI,  
KAUAI (GLENN FREY).

ACTION

Unanimously approved as submitted, subject to the terms and conditions listed in the submittal. (Zalopany/Yagi)

ITEM F-23

MARCH OF DIMES REQUEST TO USE OLD DISTRICT COURT BUILDING FOR 1984 HAUNTED  
HOUSE PROJECT, HONOLULU, OAHU.

ACTION

Mr. Detor asked that the submittal be amended by changing the date of use of the premises from September 17, 1984 to September 4, 1984.

Unanimously approved with the above amendment and subject to the terms and conditions listed in the submittal. (Yagi/Zalopany)

ITEM H-2

CDUA FOR CONSOLIDATION AND RESUBDIVISION AT PAUKAA, SOUTH HILO, HAWAII  
(MAUNA KEA SUGAR COMPANY).

The consolidation and resubdivision action is requested to support Mauna Kea Sugar Company's plans to convert sugar lands to macadamia orchards.

Mr. Soh asked to amend Condition No. 10 by adding at the start of the condition the words: "With the concurrence of the applicant....."

Mr. Soh explained that the reason for the amendment is because at the time of the public hearing staff was asked to check on the recommendation about providing public access for use of the stream. Comments were received to the effect that Mauna Kea Sugar had a practice that allowed public access to streams and forest reserves. However, it was found that Mauna Kea does not allow public access to everyone. Permission must be granted. So at this point there seems to be a difference of opinion so if such condition were to apply to this request staff feels that it should be with the concurrence of the applicant.

Mr. Kealoha had the same feeling as Mr. Yagi that this application looks identical to the application made by Kaluakoi for subdivision.

Mr. Pete Moynahan of C. Brewer & Co. asked to deal with Messrs. Yagi's and Kealoha's question regarding the issue of the parallel between this application and that of Kaluakoi. Mr. Moynahan said that there is a definite difference.

First because of the topography and that the lands that are in question here are not usable. As far as the public access, Mr. Moynahan said that that was as a result of the recommendation by the Division of Forestry and Wildlife.

Subsequent to the public hearing they had asked staff, through their planners, to research the substance and facts behind that assumption and to date they have not had a response from the Division of Forestry and Wildlife.

C. Brewer's information is that no public access is permitted. There is only one place that public access is possible which is off the government road where it looks like there might be a trail. As far as accommodating anyone who wants to go down there, as a practical matter that's fine. But to have a condition that requires C. Brewer to put in a public access where none exists now exposes them to enormous legal liability in the event that someone is injured on their property or on the Bishop Estate's property which is next door. As far as employees who get permits for use of the company's property there is a hold harmless provision in the permit.

Mr. Ing asked when the request was made to the Division of Forestry and Wildlife to review the access.

Mr. Soh said that the request was made by memorandum dated August 2, 1984 and their reply was to the effect that Mauna Kea Sugar Company had a practice that allowed public access to streams and forest reserves and that the roads were posted but not enforced.

Mr. Moynahan said that he did not understand the basis for that assertion because this is not the case.

Mr. Yagi felt that staff's amended Recommendation No. 10 was very weak.

Mr. Kealoha moved for approval as recommended by staff.

Mr. Ing asked instead that this item be deferred to the end of the Agenda.

ACTION Deferred to the end of the Agenda. (See Page 18 for Action)

ITEM H-9 REQUEST FOR TIME EXTENSION PREVIOUSLY APPROVED APPLICATION NEW ELECTRICAL SYSTEM, COCONUT ISLAND, OAHU, TMK 4-6-1.

ACTION Mr. Yagi moved to grant the Department of Accounting and General Services an extension of one year, one month and six days in which to initiate the project and to extend the completion date by one year, one month and six days. Mr. Zalopany seconded and motion carried unanimously.

ITEM H-10

CDUA FOR DEVELOPMENT OF KAHANA VALLEY, OAHU, TMK 5-2-01:1 and 5-2-02:1 (BOARD OF WATER SUPPLY).

Mr. Herbert Minakami of the Board of Water Supply said that their only concern was Condition No. 14 regarding backfilling the reservoir. Rather than making it mandatory he felt that it should be left to the discretion of the department.

Mr. Gordon suggested that another condition stating that if in the next two years of the moratorium there are changes to the board's plans for Kahana that the board reserve the right to change the conditions.

Mr. Yagi asked, instead of changing the conditions, that they come back to the board again.

ACTION

Mr. Kealoha moved to approve constructing of a 6 MG reservoir, its service road, and upgrading of the existing jeep trail at Kahana Valley, subject to the conditions listed in the submittal with, however, an amendment to Condition No. 14 and the addition of Condition No. 16 as follows:

14. That the applicant may be required to backfill to 300 feet elevation or otherwise visually screen the reservoir so that only the top 15 feet of the reservoir will be exposed.
16. If in the next 2 years there are changes to the Board's plans for Kahana, the board reserves the right to change conditions.

Mr. Yagi seconded and motion carried unanimously.

ITEM F-1-E

LARRY GOEBELT REQUEST FOR CONSENT TO ASSIGN GENERAL LEASE NO. S-3780 COVERING LOT 46, WAIMANALO AGRICULTURAL SUBDIVISION, WAIMANALO, OAHU.

ITEM F-1-F

GKK SPECIALTIES, INC. REQUEST FOR CONSENT TO MORTGAGE GENERAL LEASE NO. S-3780 COVERING LOT 46, WAIMANALO AGRICULTURAL SUBDIVISION, WAIMANALO, OAHU.

Mr. Detor explained that the people who hold the lease are moving to the mainland and one of the provisions of the lease which allows assignments is if it is their personal residence, which it is. Tying in to that, is Item F-1-F which is a request for a consent to a mortgage security agreement financing statement. GKK Specialities, Inc. would be mortgaging the leasehold interest to the Bank of Hawaii.

Mr. Kealoha asked whether, in this particular instance, the State had the right to repurchase.

Mr. Detor said that the repurchase clause only refers to sales agreements and not to lease land.

ACTION

Mr. Kealoha moved for approval of both Items F-1-E and F-1-F as submitted. Mr. Yagi seconded and motion carried unanimously.

ITEM B-1

REQUEST FOR APPROVAL TO EXTEND 3 PROJECT AGREEMENTS BETWEEN THE BLNR AND THE RCUH FOR THE HAWAII FISHERIES DEVELOPMENT PLAN UPDATE PROJECT AND THE NIGHT HANDLINE TUNA FISHING CATCH DATA STUDY; AND 1 PROJECT AGREEMENT BETWEEN THE BLNR AND THE UH (DEPT. OF ANIMAL SCIENCES) FOR STUDIES ON THE DETECTION, CAUSES, AND CONTROL OF "BURNT TUNA" IN THE NIGHT HANDLINE TUNA FISHING INDUSTRY.

ACTION

Mr. Kealoha moved to approve execution of the aforementioned three (3) agreement extension. Mr. Zalopany seconded and motion carried unanimously.



- ITEM B-2      REQUEST TO FILL AN EXEMPT TEMPORARY CLERK III POSITION NO. 19878E IN THE DIVISION OF AQUATIC RESOURCES (OAHU).
- ACTION      The board unanimously approved the appointment of Ms. Portia Hebron to Position No. 19878E. (Yagi/Zalopany)
- ITEM C-1      PERMISSION TO HIRE UNDER CONTRACT A FIELD ASSISTANT FOR A NENE PREDATOR CONTROL PROJECT, ISLAND OF HAWAII.
- ACTION      Unanimously approved as submitted. (Zalopany/Yagi)
- ITEM D-1      REQUESTING APPROVAL TO CONTRACT WITH UH FOR RESEARCH PROJECT: "INSTREAM REQUIREMENTS FOR HAWAIIAN STREAM FAUNA - APPLICATION FOR EVALUATION TECHNIQUES, PHASE II."
- ACTION      Mr. Yagi moved to approve the financial participation of the Department in the joint project through a contract with the University of Hawaii. Mr. Zalopany seconded and motion carried unanimously.
- ITEM D-2      APPROVAL OF AMENDMENTS TO CHAPTER 184, TITLE 13, ADMINISTRATIVE RULE, "DESIGNATION AND REGULATION OF GEOTHERMAL RESOURCE SUBZONES."
- ACTION      Mr. Yagi moved to approve the amendment to Chapter 184, Title 13, and authorize the Chairperson to process the amendment for approval by the Governor. Mr. Zalopany seconded and motion carried unanimously.
- ITEM D-3      OFFICIAL DUTY AND PER DIEM STATUS, NATIONAL WATER RESOURCES ASSOCIATION 1984 ANNUAL CONFERENCE.
- ACTION      The board unanimously approved the official duty and per diem status for Robert T. Chuck from November 11 to 15, 1984. (Yagi/Zalopany)
- ITEM E-1      REQUEST FOR SPECIAL USE PERMIT TO MAKE COMMERCIAL TOUR BOAT LANDINGS ON NA PALI COAST STATE PARK, KAUAI.
- (See Page 18 for Action)
- ADDED ITEM E-2      FILLING OF GROUNDSKEEPER I POSITION NO. 30241, WAIANAPANAPA STATE PARK, MAUI PARK SECTION.
- ACTION      The board unanimously approved the appointment of Mr. Willie K. Kimokea to fill Position No. 30241. (Yagi/Kealoha)
- ITEM F-1      DOCUMENTS FOR CONSIDERATION.
- Item F-1-A      OLOKELE SUGAR CO., LTD., APPLICATION FOR LAND LICENSE, HANAPEPE, KAUAI, being TMK 1-8-07:por. 10 to remove 1,500 cubic yards of cinder from the Olokele Cinder Pit.
- Item F-1-B      MILES F. SULLIVAN REQUEST FOR CONSENT TO SECOND MORTGAGE, GRANT OF EASEMENT, L.O.D. NO. S-26,994, PUAKO, LALAMILO, SO. KOHALA, HAWAII, being portions of TMKs 6-9-02:6 & 7, containing 2,074 sq. ft.
- Item F-1-C      KARL T. HORI REQUEST FOR CONSENT TO MORTGAGE, G. L. NO. S-4636 COVERING LOT 8, PANAWEA FARM LOTS, 2ND SERIES, WAIAKEA, SO. HILO, HAWAII, being TMK 2-4-49:22, containing 10.243 acres.
- Item F-1-D      KARL T. HORI REQUEST FOR CONSENT TO SECOND MORTGAGE, G. L. NO. S-4636, COVERING LOT 8, PANAWEA FARM LOTS, 2ND SERIES, WAIAKEA, SO. HILO, HAWAII, TMK 2-4-49:22, containing 10.243 acres.
- Item F-1-E      (See Page 8 for Action)

- Item F-1-F (See Page 8 for Action)
- Item F-1-G (See Page 3 for Action)
- Item F-1-H JOHN C. ACCORDA APPLICATION FOR R. P. COVERING THE FORMER KUKUIHAELE SCHOOL KANAHONUA, HAMAKUA, HAWAII, being TMK 4-8-06:por. 10, containing an area of 2,500 sq. ft. for residential purposes commencing September 1, 1984. Rental: \$114.00 per mo.
- Item F-1-I ROBERT LEE APPLICATION FOR R.P., WAIMANALO, OAHU., being TMK 4-1-09:266 (por) containing 25 acres, more or less for pasture purposes commencing September 1, 1984. Rental: \$20.00 per mo.
- Added Item F-1-J NOBORU NAKAGAWA, ET AL REQUEST FOR CONSENT TO MORTGAGE, G. L. NO. 2908, LOAKA FISH POND, KEAUKAHA, WAIAKEA, SO. HILO, HAWAII, being TMK 2-1-16:1, containing 50.887 acres.
- ACTION Mr. Kealoha moved to approve Item Nos. F-1-A, B, C, D, H, I & J, as submitted. Mr. Yagi seconded and motion carried unanimously.
- ITEM F-2 GASCO, INC. APPLICATION TO LEASE PORTION OF THE GOVERNMENT LAND OF PIIHONUA, SO. HILO, HAWAII.
- ACTION Finding that the applicant does not have suitable lands of its own, upon motion by Mr. Kealoha and a second by Mr. Yagi, the board voted unanimously to:
1. Authorize the applicant to act in behalf of the State to subdivide Tax Map Key 2-3-26:9 (E.O. 639) to create the requested booster station site.
  2. Approve, and recommend to the Governor, the issuance of an Executive Order withdrawing the requested area from the operation of Executive Order No. 639.
  3. Authorize the direct award of a lease to the applicant covering the area in question, subject to the terms and conditions listed in the submittal.
- ITEM F-3 STAFF RECOMMENDATION FOR RECISSION OF PRIOR BOARD ACTION (4/27/84, AGENDA ITEM F-1-C) CONSENTING TO LEASE OF PORTION OF THE OLD HANA HIGH & ELEMENTARY SCHOOL SITE, HANA, MAUI.
- ACTION Mr. Yagi moved to rescind the board's action taken at its April 27, 1984 meeting under Agenda Item F-1-C consenting to the five (5)-year lease between the County of Maui as Lessor and Lokahi Pacific as Lessee covering the use and occupancy of portions of the land (Building D-portion of Room 6) set aside to the County of Maui by Governor's Executive Order No. 3084 for community center purposes. Mr. Zalopany seconded and motion carried unanimously.
- ITEM F-4 COUNTY OF MAUI REQUEST FOR EXECUTIVE ORDER SETTING ASIDE LANDS AT WAKIU AND KAWAIPAPA, HANA, MAUI.
- ACTION Mr. Yagi moved for the board to approve of and recommend to the Governor the issuance of the an Executive Order setting aside the subject areas to the County of Maui for the Hana Garbage Dump Site and access easement subject to the terms and conditions listed in the submittal. Mr. Zalopany seconded and motion carried unanimously.
- ITEM F-5 FAA APPLICATION FOR LEASE FOR NON-DIRECTIONAL BEAM FACILITY, UKUMEHAME, WAILUKU, MAUI.
- ACTION The board unanimously authorized the direct lease to the applicant under the terms and conditions listed in the submittal. (Yagi/Zalopany)

- ITEM F-6 DEPARTMENT OF AGRICULTURE REQUEST FOR EXTENSION OF LEASE TERM COVERING FRUIT FLY ERADICATION PROCESS PLANT AT KAAKAUKUKUI, HONOLULU, OAHU.
- ACTION The board unanimously approved the Department of Agriculture's request for an extension of the foregoing lease for one (1) year to terminate September 30, 1985, subject to those terms and conditions as set forth in Item F-16, May 13, 1981 and such other terms and conditions as may be prescribed by the Chairperson. (Yagi/Zalopany)
- ITEM F-7 DEPARTMENT OF TRANSPORTATION REQUEST FOR CONSTRUCTION RIGHT OF ENTRY, HALAWA INTERCHANGE PROJECT, EWA, OAHU.
- Mr. Detor said that the Department of Transportation had requested that this item be withdrawn.
- ACTION Withdrawn.
- ITEM F-8 STAFF RECOMMENDATION FOR LEASE AT PUBLIC AUCTION OF GROUND AND AIRSPACE UNDER A PORTION OF THE LUNALILO FREEWAY, HONOLULU, OAHU.
- ACTION Finding the subject area to be an economic unit in terms of the intended use, the board voted unanimously to authorize the Department of Transportation to lease at Public Auction on behalf of the Department of Land and Natural Resources the abovementioned airspace under the terms and conditions listed in the submittal. (Kealoha/Yagi)
- ITEM F-9 STAFF RECOMMENDATION FOR PUBLIC AUCTION SALE OF A LEASE COVERING PORTION OF WILIWILINUI RIDGE, WAILUPE, HONOLULU, OAHU.
- Mr. Detor asked that this item be deferred to the next meeting.
- ACTION Deferred to the next meeting.
- ITEM F-10 WILLIAM A. BARLOW APPLICATION FOR EASEMENT AT DIAMOND HEAD, HONOLULU, OAHU.
- Mr. Detor called to the board's attention that the request is for a perpetual easement but it was the Chairman's feeling that it be for a term of years. The submittal itself says non-exclusive easement. However, under the recommendation it says non-exclusive easement for fifty years.
- ACTION Mr. Yagi moved to authorize granting of a 50 year, non-exclusive easement to William A. Barlow for residence purposes over, under and across portions of State-owned lands situate along the slopes of Diamond Head and bearing TMK 3-1-42:por. 14 and TMK 3-1-35:por. 23 under the terms and conditions listed in the submittal. Mr. Zalopany seconded and motion carried unanimously.
- ITEM F-11 U. S. ARMY CORPS OF ENGINEERS REQUEST FOR RIGHT OF ENTRY TO CONDUCT CROSS SECTIONAL SURVEYS FOR THE KAHAWAINUI STREAM FLOOD CONTROL PROJECT, MALAEKAHANA, KOOLAULO, OAHU.
- ACTION Unanimously approved as submitted, subject to the terms and conditions listed in the submittal. (Kealoha/Yagi)
- ITEM F-12 DEPARTMENT OF TRANSPORTATION FOR EXECUTIVE ORDER SETTING ASIDE LAND FOR BASEYARD, WAIANAE-KAI, OAHU.
- Mr. Detor said that DOT's present baseyard at Lualualei is located on Hawaiian Home lands and, because Hawaiian Homes would now like to charge DOT for use of the area, DOT would like to find another location.

The State land that they would like move to is presently under executive order to the Department of Social Services. DSSH said that they have not been able to go ahead with their project so they do not mind giving up the land. What needs to be done, said Mr. Detor, is to cancel the executive order to DOT, which covers Hawaiian Home lands and return the land to Hawaiian Homes. Next, the executive order setting aside land to DSSH would have to be cancelled and turned over to DOT.

Mr. Detor asked that the submittal be amended by adding in the submittal another condition that the Hawaiian Home lands be returned to their jurisdiction.

ACTION

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

1. Approve of and recommend to the Governor issuance of an Executive Order cancelling Executive Order No. 2009 covering the 0.805 acre of Department of Hawaiian Home Lands set aside to the Department of Transportation for baseyard purposes.
2. Approve of and recommend to the Governor issuance of an Executive Order cancelling Executive Order No. 3027 covering 2.366 acres of land set aside to the Department of Social Services & Housing for use as the Leeward Workshop for the Handicapped subject to receipt of written request from DSSH for cancellation to Executive Order No. 3027.
3. Approve of and recommend to the Governor issuance of an Executive Order resetting aside the above 2.366 acre Leeward Workshop Site to the Department of Transportation, Highways Division, for Waianae Baseyard purposes.
4. Approve of the foregoing cancellation and reset aside actions subject to the disapproval by the State Legislature in any regular or special session next following the date of the Executive Order.
5. Approve of and grant the Department of Transportation an immediate right of entry to the 2.366 acres in question for planning and design purposes only, subject to the concurrence of the Governor and other terms and conditions as may be imposed by the Chairperson.
6. Upon cancellation of Executive Order No. 2009, return said land to the jurisdiction of the Department of Hawaiian Home Lands.

ITEM F-13

STAFF RECOMMENDATION FOR SALE OF ABANDONED IMPROVEMENTS ON STATE LAND AT HANAPEPE, KAUAI.

ACTION

Unanimously approved as submitted, subject to such terms and conditions as prescribed by the Chairperson. (Zalopany/Yagi)

ITEM F-14

BENJAMIN NIHI REQUEST FOR WAIVER OF REPURCHASE OPTION, LOT 94, KEKAHA GARDENS SUBDIVISION, KEKAHA, KAUAI.

Mr. and Mrs. Nihi have asked for a waiver of the repurchase option for the purpose of facilitating a second mortgage.

ACTION

Mr. Zalopany moved to authorize waiver of the repurchase option applicable to Lot 94 of the Kekaha Gardens Subdivision. Mr. Yagi seconded and motion carried unanimously.

- ITEM F-15 COUNTY OF KAUAI REQUEST FOR EXECUTIVE ORDER SETTING ASIDE LAND FOR SEWER PUMP STATION PURPOSES, WAIMEA, KAUAI.
- ACTION Mr. Zalopany moved to recommend to the Governor the issuance of an executive order setting aside the subject sewer pump station site to the County of Kauai subject to 1) the County preparing maps and metes and bounds descriptions of the pump station site and securing subdivision approval for the site and 2) other terms required by the Chairperson. Mr. Yagi seconded and motion carried unanimously.
- ITEM F-16 COUNTY OF KAUAI REQUEST FOR CONVEYANCE OF DRAINAGE EASEMENT AFFECTING LOT 2 OF THE WELIWELI HOUSELOTS, WELIWELI, KAUAI.
- ACTION The board unanimously authorized the gratis conveyance of the subject 15-ft.-wide drainage easement to the County of Kauai under such terms and conditions as the Chairperson may prescribe. (Zalopany/Yagi)
- ITEM F-17 DEPARTMENT OF SOCIAL SERVICES AND HOUSING REQUEST FOR APPROVAL OF EXTENSION OF LEASE COVERING OFFICE SPACE AT 1750 SO. KING STREET, HONOLULU, OAHU.
- ACTION Unanimously approved as submitted. (Kealoha/Yagi)
- ITEM F-18 ATTORNEY GENERAL'S REQUEST FOR ACQUISITION OF LEASE COVERING ROOMS 303, 305, 307, 309, 311 & 313 OF THE BETHEL-PAUAAHI BUILDING, HONOLULU, OAHU.
- ACTION Unanimously approved as submitted. (Yagi/Zalopany)
- ITEM F-19 DPED REQUEST FOR ACQUISITION OF LEASE COVERING SUITE 1280 OF THE CENTRAL PACIFIC PLAZA, HONOLULU, OAHU.
- (See Page 2 for Action)
- ITEM F-20 DPED REQUEST FOR ACQUISITION OF LEASE COVERING SUITE 919 OF THE CENTRAL PACIFIC PLAZA, HONOLULU, OAHU.
- (See Page 3 for Action)
- ITEM F-21 DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS REQUEST FOR ACQUISITION OF LEASE COVERING OFFICE SPACE IN THE LIHUE BUSINESS PLAZA, LIHUE, KAUAI.
- ACTION Unanimously approved as submitted, subject to the review and approval of the lease agreement by the Office of the Attorney General. (Zalopany/Yagi)
- ITEM F-22 FILLING OF POSITION NO. 27722, LAND AGENT IV, OAHU DISTRICT.
- ACTION The board unanimously approved the appointment of Charles W. Gill to fill Position No. 27722 effective September 1, 1984. (Yagi/Zalopany)
- ITEM F-23 MARCH OF DIMES REQUEST TO USE OLD DISTRICT COURT BUILDING FOR 1984 HAUNTED HOUSE PROJECT, HONOLULU, OAHU.
- (See Page 6 for Action)
- ADDED  
ITEM F-24 USE OF STATE LANDS IN NORTH KOHALA, HAWAII FOR EMERGENCY CATTLE GRAZING
- ACTION Finding the use of State lands in Kohala totalling 1,050 acres, more or less, as emergency feed source for needy cattle ranchers on the island of Hawaii to be in the public interest, the board, upon motion by Mr. Kealoha and a second by Mr. Yagi, voted unanimously to declare its intent to issue revocable permits to those cattle ranchers on Hawaii Island in accordance with a disposition plan to be considered by the Board at its meeting of September 14, 1984.

- ITEM G-1            OUT-OF-STATE TRAVEL FOR CHARLES F. NEUMANN III.
- ACTION            The board unanimously approved the proposed out-of-state travel expense covering per diem, registration fee and ground transportation of approximately \$500 for Charles F. Neumann III to attend the 74th Annual Conference of County Recorders' Association of California in Lake Tahoe, California from September 16 to 19, 1984. (Kealoha/Yagi)
- ITEM H-1            CDUA FOR CONSTRUCTION OF THE UNIVERSITY OF CALIFORNIA TEN-METER TELESCOPE: TEMPORARY USE OF THE CONCRETE BATCH PLANT: AND EXPANSION OF HALE POHAKU AT MAUNA KEA, HAWAII (UH).
- (See Page 2 for Action)
- ITEM H-2            CDUA FOR CONSOLIDATION AND RESUBDIVISION AT PAUKAA, SO. HILO, HAWAII (MAUNA KEA SUGAR COMPANY).
- (See Page 18 for Action)
- ITEM H-3            CDUA FOR CONSOLIDATION AND RESUBDIVISION USE AT PUUEO, SO. HILO, HAWAII (STAN DUNCAN).
- (See Page 18 for Action)
- ITEM H-4            CDUA FOR A PROPOSED GARDEN PARK AND DESIGNATION OF SHORELINE EASEMENT AT PUAKEA BAY RANCH, NO. KOHALA, HAWAII, TMK 5-6-01:POR 24 (GEORGE ISSACS).
- (See Page 6 for Action)
- ITEM H-5            CDUA FOR A SINGLE FAMILY RESIDENCE AT PUAKEA BAY, NO. KOHALA, HAWAII TMK 5-6-01:POR 24 (GEORGE ISAACS).
- (See Page 6 for Action)
- ITEM H-6            CDUA FOR PROPOSED BEACH LANDING ACTIVITIES AT WAINIHA BEACH, KAUAI, HAWAII TMK 5-8-6:30 (RANDALL HEE).
- (See Page 6 for Action)
- ITEM H-7            CDUA FOR AN ACCESSORY USE TO AN EXISTING SINGLE FAMILY DWELLING AT HANAIEI, KAUAI (GLENN FREY).
- (See Page 6 for Action)
- ITEM H-8            REQUEST TO AMEND A USE PREVIOUSLY APPROVED: SEWER LINE IMPROVEMENTS AT KAILUA, OAHU.
- ACTION            The board unanimously approved the requested amendment subject to the original conditions attached to the approve of application OA-10/5/76-859. (Kealoha/Yagi)
- ITEM H-9            REQUEST FOR TIME EXTENSION PREVIOUSLY APPROVED APPLICATION NEW ELECTRICAL SYSTEM, COCONUT ISLAND, OAHU.
- (See Page 7 for Action)
- ITEM H-10           CDUA FOR DEVELOPMENT OF KAHANA VALLEY, OAHU TMK 5-2-01:1 and 5-2-02:1 (BOARD OF WATER SUPPLY).
- (See Page 8 for Action)

- ITEM H-11 CDUA FOR HOLLOW TILE/WROUGHT IRON FENCE, CLEARING AND PLANTING ORCHARD AT PALOLO, OAHU (M/M T. E. BONDS).
- Mr. Soh asked that the area of parcel be changed from 348.078 sq. ft. to 348,078 sq. ft.
- ACTION Mr. Kealoha moved to approve this application for nonconforming use, specifically, constructing a fence wall and cultivating an orchard, within the General Subzone of the Conservation District at TMK 3-3-34:01 at Palolo, Oahu, with the above amendment and subject also to the terms and conditions listed in the submittal.
- ITEM H-12 REQUEST FOR PUBLIC HEARING FOR USE OF LAND WITHIN CONSERVATION DISTRICT.
- ACTION Upon motion by Mr. Yagi and a second by Mr. Zalopany, the board unanimously voted to authorize and allow the Chairperson to schedule the eight public hearings listed in the submittal for the proposed use and also authorized the Chairperson to prepare and forward the hearing notice to the applicant and other affected persons.
- ITEM J-1 APPLICATION FOR ISSUANCE OF R.P.'S 3903, 3907 & 3910, AIRPORTS DIVISION.
- ACTION Unanimously approved as submitted. (Yagi/Zalopany)
- ITEM J-2 APPLICATION FOR ISSUANCE OF R.P.'S 3909, 3900 & 3898, AIRPORTS DIVISION.
- ACTION Unanimously approved as submitted. (Yagi/Kealoha)
- ITEM J-3 APPLICATION FOR ISSUANCE OF R.P.'S 3893, 3911 & 3912, AIRPORTS DIVISION.
- ACTION Unanimously approved as submitted. (Yagi/Zalopany)
- ITEM J-4 APPLICATION FOR ISSUANCE OF R.P. 3902, NON-CONFORMING USE, AIRPORTS DIVISION, KAHULUI AIRPORT, MAUI (POT 'O GOLD HONEY CO.).
- ACTION Unanimously approved as submitted. (Yagi/Zalopany)
- ITEM J-5 ISSUANCE OF R.P., HARBORS DIVISION, MAALAEA SMALL BOAT HARBOR, MAUI (JOHN BERRY).
- ACTION Unanimously approved as submitted. (Yagi/Zalopany)
- ITEM J-6 ISSUANCE OF R.P., HARBORS DIVISION, HEEIA-KEA PIER, KANEOHE, OAHU (WINDWARD SPORTFISHING CLUB).
- ACTION Unanimously approved as submitted. (Kealoha/Yagi)
- ITEM J-7 ISSUANCE OF R.P., HARBORS DIVISION, KEWALO BASIN, HONOLULU, OAHU (ROBERT'S ILIMA CHARTER BOATS, INC. ILIMA 5).
- ACTION Deferred.
- Mr. Ing was disqualified from voting on this item so the board lacked the necessary quorum to take action.
- ITEM J-8 ISSUANCE OF R.P., HARBORS DIVISION, KEEHI SMALL BOAT HARBOR, HONOLULU, OAHU (GEORGE E. COOK II).
- ACTION Unanimously approved as submitted. (Kealoha/Yagi)

ITEM J-9

ISSUANCE OF R.P., HARBORS DIVISION, VICINITY OF HONOKOHAU SMALL BOAT HARBOR, HAWAII (GOODFELLOW BROS., INC.).

ACTION

Deferred.

Mr. Ing was disqualified from voting on this item so the board lacked the necessary quorum to take action.

ITEM J-10

USE OF HARBORS DIVISION FACILITIES, PIER 9, PASSENGER TERMINAL, HONOLULU, OAHU (SERVCO PACIFIC INC.).

ACTION

Deferred

Mr. Kealoha was disqualified from voting on this item so the board lacked the necessary quorum to take action.

ITEM E-1

REQUEST FOR SPECIAL USE PERMIT TO MAKE COMMERCIAL TOUR BOAT LANDINGS ON NA PALI COAST STATE PARK, KAUAI.

This item was deferred to the end of the Agenda so Mr. Nagata could go over some of the problems with those concerned and come up with a solution.

Mr. Nagata said that some of the things which were considered and which he believed they had an agreement on are:

1. They would need to have the board's concurrence to increase the commercial boat traffic to Kalalau by 30%. This would allow 24 persons to be brought in to Kalalau by boat instead of the current eight that shows up in the Management Plan.

Under Mr. Greff's permit, he is allowed to bring in twelve persons. This number is based on a prior 10% figure from an earlier capacity of 120 persons that were allowed so staff is now recommending that both operators be allowed to bring in twelve persons each.

Mr. Ing asked if this would be an amendment to the Management Plan.

Mr. Nagata said that essentially it would be but it would not be increasing the capacity that was established. This is sort of a subset thing so there would be no more permits issued by State Parks in terms of campers going into Kalalau.

2. At Milolii they have established nine persons going in by commercial boats under the Management Plan. Mr. Nagata said that he is recommending both operators to bring in five each.

Mr. Nagata said that one of the differences between Kalalau and Milolii is that the only access to Milolii is by boat and here again they will not be issuing any more permits than the capacity that has been established overall for camping at Milolii.

At any rate State Parks is allowing thirty overnight camping permits at the present time and they are not going to change that figure.

3. At Nualolo they are currently saying in the Management Plan five commercial boats coming in during the day -- but only two at a time. The main concern here is that we limit the number of boats in that particular area at any one time and, currently, Mr. Greff has been operating two shifts of boats. He has been bringing in four boats into the area but only two at a time can go in. What staff is recommending is that we allow operators to bring in up to four boats but no more than two at a time and apparently one operator, Mr. Greff, has been taking his people



in the afternoon so Mr. Hegarty will have no problem in bringing his people in during the mornings. But staff still maintains only two boats at any one time.

Mr. Ing asked about the number of people on the boats.

Mr. Nagata said that in the Management Plan there was no limit to the amount of people per boat coming in.

Mr. Nagata explained that this is an area where camping is not allowed. Staff wanted to establish in both these permits that a landing occurs if any one passenger in a commercial boat disembarks or from land get onto the boat. Staff will be charging a \$10 fee should that occur.

Mr. Nagata said that generally Mr. Greff has been assisting the State by hauling work crews in and out, hauling in supplies, hauling out rubbish and when the need arises assist in any rescue and casualty type operations. Mr. Hegarty has also indicated that he will be happy to participate in these kinds of activities.

Mr. Hegarty's permit will differ from Mr. Greff's permit in two basic respects:

1. Under the existing permit to Mr. Greff he has been allowed to embark from Haena Point, which is an area that the board is looking into at the present time.
2. Mr. Hegarty has indicated that he is aware that there is some concern about using that area so he will be leaving out of Hanalei.

Also, because of some of the concerns raised by Mr. Greff it was mutually agreed with Mr. Hegarty that he will not be picking up commercial passengers at Kalalau. He will be dropping off passengers but not picking up passengers. He had agreed to this without any concern about any discrimination.

Mr. Nagata said that the two parties also requested that their permits be issued for two year periods rather than the one that we would normally suggest. Permits are subject to 48 hour termination but it's basically the board's discretion not to issue it beyond a year. These are Special Use Permits which are regulated by the State Park's regulation. There is nothing about the termination mentioned in the regulation so it would be at the discretion of the board.

Mr. Nagata said that Mr. Hegarty would like to start operating immediately and does have \$1 million liability coverage as does Mr. Greff. Staff will also be attempting to make the necessary adaptations to Mr. Greff's existing permit. These kinds of concerns will be incorporated.

The board felt that both permits should spell out exactly what each permittee will or will not be allowed to do.

Mr. Nagata said that if there are other operators in the future, the whole matter may have to be re-evaluated in terms of how permits are to be issued. Both operators are aware of this.

Mr. Hegarty was in full agreement of what had been proposed by Mr. Nagata.

ACTION

Mr. Zalopany moved to approve the amended recommendation by the Division of State Parks with the understanding that Mr. Hegarty can start operating tomorrow, August 25, 1984. Mr. Yagi seconded and motion carried unanimously.

Mr. Ing clarified that with this approval, Mr. Nagata is to re-issue Mr. Greff's permit, issue a new permit to Mr. Hegarty and amend the Management Plan.

RECESS:

12:45 P.M.

RECONVENE:

12:55 P.M.

ITEM H-2

CDUA FOR CONSOLIDATION AND RESUBDIVISION AT PAUKAA, SO. HILO, HAWAII (MAUNA KEA SUGAR CO.).

Mr. Ing said that as he understood the submittal, they can subdivide the Ag lands right up to the conservation line without board approval.

Mr. Soh said yes.

But the reason for the CDUA, said Mr. Ing, is so that they can also subdivide conservation lands and, as it presently exists, there is no subdivision of the area between conservation and ag.

Mr. Soh said that that was correct.

There are two issues: 1) subdivision of conservation land; and 2) public access.

ACTION

Mr. Yagi moved to deny staff's recommendation to approve this application. Mr. Kealoha seconded and motion carried unanimously.

Mr. Kealoha addressed the applicant in reference to the motion. He said that, in light of the motion made, the applicant still has a choice of reapplying. At that time there will be a body of the whole board wherein he can appeal the conditions, or any other conditions he deems may help his case.

Mr. Moynahan said that when this approach was designed, in a sense they relied on last year's decision on Onomea which was the exact sort of action -- moving boundary lines that currently pass through the conservation district to another location and/or increasing the number of boundary lines that pass through the conservation district. This similar action was approved last year. He asked if there might be a procedural opportunity for them to have this item deferred instead of denied.

Mr. Yagi said that the board may have made a mistake with the first action to approve. However he felt comfortable that his decision today to deny is a right decision.

ITEM H-3

CDUA FOR CONSOLIDATION AND RESUBDIVISION USE AT PUUEO, SO. HILO, HAWAII (STAN DUNCAN).

ACTION

Mr. Yagi moved to deny staff's recommendation to approve this application. Mr. Kealoha seconded and motion carried unanimously.

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

lt