

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

DATE: February 14, 1986  
TIME: 9:00 A.M.  
PLACE: Kalamoku 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:

<u>MEMBERS</u>	Mr. J. Douglas Ing Mr. Roland Higashi Mr. Moses Kealoha Mr. Leonard Zalopany Mr. John Arisumi Mr. Susumu Ono
<u>STAFF</u>	Mr. Edgar Hamasu Mr. James Detor Mr. Ralston Nagata Mr. Libert Landgraf Mr. Melvin Young Mr. Charles Neumann Mrs. Anne Furuuchi Mr. Roger Evans Mr. Henry Sakuda Mr. Richard Fassler Mrs. LaVerne Tirrell
<u>OTHERS</u>	Mr. Johnson Wong, Deputy Atty. Gen. Mr. Peter Garcia, DOT Mr. Bert Hatton (Item C-1) Mr. Henry Yasuda (Item F-1-b) Mr. Jim Case (Item F-1-m) Ms. Michele Matsuo (Item F-4) Ms. Miki Hinds & Mrs. Kawamoto (Item F-7) Mr. Robert Triantos (Item F-17) Ms. Rosehill, Ms. Betsy Otsu, Mr. Kaneshiro, & Mr. Dan Nichols (Item H-1) Mr. John Morgan & Mr. Brian Kanda (Item H-3) Mr. Timothy McAndrews (Item H-5) Mr. Harold Masumoto (Item H-9)

MINUTES: Mr. Ing moved to approve the December 20, 1985 minutes as circulated.  
Mr. Kealoha seconded, motion carried unanimously.

ADDED ITEMS Mr. Ing moved to add the following items to the Agenda. Seconded by  
Mr. Kealoha, motion carried unanimously.

Item C-5 -- Permission to Extend a Hire of an Avicultural Consultant for  
the Endangered Species Facility at Pohakuloa, Island of Hawaii.

Item C-6 -- Approval to Amend Chapter 124, Rules Regulating the Management  
and Protection of Indigenous Wildlife, Endangered and  
Threatened Wildlife and Plants and Introduced Birds, and Hold  
Public Hearings on Proposed Changes.

Item C-7 -- Request for Authorization to hold Public Hearing for the Extension of the Emergency Rule Authorizing the Board of Land and Natural Resources to Issue a Permit to Control Indigenous Wildlife.

Item I-1 -- Filling of Position No. 05982, Conservation and Resources Enforcement Officer IV, Oahu.

Items were considered in the following order to accommodate those applicants present at the meeting.

ITEM E-3

REQUEST FOR PERMISSION TO AMEND THE 1985-86 MANAGEMENT AND MAINTENANCE CONTRACT WITH THE FRIENDS OF IOLANI PALACE.

ACTION

Mr. Ing moved to approve a \$25,000 increase to the Friends current contract, and include in the scope of work the treatment, repair and conservation of the two James D. Strong's oil paintings. Seconded by Mr. Kealoha, motion carried unanimously.

ITEM H-3

CDUA FOR CONDUCTING COMMERCIAL RECREATIONAL USES WITH PIER CONSTRUCTION AT KUALOA, OAHU (JOHN MORGAN, KUALOA RANCH, INC.).

Mr. Evans said that the applicant proposes to organize a private activity club which offers a variety of recreational activities at or in the vicinity of Kualoa Ranch.

Mr. Evans said that the board did ask several questions at the public hearing and staff, in their analysis, did try to answer these questions e.g. the maximum number of people which they suggested as 100. The board did bring out that Kualoa Ranch is committed to agricultural activities and that they do not intend to expand their operations beyond this proposed level. Also brought out in staff's analysis was the fact that there was some confusion originally in terms of this activity. At one time staff was laboring under an opinion that there was no CDUA required for this type of activity and this information was passed on to the applicant. Subsequently, staff was informed by a clarification that this proposed activity did, in fact, require a CDUA to be approved by the board. The applicant was notified of this and, accordingly, they did apply.

Mr. Ono asked what would happen should Kualoa Ranch go out of the agricultural business.

Mr. Evans said that in terms of the land use involved, the only action before staff has been an action in the conservation district. In terms of how that would be affected by their going out of the agricultural business might best be answered by the applicant.

What was presented to the board at the public hearing was that because they were in effect carrying on agricultural pursuits they were having a hard time and needed some other means to augment their income. Mr Ono asked Mr. Evans whether this was given consideration in staff's analysis.

Mr. Evans said that it was.

Mr. Ono said, "then my question is what happens if the ag activities cease to operate, would there be any impact on the water activities?"

Mr. Evans said there could be impact on the water activities. If it's the case that they feel in the future that for whatever reason they would need to augment this activity staff would prefer that they come back and run an amendment on the basic CDUA and the amendment would be for greater numbers of people other than the 100 that they presently stipulated.

Mr. Ono asked whether the applicant's had had a chance to review the submittal.

Mr. Evans said that a copy of the submittal was sent to the applicant.

Mr. John Morgan, President and Manager of Kualoa Ranch said that he had read the submittal

Mr. Ono asked Mr. Morgan if he would have any objection to another condition being added wherein should this request be approved that another condition be attached if, for whatever reason, Kualoa Ranch ceases to operate agricultural activities that this approval also will be wiped out.

Mr. Morgan said that he would have no objection to this.

Mr. Ono said that heavy emphasis was placed on the ag side at the public hearing.

Mr. Morgan said that Kualoa Ranch has no intention of stopping any of their agricultural activities.

With regards to this particular application, Mr. Brian Kanda, President of the Kaaawa Community Association, whose membership expands from Kualoa Park to Kahana Bay, said that it was their understanding that a number of Federal and State agencies who have been given information relative to the application have expressed some concern over the application. In particular, they understand that the Army Corps of Engineers incorporates a request for permission to construct a pier of some sort to extend into the waters of Kaneohe Bay at the Kualoa Fishpond site. The Army Corps of Engineers has not received an application to construct that pier to their knowledge and therefore they believe that this approval should be gathered from the Army Corps of Engineers before the board can properly act on the balance of the application.

Mr. Ing said that there is a condition that the applicant has to comply with all governmental rules and regulations, one of which would be the Corps of Engineers. Mr. Ing said that he did not know of any policy or law that would prevent this board from issuing a CDUA if the Corps of Engineers does not issue a permit, as far as he knows.

Mr. Kanda said that it was their understanding that either a staff position or a staff comment has been made that the main concern of the Department of Land and Natural Resources is limited pretty much to the effects of the proposed activity on the surface and the land areas involved. However, they feel that because of the proposed and present use of jet skis and other water vehicles and the fact that the clients of the applicant will be weeding out into the waters that there is definite effect on submerged lands and also on the plant and animal life that habitat those areas.

Mr. Kanda asked that the board postpone any action on the application until some of the matters which he brought up could be addressed and satisfactorily resolved.

Mr. Ing asked, "you don't want the board to take action until DOT has enough personnel to monitor these type of activities?"

Mr. Kanda said either that or some provision be made for adequate monitoring of the activities.

Mr. Ono asked Mr. Kanda whether or not he had testified at the public hearing.

Mr. Kanda said, no. However, they did have another representative who expressed similar concerns.

Mr. Ono stated that he could not understand Mr. Kanda's logic. It seemed like he wanted the board to study everything before taking any action.

Mr. Kanda apologized for not being prepared as much as he should have been. The comments he raised were concerns of the membership he represents as President of the Association. He said that they were given notice of this meeting only two days ago which is not adequate time to accumulate the type and extent of testimony or evidence which Mr. Ing wants of them.

Mr. Ing said that he believed that there was a representative from their Association at the time the public hearing was held and the board did give the public an additional ten days to submit written comments. He said that that hearing was held some time ago so the fact that he said he heard about this meeting only two days ago he wondered what had happened since October, 1985.

Mr. Kanda said that he could not speak for the previous community member who testified at the public hearing. The only comment he had in this regard is that he took office January 1st and was not a party to the association's activities and testimonies earlier. His knowledge of this case is limited to correspondence in their files which they have from the former representatives of the association.

Mr. Ono asked Mr. Kanda whether there was any formal discussion of this item at any of their meetings.

Mr. Kanda said, yes. As a matter of fact Mr. Morgan was an invited guest at their association meeting held February 6. Mr. Morgan shared with them their plans and some of the conditions that were imposed by the DLNR staff and he has been very open with them insofar as their intentions and their plans.

Mr. Ono asked, "there is no change in your Association's position as far as the application is concerned?"

Mr. Kanda said, basically no. Because of the nature and the quality of the lifestyle in the Kualoa-Kahana region, they are just philosophically opposed to any additional activities in the area.

For clarification, Mr. Ing asked, "Mr. Morgan, at the time of the hearing you withdrew the proposal to use jet skis on the bay side, that still stands?"

Mr. Morgan said, yes.

ACTION

Mr. Ing moved to approve this application for the construction of a pier at Kualoa, Oahu, subject to the conditions listed in the submittal and with the added condition that if for whatever reason Kualoa Ranch ceases to operate agricultural activities that this approval also will be null and void. Seconded by Mr. Kealoha, motion carried unanimously.

ITEM F-17

ROBERT KEENAN APPLICATION FOR ROAD AND UTILITY EASEMENT, PUUWAAWAA, NO. KONA, HAWAII.

Mr. Ono asked if payment would be lump sum

Mr. Detor said, yes.

Mr. Ono stated that he preferred to do what we have been doing lately, keeping it at a term of years with reopeners.

Mr. Detor said that if we go on a term of years then there is a sixty-five year limit. It would be a lease of an easement rather than a perpetual easement.

Mr. Higashi asked if there would be a problem with this application inasmuch the others were sold on a one-time payment.

Mr. Detor said that the previous two were sold as perpetual easements.

Mr. Ono asked, "what if you make it a perpetual easement but the method of payment is strung out?"

Mr. Detor said, "if you make payments as though it was a lease, etc. can you take a perpetual easement and say that they are going to pay by the year with rental reopening if it then doesn't become a lease?" He would have to refer this to the Attorney General's Office.

Mr. Robert Triantos, Attorney for the applicant, said that his clients would want an easement in perpetuity so they would not have to come back and forth. They are also involved in a sharing agreement where they will improve the road for public access so they would like an easement in perpetuity.

Mr. Higashi said if you cannot have this, then what would be your next position.

Mr. Triantos stated, "a term of years for sixty-five years."

Mr. Higashi said, "with reopeners every ten years?"

Mr. Triantos said, fine.

In answer to Mr. Higashi's question, Mr. Triantos said that his client would be participating in the joint-use agreement of the road and in the Management Plan which was formally presented by Mr. Taguchi.

ACTION Mr. Higashi moved to approve the sale of an easement for a term of sixty-five (65) years with reopening every ten years. Mr. Higashi also wanted it clear in the application that the applicant shall participate in the joint public access management plan together with the other prior applicants. Seconded by Mr. Arisumi, motion carried unanimously.

ITEM H-5 CDUA FOR A GARAGE ADDITION TO AN EXISTING RESIDENCE (MICHAEL SHEEHAN).

Mr. Ono asked Mr. Timothy McAndrews, who represented the applicant, whether he had a chance to review the submittal and, if so, did he have any comments.

Mr. McAndrews said that he did look at the submittal and could see no problems.

ACTION Unanimously approved subject to the conditions listed in the submittal. (Ing/Kealoha)

ITEM F-1-b DEPARTMENT OF HEALTH REQUEST FOR CONSENT TO ISSUANCE (BY DOH) OF REVOCABLE PERMIT COVERING PORTION OF EXECUTIVE ORDER NO. 1020 (WAIMANO HOME), WAIMANO, EWA, OAHU.

Mr. Henry Yasuda of DOH said that the service they were getting from the previous person was not what they expected so they entered into an agreement with Onipaa Ranch, Inc.

ACTION Unanimously approved as submitted. (Ing/Kealoha)

ITEM H-6

CDUA TO DEVELOP THE LULUKU WELL PRODUCTION FACILITIES AT KOOLAUPOKO, OAHU (C&C HONOLULU, BOARD OF WATER SUPPLY).

Mr. Evans asked that Page 2 under PROPOSED USE, 1st sentence be corrected to read: "The proposed project and attendant building is the construction..". Also to be corrected on page 2 is Condition No. 1 which should read "A 1.0 million gallon...." instead of A 10 million gallon...".

Mr. Ono asked Mr. Nagata, "a question has come up in reference to conservation district use application affecting the Luluku Stream area, the question is if in the Bishop Museum Study which was done as the H-3 review, whether this Board of Water Supply project would impact the significant sites?"

Mr. Nagata did not know for sure but he did know that in that vicinity there were some agriculture terraces which had been cut off on the lower portion by Likelike Highway. It appears that the wells are more on the ridge.

ACTION

Mr. Ing moved for approval with the following amendments:

1. That the location of the proposed improvements be reviewed by the Historic Sites Division again and if the proposed improvements are located either on or within close proximity to any of the sites identified in the Museum Study that appropriate conditions be placed on the approval by the Historic Sites Division.
2. Add words "and attendant building" after the words "The proposed project" as shown under PROPOSED USE on page 2 of the submittal.
3. Amend wording shown under Condition No. 1, page 2 from "A 10" million gallon, etc. to "A 1.0" million gallon, etc.

Seconded by Mr. Keaoha, motion carried unanimously.

CDUA FOR A SUBDIVISION TO CREATE AN APPROXIMATELY 21-ACRE SITE AT HALE POHAKU FOR USE BY THE UNIVERSITY OF HAWAII FOR PERMANENT MID-LEVEL FACILITIES: PLANNED AND POSSIBLE FUTURE EXPANSION OF THE PERMANENT MID-LEVEL FACILITIES: AN INFORMATION STATION; A LONG-TERM CONSTRUCTION WORKERS' CAMP AND CONSTRUCTION STAGING AREA; AND WITHDRAWAL OF THE 21± ACRE SITE FOR THE MAUNA KEA FOREST RESERVE AT HALE POHAKU, HAMAKUA, HAWAII (HAROLD MASUMOTO, UH AT MANOA).

ITEM H-9

Mr. Higashi voiced concerns about hunting in the area and asked whether there were conditions prohibiting firearms in the area.

Mr. Evans did not know.

Mr. Higash said that he would like to see this condition added as an amendment to this submittal.

Mr. Evans said that the construction worker still has a right to go hunting during the hunting season with the proper permit.

Mr. Higashi said, "fine, but they are not to have the firearms at the construction site. They may store it in Hilo or elsewhere."

Referring to Condition No. 6, Mr. Higashi asked Mr. Masumoto if he didn't think they would have a problem with this condition.

Mr. Masumoto felt that it might be a problem. They anticipate that periodically they may need to add additional facilities there. It may not be to the year 2000, because by the year 2000 they should be completed.

Mr. Higashi asked if the initial construction site could be completed within three years.

Mr. Masumoto did not think so. He said that they would need to expand Hale Pohaku if additional telescopes come up and they will not know these things for another four to five years down the road.

Mr. Ono asked Mr. Masumoto what he felt about the conditions listed in the submittal.

Mr. Masumoto asked for clarification on one item. He said that in their submission they had asked for the right to occupy the property. However, being a CDUA action there was no lease or right of entry attached. Because they need to occupy the property as soon as possible, he wondered if it would be possible to give them a right of entry then they can follow up with a lease later on.

Mr. Ono asked Mr. Wong's advice on this.

Mr. Wong said that this could be granted subject to ratification at the next meeting of the board.

Mr. Ono felt that Mr. Masumoto might just as well come in with a separate right of entry request at the next meeting of the board.

ACTION Mr. Higashi moved to approve with the following amendments:

1. Delete Condition No. 9 and make it a part of Condition No. 20.
2. Add a new condition that firearms will not be allowed at the construction site.
3. Amend Condition No. 6 wherein construction is to be completed within five years instead of three years.

Seconded by Mr. Zalopany, motion carried unanimously.

ITEM F-4 MOLOKAI RANCH, LTD. APPLICATION FOR PIPELINE EASEMENTS, MAKAKUPAIA, KAMILOLOA AND HOOLEHUA, MOLOKAI.

Mr. Detor said that the pipelines we are talking about are already in place and have been for a number of years. The State land that is involved in this particular transaction used to be Hawaiian Homes land and the State got it in 1962 through an exchange with Hawaiian Homes. Prior to that the pipelines had been installed under a reciprocal agreement between Molokai Ranch and Hawaiian Homes. Each one giving the other one permanent easement rights, which amounted to a perpetual easement although it was not termed as such. Since then the Hawaiian Home lands has been turned over to the State and what the Ranch would like to do is document the existence of these easements inasmuch as there was no formal document other than the agreement.

Mr. Detor said that Easement A is in the form of a permanent right and Easement B had a term of years which was supposed to end June, 1942 but was extended by Hawaiian Homes for a period of 21 years so it ran until 1963. Since that time, nothing has been done but the pipelines have been there all this time. The Ranch is now asking for two easements covering these pipelines.

Mr. Detor said that the proposal is made in terms of perpetual easements. One of the easements have Hawaiian Homes holding what amounts to a perpetual easement by way of this particular agreement which they entered into so if DLNR now goes on a term of years it will not be consistent with the original agreement insofar as one of the easements is concerned. These easements are appurtenant to lands held by Molokai Ranch.

Ms. Michele Matsuo, attorney for Molokai Ranch, said that with respect to Easement B which, according to Mr. Detor, is for a term of years, that actually in 1924 there was an agreement via correspondence with Hawaiian Homes and American Sugar Company predecessor to interest in Molokai Ranch, and this agreement provided that each would give the other for water pipelines over any lands controlled by the other and the easements were to be permanent. Because of the confusion as to who owned what lands and the Commissioner of Public Lands in 1942 told Hawaiian Homes that the Forest Reserve area, which Easement B runs through, was their land, they should make arrangements for extension. They believe that as a knee-jerk reaction they said, "o.k., let's extend." They do not believe that there is any compensation made for this. They were not paying attention as to whether there was that permanent agreement that covered that or not but by the terms of the permanent agreement this easement would have been covered because it acknowledged past easements as well as future easements. In their view, both easements were perpetual, it was just that there was some confusion as to who owned the land insofar as Easement B is concerned.

Mr. Ing said, "you say that Easement B was given, but no paper work done?"

Ms. Matsuo said that there is paper work but it does not specifically say perpetual easement. It just says that this agreement is permanent in nature and shall bind hereto the parties hereto, their successors and assigns.

Mr. Ing asked, "who had title to the land at that time?"

Ms. Matsuo said that although they were led to believe that Hawaiian Homes was acting in good faith and under proper authority, according to historical research done by DLNR apparently it was not Hawaiian Home's property at the time although the Commissioner of Public Lands kept telling them it was their property.

Mr. Detor said that Easement A involves land that was exchanged with Hawaiian Homes in 1962 but B goes through the Forest Reserve where there was some question.

Mr. Higashi asked if a consideration would still be required.

Mr. Detor said they would still have to pay for it.

Mr. Higashi asked Ms. Matsuo if she had any problems with this.

She said that in the case of Easement A if it had still been owned by Hawaiian Homes it would be a ratified agreement. But she understands that her client is willing to pay but they ask that the easements be specifically made appurtenant to the land.

ACTION

Mr. Arisumi moved to authorize the direct sale of the subject easements to the applicant under the terms and conditions listed in the submittal. Seconded by Mr. Zalopany, motion carried unanimously.

ITEM H-1

MEMORANDUM OF AGREEMENT BETWEEN DLNR AND DPED RELATING TO FILM PERMITTING ACTIVITIES.

Mr. Evans said that testimony was received on this item from the DPED Film Industry Branch.

Mr. Evans stated that Item H-1 is a potential Memorandum of Understanding between DPED and DLNR. The Office of Conservation and Environmental Affairs has been given the task of implementing the film permitting program as it relates to DLNR on Conservation and State lands and they have been involved in this task for about 2-1/2 and three years. During this time they have had

an opportunity to take a look and work with the DPED to look at what people were applying for, what kinds of activities they wanted to do, what kinds of equipment were being used in the movie film industry as well as the number of people that are involved in the different kinds of filming activity. As a result, in order to reasonably expedite the film process, staff submitted guidelines to DPED in terms of the procedure to be followed.

Mr. Evans asked that the following modifications be made to the Memorandum of Understanding for the Board's consideration:

1. On the first page, include a section (k) under I. Definitions which would read: "includes all people associated in any capacity with a commercial filming permit."

Staff's rationale is that they do define certain activities with up to 20 people, etc. so this is just a degree of more specificity.

Mr. Ing asked if this means "associated with filming on site?"

Mr. Evans said, "in any capacity on site, with a commercial filming permit."

2. Under section (h) under I. Definitions, add, after the word "liquid" the words "and solid gases into the environment" and delete the words "into streams, rivers or the ocean, etc."
3. On page 2, under each class LAND RENTAL FEES and DOCARE FEES is shown. Under LAND RENTAL FEES it shows \$100 per month and \$100 per day. In each case staff would like to say per site, per application. Under DOCARE fees it reads \$80 minimum, they would like to add \$20.00 hourly rate with the \$80 minimum. This is just for clarification.

Mr. Evans said that staff in its discussions with DPED have focussed on Page 3 under item 5. DPED has expressed concern in that they are tasked with providing the greatest opportunity to develop the film industry which they feel comfortable with. They feel that Item 5 as it presently reads is too restrictive. Accordingly, staff would like to amend Item 5 as follows:

5. Filming at public parks and beaches on weekends and holidays is discouraged and would be considered only under the most unusual conditions with a double-fee structure and would not be considered precedent to any other potential filming activity..

Mr. Ono asked, "what is meant by double-fee structure?"

Mr. Evans said that in terms of their fee structure there are two areas. The DOCARE fees, which would be doubled.

Mr. Ono felt that Mr. Evans should say that, instead of double-fee structure. If what we want is to double the fees then that is what we should say.

Mr. Evans said, then we would amend five to say, "only under the most unusual conditions but twice the fees."

On Page 4, Mr. Evans asked that the following be added:

15. That the fee structure for permits in Category A may include a rain date or dates.
16. That education, non-profit, and community service filming may be considered non-commercial under the following conditions: a) educational, which staff would define as non-profit or eleemosynary;

b) non-profit, which would be defined as without stockholders or supported by charity; c) community service, to be defined as activities with common interests as determined by the Chairman.

17. Commercial filming shall not occur at the following locations:

- a. Washington Place and the grounds.
- b. Iolani Palace and the grounds.
- c. Royal Mausoleum and the grounds.

18. Other conditions, including changes in fee schedules as may be determined by the Chairman.

Mr. Ing asked Mr. Evans about the status of the 1984 "Application Filing Procedures for Filming in Hawaii" packet as mentioned on page 1 of the Memorandum of Agreement.

Mr. Evans said that this is a DPED packet so the question would best be answered by DPED.

Mr. Ing said that the Board is supposed to approve "that that packet shall apply" but he has not seen the packet.

Ms. Rosehill explained that it is an information packet given to all of the applicants.

Mr. Ing asked, "as modified by this agreement?"

Mr. Evans said that this agreement would serve to implement that packet.

Mr. Ing said that there is a pre-approval section in this packet for no more than eight persons and no more than four vehicles. He asked if that was to apply to conservation lands and state lands also.

Mr. Evans said that staff has modified that to increase the number of people and that would be in Category A.2.

Mr. Ing said that he understands the difference but with regard to State and conservation lands, pre-approvals would fall under the class "A"?

Mr. Evans said, correct.

Mr. Ing said "but that is not true for County lands or someone else? This would be just true for those lands under the control of DLNR."

Referring to Item III, where it shown B-1 and B-2, Mr. Higashi asked what would be the appropriate action should they come in for non-approved sites.

Mr. Evans said that non-approved sites would fall into Category B and that would be a case-by-case review.

Mr. Higashi asked if this would be delegated to the Chairman or the Board.

Mr. Evans was not sure. The way it has been handled in the past is through the Chairman but he was not sure that there had ever been any formal delegation.

Mr. Higashi asked, "what if I want to incorporate something to this regard?"

Mr. Evans said that what staff is asking is that should the board ratify this then what staff would do is put it in final form and present it to the Chairman for signature to be transmitted to DPED for their signature.

Mr. Higashi asked if a CDUA would be required for the non-approved site.

Mr. Evans said that a CDUA would not be required but permission would be required and that is done via the film permit and that would be Category B. The board may want to delegate authority to the Chairman to sign for both A and B.

Mr. Higashi asked that Class B be amended to delegate the authority to the Chairman -- DPED will make it's case and convince the Chairman that he can sign off on a case-by-case basis.

With respect to the delegation to the Chairman, Mr. Kealoha asked, "that, in the case of the Department of Transportation land, would that be the Chairman of the Land Board approving?"

Mr. Higashi said only for those areas which we have jurisdiction. He said that he noticed in the application they have withdrawn non-approved DOT properties so he assumed that they would have to get DOT'a approval.

Ms. Rosehill presented her written testimony to the Board. She added that this is the first Memorandum of Agreement and they will be pursuing an additional Memorandum of Agreement with DOT. She said that they have no objections to the amendments recommended by staff but would like to suggest that on the first page under special effects they would have no objection to broadening that to "any foreign matter discharged into the environment." Also, in Section 4. regarding "weekend filming", in addition to warning applicants that they will be paying double the ordinary fee we might want more flexibility and say "any other additional charges as warranted."

Ms. Rosehill said that the film industry is very important to the State and this will lay the groundwork for expediting film making and permitting in the State.

Mr. Ing asked if this would be implemented with the general public before public hearings are held or before any rules are enacted.

Mr. Evans said, yes. If this is approved today, staff would start implementing same on Monday.

Mr. Ing asked if this would be processed through the rulemaking procedure.

Ms. Rosehill said that they would have no objection of going through the rulemaking procedure. However, they would like to implement this part of it immediately.

Mr. Kaneshiro, Economic Development Director for Kauai County, said that one of the main areas he has worked on was film work and he wanted to express his opinion about the island of Kauai and how some of the changes brought before the board could really work for them in a more positive manner. He concluded that he does support staff's proposal.

Mr. Dan Nichols, who works as a consultant to the motion picture industry companies coming into town as well as those who work in town, said that the only item of concern which he has with the document that was presented to the board this morning is the Saturday filming aspect. He had two concerns. An economic concern and an emotional concern.

On the economic aspect of making Saturday a discouraged item by charging double fees or just classifying it under special condition, Mr. Nichols said that they would be much better off to either say there is none period, or literally say it's o.k. One or the other. Because companies such as Columbia who will be doing T. J. Hooker and asking to use the beach on Saturday, when they come in they have no problem paying the fee. It is an irritation to them to know that they have to pay double etc. but that is not their problem. Their problem is the fact that if they are doing a show and it must be done in fourteen days and they end on the mainland with all their interior work on a Wednesday, they come here on a Thursday to shoot Friday, Saturday and Monday, say only on State lands because the whole reason they are coming to Hawaii is to shoot on a beach or see Diamond Head or whatever the case may be, they then have to deal with shooting on a Saturday because all Union regulations when a company goes on distant location is a six-day work-week. Magnum works a six-day work week because they are on distant location.

About 80% of the work that comes into Hawaii is distant location work. It is under Union classification called "distant location", which means Saturday is a work-day. If they are coming to only shoot on State land and they cannot shoot on Saturday, they must house their crew which can cost \$46,000 a day for the size of crew that they bring in. They must pay a per diem of \$55 a day and get no work out of the people and they have to do that on Sunday anyway. But to hit them with the fact that they have to stay an additional day, pay for their crew and the expenses for that Saturday because of the fact that under special circumstances they may be declined still. They need to define what those special conditions are. They need to know before they come that no you can't shoot on Saturday, or we need to tell them ahead of time what their special conditions are to be and the term special conditions are under the utmost difficulty or however we want to word it still leaves a discretionary element that can cost them \$100,000.00 if their special condition isn't quite right or if there is another activity they may not be aware of or whatever the case may be. In addition to that the economic aspect to the little company that will be 80% complaint about the permitting process to begin with because of the fact that they do tend to make their livelihood from the beauty of the State. They are the small companies that go around on weekends when models are out of the UH or what-ever the case happens to be. They utilize the beach and public lands. What happens to those people is that they are the ones who are on a tight budget and when the budget increases and cuts into that part of their livelihood, we simply have to say it will apply to the big guy too. They know that the double fee to the big guy means nothing so there is more conflict with the State and the little guy. He felt that inconsistency will always cause the problems.

Mr. Ono asked Ms. Rosehill if she had any reaction to Mr. Nichol's comments.

Ms. Rosehill said that generally when mainland companies ask about filming on Saturday, their basic reply is no. The reason that they have the language the way they do in the Memorandum of Agreement is because in the rare instance that something comes up that really does need to warrant some additional attention, then they would like some flexibility.

Mr. Ono said that is the problem Mr. Nichols is citing.

Mr. Nichols stated that he just wanted to share some of his ideas.

Ms. Rosehill said that she feels comfortable with the proposed language. She felt that in the implementation it will make the difference. It will be staff's direction that will say that there will be no filming on Saturdays and weekends. However, generally speaking, even though it may only happen once in the next five years, but an instance will come up where something of great importance will warrant weekend filming so they want that flexibility.

Mr. Nichols said that having this document is much better than not having nothing.

Mr. Ono asked how they would feel if in the immediate future they would start identifying areas where absolutely no Saturdays, Sundays and holiday shooting would be allowed. At least there is some finality. We can identify the park and trail areas where we know there is a lot of activity by local residents and list them down.

Mr. Nichols said that as far as the industry side goes, they don't mind being told no if it goes for everybody.

ACTION Mr. Higashi moved for approval as amended. Seconded by Mr. Zalopany, motion carried unanimously.

ITEM F-7 STAFF RECOMMENDATION FOR CANCELLATION OF REVOCABLE PERMIT NO. S-3831, WAIMANALO, OAHU.

Mr. Detor said that in November staff confirmed a complaint that the permittee was raising pigs on the premises which is not allowed under the terms of the permit. The purpose of the permit is for pasture use. In addition, abandoned vehicles and debris have been stored on the premises. The permittee was asked to stop but this did not happen. There was a follow-up inspection on January 16, 1986 and no action had been taken so pursuant to DLNR's established procedures staff is asking that the permit be cancelled.

Mr. Ono asked what the 1984 inspection report revealed. He was trying to determine whether raising of the pigs was a recent activity or whether it had been going on for a long time.

Mr. Detor did not have the 1984 report but, according to Land Agent Mason Young, the pig raising has been going on for some time.

Ms. Miki Hinds, representing Mr. Fiesta, said that the permit was in Mrs. Fiesta's name, who is deceased and the property is now in probate. Ms. Hinds said that she did not believe that Mr. Fiesta understood the intent of the permit inasmuch as he does not really understand the language.

Ms. Hinds said that Mr. Fiesta would like to continue his permit and was requesting a 90-day extension in order that he may wind down his piggery operation, which he says he just has for home consumption. Insofar as the cars on his property, he uses the parts from these to fix cars. But he would like ninety days to correct the problems.

Mrs. Kawamoto, daughter of Mr. Fiesta, said that her mother passed away November, 1983 and the closing of the probate was supposed to be set for today but they moved it to February 28, 1986. She said that they would like to continue the permit but would like ninety days to remove the junk and pigs.

ACTION Mr. Zalopany moved to grant Mr. Fiesta a ninety day extension to clean up the area and have Land Management report back to the board after that time. Seconded by Mr. Arisumi, motion carried unanimously.

ITEM F-1-m FINANCE INVESTMENT CO., LTD. AND INTER ISLAND RESORTS, LTD. REQUEST FOR CONSENT TO ASSIGN G. L. NOS. 2480, 2481, 2610, 3268, AND S-4253, WAIAKEA, SO. HILO, HAWAII.

Mr. Detor said that at the last meeting the board consented to an assignment of five leases covering the Naniloa Hotel. The situation has changed a little bit since then and what they are asking for because they do have a

buyer in mind is first of all that the previous action of the last meeting be rescinded and then the board consent to the assignment of the five leases to a new corporation that is being formed which is called Mauna Loa Beach Resort Corporation. The reason staff is here today is because all of this has to close by the end of the month. If this doesn't happen then they would like to get consent of the leases to Inter Island Resorts liquidating partnership, which is a limited partnership. This is in the event this particular transaction does not go through.

Mr. Detor asked that the submittal be amended by taking out the "S" in front of G. L. Nos. 2480, 2481, 2610 and 3268 inasmuch as these leases were issued before statehood.

Mr. Higashi asked if it was possible to assign to a corporation that is being formed.

Mr. Jim Case, Attorney for Inter-Island Resorts, said that the corporation is formed. In answer to Mr. Higashi's question, he said that a corporation would have to be formed before it could be assigned. Mr. Case said that basically under the guidelines of the Internal Revenue Service, Inter-Island Resorts has to stop operations by the end of this month and distribute all its assets. They have an agreement with these people who are the owners of Kukaiau Ranch to sell the hotel by the end of this month. The Limited Partnership is just in case this does not close.

ACTION Mr. Higashi moved for approval AND THAT THE "S" in front of G. L. Nos. 2480, 2481, 2610 and 3268 be deleted. Seconded by Mr. Arisumi, motion carried unanimously.

ITEM J-22 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KAWAIHAE, HAWAII (KAWAIHAE SHOPPING CENTER).

ACTION Unanimously approved as submitted. (Higashi/Zalopany)

ITEM C-1 ISSUANCE OF TIMBER (LAND) LICENSE FOR THE HARVEST OF PLANTED EUCALYPTUS STANDS IN THE OLAA, WAIAKEA, AND UPPER WAIAKEA FOREST RESERVES.

Mr. Landgraf said that the Board, on December 6, 1985, authorized a negotiated timber sale of timber stands in the Olaa, Waiakea, and Upper Waiakea Forest Reserves. The only party to submit a proposal to acquire the Timber (Land) License was the Puna Sugar Company.

Mr. Landgraf said they have only one problem with the proposal and that is the value. The bottom line is that Puna Sugar has proposed a rate of \$2.00 per chipped green ton and they had sent in an analysis. Staff feels that specifically for that particular area, Waiakea, that it should be \$2.50 a chipped green ton.

Mr. Higashi asked that AMFAC continue their efforts to keep the ex-Puna Sugar employees in their program.

ACTION Mr. Higashi moved to approve as recommended by staff. Motion carried with a second by Mr. Zalopany.

Mr. Ono asked Mr. Hatton if he had any comments.

Mr. Hatton asked about the right-of-entry permit.

Mr. Ono said that this was included in the approval by the board, which stated that the board issue an immediate right-of-entry permit.

Mr. Ing was excused from voting on this item.

<u>ITEM C-2</u>	FILLING OF POSITION NO. 2936, EQUIPMENT OPERATOR I, ISLAND OF KAUAI (LENNOX CAMAT).
<u>ITEM C-3</u>	FILLING OF POSITION NO. 214538, FORESTRY WORKER III, ISLAND OF KAUAI (ALFRED LOPEZ).
ACTION	Mr. Zalopany moved to approve Items C-2 and C-3 as submitted. Seconded by Mr. Higashi, motion carried unanimously.
<u>ITEM C-4</u>	FILLING OF WILDLIFE MANAGEMENT ASSISTANT V, POSITION NO. 09131, ISLANDS OF HAWAII/MAUI (JOAQUIN S. MELLO).
ACTION	Unanimously approved as submitted. (Arisumi/Zalopany)
<u>ADDED ITEM C-5</u>	PERMISSION TO EXTEND A HIRE OF AN AVICULTURAL CONSULTANT FOR THE ENDANGERED SPECIES FACILITY AT POHAKULOA, ISLAND OF HAWAII.
ACTION	Unanimously approved as submitted. (Higashi/Zalopany)
<u>ADDED ITEM C-6</u>	APPROVAL TO AMEND CHAPTER 124, RULES REGULATING THE MANAGEMENT AND PROTECTION OF INDIGENOUS WILDLIFE, ENDANGERED AND THREATENED WILDLIFE AND PLANTS AND INTRODUCED BIRDS, AND HOLD PUBLIC HEARINGS ON PROPOSED CHANGES.
<u>ADDED ITEM C-7</u>	REQUEST FOR AUTHORIZATION TO HOLD PUBLIC HEARING FOR THE EXTENSION OF THE EMERGENCY RULE AUTHORIZING THE BOARD OF LAND AND NATURAL RESOURCES TO ISSUE A PERMIT TO CONTROL INDIGENOUS WILDLIFE.
ACTION	Mr. Higashi moved to approve Added Items C-6 and C-7 as submitted. Seconded by Mr. Zalopany, motion carried unanimously.
<u>ITEM B-1</u>	FILLING OF POSITION NO. 33987, AQUATIC BIOLOGIST V, IN THE DIVISION OF RESOURCES (OAHU).
ACTION	Mr. Higashi moved to approve the appointment of David Eckert to Position No. 33987 effective February 17, 1986. Seconded by Mr. Arisumi, motion carried unanimously.
<u>ITEM E-1</u>	<u>REPORT OF THE ADVISORY COMMITTEE FOR KEALAKEKUA BAY STATE HISTORICAL PARK.</u>
ACTION	Mr. Higashi moved to receive the above report. Mr. Zalopany seconded. Motion carried unanimously.
<u>ITEM E-2</u>	<u>REPORT OF THE ADVISORY COMMITTEE FOR KAMOA POINT STATE HISTORICAL PARK.</u>
	Mr. Higashi asked that the Friends of Kamoa Point be involved during the implementation of this project.
ACTION	Mr. Higashi moved to receive the above report. Mr. Zalopany seconded. Motion carried unanimously.
<u>ITEM E-3</u>	REQUEST FOR PERMISSION TO AMEND THE 1985-86 MANAGEMENT AND MAINTENANCE CONTRACT WITH THE FRIENDS OF IOLANI PALACE.
	(See Page 2 for Action.)
<u>ITEM F-1</u>	<u>DOCUMENTS FOR CONSIDERATION.</u>
<u>Item F-1-a</u>	BRADY PHOTO, INC. APPLICATION FOR REVOCABLE PERMIT, KAAKAUKUKUI, HONOLULU, OAHU FOR OFFICES, STORAGE, AND RENTING OF EQUIPMENT FOR FILM, TELEVISION AND COMMERCIAL PURPOSES RETROACTIVE TO JANUARY 10, 1986. RENTAL: \$600 MO.
<u>Item F-1-b</u>	(See Page 5 for Action.)

<u>Item F-1-c</u>	RESEARCH CORP. OF THE UNIVERSITY OF HAWAII (RCUH) REQUEST FOR CONSENT TO ASSIGN G.L NO. S-4602, KAPOHO, PUNA, HAWAII.
	Mr. Higashi asked that this item be deferred.
<u>Item F-1-d</u>	GEORGE AI REQUEST FOR CONSENT TO ASSIGN G. L. NO. S-4884 TO GEORGE AI AND LOUISE MAU AI, MAUNALAHIA HOMESITES, OPU, MAKIKI, HONOLULU, OAHU.
<u>Item F-1-e</u>	CHIKARA NAKANO REQUEST FOR CONSENT TO ASSIGN G. L. NO. S-3620, WAIAKEA, SO. HILO, HAWAII.
	Mr. Higashi asked that this item be deferred.
<u>Item F-1-f</u>	OLOKELE SUGAR CO., LTD. APPLICATION FOR LAND LICENSE, HANAPEPE, KAUAI.
<u>Item F-1-g</u>	K(O)KUA RADIO ONE CORP., ET AL, REQUEST FOR CONSENT TO ASSIGN G. L. NO. S-4631, KAAKAUKUKUI, HONOLULU, OAHU.
<u>Item F-1-h</u>	RAINBOW PROPERTIES, INC. REQUEST FOR CONSENT TO SUBLEASE TO AGRICULTURAL RESEARCH AND TECHNOLOGY GROUP, INC., WAIMANALO, OAHU.
<u>Item F-1-i</u>	RICHARD LEE APPLICATION FOR REVOCABLE PERMIT AT KALAUAO, EWA, OAHU FOR GENERAL AGRICULTURE PURPOSE COMMENCING MARCH 1, 1986. RENTAL: \$84.00 MO.
<u>Item F-1-j</u>	RAYMOND YANAGIHARA APPLICATION FOR REVOCABLE PERMIT AT KANEOHE, OAHU FOR HOME GARDENING PURPOSES AND MAINTENANCE OF STATE LAND COMMENCING FEBRUARY 15, 1986. RENTAL: GRATIS.
<u>Item F-1-k</u>	CORMAX CORP. REQUEST FOR CONSENT TO SUBLEASE TO THE SOUTHLAND CORPORATION, DBA 7-11, G. L. NO. S-4644, KALAUAO, EWA, OAHU.
<u>Item F-1-l</u>	ARMSTRONG PRODUCE, LTD. REQUEST FOR CONSENT TO ASSIGN SUBLEASE OF PORTION G. L. NO. S-4405 TO ALOHA PRODUCE CORPORATION, KAAKAUKUKUI, HONOLULU, OAHU.
<u>Item F-1-m</u>	(See Page 14 for Action.)
ACTION	Mr. Kealoha moved to approve Items F-1-a, b, d, f, g, h, i, j, k and l as submitted. Seconded by Mr. Zalopany, motion carried unanimously.
	Items F-1-c and F-1-E were deferred.
<u>ITEM F-2</u>	COUNTY OF HAWAII, DEPARTMENT OF WATER SUPPLY, REQUEST FOR EXECUTIVE ORDER SETTING ASIDE WATER TANK SITE AT NAPOOPOO, SO. KONA, HAWAII.
ACTION	Unanimously approved as submitted. (Arisumi/Zalopany)
<u>ITEM F-3</u>	RESUBMITTAL - PALANI RANCH CO., INC. REQUEST FOR RENTAL ADJUSTMENT, KEALAKEHE, NO. KONA, HAWAII.
	Mr. Detor said the applicants are asking that the rental be reduced.
	Mr. Herbert Yanamura said that they would like to reduce the rental to \$40.00 for one year, until the next permit review. If after one year the psyllid problem if improved then the rental can revert to \$75.00. The permittee is also asking that approximately 80 acres of land be withdrawn from his permit inasmuch as he cannot justify fencing the area.
ACTION	Mr. Higashi moved to approve as recommended by staff. Seconded by Mr. Arisumi, motion carried unanimously.
<u>ITEM F-4</u>	MOLOKAI RANCH, LTD. APPLICATION FOR PIPELINE EASEMENTS, MAKAKUPAIA, KAMILLOLA & HOOLEHUA, MOLOKAI.
	(See Page 8 for Action.)

<u>ITEM F-5</u>	DEPARTMENT OF HAWAIIAN HOME LANDS REQUEST FOR AMENDMENT OF REVOCABLE LICENSE NO. 10 COVERING MOLOKAI HIGH SCHOOL SITE, HOOLEHUA-PALAAU HOMESTEADS, MOLOKAI.
ACTION	Unanimously approved as submitted. (Arisumi/Zalopany)
<u>ITEM F-6</u>	VIJAY WENK APPLICATION TO PURCHASE REMNANT PARCELS AT HONOPAU-HOOLAWA, MAKAWAO, MAUI.
ACTION	Unanimously approved subject to the conditions listed in the submittal. (Arisumi/Zalopany)
<u>ITEM F-7</u>	<u>STAFF RECOMMENDATION FOR CANCELLATION OF R.P. NO. S-3831, WAIMANALO, OAHU.</u>  (See Page 13 for Action.)
<u>ITEM F-8</u>	HAWAIIAN ELECTRIC CO., INC. APPLICATION FOR UNDERGROUND DUCTLINE AND TRANSFORMER EASEMENT, KAPAHULU, HONOLULU, OAHU.
ACTION	Unanimously approved subject to the conditions listed in the submittal. (Kealoha/Arisumi)
<u>ITEM F-9</u>	CORMAX CORP. REQUEST FOR WAIVER OF PERFORMANCE BOND REQUIREMENT, G. L. NO. S-4644, KALAUAO, EWA, OAHU.
ACTION	Unanimously approved as submitted. (Kealoha/Arisumi)
<u>ITEM F-10</u>	<u>ARTHUR LUM APPLICATION TO PURCHASE REMNANT PARCEL AT WAIMANALO, OAHU.</u>
ACTION	Unanimously approved subject to the conditions listed in the submittal. (Kealoha/Higashi)
<u>ITEM F-11</u>	DEPARTMENT OF EDUCATION REQUEST FOR ACQUISITION OF LEASE EXTENSION, FORT SHAFTER, HONOLULU, OAHU.
ACTION	Mr. Kealoha moved to authorize the Department to secure a renewal of the Army lease for another 5-year term beginning March 1, 1986. Seconded by Mr. Higashi, motion carried unanimously.
<u>ITEM F-12</u>	DEPARTMENT OF ACCOUNTING & GENERAL SERVICES REQUEST FOR EXECUTIVE ORDER SETTING ASIDE LAND FOR OAHU-KAUAI MICROWAVE SYSTEM, MAKIKI AND TANTALUS, HONOLULU, OAHU.
ACTION	Unanimously approved as recommended by staff. (Kealoha/Arisumi)
<u>ITEM F-13</u>	<u>UNITED STATES AIR FORCE REQUEST FOR APPROVAL OF LICENSE AGREEMENT WITH DAGS COVERING PORTION OF G. L. NO. S-3747, MOUNT KAALA, MOKULEIA, WAIALUA, OAHU.</u>
ACTION	Unanimously approved as submitted. (Kealoha/Higashi)
<u>ITEM F-14</u>	<u>JAMES F. BOLSTER APPLICATION FOR STAIRWAY EASEMENTS, WAIPOULI, KAUAI.</u>  Mr. Detor said that Mr. Bolster did come in for a CDUA but was advised by the department that this was not necessary so he is now coming in requesting an easement.  Mr. Detor said that staff is requesting a fine of \$500.00 for encroaching on State land. The applicant could not see why he should pay a fine since he did not put the stairway in.  Mr. Zalopany moved to approve as recommended by staff.

	Mr. Ono remarked that when the stairway was built it was not State land.
	Mr. Detor said that it was constructed on urban land.
	Mr. Ono thought that the land was privately owned.
	Mr. Detor said that it became State land because of erosion.
	Mr. Ono did not feel this was a true encroachment inasmuch as the person who built the stairs built it on private land.
ACTION	Mr. Zalopany recalled his earlier motion and moved instead to approve with an amendment that the \$500.00 fine be deleted. Seconded by Mr. Kealoha, motion carried unanimously.
	Mr. Ono said it should be documented very clearly why the board is not assessing the \$500.00 fine.
<u>ITEM F-15</u>	<u>U. S. CORPS OF ENGINEERS REQUEST FOR RIGHT OF ENTRY AND TEMPORARY USE OF STATE LAND AT NAWILIWILI, LIHUE, KAUAI.</u>
ACTION	Unanimously approved as recommended by staff. (Zalopany/Arisumi)
<u>ITEM F-16</u>	<u>COUNTY OF KAUAI, DEPARTMENT OF WATER, REQUEST FOR EXECUTIVE ORDER SETTING ASIDE EASEMENT AND IMPROVEMENTS, KALAHEO, KAUAI.</u>
ACTION	Unanimously approved as submitted. (Zalopany/Arisumi)
<u>ITEM F-17</u>	<u>ROBERT KEENAN APPLICATION FOR ROAD AND UTILITY EASEMENT, PUUWAAWAA, NO. KONA, HAWAII.</u>
	(See Page 5 for Action.)
<u>ITEM G-1</u>	<u>FILLING OF VACANCIES IN THE BUREAU OF CONVEYANCES, OAHU.</u>
ACTION	The board unanimously approved the filling of nine vacancies in the Bureau of Conveyances as listed in the submittal. (Kealoha/Zalopany)
<u>ITEM H-1</u>	<u>MEMORANDUM OF AGREEMENT BETWEN DLNR AND DPED RELATING TO FILM PERMITTING ACTIVITIES.</u>
	(See Page 13 For Action.)
<u>ITEM H-2</u>	<u>REQUEST FOR TIME EXTENSION FOR CDUA TO REPAIR, IMPROVE, AND MAINTAIN THE MAUNAWILI DITCH SYSTEM (DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF WATER AND LAND DEVELOPMENT).</u>
ACTION	Mr. Kealoha moved to extend the time in which to initiate the Maunawili Ditch reconstruction for one year until January 11, 1987. Seconded by Mr. Zalopany, motion carried unanimously.
<u>ITEM H-3</u>	<u>CDUA FOR CONDUCTING COMMERCIAL RECREATIONAL USES WITH PIER CONSTRUCTION AT KUALOA, OAHU (JOHN MORGAN, KUALOA RANCH, INC.).</u>
	(See Page 13 for Action.)
<u>ITEM H-4</u>	<u>CDUA TO DEVELOP A MICROWAVE REPEATER STATION AT KAPAA, OAHU (HAWAIIAN ELECTRIC CO.).</u>
ACTION	Unanimously approved subject to the conditions listed in the submittal. (Kealoha/Zalopany)

<u>ITEM H-5</u>	<u>CDUA FOR A GARAGE ADDITION TO AN EXISTING RESIDENCE (MICHAEL SHEEHAN).</u> (See Page 5 for Action.)
<u>ITEM H-6</u>	<u>CDUA TO DEVELOP THE LULUKU WELL PRODUCTION FACILITIES AT KOOLAUPOKO, OAHU (C&amp;C HONOLULU, BOARD OF WATER SUPPLY).</u> (See Page 6 for Action.)
<u>ITEM H-7</u>	<u>REQUEST FOR TIME EXTENSION FOR CDUA TO REPAIR AND RECONSTRUCT THE WAIOLI IRRIGATION SYSTEM AT HANALEI, KAUAI (DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF WATER AND LAND DEVELOPMENT.)</u>
ACTION	Mr. Zalopany moved to grant a one-year extension to February 22, 1987, in which the applicant must initiate the project. Seconded by Mr. Arisumi, motion carried unanimously.
<u>ITEM H-8</u>	<u>REQUEST FOR TIME EXTENSION FOR CDUA TO CONSTRUCT A LAVA DIVERSION BARRIER AT HAMAKUA, HAWAII (NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION).</u>
ACTION	Mr. Higashi moved to grant the applicant a time extension to February 14, 1987 in which to initiate the project's construction. Seconded by Mr. Arisumi, motion carried unanimously.
<u>ITEM H-9</u>	<u>CDUA FOR A SUBDIVISION TO CREATE AN APPROXIMATELY 21-ACRE SITE AT HALE POHAKU FOR USE BY THE UNIVERSITY OF HAWAII FOR PERMANENT MID-LEVEL FACILITIES; PLANNED AND POSSIBLE FUTURE EXPANSION OF THE PERMANENT MID-LEVEL FACILITIES: AN INFORMATION STATION; A LONG-TERM CONSTRUCTION WORKERS' CAMP AND CONSTRUCTION STAGING AREA; AND WITHDRAWAL OF THE 21± ACRE SITE FOR THE MAUNA KEA FOREST RESERVE AT HALE POHAKU, HAMAKUA, HAWAII (HAROLD MASUMOTO, UH AT MANOA).</u>
	(See Page 7 for Action.)
<u>ITEM H-10</u>	<u>CDUA FOR A SINGLE-FAMILY RESIDENCE, HANA, MAUI (AL COVIC).</u>
ACTION	Unanimously approved subject to the conditions listed in the submittal. (Arisumi/Zalopany)
<u>ITEM H-11</u>	<u>PERMISSION TO FILL THE POSITION OF LABORATORY ASSISTANT II, POSITION NO. 21848E, IN THE AQUACULTURE DEVELOPMENT PROGRAM, OAHU.</u>
ACTION	Mr. Higashi moved to approve the appointment of Mrs. Caroline Mineyo Sudo-Choy to Position No. 21848E. Seconded by Mr. Zalopany, motion carried unanimously.
<u>ITEM H-12</u>	<u>APPROVAL TO ENGAGE THE SERVICES OF A CONSULTANT TO ASSIST IN IMPLEMENTING THE DEPARTMENT'S PLAN FOR DISTRIBUTED INFORMATION PROCESSING AND INFORMATION RESOURCE MANAGEMENT (DIPIRM).</u>
ACTION	Unanimously approved, subject to approval by the Governor. (Higashi/Zalopany)
<u>ADDED ITEM I-1</u>	<u>FILLING OF POSITION NO. 05982, CONSERVATION AND RESOURCES ENFORCEMENT OFFICER IV, OAHU.</u>
ACTION	Mr. Kealoha moved to approve the appointment of Johnny Castillo to Position No. 05982. Seconded by Mr. Higashi, motion carried unanimously.
<u>ITEM J-1</u>	<u>LEASE, LAGOON DRIVE BASEYARD SUBDIVISION, HONOLULU INTERNATIONAL AIRPORT, OAHU (HAWAIIAN ELECTRIC CO., INC. (HECO)).</u>
ACTION	Unanimously approved as submitted. (Higashi/Zalopany)

<u>ITEM J-2</u>	AGREEMENT-CONCESSION/RESUBMITAL, HONOLULU INTERNATIONAL AIRPORT, OAHU (RONALD I. NISHIHIRA DBR RM ENTERPRISES).
ACTION	Unanimously approved as submitted. (Higashi/Zalopany)
<u>ITEM J-3</u>	RIGHT-OF-ENTRY, LIHUE AIRPORT INDUSTRIAL SUBDIVISION, KAUAI (CITIZENS UTILITIES COMPANY).
ACTION	Unanimously approved as submitted. (Zalopany/Arisumi)
<u>ITEM J-4</u>	AMENDMENT NO. 1 TO LEASE NO. DOT-A-83-14, HONOLULU INTERNATIONAL AIRPORT, OAHU (ROYAL HAWAIIAN AIRWAYS, INC., DBA ROYAL HAWAIIAN AIR SERVICE).
ACTION	Unanimously approved as submitted. (Higashi/Zalopany)  Mr. Garcia said that the following Items J-5 through J-12 were all amendments to the Kahului Rent-A-Car concession operations at the airport.
<u>ITEM J-5</u>	AMENDMENT NO. 2 TO LEASE NO. DOT-A-84-24, KAHULUI AIRPORT, MAUI (BUDGET RENT A CAR SYSTEMS, INC.).
<u>ITEM J-6</u>	AMENDMENT NO. 2 TO LEASE NO. DOT-A-84-23, KAHULUI AIRPORT, MAUI (MAUI AIRPORT U-DRIVE, INC.).
<u>ITEM J-7</u>	AMENDMENT NO. 2 TO LEASE NO. DOT-A-84-12, KAHULUI AIRPORT, MAUI (AVIS RENT A CAR SYSTEM, INC.).
<u>ITEM J-8</u>	AMENDMENT NO. 2 TO LEASE NO. DOT-A-84-13, KAHULUI AIRPORT, MAUI (THE HERTZ CORPORATION).
<u>ITEM J-9</u>	AMENDMENT NO. 2 TO LEASE NO. DOT-A-84-20, KAHULUI AIRPORT, MAUI (TRAVELER'S RENT A CAR OF HAWAII, INC.).
<u>ITEM J-10</u>	AMENDMENT NO. 2 TO LEASE NO. DOT-A-84-14, KAHULUI AIRPORT, MAUI (TAYLOR TRANSPORTATION CO., LTD.).
<u>ITEM J-11</u>	AMENDMENT NO. 2 TO LEASE NO. DOT-A-84-22, KAHULUI AIRPORT, MAUI (ALAMO RENT-A-CAR, INC.).
<u>ITEM J-12</u>	AMENDMENT NO. 2 TO LEASE NO. DOT-A-84-21, KAHULUI AIRPORT, MAUI (PACIFIC INTERNATIONAL SERVICES CORP.).
ACTION	Mr. Arisumi moved to approve Items J-5 through J-12 as submitted. Seconded by Mr. Higashi, motion carried unanimously.
<u>ITEM J-13</u>	<u>APPLICATION FOR ISSUANCE OF REVOCABLE PERMITS 4166, ETC., AIRPORTS DIVISION.</u>
ACTION	Unanimously approved as submitted. (Higashi/Kealoha)
<u>ITEM J-14</u>	RESUBMITAL - APPROVAL OF CONSENT TO SUBLEASE PORTIONS OF THE PREMISES OF LEASE NO. 42, PIER 35, HONOLULU HARBOR, OAHU (NATIONAL COMPANY, INC.).
ACTION	Unanimously approved as submitted. (Kealoha/Higashi)
<u>ITEM J-15</u>	ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, FORT ARMSTRONG, HONOLULU, OAHU (HAWAIIAN MARINE LINES, INC.).
ACTION	Unanimously approved as submitted. (Kealoha/Higashi)
<u>ITEM J-16</u>	ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, HEEIA-KEA SMALL BOAT HARBOR, HARBOR, OAHU (DELI CORPORATION).
ACTION	Unanimously approved as submitted. (Kealoha/Higashi)

<u>ITEM J-17</u>	ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, NEAR PIERS 23 & 24, HONOLULU HARBOR, OAHU (MANNA PRO CORPORATION).
<u>ITEM J-18</u>	ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PORT ALLEN, KAUAI (MANNA PRO CORPORATION).
<u>ITEM J-19</u>	ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, NEAR PIER 24, HONOLULU HARBOR, OAHU (MANNA PRO CORPORATION).
<u>ITEM J-20</u>	ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 23, HONOLULU HARBOR, OAHU (MANNA PRO CORPORATION).
<u>ITEM J-21</u>	ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 23, HONOLULU HARBOR, OAHU (MANNA PRO CORPORATION).
ACTION	Mr. Kealoha moved to approve Items J-17 through J-21 as submitted. Seconded by Mr. Higashi, motion carried unanimously.
<u>ITEM J-22</u>	ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KAWAIHAE, HAWAII (KAWAIHAE SHOPPING CENTER).
ACTION	(Unanimously approved as submitted. See Page 14.)
<u>ITEM J-23</u>	USE OF HARBORS DIVISION FACILITIES, PIER 9 PASSENGER TERMINAL, HONOLULU, OAHU (RUNNER'S LIFE OF HAWAII, INC.).
ACTION	Unanimously approved as submitted. (Kealoha/Higashi)
<u>ITEM J-24</u>	ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KAWAIHAE HARBOR, HAWAII (HAWAII ELECTRIC LIGHT CO., INC.).
ACTION	Unanimously approved as submitted. (Higashi/Zalopany)
<u>ITEM J-25</u>	ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, ALA WAI SMALL BOAT HARBOR, HONOLULU, OAHU (HONOLULU COMMITTEE, TRANSPACIFIC YACHT RACE).
ACTION	Unanimously approved as submitted. (Kealoha/Zalopany)
<u>ADJOURNMENT:</u>	There being no further business, the meeting was adjourned at 12:40 p.m.

Respectfully submitted,

Mrs. LaVerne Tirrell  
Secretary

APPROVED:

SUSUMU ONO  
Chairperson

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