

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

DATE: May 9, 1986  
TIME: 9:00 A.M.  
PLACE: Board Room  
1151 Punchbowl Street  
Honolulu, Hawaii

ROLL CALL Chairperson Susumu Ono called the meeting of the Board of Land and Natural Resources to order at 9:05 a.m. the following were in attendance:

MEMBERS

Mr. J. Douglas Ing  
Mr. Moses W. Kealoha  
Mr. Roland Higashi  
Mr. Leonard H. Zalopany  
Mr. John Y. Arisumi  
Mr. Susumu Ono

STAFF

Mr. James Detor  
Mr. Roger Evans  
Mr. Manabu Tagomori  
Mr. Ralston Nagata  
Mr. Maurice Matsuzaki  
Mr. Richard Fassler  
Mr. Sam Lee  
Ms. Dorothy Chun  
Ms. Patricia Edwards

OTHERS

Mr. Art Muraoka, Dep. Atty Gen.  
Mr. Peter Garcia, DOT  
Mr. Richard Rarick (E-9)  
Ms. Alice Guild, Mary Helen Styan  
(E-10)  
Mr. Eddie Tangen (H-7)  
Messrs. William Yuen, Joseph Vierra  
(H-8)  
Drs. Philip Helfrich, Chauncey Ching  
(H-10)  
Mr. Kazu Hayashida (H-2), (D-8)  
Messrs. Paul Sullivan, Chris Kwock,  
Paul Teramoto (D-8)  
Mr. Derrick Turner (H-1)  
Messrs. Tyrone Kusao, Glenn Umetsu,  
Ms. Delane Dewey and Mrs. Janet Gillmar  
(H-3)  
Mr. Ralph Young (F-12)  
Mr. Tom Bell (H-11)

MINUTES

Mr. Arisumi moved that the minutes of March 14, 1986 be approved as distributed. Seconded by Mr. Zalopany, motion carried unanimously.

ADDED ITEMS

Motion was made by Mr. Ing to add the following items to the agenda:

Item C-1 Filling of Position No. 14871, Equipment Operator I, Kamuela Tree Nursery, Island of Hawaii.

Item C-2 Master's Report on Public Hearing.

Item D-10 Extension of Time to Act on Honolulu Board of Water Supply's Applications for Permits to Withdraw Water from Waipahu II (228) and Kunia II Wells, Pearl Harbor Ground Water Control Area.

Item D-11 Application for a Stream Channel Alteration Permit, Kahana Valley, Koolauloa, Oahu.

Item H-13 Request to Appoint a Public Hearing Master.

Seconded by Mr. Higashi, motion carried unanimously.

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

PERMISSION TO ENTER INTO A CONTRACT WITH THE COUNTY OF HAWAII FOR THE DEVELOPMENT OF GEOTHERMAL-AGRICULTURAL PROJECT IN PUNA, HAWAII

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ITEM D-5

Mr. Tagomori presented the submittal with the recommendation that the Board authorize the Chairperson to execute the appropriate contract with the County of Hawaii for the stated purpose, subject to the release of funds by the Governor.

Mr. Dante Carpenter, Mayor of the County of Hawaii addressed the Board, saying that the County was in support of release of these funds and they were prepared to expedite the contract to encumber the amount of the funds that are available amounting to some \$530,000.00 for use of and with any conjunction with the Puna geothermal research facility and the HGPA geothermal facility.

ACTION

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

REQUEST TO USE AINA MOANA STATE RECREATION AREA (MAGIC FOR A PRO-AM SURFING COMPETITION)

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ITEM E-9

Mr. Nagata presented staff's recommendation that the Board deny the issuance of a permit to Hawaii Surfing Promotions to use a portion of Magic Island to conduct the Gotcha Hawaiian Pro-Am Surfing Championship including swim wear contest/fashion show. Staff feels that the activities are overly commercial in purpose and is scheduled to occur over an extended period spanning Kamehameha Holiday and a summer weekend.

Discussion followed by board members, questioning the summer use of the beach parks, previous usage for surfing events, rental, commercial usage, placement of proposed stage, etc.

Mr. Randy Rarick, director of the Hawaii Triple Crown of Surfing on the North Shore which include the Pipeline Masters, the World Cup also the Duke Classic, read a short statement to the board which he felt would answer much of the questions. He also included some changes from his original request to try and meet the special conditions laid out by Mr. Nagata.

Board members had questions of Mr. Rarick, which included questions regarding commercial filming of the event; the height of the waves at this site and positioning of the proposed stage.

ACTION Mr. Kealoha moved to approve staff's recommendation, that is to deny issuance of a permit for this promotion. Seconded by Mr. Higashi, motion carried unanimously.

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

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ITEM E-8

ACTION Unanimously approved as submitted. (Ing/Arisumi)

REQUEST FOR APPROVAL FOR SUPPLEMENTARY DETAILS RELATING TO THE KING KALAKAUA JUBILEE CENTENNIAL CELEBRATION AT THE IOLANI PALACE GROUNDS

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ITEM E-10

Mr. Nagata said at the previous Land Board meeting the Friends of Iolani Palace, Inc. were asked to return to this meeting to present more details regarding general public participation in the paid events.

Staff met with representatives of the Friends'. The matter was discussed but did not result in agreement. Staff has developed recommendations which are listed in the submittal.

Ms. Alice Guild, Managing Director presented their proposal which separates the two events, asking that each be considered in light of its unique historical importance. Regarding the parking, they have assurance from Mr. Al Hirota of DAGS that all State parking permittees will be accommodated within adjacent areas.

Ms. Mary Helen Styan presented the detailed plan covering the item of the ball and the luau, i.e. the guest lists, expected cost, number of tickets per applicant, announcement to the public of the availability of tickets to the luau, etc.

Mr. Kealoha questioned the participation of the general public in an equal opportunity, that is informing other Hawaiian organizations like OHA, Alu Like, and Hawaiian Homes at the same time that the newsletter is sent to the Friends of 'Iolani Palace. Ms. Styan replied, "Yes," they have been advised by letter as they are on their mailing list for advanced notices.

Mr. Ono wished to clarify the point brought out at the last meeting of the board's decision that there should be some form of ticket allocation and not the Friends organizations to handle everything at their discretion.

Mr. Nagata pointed out an incorrect statement in the letter of May 9, 1986 to the Board from the Friends which he believes is incorrect. It says the Board deleted the words assure and equal opportunity. He said that the Board deleted

the words assure and equal, so he took it that the opportunity did not necessarily be equal but then the public would still have to have a reasonable opportunity. Based on that, his recommendations were to allocate a certain amount to the Friends and allocate the bulk to the general public, to which the Friends could also put applications into.

Ms. Guild felt that Mr. Nagata's percentage quota makes the Friends have a very highly unequal opportunity. It changes the balance considerably, as far as control of tickets.

Discussion continued on disbursement of tickets to all Hawaiian organizations and related concerns.

Mr. Ing addressed the Chairman to consider deferring this item to the next meeting. There seems to be two extreme positions, of which he is neither in favor of and would prefer to try to work something else rather than try to compromise till they come up with something today.

ACTION            There being no objections, Chairman Ono so ordered the item be deferred to the next meeting which will be held on the island of Maui.

ITEM H-7            CDUA FOR A GRADING AND EXCAVATION USE AND RESERVOIR SITE USE AND REACTIVATION OF A LAPSED APPROVAL FOR A DRAINAGE DITCH USE AT PALOLO VALLEY, OAHU

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Mr. Evans presented the application to the board. He said that the Board had acted on a previous application where a fence was proposed. Staff's recommendation in that case was to recommend and the board sustained the approval of a fence. The purpose of the fence and the ditch was strictly to provide protection to makai properties. That proposal did not indicate any grading or excavation of what is proposed now, approximately 8,000 cubic yards.

Staff feels that the proposed activity specifically the excavation activity is not consistent with the purpose and intent of the limited subzone and for that reason they are recommending several things, firstly, that that activity be denied, secondly, that the request to reactivate the lapsed conservation district as well as the installation of the drainage ditch and the water tank reservoir, that that be approved.

Mr. Ing questioned the denial of the excavation. The aspect that you are recommending approval on, is that similar to the Board's prior approval.

Mr. Evans said yes, it is the same as the Board's prior approval that was on a drainage ditch as well as a reservoir. Staff feels that is consistent and recommending approval under conditions listed.

Mr. Kealoha asked if no excavation occurred, would grading be permitted.

Mr. Evans said they would recommend approval of any required grading, such that it would fit in the proposal of the installation of the drainage ditch and fence, because the board had approved in the past. There would be a follow-up plan that would come in, should there be approval.

Mr. Kealoha asked if the reason for recommendation of denial of excavation was the removal of boulders and particles of that land.

Mr. Evans said yes. He continued to answer questions of the Board regarding excavation

Mr. Eddie Tangen passed out photo copies of the land in question to members of the Board. He said he was speaking against staff's recommendation #1, not only because it might eliminate the project but many other reasons which he would touch on. He said this project consists of 100 single family homes at a cost of \$130,000 for the house and lot involving infrastructure of the neighborhood which is necessary and would provide well organized and properly done neighborhood. A 170 people have requested consideration for getting one of these homes. The majority of the 170 live in the Palolo Valley area. This housing project is supported by the neighborhood board and Palolo Community Association.

Mr. Tangen then pointed out the area on the photos and elaborated on areas to be excavated, the limited subzones and the urban zones. He continued to comment on 1) interceptor ditch and chain fence; 2) reservoir water tank, water capacity and 3) excavation of the area.

Mr. Tangen pointed out this applicant has the right to do whatever he's allowed to do in urban district and so the concern of this board is a very tiny area, the limited subzone. Mr. Tangen also referred to staff's comment on page 8 of the submittal in the second to the last paragraph which read, "This leads staff to reaffirm its position that the Limited subzone designation is appropriate for the site."

Mr. Ing asked the engineer Mr. Brian Gray, if the purpose for the excavation in the conservation zone is to get enough borrow so that you can use that as fill in the urban site.

Mr. Gray said that was part of the reason. The other reason is in order to make the project feasible, they had to have houses on both sides of the roadway through the urban area. By excavating back further, they are able to generate larger, wider benches so they could put large trees to mask the appearance as well as get more material to put in to the adobe area, not just the 8000 yards in the conservation area. By moving the cut back, there's also a cut in the urban area they would lose, so the total effect would be about 20,000 yards.

Mr. Ing asked would you have to reduce your cut in the urban area if you weren't able to cut into the conservation site.

Mr. Gray said that was correct.

Mr. Ing continued, but you lot size would be the same?

Mr. Gray said the lot size would be the same but the usable area on the lot would be reduced. The original application did not include the cut into the conservation area. Mr. Gray continued to answer more technical questions from members of the Board.

Mr. Gray said that they would only go in 20 feet of excavation into the conservation area. There would be a ditch on the mauka side.

Mr. Kealoha asked if the balance of the urban area would be excavated anyway and would both be contiguous with each other.

Mr. Gray said that was correct. He presented a latest grading plan which showed at one point where the cut would go in about 25 feet. He did mention that if there were any boulders there that looked like they were on site at the time they were going to excavate, they would like to take them out.

Mr. Ing asked what is the amount of the borrow that they would be taking out of the conservation area.

Mr. Gray said that it's still in the same proportion mentioned, 8,000 cubic yards or less.

Chairman Ono asked Mr. Evans if his understanding was the same as what Mr. Gray was pointing out as far as the project area impacts the conservation portion.

Mr. Evans said that his understanding was that ownership was split between two separate zones, that there was going to be excavation. Staff's task was to evaluate that excavation which they determined to be about 8,000 cubic yards mauka of the conservation district. Staff was looking at the entire rectangular area.

Chairman pointed out that shown by the engineer, that the actual impact on the ground would be the boundary area or boundary of the cut.

Mr. Michael Sullivan, spoke as a home owner and resident of Carlos Long area in Palolo Valley and one of the signers of the letter presented to the Board against the excavation being discussed. He mentioned the highlights in the letter regarding the natural beauty of the hillside being destroyed, vegetation of the cuts, noise pollution, known Hawaiian burial sites being disturbed and danger of rock slides and stray boulders from the excavated areas.

Mr. Sullivan made reference to two applications before the City and County's Department of Land Utilization (DLU). The DLU has refused the developer permission to construct houses mauka of the proposed Gardenia Street road extension in areas where the existing hillside slope is greater than 40% and it has severely limited grading or excavation in the same area.

Mr. Ing asked Mr. Sullivan if he had any written document from DLU.

Mr. Sullivan had a summary from DLU, a March 10, 1986 letter which summarizes their very long response to the applicant.

Mr. Arisumi asked Mr. Tangen about water for fire protection.

Mr. Tangen said they have the requirements from the Board of Water Supply as to the size of reservoir, pumps and tank.

ACTION

Mr. Ing moved for approval of the Board submittal with the following amendment that, with regard to Section A, the grading be allowed as shown on the latest revised plan of the engineers, but that in the event DLU does not allow grading where the existing slope exceeds 40% that the applicants be bound by that limitation. Seconded by Mr. Kealoha.

Mr. Higashi asked to add another condition about landscaping.

Mr. Ing amended his motion that landscaping plans be submitted to the department for review.

There being no further questions, Chairman Ono called for a vote, motion unanimously approved as amended.

Mr. Ing asked that his motion be amended to include removal of loose boulders. Seconded by Mr. Higashi. There being no objection by the board, the amendment was incorporated into the previous motion.

ITEM F-2

DIRECT SALE OF EASEMENT AND ISSUANCE OF REVOCABLE PERMIT COVERING PORTION OF GOVERNMENT LAND AT WAIULUA INLET, SOUTH KOHALA, HAWAII

Mr. Detor said that F-2 is a follow-up of of a Conservation District Use Application that was approved back in the September 27, 1985 meeting. At that time the board approved the CDUA for offshore development for the Hyatt Regency Waikoloa Hotel in South Kohala. The F-2 today incorporates the conditions and terms that were approved by the board in connection with that CDUA. This includes the sale of an easement and a related revocable permit so that the work in the area can proceed.

Sale of easements affecting submerged lands are subject to legislative approval and must be posted at the next session. Staff is suggesting a revocable permit be issued so that the work can commence. This would be on the condition that if the legislature should turn down the sale of the easement that applicant would have to cease working and return back to the original conditions.

F-1c covers a land license for the material that is removed and we expect payment for that.

Staff is suggesting a 55 year term but applicant is asking for a perpetual easement. Mr. Detor said the legal maximum is 65 years and he would see no objections to amending the submittal to 65 years.

Chairman Ono asked if there were easements of this type going perpetual. Mr. Detor replied that there were many of them. The trend in recent years has been to term of years rather than perpetual. He said that even if this were a perpetual easement, should the State need it back, there is an abandonment provision that goes into every instrument. The State retains the right to withdraw for public purposes.

Mr. Higashi addressed the representative of the applicant in regards to the perpetual easement, whether he would have any objections to taking the evaluations along the line that was being discussed about issuing the easement in perpetuity.

Mr. Vierra said that their preference is for perpetual easement as long as it's done by independent appraisal, the market value is what they're asking for.

Discussion followed to clarify the sale of a perpetual easement. Sale in this case would be close to the market value and they would actually be paying the fee according to Mr. Higashi. The easement would still be open to the public for public purpose.

Mr. Vierra said the submittal shows the applicant to be Ronald Boeddeker, President, ATPAC Land Company. He asked that the applicant be changed to Ronald Boeddeker, Trustee because of change of owner. He also mentioned that through the years, ownership will probably change.

Mr. Higashi stated in clarification that in amending this to in perpetuity that when the appraisal is done it would be almost equivalent to a fee and an easement is called an easement. The intent of this is to secure a firm position for a long term basis, but the intent of an easement as defined by law, still applies. The State has the right to inspect the property to make sure that the buildings the applicant puts on has the State's consent and is always open to the public for recreational purposes.

**ACTION**

Mr. Higashi moved for approval with several amendments, one that the applicant be changed to "Ronald Boeddeker Trustee" and that the term be in perpetuity and standard conditions of the department imposed on disposition of easement and anything other than that be caught under other terms and conditions of the chairman. Mr. Kealoha seconded the motion.

Chairman Ono had a question for Mr. Vierra as to when they intend to go in to do the excavation work.

Mr. Vierra said that the project itself will start after funding. They would like to have permission to start construction now and within the three year time to finish.



Chairman Ono asked how he would restore the property to the original condition should the legislature not approve the sale.

Mr. Vierra said that they would have to take out the bridge and he said he did not know how the excavated area is handled by the department.

Mr. Detor quoted from the submittal's condition no. A-1 on page 4, "Should the approval of the Governor and the Legislature not be obtained, the applicant shall at its sole cost and expense, remove all improvements constructed thereon and shall restore the easement area to its original condition or to a condition acceptable to this department."

There being no further questions, Chairman called for the vote. Motion carried unanimously.

Item F-1-c

APPLICATION OF ATPAC LAND COMPANY FOR LAND LICENSE TO REMOVE AND UTILIZE DREDGED MATERIALS FROM WAIULUA INLET, SOUTH KOHALA, HAWAII

Mr. Detor said that the land license does provide for a three year license to remove approximately 3,200 cubic yards of material. The royalty rate has not been determined as yet as this will be determined after an appraisal.

ACTION

Mr. Higashi moved for approval as submitted. Seconded by Mr. Kealoha, motion carried unanimously.

ITEM H-8

CONSERVATION DISTRICT USE APPLICATION FOR A CONSOLIDATION AND RESUBDIVISION OF THREE LOTS AT KAU, HAWAII

Mr. Evans said that staff has had an opportunity to review their recommendation and based on their review the recommendation is the same as in the past; that is for denial for the three reasons as stated in the submittal.

He pointed out to the board that staff had received some correspondence on this and copies were distributed to the board members.

At the time the application was submitted, it was represented by the applicant that the sole purpose of the application was to divide the interest among the existing property owners. Staff subsequently found that there was another interest. When Staff brought up the idea of keeping the subdivision entirely within the ag district because they had enough property within the Conservation park that they didn't have to subdivide it, the three owners wanted each to have a piece of conservation property because it was located near the shoreline.

Staff is now aware that there is an application or a proposal coming in the future to include a 1,500 acre development which these properties relate to.

It's been brought to Staff's attention that in terms of this particular area and of the applicants, that the area may have already been subdivided and representations made on

that basis. It's been brought to Staff's attention that a brochure that represents the application has already been approved, and is being circulated.

Mr. Higashi interrupted Mr. Evans presentation, pointing out or asking him if this were not the proposal that that the board denied a long time ago. The brochure shows on the back that it was the same application made by Mr. Witte that was denied.

Mr. Evans said basically because of the plans for a 1,500 acre development that it is inconsistent with our Conservation District. That it is more logical to approach the Land Use Commission for such a development and given the overall intent that from the Staff's perspective, that the use is likely to promote urbanization in this area which they feel is not compatible with the Conservation District portion of the application.

Mr. Higashi said he agrees but thinks that once the property is partitioned, and he has done extensive research on this, the use has to go to the Land Use Commission if not compatible. Those uses that have been represented with the general plan amendment or agricultural uses would not be compatible with the intent of the conservation designation. His feeling at this point in time is to allow the subdivision without any use, no guarantee of any use. That the granting of the subdivision that is implied, granting of any further use, that the private roads be recognized as a problem; for further subdivision with the County there is a letter on record that indicates that the people who have an undivided interest in the roadways have some objection.

ACTION

Mr. Higashi moved that the Board approve the subdividing of the property as submitted by the applicant with one amendment. In the ag area, when they apply with the County, that an easement be created and an agreement be made among the parties that an easement to all properties be created on present ag lands.. (The latest map indicates that the conservation line runs about half way and there is room to create an easement within the ag property.) Motion was seconded by Mr. Arisumi.

Mr. Ing questioned Mr. Higashi that under his motion, he understood that land was acquired as a result of some people having financial problems and ended up in the hands of different factions or owners. Now they have partitioned their interests amongst them and want to go separate ways. What is to prevent this from happening again and again.

Mr. Higashi said as he understands, that there is one partnership here, one partnership-Mount Lebanon and the separate trustees in the Senate which have a 5% interest.

Mr. Ing asked if they were agreeable to some condition that would limit any further partition of these, as long as they remain conservation lands.

Mr. Higashi said the drift here is staff is correct, if you want to do any other development then you should be headed to some other body to changed the zoning.

Mr. Higashi said he would like to incorporate into his amendment the standard conditions of the subdivisions and other terms and conditions as prescribed by the Chairman.

Mr. William Yuen, on behalf of Mount Lebanon Incorporation, which is one of the three factional owners, said they will have no objections to the standard conditions presented or to the additional conditions requested.

Mr. Vierra also voiced no objections as the applicant.

Mr. Yuen wanted one point of clarification. He said can he presume that because the additional condition is the creation or delineation of an easement that the delineation of that easement on the map will not require a separate and subsequent CDUA. Assuming there is sufficient space in the ag area and presuming that it's large enough...if for some reason they have to dip into the conservation boundary, would they have to come in for a separate application.

Mr. Higashi said yes, if you come into the conservation area for the easement, he felt they should surrender that lot or bring that lot or line back, like in the Ranchos estate.

Mr. Yuen said they would not be able to surrender those lots as they have been purchased.

Mr. Higashi said not surrender but re-amend that boundary.

Mr. Higashi said he would make it part of the amendment that if necessary, the first preference is to stay out of the conservation area, if necessary because of the topography and not of convenience, that it be allowed as part of this application.

Chairman Ono called for a vote on Item H-8 as amended. Motion carried with Mr. Kealoha voting no.

Mr. Kealoha felt this should be referred to the Land Use Commission.

ITEM H-10

PERMISSION TO CONTRACT WITH THE UNIVERSITY OF HAWAII TO DEVELOP AND ESTABLISH A COORDINATION CENTER FOR AQUACULTURE ACTIVITIES AT THE UNIVERSITY.

Mr. Richard Fassler said present at this meeting were, Dr. Philip Helfrich, Director of the Hawaii Institute Marine Biology at the University of Hawaii and Dr. Chauncey Ching, Director of the Hawaii Institute of Tropical Agriculture and Human Resources (UH-CTAHR). Mr. Fassler said that item H-10 seeks the board's permission to contract with the University of Hawaii to develop and establish a coordination center for aquaculture activities at the University. He said the University of Hawaii has been very important in developing aquaculture in the State of Hawaii.

Mr. Ing asked who would be the various agencies or organizations coordinated by this new coordination center.

Mr. Fassler said DLNR's Aquaculture Development Program office and HIMB.

Dr. Helfrich named UH-CTAHR, Sea Grant, two departments in the College of Arts and Sciences, and they're also proposing to have a more formal interface with the private sector, Oceanic Institute, who is the Anuenue Fisheries Center.

Mr. Ing asked if this couldn't be done by RCUH or the Anuenue Center presently rather than creating a separate organization.

Dr. Helfrich said they've had this position that it's been funded by the Sea Grant Program, by the Aquaculture Development Program and this is just to bring it more firmly into the University, under his department, the Hawaii Institute of Marine Biology.

ACTION Mr. Ing moved for approval. Seconded by Mr. Kealoha motion carried unanimously.

ITEM H-2 CONSERVATION DISTRICT USE APPLICATION FOR AN EXPLORATORY WELL DRILLING OF THE KUOU II WELL SITE AT KOOLAPOKO, OAHU

Mr. Evans said staff would like to make an amendment to the submittal as there is an error on page 6. Under Recommendation: The first sentence should read, "That the Board approve this request for exploratory well drilling of the Kuou II well site at Koolaupoko, Oahu, Hawaii, subject to the following conditions:"

Mr. Evans continued that this is an application by the City and County of Honolulu, Board of Water Supply for an exploratory well drilling. They propose to drill one exploratory well and as a result of this drilling, if it turns out that the well in fact the environmental monitoring fact are determined to be acceptable, the applicant will then submit a new and separate application for a production well. So this application is limited to exploratory use only. Staff feels that it is a permitted use in our resource subzone. However because it is a well drilling, in terms of a government use, it is required to come before the Board, rather than simply the Chairman.

Mr. Ing asked if there were any wells in the adjacent area between the Wilson Tunnel and the pali.

Mr. Evans said he was not sure but that the applicant was present and he may be able to put the exact location of any existing wells.

Mr. Higashi questioned the reason for filing a separate application for development of the well in regards to production.

Mr. Evans explained the practice of the board in past cases to require two separate applications. There is an economic factor involved. When an application comes in for a production well, any environmental work that is entailed with that application is an economic expenditure in much greater magnitude than the same environmental work for an exploratory well. There's a concern that an exploratory well may not pan out so there would be no further need.

Mr. Hayashida said to amplify the last statement, they have drilled two wells, Kamualii I and II, which is on the Pali Golf course side of the Koolau, and they were dry wells. It's really a hit and miss kind of thing. That's why they have come in with an exploratory well application and if they find water of sufficient quality and quantity they will come back for a production application.

Mr. Ing asked how they would obtain access to this area.

Mr. Hayashida said they would go through the Hoomaluhia Park and from there to the area. He did mention that there is already a well close to the area, the Kuou I Well and there is a dirt road used for access. If it pans out then they will probably plan an access road.

Mr. Ing asked if he were requesting any crew to do any road work at this time. Mr. Hayashida answered in the negative.

ACTION

Mr. Ing moved for approval. Seconded by Mr. Arisumi, motion carried unanimously.

ITEM H-1

CONSERVATION DISTRICT USE APPLICATION FOR A COMMERCIAL  
HIKING TOUR USE AT HANAUMA BAY, OAHU

Mr. Evans informed the board that the proposed activity involves the use of an existing trail within the general subzone.

Mr. Ing asked the applicant if he had seen the conditions.

Mr. Derrick Turner said he did have a chance to go over the conditions and would like to request an amendment. They sub-contract their transportation whereby they will load and go or drop and go, thus not need parking.

They would like to request the use of the area on alternating weekends, maybe just once or twice a month i.e. one Saturday or one Sunday. Also because they are working on government contracts, they would be able to give at least seven days notice.

ACTION

Mr. Ing moved for approval with the following amendment that condition No. 15 be amended to allow the applicant to use the trail two weekend days per month, i.e. two Saturdays or one Saturday and one Sunday or any combination per month. Seconded by Mr. Zalopany.

Mr. Ono said he would like to have this operation reviewed after one year to see if there are any problems to be modified or cancelled if problems are real bad.

Mr. Ing moved to include the amendment of reviewing the operation after one year.

Chairman Ono then called for the vote and motion carried unanimously.

ITEM F-8

HONOLULU ACADEMY OF ARTS APPLICATION TO LEASE FORMER  
LINEKONA SCHOOL PROPERTY, HONOLULU, OAHU

Mr. Detor presented item F-8 to the board. The Honolulu Academy of Arts was requesting to lease the former Linekona School property to use it for youth education and an arts center. In connection with their request, they would renovate the building. The details of the use are pretty well outlined in a letter from Mr. George Ellis, Director of the academy and the letter is quoted in the submittal under remarks. Mr. Ellis was present to answer any questions by the board.

Mr. Detor said that staff had received a memo addressed to the Chairman from the Superintendent of Education. He quoted from the memo, "The Department of Education recommends that the Board of Land and Natural Resources defer any action to lease Linekona School to the Honolulu Academy of Arts." They go on to say that the Board of Education has plans for the use of the school, although the plans have not been finalized, the BOE has been apprised of the request by the Honolulu Academy of Arts. When the BOE makes the decision, they don't say when; on the use of the school my office will inform you immediately. That's all that was in the communication.

Chairman Ono then asked if there were anyone present representing the Board of Education or the Superintendent. No representative was present at this meeting.

Mr. Kealoha asked if the BOE and Superintendent were informed and were they aware that this item was on the agenda.

Mr. Detor said that they did deliver to the Superintendent and also the Chairman of the Board of Education a copy of today's written submittal.

Mr. Arisumi asked if anyone were presently occupying the school building.

Mr. Detor said the building has been vacant for a number of years.

Mr. Kealoha asked how much ground area was included.

Mr. Detor presented a map to point out the area in question and because staff needs to take a closer look at the area, the submittal has listed area to be determined by the Chairperson.

Mr. Ing questioned this being proposed as a direct negotiation.

Mr. Detor said that under Sec. 171.43, HRS, it authorizes the Board to lease directly without going to auction to an eleemosynary or nonprofit institution which the Academy is, for certain purposes, and one of them would be youth education.

Technically speaking, Mr. Detor said that the Department of Education does not have jurisdiction over this property as it's under this Board.

Mr. Ellis had a few comments to make. He said the specifics of what they want to do is spelled out in the body of the application. The Academy has since 1927 been very much involved in the business of education especially the young people of the entire state.

Mr. Ing asked what were their plans to move ahead and was there a timetable assuming they get this approved.

Mr. Ellis said if they get permission to move ahead, he has a whole series of immediate moves that will be made toward further development of a fund raising plan. There are other possible matching funds that will be available and a full blueprint of what exactly they're going to do will have to be available by next December. They hope that in a year they will have enough money to be applied toward this project to allow them to begin construction. They have no funds available now but they are committed to raising the funds.

Chairman reminded the Board that they have two things to consider here, the staff's recommendation and the DOE's request to defer.

Ms. Alice Guild said that she would like to comment as President of the Academy Guild which is the service organization of the academy. She said the purpose of the academy guild is to create a broader community awareness of the academy and for that purpose the guild which is made up of volunteers believes that this use for Linekona School will help to meet that, by making more of the academies resources available to the young people of the state.

**ACTION**

Mr. Ing moved for approval. Seconded by Mr. Kealoha the motion carried unanimously.

**ITEM H-3**

**CONSERVATION DISTRICT USE APPLICATION FOR A HONOLULU CELLULAR TELEPHONE KANEOHE CELL SITE DEVELOPMENT AT KANEOHE, OAHU**

Mr. Evans said that item H-3 is a conservation application on private lands within our general subzone. The purpose is to approve a site for cellular telephones on the windward side, specifically Kaneohe. He said staff did receive some late communication on this matter.

Staff did send this application out to a number of agencies for their review and a public hearing was held. There were some negative comments. Most of these comments could be overcome through conditions of use. Staff is recommending

approval with a number of conditions in addition to the standard conditions.

Mr. Evans then called the attention of the board to the recent communication received which he had passed out to members of the board, which expressed concern.

Mr. Evans said there is a two-step process. The first step is the Board's consideration of the basic use itself. Should the board approve the use, the second step in this process would be to have submitted for the department's approval any construction plans, landscaping plans, and any plans along that line.

The concern of the communication relates to landscaping. Staff feels that these landscaping concerns could be alleviated by landscaping plans to follow, to be approved by the department.

Mr. Kealoha asked if the applicant has had an opportunity to review these conditions.

Mr. Evans said the submittal had been sent to the applicant and as far as review, he felt that applicant was present and would be better able to answer that question.

Mr. Ono asked Mr. Evans that he touched on the concern of the landscaping by Friendship Garden Foundation, but what about the second concern of the antenna itself.

Mr. Evans said in terms of the antenna itself, staff feels that the benefits from the communication system, including the antenna is of such a nature that locating the structure at a lower elevation for example, is not feasible due to the transmission power loss that is expected to be incurred. This is based on the fact that their understanding of the proposal is that it operates on very low power to begin with.

Mr. Kealoha asked Mr. Evans if he knew the effect the antenna would have on the motor traffic, if any. (Motor vehicles with radios on.)

Mr. Evans said he did not know.

Mr. Kealoha asked if the applicants had submitted a landscape plan.

Mr. Evans said the applicant did submit a landscape plan, but any action on the plan would be premature until the board has acted on this application first.

Mr. Kealoha asked how many antennas would be in the structure.

Mr. Evans said the proposal they received showed three or four with antennas with two back to back microwave antennas placed directly on the roof.



Mr. Umetsu said they are attempting to be very sensitive to conditions up on the ridge. There already are some power lines up and in talking to the power company, some of those lines may be removed in conjunction with some of the work that they will be doing. They will paint the building a neutral color to blend into the terrain. They believe they will not be able to separate the antennas from the building because of the low power nature of the system. They have already been certified by the FCC and the State PUC to provide this new utility service. They think the gains on the public side outweigh some of the concerns that are brought up.

Mr. Tyrone Kusao said in answer to Mr. Kealoha's concern on motor vehicle radios nearby. His understanding is that there will be no interference in the motor vehicles at all.

Mr. Kealoha said his question to Mr. Evans earlier was what would be the impact of the motor vehicles on that bay drive, and not whether it would affect the automobile radios.

Mr. Umetsu said it would not because they are putting out so little power. There are no instances where he knows of where cellular frequencies have interrupted either radio or TV reception. They are on separate frequencies. The FCC does require that if they cause any problems, that they have to fix it.

Ms. Delane Dewey of the Kaneohe Neighborhood Board said they had sent a letter of concern. She said they did not know of a public hearing and they heard of it by way of a newspaper article on the Olomana Piggery. The Kaneohe Board then debated the information and she wanted to give a little different perspective on where this actually is and how it might look in that area. She made reference to the size of the building and how it would appear on the ridgeline. She also dealt on the fact that there were several antenna sites in the area that did not require such a large building. She said that there were about 40 agencies that were already in the Ulupau Crater which were housed underground.

Mrs. Janet Gillmar, Landscape Architect for Friendship Garden voice her concerns regarding the landscape. 1) the nature of the plant material that was being proposed, 2) erosion potential of opening the site to build this structure on this precarious ridge site, and 3) there's the problem of watering of the plants.

Ms. Gillmar says it concerns them because there's the long run to consider on this. What provision is there for abandonment of the building and what if the landscaping is put in and doesn't work out. She pointed out that the natural beauty of the islands is important to the tourist industry which is the largest industry here.

Mr. Evans said he stands corrected that there was no public hearing on this matter.

Mr. Ono asked Mr. Evans if there were already a single family dwelling on the property and if this were to be the second major structure to be put on the property. Also would this violate the one dwelling structure per parcel in conservation land.

Mr. Evans said yes to the first question. He said that this would not violate the one dwelling structure policy that the Board has established because the physical structure involved in this particular application is not a dwelling structure. He said that it would be discretionary as a conditional use to the judgment of the board.

Mr. Ono questioned Mr. Evans' logic of allowing another structure on the parcel which is not of related use.

Mr. Evans said in terms of the policy that's generally been developed, the policy as he understands it, is one single family house per lot regardless of the size of the lot. The intent of that was to keep the density an appropriate conservation district term. As such, in reviewing this application, they don't see where placement on this property that already has a house, with this second structure is inconsistent with the one single family dwelling per lot.

Mr. Arisumi said he noticed lots of slopes and was there any chance of relocating this on the other slopes.

Mr. Evans said the only analysis they did was based on the proposal that was sent to them, which was this slope so they haven't analyzed any other slope.

Mr. Higashi asked if this telephone system was pretty much a line of site in the transmission. Line of site would have maximum efficiency at its highest point.

Mr. Evans said he would not be able to answer that and felt it should best be answered by the applicant.

Mr. Higashi asked Ms. Dewey if they were objecting to the use or the size and the shape.

Ms. Dewey said she was objecting to the size of it, to the lack of serious thought of blending it in environmentally so it wouldn't be visually impacted. She felt since there are other compromise sites already with antennas in the close areas, she's not positive that is the only site available for them to put up this.

Mr. Higashi asked in clarification, that her objection is to the size and the visual impact on Kaneohe. He gave examples of how the whip antennas would be placed and she was satisfied.

DEFER

Mr. Kealoha moved that this item be deferred to the next meeting on Maui. He felt the applicant and the interested parties should get together with staff and come up with some agreement of conditions. Staff to come back to the board with the conditions.

There being no objections, item H-3 was deferred to the next meeting.

Mr. Ing was excused from participating on this item per his request.

RECESS

Chairman Ono called for a 5-minute recess.

ITEM F-12

STAFF RECOMMENDATIONS ON REGULATION OF HANAIEI BAY/ANINI BEACH MARINE ACTIVITIES, KAUAI

Mr. Detor said that item F-12 is a staff recommendation for authorization to continue the temporary permit program for commercial boat landing in Hanalei Bay. The present permits run out on May 31, 1986. Staff does not have as yet any action on the ad hoc committee's recommendations for a permanent resolution for this program.

Mr. Ono asked for the latest estimated completion.

Mr. Detor said as he understood, the committee will present its final report to the legislature at the next session which would not be till January 1987.

Mr. Detor asked to make a correction and a suggestion insofar as the recommendations are concerned. On page 4 of the submittal, under 5.a. following "of the boat(s):" should be the information that is listed at the top of page 5 where it talks about insurance amounts. Then on the last page of the submittal, page 5 under D. he would like to suggest rather than have it read, "Authorize the Chairperson to assign the Kauai District Land Agent to satisfy...", he prefers it to read, "Authorize the Chairperson to obtain if needed Special Management Area approval of the County of Kauai on behalf of the Board ..."

Mr. Detor informed the Board that there were some people present today who are concerned with this program and had some specific questions relating to the recommendations that staff is making.

Mr. Ono asked Mr. Detor how did the memo of May 6, 1986 under his signature to Mr. Detor, fit into today's recommendation.

Mr. Detor said it would flash out the specifics under which staff recommendations are made and both sets are consistent.

Mr. Sam Lee referred to Mr. Ono's comment to the memo that mentioned boat trade-up, etc. Mr. Lee said that it was clear in the submittal and perhaps should be made clear by adding another sentence or two to the recommendations on how the matter of individual proposals to trade-up boats or to add boats as the future may bring cases to them to be dealt with. Referring to the memo which suggests a letter from each permittee who might propose a means to trade-up, etc. be submitted. For clarity, Mr. Lee felt it appropriate to add the particular requirement to the submittal.

Mr. Ono asked whether the memo could be incorporated into the submittal. Mr. Lee and Mr. Detor felt that could be done.

Mr. Ralph Young, member of the ad hoc committee as well as part of the directing group of the Northshore Charter Boat Association, said that they felt they had not been adequately informed to react to this particular information and they believe that it would be their recommendation that the issue be tabled with sufficient time to be able to react to some of the issues, such as the trade-up issue.

In answer to Mr. Higashi, Mr. Young said there are 30 of the 42 permittees in the Northshore Charter Boat Association.

Mr. Higashi ask if they had already started to work on some consensus on how to solve this problem and will it be reflected in their report, and will it be fair to everyone.

Mr. Young said yes, they are trying to attain a businesslike approach to the problem. They realize they need to work within the system that needs regulation. They're also trying to provide a safe operation.

Mr. Kealoha asked when was the ad hoc committee formed.

Mr. Young said it was formed in September of 1985 and they've had about 28-30 meetings.

Mr. Kealoha questioned why after so many meetings they had not been able to resolve at least 50% to 60% of the problems.

Mr. Young said they had been able to address almost every problem basically. The ad hoc committee addressed the problem that was based on the recommendation that there be the same level of permits, which was based at 23. Then there was additional information on the environmental issues and some new information.

Mr. Kealoha asked if during the 28 meetings whether the question of change of ownership of boats or the size of the boats, were they ever brought up as a possibility by certain boat owners.

Mr. Young said yes, at their last meeting, last week, it was addressed but they've reached a point of confusion trying to react to the new proposals and that's why he asked Dave Parsons to be present with the exact wording of this situation. Mr. Young said he doesn't have the latest info as he was gone for three months.

Mr. Ing brought up the fact that the permits are set to expire at the end of the month and the Board should take some action. He suggested that going ahead with the submittal presented and maybe at a later time put this item on the agenda to receive additional comments.

Mr. Young did not object speaking only for his group.

Mr. Detor pointed out that the permittees have until June 6th to come in and did not want to suggest but mentioned what would happen if they extended the permits for say a period of two weeks to give them time to go over the conditions. That way you wouldn't have to adopt anything today and come back later to amend it.

Mr. Zalopany asked Mr. Lee if the permittees had seen this staff recommendation prior to this, say a week or two ago.

Mr. Lee said he did not think so as it was only presented to the members of the Board within the last week. He thought part of the reason for coming before the Board in this fashion was because the permits would be expiring at the end of the month. Another reason is staff had to wait for what is still not the final copy of the resolution from the legislature.

DEFER

It was suggested that this item be deferred to the next meeting on May 23, 1986 which will be held on Maui. There being no objections, Chairman so ordered.

Item F-1e

RESUBMITTAL-MR. AND MRS. ROBERT C. FRENCH REQUEST FOR CONSENT TO ASSIGNMENT OF G. L. S-4974, LOTS 8 AND 37, KOKEE CAMP SITE LOTS, KAUAI, COMMENCING JANUARY 1, 1986 FOR RECREATION-RESIDENCE USE, ANNUAL RENTAL: \$3,200.00

Mr. Detor informed the Board that this item was deferred at the last meeting so that staff could check if the applicant qualified. Applicant does qualify and everything checks out.

ACTION

Mr. Zalopany moved for approval. Seconded by Mr. Ing, motion carried unanimously.

ITEM H-4

CONSERVATION DISTRICT USE APPLICATION FOR NON-CONFORMING SINGLE-FAMILY RESIDENTIAL USE AT KEEI, SOUTH KONA, HAWAII

Mr. Evans said that staff has taken a look at this application in terms of both a conditional use aspect and also the non-conforming use aspect. The reason is because this property is split zoned in the Limited and General Subzone. In staff's view this project does meet the requirements of non-conforming use and recommend approval on a non-conforming use basis.

Mr. Higashi asked if the vacation house was in the General area and Mr. Evans said did not know.

Mr. Evans said applicant proposes to put up a beach house initially. Subsequently they propose to build the single-family dwelling and at the time the single-family dwelling is completed they represent they will physical remove the beach house so that there will only be one structure on the lot. Condition 11 specifies that upon completion of the permanent residence they will remove the beach house.

Mr. Higashi posed the question to the representative of the applicant who was present at the meeting if they agreed to Condition 11. Also upon completion of the dwelling, they

will remove the temporary beach house and not convert it a shack or shed but just remove it. The representative answered in the affirmative to both questions.

ACTION Mr. Higashi moved for approval. Seconded by Mr. Kealoha, motion carried unanimously.

ITEM H-5

CONSERVATION DISTRICT USE APPLICATION FOR AN AFTER-THE-FACT PRIVATE WATER STORAGE TANK WITH ACCESS ROAD AND ACCESSORY USE AT LAIE, OAHU

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Mr. Evans said the agent went out and started construction of a road for a new water tank. The old existing tank does not have the capability to service the immediate surrounding area.

ACTION Mr. Ing moved for approval. Seconded by Mr. Zalopany, motion carried unanimously.

ITEM H-11

PERMISSION TO CONTRACT WITH THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII TO STUDY AND IDENTIFY FOREIGN SOURCES OF PENAEID SHRIMP FOR SPECIFIC VIRUS-FREE STOCKS

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Mr. Richard Fassler introduced Mr. Tom Bell of the Marine Culture Enterprises and also the University of Arizona. The University of Arizona has supplied the technology for the shrimp farm on the northshore. This item seeks approval to contract with the Research Corporation of the University of Hawaii to study and identify foreign sources of penaeid shrimp.

ACTION Mr. Ing moved for approval. Seconded by Mr. Zalopany, motion carried unanimously.

ITEM D-9

HONOLULU BOARD OF WATER SUPPLY WATER USE PERMIT APPLICATIONS, PEARL HARBOR GROUND WATER CONTROL AREA, OAHU

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Mr. Tagomori said that staff has asked to withdraw Item D-9 and in its place staff is submitting the added item of D-10. The reason is the deadline is May 19, 1986 and the Board of Water Supply is requesting more time to analyze their pumping schemes from their wells.

ACTION Mr. Kealoha moved for approval to withdraw item D-9 from the agenda. Seconded by Mr. Higashi, motion carried unanimously.

ADDED  
ITEM D-10

REQUEST EXTENSION OF TIME TO ACT ON HONOLULU BOARD OF WATER SUPPLY'S APPLICATIONS FOR PERMITS TO WITHDRAW WATER FROM WAIPAHA II (228) AND KUNIA II WELLS, PEARL HARBOR GROUND WATER CONTROL AREA

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Mr. Tagomori introduced the request for extension of time till August 31, 1986 to act on the applications because of new information on a well currently being drilled and also some new data coming in which staff would like to analyze.

ACTION Mr. Ing moved for approval. Seconded by Mr. Kealoha, motion carried unanimously.

Mr. Ing asked Mr. Tagomori that when this item is brought back to the Board that he present the chart of the Pearl Harbor groundwater area so that the Board can see where these wells are located and what the relationship is to the other wells.

ITEM D-8

NAVY REQUEST FOR RECERTIFICATION OF PRESERVED USE, PEARL HARBOR SUBZONE, HAWAII

Mr. Tagomori this item is a request of the Navy for additional water to withdraw from their existing sources at Waiawa, Red Hill, Halawa and Barbers Point. Mr. Tagomori then gave a brief background based on the 1979 use.

Staff is recommending that the permitted use of 2.329 mgd be granted to the Navy for their total use of 23.679 mgd as shown on the last column. This figure is based on what they are currently pumping now and is a little higher than the preserved use.

Mr. Hayashida questioned Mr. Tagomori on the dry years during the period from '76 to '86.

Mr. Tagomori said 1977 was a real dry year and 1982 was quite a dry year also. There were no real wet years.

Mr. Hayashida commented that pumping during the dry years would always be higher. Then during the wet years they would be pumping less and the average would come out close to what they are already permitted, thus he felt we shouldn't make an adjustment at this time.

Mr. Tagomori said that they had requested all the water users in 1979 to submit a five year pumpage data and at that time they do show that the Navy was pumping about 25 mgd prior to the conservation program. So from 25 they have cut down through 1979 to 21.

Mr. Kealoha questioned whether that was what they were pumping or what they were taking over the war years coming out to the post war years, the 25 mgd.

Mr. Tagomori said that was the five years prior to 1979, the records that they requested of all users at that time.

Mr. Paul Sullivan, counsel for the Pacific Division and Naval Facilities Command introduced himself and Mr. Chris Kwock of the Public Works Center and George Teramoto from Pacific Division. He said their primary concern is to reach a consensus with the board as to what their needs are. They had figures of what their daily needs are. He said they have cut back and tried to put out the message of conservation.

Mr. Hayashida expressed concern that the figures the Navy reported during the recent years were years that were relatively dry years. He also felt that they were getting a sufficient amount of water and in time of need when everyone is cutting back, the Navy still gets a sufficient amount.

Mr. Kwock went over figures that they had compiled.

Mr. Zalopany said it seems that the cooperation between agencies is working well and felt no need for a change.

Mr. Sullivan said they are asking that the allocation be changed or they would constantly be potentially in violation of drawing too much water.

Mr. Higashi suggested as Mr. Kealoha requested that the Board of Water Supply and the Navy get together with their charts and get together with the Board.

DEFER

Chairman Ono asked for any objections to deferring this item. There being no objections, Mr. Ono said this item was deferred with the understanding that staff and board members will be enlightened after the Board of Water Supply and the Navy get together.

ADDED  
ITEM D-11

APPLICATION FOR A STREAM CHANNEL ALTERATION PERMIT, KAHANA VALLEY, KOOLAULOA, OAHU

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Mr. Tagomori said that this is a request by the Board of Water Supply for a stream channel alteration permit. He said they had wanted to come to the Board earlier with this application but were awaiting comment from the Kahana Advisory Council.

Staff is recommending that application be approved with the addition of a condition that the Board of Water Supply and the Parks people establish a culvert inspection and maintenance program that the rocks will be managed according to the Board's plan.

ACTION

Mr. Ing moved for approval. Seconded by Mr. Zalopany, the motion carried unanimously.

Item F-1a

K.A.S.F., INC. APPLICATION FOR REVOCABLE PERMIT COVERING LAND AT SAND ISLAND, LOT 129, HONOLULU, OAHU CONTAINING 35,600 SQ. FT. FOR STORAGE PURPOSES COMMENCING JUNE 1, 1986. RENTAL: \$2,225.00 PER MO.

Staff recommends that the Board approve cancellation of Revocable Permit No. S-5656 to Klayer Associates as of April 30, 1986 and issuance of a new permit for Lot 129 to its corporate successor K.A.S.F., Inc., effective as of May 1, 1986.

ACTION

Unanimously approved as submitted. (Ing/Zalopany)

ADDED  
ITEM C-1

REQUEST TO FILL POSITION NO. 14871, EQUIPMENT OPERATOR I, KAMUELA TREE NURSERY, ISLAND OF HAWAII

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ACTION

Mr. Higashi moved to approve the appointment of Mr. Robert W. Smith to fill Position No. 14871, Equipment Operator I, at the Kamuela Tree Nursery. Seconded by Mr. Kealoha, motion carried unanimously.



ADDED  
ITEM C-2

MASTER'S REPORT ON PUBLIC HEARING

Mr. Landgraf said he would like to amend the recommendation to read, "That the Board approve and recommend to the Governor the addition of approximately 33.904 acres of the Polipoli Access Road to the Kula Forest Reserve subject to the disapproval of the legislature in any regular or special session next following the date of the executive order."

ACTION

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

ITEM D-1

PERMISSION TO ADVERTISE FOR CONSTRUCTION BIDS - DIVISION OF WATER AND LAND DEVELOPMENT PROJECTS

ITEM D-2

PERMISSION TO ADVERTISE FOR CONSTRUCTION BIDS - AGRICULTURAL PARKS PROJECTS

ITEM D-3

PERMISSION TO ADVERTISE FOR CONSTRUCTION BIDS - DIVISION OF LAND MANAGEMENT PROJECTS

ACTION

Mr. Higashi moved to approved Items D-1, D-2 and D-3 as submitted. Seconded by Mr. Kealoha, motion carried unanimously.

ITEM D-4

PERMISSION TO HIRE CONSULTANT FOR THE DESIGN OF PHASE II IMPROVEMENTS, WAIMANALO AGRICULTURAL PARK PROJECT, OAHU

ACTION

Unanimously approved as submitted. (Ing/Zalopany)

ITEM D-5

PERMISSION TO ENTER INTO A CONTRACT WITH THE COUNTY OF HAWAII FOR THE DEVELOPMENT OF GEOTHERMAL-AGRICULTURAL PROJECT IN PUNA, HAWAII

ACTION

Unanimously approved as submitted. (Higashi/Zalopany)

ITEM D-6

AMENDMENT TO BOARD SUBMITTAL, ITEM D-4, DATED NOVEMBER 16, 1984, KILAUEA LOWER EAST RIFT (KAMAILI SECTION) GEOTHERMAL RESOURCE SUBZONE, HAWAII

ACTION

Unanimously approved as submitted. (Higashi/Kealoha)

ITEM D-7

AMENDMENT TO BOARD SUBMITTAL, ITEM D-5, DATED NOVEMBER 16, 1984, KILAUEA LOWER EAST RIFT, (KAMAILI SECTION) GEOTHERMAL RESOURCE SUBZONE, HAWAII

ACTION

Unanimously approved as submitted. (Higashi/Kealoha)

ITEM D-8

NAVY REQUEST FOR RECERTIFICATION OF PRESERVED USE, PEARL HARBOR SUBZONE, HAWAII

(See page 24 for Action.)

ITEM D-9

HONOLULU BOARD OF WATER SUPPLY WATER USE PERMIT APPLICATIONS, PEARL HARBOR GROUND WATER CONTROL AREA, OAHU

(See page 22 for Action.)

ADDED ITEM D-10	REQUEST EXTENSION OF TIME TO ACT ON HONOLULU BOARD OF WATER SUPPLY'S APPLICATIONS FOR PERMITS TO WITHDRAW WATER FROM WAIPAHAU II (228) AND KUNIA II WELLS, PEARL HARBOR GROUND WATER CONTROL AREA	
	(See page 22 for Action.)	
ADDED ITEM D-11	APPLICATION FOR A STREAM CHANNEL ALTERATION PERMIT, KAHANA VALLEY, KOOLAULOA, OAHU	
	(See page 24 for Action.)	
ITEM E-1	REQUEST FOR PERMIT TO COLLECT BOTANICAL SPECIMENS IN VARIOUS STATE PARKS	
	Mr. Nagata had one correction to the submittal. word in the first paragraph should be "public."	The last
ACTION	Mr. Kealoha moved for approval with correction. Mr. Zalopany, motion carried unanimously.	Seconded by
ITEM E-2	REQUEST TO ISSUE A SPECIAL USE PERMIT FOR THE USE OF AINA MOANA (MAGIC ISLAND) PARKING AREA ONLY, FOR THE RUNNERS OF STROH'S LIBERTY 8K FUN RUN	
ACTION	Unanimously approved as submitted. (Ing/Kealoha)	
ITEM E-3	REQUEST TO USE AINA MOANA STATE RECREATION AREA (MAGIC ISLAND) FOR AN AMATEUR RADIO FIELD DAY EXERCISE	
ACTION	Unanimously approved as submitted. (Ing/Higashi)	
ITEM E-4	PERMISSION TO NEGOTIATE WITH A CONSULTANT TO PRODUCE A HISTORICAL OVERVIEW OF KEALAKEKUA BAY, SOUTH KONA, HAWAII, FOR THE DEVELOPMENT OF AN INTERPRETIVE PROGRAM AT KEALAKEKUA BAY STATE HISTORICAL PARK	
ACTION	Unanimously approved as submitted. (Higashi/Zalopany)	
ITEM E-5	PERMISSION TO NEGOTIATE AND ENGAGE THE SERVICES OF A CONSULTANT AND TO EXECUTE CONTRACT DOCUMENTS FOR TOPOGRAPHIC SURVEY OF THE NAPOOPOO AREA, KEALAKEKUA BAY STATE HISTORICAL PARK	
ACTION	Unanimously approved as submitted. (Higashi/Zalopany)	
ITEM E-6	REQUEST FOR ADOPTION OF A RESOLUTION TO APPLY FOR ACQUISITION OF MAKAPUU POINT LIGHT STATION (SURPLUS PROPERTY) FOR USE AS A PUBLIC RECREATION AREA	
ACTION	Unanimously approved as submitted. (Ing/Higashi)	
ITEM E-7	PERMISSION TO NEGOTIATE AND ENGAGE THE SERVICES OF A CONSULTANT TO PRODUCE ART WORK FOR SIGNAGE AND BROCHURES AT NA PALI COAST STATE PARK, KAUAI	
ACTION	Unanimously approved as submitted. (Zalopany/Higashi)	

ITEM E-8 PERMISSION TO NEGOTIATE WITH THE FRIENDS OF IOLANI PALACE, INC., AND EXECUTE DOCUMENT FOR A MANAGEMENT CONTRACT FOR IOLANI PALACE, BARRACKS, AND CORONATION PAVILION, HONOLULU, OAHU, HAWAII

(See page 3 for Action.)

ITEM E-9 REQUEST TO USE AINA MOANA STATE RECREATION AREA (MAGIC ISLAND) FOR A PRO-AM SURFING COMPETITION

(See page 3 for Action.)

ITEM E-10 REQUEST FOR APPROVAL OF SUPPLEMENTARY DETAILS RELATING TO THE KING KALAKAUA JUBILEE CENTENNIAL CELEBRATION AT THE IOLANI PALACE GROUNDS

(See page 4 for Action.)

ITEM F-1 DOCUMENTS FOR CONSIDERATION

Item F-1-a K.A.S.F., INC. APPLICATION FOR REVOCABLE PERMIT COVERING LAND AT SAND ISLAND, LOT 129, HONOLULU, OAHU CONTAINING 35,600 SQ. FT. FOR STORAGE PURPOSES COMMENCING JUNE 1, 1986. RENTAL: \$2,225.00 PER MO.

(See page 24 for Action.)

Item F-1-b L. K. TAKAMORI, INC. APPLICATION FOR REVOCABLE PERMIT, LOT 532, SAND ISLAND, OAHU, CONTAINING 5,700 SQ. FT. FOR OFFICE-BASE YARD, WORKSHOP AND STORAGE OF MATERIAL AND EQUIPMENT, COMMENCING MAY 15, 1986. RENTAL: \$356.25 PER MO.

The applicant is the next on the waiting list for a Sand Island permit.

Item F-1-c APPLICATION OF ATPAC LAND COMPANY FOR LAND LICENSE TO REMOVE AND UTILIZE DREDGED MATERIALS FROM WAIULUA INLET, SOUTH KOHALA, HAWAII.

(See Page 9 for Action.)

Item F-1-d COUNTY OF MAUI REQUEST FOR CONSENT TO LEASE PORTION OF LAND SET ASIDE BY GOVERNOR'S EXECUTIVE ORDER NO. 3084, HANA, MAUI, FOR CLASSROOM USE BY MAUI COMMUNITY COLLEGE.

ACTION Mr. Higashi moved to approve F-1-b and F-1-d as submitted. Seconded by Mr. Kealoha, motion carried unanimously.

Item F-1-e RESUBMITTAL-MR. AND MRS. ROBERT C. FRENCH REQUEST FOR CONSENT TO ASSIGNMENT OF G. L. S-4974, LOTS 8 & 37, KOKEE CAMP SITE LOTS, KAUAI

(See page 21 for action.)

<u>ITEM F-2</u>	DIRECT SALE OF EASEMENT AND ISSUANCE OF REVOCABLE PERMIT COVERING PORTION OF GOVERNMENT LAND AT WAIULUA INLET, SOUTH KOHALA, HAWAII
ACTION	(See page 8 for action.)
<u>ITEM F-3</u>	DIRECT SALE OF ROADWAY REMNANT AT LALAMILO, SOUTH KOHALA, HAWAII, TMK 6-6-09:52
ACTION	Unanimously approved as submitted. (Higashi/Kealoha)
<u>ITEM F-4</u>	STAFF RECOMMENDATION TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO DISPOSE OF SURPLUS HIGHWAY REMNANTS SITUATE ON THE ISLAND OF HAWAII
ACTION	Unanimously approved as submitted. (Higashi/Kealoha)
<u>ITEM F-5</u>	COUNTY OF MAUI APPLICATION FOR WATER PIPELINE EASEMENT OVER AND ACROSS SAMUEL ENOKA KALAMA (MAKAWAO) INTERMEDIATE SCHOOL SITE, MAKAWAO, MAUI, TMK 2-4-32: POR. 98
ACTION	Unanimously approved as submitted. (Zalopany/Higashi)
<u>ITEM F-6</u>	COUNTY OF MAUI REQUEST TO SET ASIDE KAMAOLE BEACH PARK III EXPANSION, KAMAOLE HOMESTEADS, WAILUKU, MAUI, TMK 3-9-04: POR. 1 AND 61
ACTION	Unanimously approved as submitted. (Ing/Higashi)
<u>ITEM F-7</u>	REQUEST FOR AUTHORIZATION TO (1) WITHDRAW PORTION OF LAND FROM GOVERNOR'S EXECUTIVE ORDER NO. 251 TO THE DEPT. OF EDUCATION FOR LAHAINALUNA SCHOOL PURPOSES AND (2) RESET ASIDE OF WITHDRAWN AREA TO THE DEPT. OF LAND AND NATURAL RESOURCES, DIVISION OF FORESTRY AND WILDLIFE FOR PANAWEA PLANT SANCTUARY, PANAWEA, LAHAINA, MAUI
ACTION	Unanimously approved as submitted. (Higashi/Kealoha)
<u>ITEM F-8</u>	HONOLULU ACADEMY OF ARTS APPLICATION TO LEASE FORMER LINEKONA SCHOOL PROPERTY, HONOLULU, OAHU
	(See page 15 for action.)
<u>ITEM F-9</u>	STAFF RECOMMENDATION FOR AMENDMENT OF PREVIOUS BOARD ACTION (8-24-84, AGENDA ITEM F-10) AUTHORIZING SALE OF AN EASEMENT AT DIAMOND HEAD, KAPAHULU, WAIKIKI, OAHU
ACTION	Unanimously approved as submitted. (Ing/Zalopany)
<u>ITEM F-10</u>	DIRECT SALE OF REMNANTS, KAPAA, KAUAI, ISAO TAKEMOTO, ET AL APPLICATION
ACTION	Unanimously approved as submitted. (Zalopany/Kealoha)
<u>ITEM F-11</u>	RESUBMITTAL-STAFF RECOMMENDATION FOR PUBLIC HEARING ON REQUEST FOR EXECUTIVE ORDER SETTING ASIDE LAND FOR NONOU FOREST RESERVE, WAILUA, KAUAI
ACTION	Unanimously approved as submitted. (Zalopany/Kealoha)

ITEM F-12 STAFF RECOMMENDATIONS ON REGULATION OF HANAIEI BAY/ANINI BEACH MARINE ACTIVITIES, KAUAI

(See page 21 for action.)

ITEM F-13 RENEWAL OF OFFICE SPACE LEASE FOR DEPARTMENT OF SOCIAL SERVICES AND HOUSING FOR SENIOR COMPANION PROGRAM, HONOLULU, OAHU

ACTION Unanimously approved as submitted. (Ing/Zalopany)

ITEM F-14 LEASE OF OFFICE SPACE FOR THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING FOR ITS WELFARE APPEALS OFFICE, HONOLULU, OAHU

ACTION Unanimously approved as submitted. (Ing/Zalopany)

ITEM F-15 MODIFICATION OF LEASE OF OFFICE SPACE BY DEPARTMENT OF SOCIAL SERVICES AND HOUSING, PUBLIC WELFARE DIVISION, KANEOHE, OAHU

ACTION Unanimously approved as submitted. (Ing/Zalopany)

ITEM F-16 RENEWAL OF LEASE OF OFFICE SPACE BY THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS FOR ITS WAIPAHA EMPLOYMENT SERVICES OFFICE, WAIPAHA SHOPPING VILLAGE, WAIPAHA, OAHU

ACTION Unanimously approved as submitted. (Ing/Zalopany)

ITEM F-17 B & F REQUEST FOR ACQUISITION OF SUBLEASE COVERING OFFICE SPACE AT 833 BERETANIA STREET, HONOLULU, OAHU

Mr. Detor informed the Board that Budget and Finance has asked that this item be withdrawn because they are not going ahead with this request.

ITEM F-18 MOLOKAI RANCH, LTD. REQUEST FOR AMENDMENT OF PREVIOUS BOARD ACTION (2-14-86), ITEM F-4) AUTHORIZING SALE OF PIPELINE EASEMENTS, MAKAKUPAIA, KAMILOLOA, AND HOOLEHUA, MOLOKAI

Mr. Detor asked that this item be deferred to the next meeting on Maui.

ACTION Deferred.

ITEM H-1 CONSERVATION DISTRICT USE APPLICATION FOR A COMMERCIAL HIKING TOUR USE AT HANAUMA BAY, OAHU

(See page 13 for Action.)

ITEM H-2 CONSERVATION DISTRICT USE APPLICATION FOR AN EXPLORATORY WELL DRILLING OF THE KUOU II WELL SITE AT KOOLAUPOKO, OAHU

(See page 13 for Action.)

ITEM H-3 CONSERVATION DISTRICT USE APPLICATION FOR A HONOLULU CELLULAR TELEPHONE KANEOHE CELL SITE DEVELOPMENT AT KANEOHE, OAHU

DEFER Deferred. (See page 18 for earlier discussion.)

<u>ITEM H-4</u>	<p>CONSERVATION DISTRICT USE APPLICATION FOR NON CONFORMING SINGLE-FAMILY RESIDENTIAL USE AT KEEI, SOUTH KONA, HAWAII</p> <p>(See page 22 for Action.)</p>
<u>ITEM H-5</u>	<p>CONSERVATION DISTRICT USE APPLICATION FOR AN AFTER-THE-FACT PRIVATE WATER STORAGE TANK WITH ACCESS ROAD AND ACCESSORY USE AT LAIE, OAHU</p> <p>(See page 22 for Action.)</p>
<u>ITEM H-6</u>	<p>CONSERVATION DISTRICT USE APPLICATION FOR A TEMPORARY VARIANCE TO CONDUCT ENVIRONMENTAL STUDIES FOR USE IN PREPARATION OF AN ENVIRONMENTAL IMPACT STATEMENT FOR THE DEVELOPMENT OF A HYDRO-ELECTRIC PROJECT ON THE LUMAHAI RIVER AT HANAIEI, KAUAI</p>
ACTION	<p>Unanimously approved as submitted. (Zalopany/Kealoha)</p>
<u>ITEM H-7</u>	<p>CDUA FOR A GRADING AND EXCAVATION USE AND RESERVOIR SITE USE AND REACTIVATION OF A LAPSED APPROVAL FOR A DRAINAGE DITCH USE AT PALOLO VALLEY, OAHU</p> <p>(See page 7 for Action.)</p>
<u>ITEM H-8</u>	<p>CONSERVATION DISTRICT USE APPLICATION FOR A CONSOLIDATION AND RESUBDIVISION OF THREE LOTS AT KAU, HAWAII</p> <p>(See page 10 &amp; 11 for Action.)</p>
<u>ITEM H-9</u>	<p>CDUA FOR AFTER-THE-FACT INSTALLATION OF GUY WIRE ANCHORS TO SUPPORT ANTENNA TOWERS AT MT. KAALA, OAHU</p> <p>Unanimously approved as submitted. (Kealoha/Higashi)</p>
<u>ITEM H-10</u>	<p>PERMISSION TO CONTRACT WITH THE UNIVERSITY OF HAWAII TO DEVELOP AND ESTABLISH A COORDINATION CENTER FOR AQUACULTURE ACTIVITIES AT THE UNIVERSITY</p> <p>(See page 12 for Action.)</p>
<u>ITEM H-11</u>	<p>PERMISSION TO CONTRACT WITH THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII TO STUDY AND IDENTIFY FOREIGN SOURCES OF PENAEID SHRIMP FOR SPECIFIC VIRUS-FREE STOCKS</p> <p>(See page 22 for Action.)</p>
<u>ITEM H-12</u>	<p>PERMISSION TO CONTRACT WITH THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY ON OYSTER AND PENAEID SHRIMP POLY CULTURE</p> <p>Unanimously approved as submitted. (Higashi/Zalopany)</p>
ADDED <u>ITEM H-13</u>	<p><u>REQUEST TO APPOINT A PUBLIC HEARING MASTER</u></p> <p>After much discussion and clarification, Mr. Evans withdrew this request.</p>

ITEM I-1 FILLING OF POSITION NO. 04676, CONSERVATION AND RESOURCES ENFORCEMENT OFFICER II, ISLAND OF HAWAII

ACTION Mr. Ing moved for approval of the appointment of Adrian J. Hussey to fill the Conservation and Resources Enforcement Officer II position on Hawaii. Seconded by Mr. Zalopany, motion carried unanimously.

ITEM J-1 LEASE, OPERATION AND MAINTENANCE OF THE REMOTE TRANSMITTER/RECEIVER (RTR) FACILITY, GENERAL LYMAN FIELD, HAWAII (FAA)

ACTION Unanimously approved as submitted. (Ing/Zalopany)

ITEM J-2 LEASE, HONOLULU INTERNATIONAL AIRPORT, OAHU (U. S. DRUG ENFORCEMENT ADMINISTRATION)

ACTION Unanimously approved as submitted. (Ing/Zalopany)

ITEM J-3 CONSENT TO ASSIGNMENT OF LEASE NO. DOT-A-83-3 AND LEASE-VENDING AGREEMENT, MAIN TERMINAL LOBBY, HONOLULU INTERNATIONAL AIRPORT, OAHU (SLH, INC.)

ACTION Unanimously approved as submitted. (Ing/Zalopany)

ITEM J-4 APPLICATION FOR ISSUANCE OF REVOCABLE PERMITS 4177, ETC., AIRPORTS DIVISION

ACTION Unanimously approved as submitted. (Ing/Zalopany)

ITEM J-5 APPLICATION FOR ISSUANCE OF A REVOCABLE PERMITS 4174, ETC., AIRPORTS DIVISION

ACTION Unanimously approved as submitted. (Ing/Kealoha)

ITEM J-6 RENEWAL OF REVOCABLE PERMITS 1305, ETC., CONFORMING USE AIRPORTS DIVISION

ACTION Unanimously approved as submitted. (Kealoha/Higashi)  
Mr. Ing was excused from voting, per request.

ITEM J-7 ISSUANCE OF NEGOTIATED LEASE, HARBORS DIVISION PIER 2 TRANSIT SHED, HONOLULU HARBOR, OAHU (PUGET SOUND TUG AND BARGE COMPANY)

ACTION Unanimously approved as submitted. (Ing/Kealoha)

ITEM J-8 ISSUANCE OF EASEMENT BY DIRECT NEGOTIATION, HARBORS DIVISION, VICINITY OF PIER 33, HONOLULU HARBOR, OAHU (CITY AND COUNTY OF HONOLULU)

ACTION Unanimously approved as submitted. (Ing/Kealoha)

ITEM J-9 THIRD AMENDMENT TO RESTATED AND AMENDED HARBOR LEASE AND SPECIAL FACILITY LEASE AGREEMENT (HARBOR LEASE NO. H-79-5), SAND ISLAND CONTAINER FACILITY, OAHU (MATSON TERMINALS, INC)

ACTION Unanimously approved as submitted. (Ing/Kealoha)

ITEM J-10 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KAWAIHAE HARBOR, KAWAIHAE, HAWAII (AL YAMAMOTO)

ACTION Unanimously approved as submitted. (Ing/Zalopany)

ITEM J-11 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KEEHI SMALL BOAT HARBOR, HONOLULU, OAHU (MERV NOVAK, DBA THE BLOCK ICE CO.)

ACTION Unanimously approved as submitted. (Ing/Zalopany)

ITEM J-12 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, BARBERS POINT HARBOR, OAHU (MARISCO, LTD.)

ACTION Unanimously approved as submitted. (Ing/Kealoha)

ITEM J-13 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, HALEIWA SMALL BOAT HARBOR, OAHU (ALFRED L. OGA)

ACTION Unanimously approved as submitted. (Ing/Kealoha)

ADJOURNMENT There being no further business, the meeting was adjourned at 3:00 p.m.

Respectfully submitted,

*Dorothy C. Chun*  
Dorothy C. Chun  
Secretary

APPROVED:

*S. Ono*  
SUSUMU ONO,  
Chairperson

dcc