

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

DATE: August 8, 1986
TIME: 9:00 A. M.
PLACE: Kalanimoku Building
Room 132, Board Room
1151 Punchbowl Street
Honolulu, Hawaii

ROLL
CALL

Chairperson Susumu Ono called the meeting of the Board of Land and Natural Resources to order at 9:07 A.M. The following were in attendance:

MEMBERS: Mr. J. Douglas Ing
Mr. Moses W. Kealoha
Mr. John Arisumi
Mr. Herbert Arata
Mr. Susumu Ono

Absent and Excused

Mr. Leonard Zalopany

STAFF: Mr. Nobuo Honda
Mr. Manabu Tagomori
Mr. Ralston Nagata
Mr. Jim Detor
Mrs. Anne Lo-Shimazu
Mr. John Corbin
Mrs. LaVerne Tirrell

OTHERS: Messrs. Art Muraoka and Johnson Wong,
Deputy A.G.
Mr. Peter Garcia, DOT
Mr. Allan Kawada (Item D-2)
Mr. Vernon Char (Item F-1-d)
Mr. Kenneth A. Martyn and Attorney (Item F-4)
Messrs. Rodney Fujiyama & David Arakawa (Item F-7)
Mr. Pete Monohan (Item H-2)
Mrs. Bernstein (Item H-4)
Mr. Hee (Item H-6)

ADDED
ITEMS

Upon motion by Mr. Ing and a second by Mr. Kealoha, the following items were added to the Agenda:

- Item C-3 -- Filling of Position No. 26773, Clerk-Stenographer II, Oahu.
- Item C-4 -- Approval to Enter Into a Memorandum of Agreement with the University of Hawaii Pacific Biomedical Research Center to Conduct Population Estimates of Pigeons, Sparrows and Doves in the Waikiki Area.
- Item D-3 -- Approval to Amend Award of Contract - Job No. 33-HL-L, Kona Marshalling Yard, South Kona, Hawaii.
- Item E-3 -- Filling of Position No. 21435, Wailoa Center Coordinator, Hilo.
- Item E-4 -- Filling of Park Caretaker II, Position No. 30028, Kahana Valley State Park, Oahu Park Section.

Items on the Agenda were considered in the following order to accommodate those applicants at the meeting:

ITEM D-2

CANCELLATION OF THE BOARD'S DECEMBER 28, 1984 DECISION AND ORDER ON THE PROPOSED GEOTHERMAL RESOURCES SUBZONE (GRS) AT KAHAUALEA, HAWAII.

Mr. Tagomori requested, at the advice of the Attorney General's Office, that this item be deferred. He said that another action needs to be voided so they would like to take this up with the CDUA.

Mr. Ono asked whether all parties had been informed of this proposed action.

Mr. Tagomori said that they have had phone communications with the parties and have told them that staff intends to ask the board to defer to the next meeting.

Mr. Allan Kawada said that he had no objections to this item being deferred.

ACTION

Deferred to next meeting of the Board.

ITEM F-4

KENNETH A. MARTYN APPLICATION FOR EASEMENT, MOKULEIA, WAILUA, OAHU.

Mr. Detor said that the applicants, who have adjoining waterfront property at Mokuleia, have applied for a building permit to remodel their home which they purchased in the fall of 1985. As a part of the building permit process under the City's Shoreline Management Regulations affecting ocean properties, the applicants had a shoreline certification procedure initiated. This showed that there is a fence which protrudes into the State property. In order to get the shoreline certified they would need to clear this. Staff has checked this out and as far as the fence is concerned it does not affect any passage along the seashore and staff is recommending that an easement be approved covering this area and at the same time in line with the department's policy dealing with encroachment that a fine of \$500.00 be imposed.

Mr. Ing asked whether this would come up for a CDUA.

Mr. Detor did not believe so. It was built prior to 1962 so no CDUA process is involved.

Mr. Kenneth Martyn, son of the applicant, described the wall to the board and also presented to them a 1962 aerial photo.

Mr. Ono asked if the public would have access.

He said that there is nothing physical to stop people from walking over the area except a few plants, etc.

Mr. Ing asked Mr. Detor whether there was a condition that the public has exclusive or non-exclusive easement.

Mr. Detor said that it's not spelled out but they could add that in.

Mr. Ing asked whether any part of the fence extended into the State property.

Mr. Martyn said that it may, at the corner.

Mr. Ing asked if he would have any problem with cutting that out.

Mr. Martyn said, no.

Mr. Detor said that Condition C.1 says that the lessee shall use the easement for seawall and concrete ramp purposes only. He said that a condition could be added that no further fencing will be allowed.

Mr. Ono asked Mr. Martyn if he would have any problem if we deleted the concrete ramp.

Mr. Martyn said, no.

Mr. Ing was concerned about the side fencing and would like to have it cut down.

ACTION

Mr. Ing moved to approve with the following amendments:

1. Condition C.1 of the recommendation, with reference to concrete ramp purposes, be deleted so the amended condition will read:
 - . The lessee shall use the easement for seawall purposes only.
2. A new condition be added that any existing fencing on the State portion of the land be removed (meaning the existing side fence).
3. That there be no fencing on any portion of the State property.
4. Add a Condition No. 7 that this be subject to terms and conditions as imposed by the Chairman.

Seconded by Mr. Kealoha, motion carried unanimously.

ITEM H-2

CDUA FOR CONSTRUCTION OF A SHELTER FOR METEOROLOGICAL RECORDING EQUIPMENT AND LODGING USE AT KAIWIKI HOMESTEAD, HAWAII.

Ms. Shimazu said that they had found out that the applicant had purchased property from C. Brewer and that to his knowledge it is a legal separate parcel. However, the information submitted to staff at the time did not indicate that there was a separate tax map number given to the small parcel so they did ask C. Brewer to submit an after-the-fact subdivision application which staff has not yet received.

Ms. Shimazu said that about two days ago C. Brewer indicated that this large TMK parcel was at one time divided into various smaller lots and what they had done was go to the Tax Office and they were able to get separate tax map numbers for these small parcels so the question that came up is whether we can recognize these lots as lots of record -- in other words, whether a subdivision is a non-conforming subdivision. Staff has always taken the position that unless you have a tax map number that does not constitute a legal lot. Since these numbers were obtained recently staff cannot consider them as non-conforming lots and they should come in for an after-the-fact subdivision. Based on this, staff is recommending that the application be denied and also to ask the board for authorization to issue a notice of violation. A copy of the land patent which was submitted to staff was presented to the board for their review.

Mr. Ing said that because his law firm represents C. Brewer, he would like to be excused from participating on this item.

ACTION

Mr. Arata moved to approve staff's recommendation to deny. Mr. Kealoha seconded.

Mr. Pete Monohan of C. Brewer stated that staff had recommended approval of Mr. Moore's request except for this particular problem which arises out of some confusion regarding the legality of the parcel. In response to staff's

request and Mr. Ono's letter of May 21, 1986, they had done some research and recently furnished copies of the original land patent grants which created these parcels under Part VII of the Land Act of 1895. They also had a copy of the original survey map which was done in 1911 which was a compilation of earlier maps done in 1889 and 1903. They also furnished copies of the Title Report and they have available copies of the deeds by which this subject property was acquired. All of the properties were acquired between 1921 and 1930 by Hilo Sugar, which is the predecessor of Mauna Kea Agro Business, who conveyed the property to C. Brewer, who conveyed to Mr. Moore. He stated that the issue of an illegal subdivision is something which they do not understand since these parcels were created and individually granted out under the Land Act of 1895 -- long before any existing statutes. They do not feel that they have taken any illegal action.

Mr. Moore said that when the title change was submitted the tax office merely took a look at the legal background and without any request from them established the new tax map numbers.

In answer to Mr. Ono's question as to when the numbers were assigned, Mr. Monohan replied "relatively recently."

Mr. Ono said then you can understand staff's problem.

Mr. Monohan said that even without the existence of tax keys, these parcels were existing legal parcel since 1895.

Mr. Ono asked if any of the parcels had been sold, or are in the process of being sold.

Mr. Monohan said, yes -- since 1982, about three or four.

Mr. Ono felt that this area has to be looked into but the problem is that we are running out of time.

Mr. Ono called for the vote. Motion carried unanimously.

ITEM F-1-d

INI AGRICO REQUEST FOR CONSENT TO ASSIGN G. L. NO. S-4662, WAIAKEA, SO. HILO, HAWAII.

ACTION

Unanimously approved as submitted. (Arata/Kealoha)

ITEM F-7

WEST BEACH ESTATES APPLICATION FOR EASEMENT AND LAND LICENSE, HONOULIULI, EWA, OAHU.

Mr. Detor said that this was a follow up of an approved CDUA. He suggested a change to Condition No. 4, page 13, as follows:

4. The Licensee shall obtain the required approvals of the Department of Health, Corps of Engineers, Department of Transportation Harbors Division, National Marine Fisheries Services and the Division of Aquatic Resources.

Mr. Detor said also that a question has risen as to whether the requirement listed in the submittal for legislative approval of the easement inasmuch as it involves submerged land is really legally required. He said that he did have discussions on this just late yesterday afternoon and this morning so he was not able to get any answer to this question. He suggested that if the board approves this particular submittal that it do so with the proviso that it be subject to legal review by the Attorney General's Office insofar as the question of applicability of the legislative approval portion of the submittal be imposed.

ACTION

Mr. Ing moved to approve as amended. Mr. Kealoha seconded.

Mr. Ono asked Mr. Fujiyama whether he had seen staff's recommendation.

He said he had and that the only thing he would like to add is that if the Attorney General says that legislative approval is not required that Mr. Detor has permission to take that portion out.

Mr. Ono called for the vote. Motion carried unanimously.

ITEM H-4

CDUA FOR SINGLE FAMILY RESIDENTIAL USE AT TANTALUS, OAHU, HAWAII.

Ms. Shimazu pointed out that the Department of Health had recommended that a new cesspool be constructed to replace the present cesspool because of its age. Staff is recommending approval of the expansion with eleven conditions.

Because this area is so small and on a slope, Mr. Arisumi asked about the safety of the type of construction requested to be built on the property.

Ms. Shimazu understood that the property will be seen from the road. However, in terms as to whether it is safe, she said that the applicant will have to submit construction plans and the department will review these plans.

Mr. Ono said that we do not get involved in reviewing plans as to whether the structure is safe or not.

Mr. Arata asked whether this expansion would be built by the owner or a licensed contractor.

Ms. Shimazu did not know.

Mrs. Bernstein said that her expansion would be built by a licensed contractor so she would have no objection to this condition being added.

Should the board act favorably on this, Mr. Ing said that rather than trying to have the department review the structural plans, have the plans reviewed and stamped by a registered structural engineer and architecture at the time the plans are submitted for review.

Mr. Ono said that since the safety factor is a concern, would it be worthwhile inserting a hold-harmless clause.

Ms. Shimazu said that this condition was already included.

ACTION

Mr. Ing moved to approve with the following amendments:

1. That prior to the submission of plans that they be reviewed and approved by a registered structural engineer and architect.
2. With regard to the side of the house facing the State property that there be at least a one foot setback from the State property so there may need to be some alteration to the plans.

Seconded by Mr. Arisumi, motion carried unanimously.

ITEM H-6

REQUEST FOR TIME EXTENSION ON AN APPROVED CDUA FOR A SECOND HYDROELECTRIC PROJECT ON THE WAINIHA RIVER AT WAINIHA VALLEY, HANALEI, KAUAI.

Ms. Shimazu said that in October of 1983 the Board approved the Wainiha hydroelectric project on Kauai with a condition that they would have to initiate work within one year and to be completed within three. Recently,

the applicant has indicated that they will not be able to comply with the condition. Although they have started construction of the road, they have not gone any further and they are requesting another five years to complete the project. That brings the construction deadline to 1991.

Mr. Ing asked if they had given any reason as to why they have not gone ahead any further.

Ms. Shimazu said the reason they have given is that the bid prices were unexpectedly high and the decline in energy prices has had an impact on the project.

Mr. Kealoha asked Ms. Shimazu the reason staff was requesting approval of this extension.

Ms. Shimazu believed that there is merit to the applicant's request. There has been a down trend in energy prices.

Mr. Kealoha said, "if in 1991 the use is still down you will agree with them if they ask for another five year?"

Ms. Shimazu said that she could not speculate into the future but at this point it is a reasonable request.

Mr. Ing asked Mr. Hee the reason for the extension.

Mr. Hee said that the request for an extension is primarily due to one of cost and revenue as they look at the project. This project is a privately funded project and at the time when they requested approval of the original CDUA, energy prices were 57 to 58 mils. They had projected increased costs in oil prices. However, since then oil prices have gone down. What they are doing now is trying to see if they construct it cheaper and also see what they can do about the energy price. They are also playing a waiting game inasmuch as they do not know what is going to happen to the oil prices. It wouldn't make much sense for them to operate in the red.

Mr. Hee said that they hope to begin construction in the time period that would allow them to complete within the five year period.

Mr. Arisumi asked Mr. Hee, "how much of an investment have you put in?"

Mr. Hee said that they have already spent about \$1.2 million on this project, which includes engineering studies, road work, EIS, etc.

Mr. Ing asked, "why five years?"

Mr. Hee said that they are really concerned with the oil price and they have not been able to get any kind of solid information and it could take them a few years before they can even get started on construction again. It would be totally uneconomical to proceed with the project unless they can get more for their energy.

Mr. Ing said that it seems that if they wait too long they will lose their tax credit.

If they lose the energy tax credit then the project will have to stand on the energy alone. Mr. Hee said that as far as energy returns this project still remains as one of the better ones in Hawaii. However, they are working on some constraints. Without the extension they would have to come in for another application and that would be time consuming.

Mr. Arisumi asked if they could live with a three year extension.

Mr. Hee said that they would rather have a five year extension but they would take a three over nothing.

Mr. Arisumi personally felt that five years was too long inasmuch as the project originally was supposed to be completed in three years.

ACTON

Mr. Arisumi moved to approve a three year extension instead of a five-year extension as recommended by staff. The expiration date will be October 7, 1989. Motion carried with a second by Mr. Ing.

Mr. Kealoha voted no.

ITEM H-1

CDUA FOR THE WAILUA RIVER HYDROELECTRIC POWER PLANT AT WAILUA, KAUAI, HAWAII.

Ms. Shimazu said that the proposal is to take water out of the north fork, which is currently being done, and divert that water into the south fork. She explained to the board, from a map on the wall, how this would be done.

Mr. Ono asked, "what will be the visual impact from the boats going up to Fern Grotto?"

Ms. Shimazu said that the power plant would not be visible.

Mr. Ono asked about the transmission lines.

Ms. Shimazu said that it will probably be visible. However, they are asking the applicant to work with the Division of Forestry and Wildlife to see if it can be screened by existing vegetation to make it as least visible as possible.

Mr. Ono did have concerns about the visual impact within the State Parks. He asked also whether a water license was required.

Ms. Shimazu understood from Land Management and from Water and Land Development, that they will have to go to Land Management for a license and then would have to auction for using the water and then the Legislature.

Mr. Ono said that if this is going to require Legislative approval then the applicant won't know until the end of April of next year. He asked if we had a one year start up date.

Ms. Shimazu said that if this application is approved from April to August of next year, she believed that the applicant still had some time to initiate the project should the Legislature act favorably on the issue of the water license.

Mr. Ono asked, "you mean a major project such as this you're giving them only three months to decide whether to go or don't go?"

Ms. Shimazu said that the wording is one year from the day that this board approves. However, with the board's permission, she felt that this condition should be amended to give the applicant more time to get started.

Should the board approve, Mr. Arisumi asked Mr. Burr if he would go with this project whether the prices are low or not.

Mr. Burr said that the project is based upon the contract with Kauai Electric right now and based on this contract they can construct any time.

With regard to Mr. Ono's concern about the visual impact as far as State Park's is concerned, Mr. Burr felt that it would be minimal since it's in an area that is covered up with brush right now. The only impact would be the transmission line coming down from the Lydgate Park area, but that also goes through the forested area which will be camouflaged.

Mr. Ono said that transmission lines are hard to cover up with landscaping since you have to keep trimming back.

ACTION

Mr. Ing moved to approve with the following amendments:

1. With regard to Condition No. 7, the construction be initiated within one year of approval of the use or approval of disposition either by way of license or Land Management Permit for easement, whichever is later.
2. Completion of construction be within three years.
3. That the location of the stream flow devices used to measure minimum conservation flow and to measure stream flow for purposes of the 45 cfs and the 15 cfs be approved by the department.
4. Add an additional condition that other terms and conditions may be imposed by the Chairman.
5. That the final alignment of the transmission lines and the pen stop be reviewed at the time the plans are submitted and that final alignment be approved by the Chairman after consideration of the landscape plan and visual impact of those two items are approved by State Parks.

Mr. Burr said that they read all of the conditions and would like to ask for consideration of No. 9 and 15. With respect to No. 9, they would like to have the last sentence deleted and change the word of in the first line of No. 15 to or. This is for the purpose of bonding.

Mr. Ono asked, "what if there is an adverse impact?"

Mr. Burr said that if you put the word or power plant operation... DLNR can still shut them down. They are trying to give the Financial people as much stability as possible so they feel comfortable in lending them their money.

Mr. Ing moved also to add the amendment of Conditions 9 and 15 as suggested by the applicant. Seconded by Mr. Kealoha, motion carried unanimously.

ITEM F-6

ROLANDO PROPERTIES APPLICATION TO LEASE LAND AND BUILDING AT KAWAIILOA, WAIALUA, OAHU.

ACTION

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

ITEM H-5

CDUA TO CONSTRUCT AN EQUIPMENT BUILDING AND TO RELOCATE AN OVERHEAD TRANSMISSION LINE UNDERGROUND AT MT. LAAUKAHI, KAUAI.

Ms. Shimazu said that the applicant would like to construct an equipment building and they would like to relocate an overhead transmission line underground at Mt. Laaukahi on Kauai. Ms. Shimazu said that during the review they came across a problem with the triangulation station where if the structure as proposed is constructed it will probably obstruct that station so they asked the applicant to work with the Survey Division to see if a resolution can be made. They have done this and staff was informed that the structure will be reviewed in size and it will be located about 10 feet away from the proposed location, further down the slope so it will not obstruct the triangulation station. Staff is recommending approval with nine conditions.

Mr. Ono asked whether the applicant had a chance to review the conditions.

The applicant said that he did review the conditions and saw no problems.

ACTION Mr. Arisumi moved to approve as submitted. Motion carried with a second by Mr. Kealoha.

Mr. Ing was excused from acting on this item.

ITEM F-1-b RESUBMITTAL - RESEARCH CORP. OF U.H. REQUEST FOR CONSENT TO ASSIGN GRML NO. S-4602, KAPOHO, PUNA, HAWAII.

ACTION Mr. Arata moved to approve as submitted. Motion carried with a second by Mr. Arisumi.

Mr. Ing was excused from voting on this item.

ITEM C-1 FILLING OF POSITION NOS. 21434, 21440, AND 2949, FORESTRY WORKER II, ISLAND OF HAWAII.

ACTION Mr. Arata moved to defer this item to the next meeting of the Board. Seconded by Mr. Arisumi, motion carried unanimously.

ITEM C-2 OUT-OF-STATE TRAVEL REQUEST FOR MICHAEL G. BUCK.

ACTION Mr. Kealoha moved to approve Mr. Buck's attendance and participation at the international conference on Land Resource Evaluation for National Planning in the Tropics to be held on January 25-31, 1987. Seconded by Mr. Ing, motion carried unanimously.

ADDED ITEM C-3 FILLING OF POSITION NO. 26773, CLERK-STENOGRAPHER II, ISLAND OF OAHU.

ACTION Mr. Ing moved to approve the appointment of Leila R. Gregory-Browne to Position No. 26773 effective August 16, 1986. Seconded by Mr. Kealoha, motion carried unanimously.

ADDED ITEM C-4 APPROVAL TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE UNIVERSITY OF HAWAII PACIFIC BIOMEDICAL RESEARCH CENTER TO CONDUCT POPULATION ESTIMATES OF PIGEONS, SPARROWS AND DOVES IN THE WAIKIKI AREA.

ACTION Unanimously approved subject to the approval by the Governor and the Attorney General's approval as to form. (Ing/Kealoha)

ITEM D-1 PERMISSION TO ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO JOINTLY INVESTIGATE THE FEASIBILITY OF DEVELOPING HAWAII'S RENEWABLE ENERGY AND WATER RESOURCES.

Mr. Ono asked whether "Hawaii" is the island of Hawaii or does it mean statewide.

Mr. Tagomori said that they will be looking statewide but focusing on the island of Hawaii.

Mr. Ono asked if they would be able to do this with \$50,000.00.

Mr. Tagomori said, yes.

ACTION Unanimously approved as submitted. (Arata/Arisumi)

ITEM D-2 CANCELLATION OF THE BOARD'S DECEMBER 28, 1984 DECISION AND ORDER ON THE PROPOSED GEOTHERMAL RESOURCES SUBZONE (GRS) AT KAHAUALEA, HAWAII.

(See Page 2 for Action.)

ADDED
ITEM D-3

APPROVAL TO AMEND AWARD OF CONTRACT - JOB NO. 33-HL-L, KONA MARSHALLING
YARD, SOUTH KONA, HAWAII.

ACTION

Unanimously approved as submitted. (Arata/Ing)

ITEM E-1

GUIDELINES FOR THE USE OF THE ROYAL MAUSOLEUM STATE MONUMENT (ROYAL
MAUSOLEUM), NUUANU, OAHU.

Mr. Ing asked whether this was circulated to various organizations.

Mr. Nagata said that it was not.

Mr. Nagata asked to amend Item A.1. under Hours of Operation by deleting
(including chapel and cottage).

Mr. Nagata asked also to amend Item A. under PROHIBITED USES OF THE PREMISES
to allow the caretaker to have a dog which is properly restrained.

ACTION

Mr. Ing moved to approve as amended by Mr. Nagata and also that these
regulations are to take effect on January 1, 1987 and that between now and
that time the regulations be circulated to the various organizations
notifying them of the regulations and the date it is to take effect.

ITEM E-2

AUTHORIZATION TO ISSUE A SPECIAL USE PERMIT TO THE AMERICAN YOUTH SOCCER
ORGANIZATION FOR USE OF THE WAILOA RIVER STATE RECREATION AREA, HILO, HAWAII.

ACTION

Mr. Arata moved for approval as recommended but that the date shown in the
first paragraph be changed from December 20, 1986 to December 31, 1986.
Motion carried unanimously with a second by Mr. Arisumi.

ADDED
ITEM E-3

FILLING OF POSITION NO. 21435, WAILOA CENTER COORDINATOR, HILO, HAWAII.

ACTION

Mr. Arata moved to approve the appointment of Ms. Kathleen Lassiter to
Position No. 21435. Seconded by Mr. Arisumi, motion carried unanimously.

ADDED
ITEM E-4

FILLING OF PARK CARETAKER II, POSITION NO. 30028, KAHANA VALLEY STATE PARK,
OAHU PARK SECTION.

Mr. Nagata said that this position allows use of a residence vacated by the
former caretaker. He said that the board tried to institute a policy of
having a DOCARE officer occupy residences that become vacant where a prior
State Park employee was a resident. However, subsequent to the Board's
action, there was a grievance filed by one of the caretakers and under the
arbitration the caretaker prevailed so it is staff's understanding that where
a park caretaker is in residence, then the park caretaker would be given the
opportunity to fill any residence vacancies in the department.

Mr. Kealoha asked Mr. Nagata if he was changing the housing from DOCARE to
the park caretaker.

Mr. Nagata said that the person who left the residence was also a park
caretaker.

Mr. Kealoha asked Mr. Nagata if he was going to provide for DOCARE to do law
enforcement work in Kahana Valley.

Mr. Nagata said that they are supposed to be doing enforcement work but will
not be given the privilege of occupying the residence because of the
arbitration ruling.

Mr. Kealoha asked, "supposing we go through with the land exchange and the
City gives up the beach area across the street and at that time you will
definitely need a DOCARE officer, where will that DOCARE person reside?"

Mr. Nagata did not know whether they would definitely need a DOCARE person. However, if that is the preference of the Board then staff would have to come up with another residence in an area that was not previously occupied by a park caretaker.

ACTION

Mr. Ing moved to approve the appointment of Mr. Bartolome Salvador to fill Position No. 30028. Motion carried with a second by Mr. Arisumi.

Mr. Kealoha voted no.

ITEM H-7

PERMISSION TO CONTRACT WITH THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII TO CONTINUE THE STUDY AND DEVELOPMENT OF THE HAWAIIAN BACKYARD AQUACULTURE PROGRAM.

ACTION

Unanimously approved as submitted. (Ing/Kealoha)

ITEM H-3

AMENDMENT TO AN APPROVED CDUA FOR SINGLE FAMILY RESIDENTIAL USE AT KEONEPOKO-IKI, PUNA, HAWAII.

Mr. Ing said that staff's recommendation does not say what the amended request is to be. He understood that all that they want is to go from an 8000 gallon tank to a 37,000 gallon tank.

Ms. Shimazu said that they would also like to expand the greenhouse.

ACTION

Mr. Arata moved to approve 1) as recommended by staff, 2) that the greenhouse be expanded as shown on Exhibit A; and 3) that the water tank be increased from 8000 gallons to 37,000 gallons. Seconded by Mr. Arisumi, motion carried unanimously.

ITEM F-1

DOCUMENTS FOR CONSIDERATION.

Item F-1-a

RICHARD IWASAKI REQUEST FOR CONSENT TO ASSIGN G. L. NO. S-4803 TO ALLEN R. WATANABE, PAHOA AG. PARK, KEONEPOKO IKI, PUNA, HAWAII.

ACTION

Unanimously approved as submitted. (Arata/Arisumi)

Item F-1-b

RESUBMITTAL - RESEARCH CORP. OF U.H. REQUEST FOR CONSENT TO ASSIGN GRM. NO. S-4602, KAPOHO, PUNA, HAWAII.

(See Page 9 for Action on Item F-1-b.)

Item F-1-c

CORMAX CORP. REQUEST FOR CONSENT TO SUBLEASE PORTION OF G. L. NO. S-4644, KALAUAO, EWA, OAHU.

ACTION

Unanimously approved as submitted. (Kealoha/Ing)

Item F-1-d

INI AGRICO REQUEST FOR CONSENT TO ASSIGN G. L. NO. S-4662, WAIAKEA, SO. HILO, HAWAII.

(See Page 4 for Action on Item F-1-d.)

ITEM F-2

RESUBMITTAL - JAMES W. GLOVER, LTD. REQUEST FOR EXTENSION OF TIME WITHIN WHICH TO SATISFY IMPROVEMENT REQUIREMENT, G. L. NO. S-4670, WAIAKEA, SO. HILO, HAWAII.

ACTION

Unanimously approved as submitted. (Arata/Ing)

ITEM F-3

DEPARTMENT OF TRANSPORTATION REQUEST FOR AUTHORIZATION TO DISPOSE OF HIGHWAY REMNANT, FAP NO. I-H1-1(1), HONOLULU, OAHU.

ACTION

Deferred.

Mr. Detor to get map for Board's review.

ITEM F-4 KENNETH A. MARTYN APPLICATION FOR EASEMENT, MOKULEIA, WAILUA, OAHU.

(See Page 3 for Action.)

ITEM F-5 MICHAEL DIMITRON APPLICATION TO PURCHASE ABANDONED SECTION OF WAIKELE ROAD, WAIKELE, EWA, OAHU.

Mr. Detor said that the people who are waiving, and the applicant has agreed, that there be a provision in the sale that the use of that remnant be restricted to medical center purposes.

Mr. Kealoha asked why this condition should be included.

Mr. Detor said that the other two abutting owners waived but they said that they would agree only if there was a condition that he just use the area for medical purposes. He felt too that if the use is restricted that may have an affect on the price and the State may be subsidizing the restriction which he did not feel was right.

Mr. Ing felt that the condition should be removed.

Mr. Detor said it was because the other two people waived their rights to purchase as abutting owners on the condition that the person buying would agree to the above condition. However, Mr. Detor did not want to limit the use of this parcel.

Deputy A.G. Wong did not feel that the other two should dictate to the State.

Mr. Ono thought that maybe they could have an agreement between themselves.

Mr. Kealoha suggested we defer this item and staff contact the other two abutting owners about striking out this condition. He did not feel we should lose money by appraising it only for medical purposes.

ACTION Deferred.

ITEM F-6 ROLANDO PROPERTIES APPLICATION TO LEASE LAND AND BUILDING AT KAWAILOA, WAIALUA, OAHU.

(See Page 8 for Action.)

ITEM F-7 WEST BEACH ESTATES APPLICATION FOR EASEMENT AND LAND LICENSE, HONOULIULI, EWA, OAHU.

(See Page 5 for Action.)

ITEM F-8 BERNARD ORNELLAS, ET AL, APPLICATION TO PURCHASE REMNANT PARCELS AT KAPAA, KAUAI.

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

ITEM F-9 DEPARTMENT OF HEALTH REQUEST FOR ACQUISITION OF LEASE COVERING OFFICE AND AMBULANCE SPACE AT 3115 ELUA ST., LIHUE, KAUAI.

ACTION Unanimously approved subject to the review and approval of the lease agreement by the Office of the Attorney General. (Ing/Arisumi)

ITEM F-10 DEPARTMENT OF EDUCATION REQUEST FOR APPROVAL OF AMENDMENT OF LEASE COVERING OFFICE SPACE IN THE AMERICAN SAVINGS BUILDING, KANEHOE, OAHU.

ACTION Mr. Ing moved to approve as submitted. Motion carried with a second by Mr. Kealoha.

Mr. Arata was excused from voting on this item.

<u>ITEM H-1</u>	<u>CDUA FOR THE WAILUA RIVER HYDROELECTRIC POWER PLANT AT WAILUA, KAUAI, HAWAII.</u>
	(See Page 8 for Action.)
<u>ITEM H-2</u>	<u>CDUA FOR CONSTRUCTION OF A SHELTER FOR METEOROLOGICAL RECORDING EQUIPMENT AND LODGING USE AT KAIWIKI HOMESTEAD, HAWAII.</u>
	(See Page 3 for Action.)
<u>ITEM H-3</u>	<u>AMENDMENT TO AN APPROVED CDUA FOR SINGLE FAMILY RESIDENCE USE AT KEONEPOKO-IKI, PUNA, HAWAII.</u>
	(See Page 11 for Action.)
<u>ITEM H-4</u>	<u>CDUA FOR SINGLE FAMILY RESIDENTIAL USE AT TANTALUS, OAHU, HAWAII.</u>
	(See Page 5 for Action.)
<u>ITEM H-5</u>	<u>CDUA TO CONSTRUCT AN EQUIPMENT BUILDING AND TO RELOCATE AN OVERHEAD TRANSMISSION LINE UNDERGROUND AT MT. LAAUKAHI, KAUAI.</u>
	(See Page 9 for Action.)
<u>ITEM H-6</u>	<u>REQUEST FOR TIME EXTENSION ON AN APPROVED CDUA FOR A SECOND HYDROELECTRIC PROJECT ON THE WAINIHA RIVER AT WAINIHA VALLEY, HANAIEI, KAUAI.</u>
	(See Page 7 for Action.)
<u>ITEM H-7</u>	<u>PERMISSION TO CONTRACT WITH THE RESEARCH CORP. OF THE UNIVERSITY OF HAWAII TO CONTINUE THE STUDY AND DEVELOPMENT OF THE HAWAIIAN BACKYARD AQUACULTURE PROGRAM.</u>
	(See Page 11 for Action.)
<u>ITEM J-1</u>	<u>LEASE - WAIMEA-KOHALA AIRPORT, HAWAII (FEDERAL AVIATION ADMINISTRATION).</u>
ACTION	Unanimously approved as submitted. (Arata/Arisumi)
<u>ITEM J-2</u>	<u>RESTAURANT AND BEVERAGE CONCESSION, LIHUE AIRPORT, KAUAI.</u>
ACTION	Unanimously approved as submitted. (Ing/Arisumi)
<u>ITEM J-3</u>	<u>FLORIST CONCESSION, KAHULUI AIRPORT, MAUI.</u>
ACTION	Unanimously approved as submitted. (Arisumi/Ing)
<u>ITEM J-4</u>	<u>LICENSE AND AGREEMENT FOR MOTOR COACH AND LIMOUSINE TRANSPORTATION SERVICES (AIRPORT SHUTTLE BUS), HONOLULU INTERNATIONAL AIRPORT, OAHU.</u>
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
<u>ITEM J-5</u>	<u>RENEWAL OF REVOCABLE PERMITS 2877, ETC., CONFORMING USE, AIRPORTS DIVISION.</u>
ACTION	Mr. Kealoha moved to approve as submitted. Motion carried with a second by Mr. Arisumi. Mr. Ing was excused from voting on this item.
<u>ITEM J-6</u>	<u>ISSUANCE OF PERMIT BY DIRECT NEGOTIATION, HARBORS DIVISION, CONTAINER HANDLING FACILITIES, PIER 1, HILO HARBOR, HAWAII (MATSON TERMINALS, INC.)</u>
ACTION	Unanimously approved as submitted. (Ing/Kealoha)

<u>ITEM J-7</u>	<u>GRANT OF EASEMENT, LIHUE AIRPORT, KAUAI (CITIZENS UTILITIES CO.)</u>
ACTION	Unanimously approved as submitted. (Arisumi/Ing)
<u>ITEM J-8</u>	<u>APPROVAL OF CONSENT TO SUBLEASE A PORTION OF THE PREMISES OF HARBOR LEASE NO. H-70-14, KEEHI LAGOON, OAHU (KEEHI MARINE CENTER).</u>
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
<u>ITEM J-9</u>	<u>ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIERS 19 AND 20, HONOLULU HARBOR, OAHU (SAUSE BROS., INC.).</u>
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
<u>ITEM J-10</u>	<u>ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 35, HONOLULU HARBOR, OAHU (KEN KAUFFMAN).</u>
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
<u>ITEM J-11</u>	<u>ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KEEHI LAGOON COMMERCIAL SUBDIVISION, HONOLULU, OAHU (GREG USHIJIMA).</u>
ACTION	Mr. Garcia asked to amend this submittal by changing the name Greg Ushijima to Aloha State Disposal, Inc. At the time that this submittal was made Mr. Ushijima did not have his corporation registered. This has now been done. Unanimously approved as amended. (Ing/Arisumi)
<u>ITEM J-12</u>	<u>ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 9 MEZZANINE, HONOLULU, OAHU (HAWAII EXAM PREP CENTER).</u>
ACTION	Unanimously approved as submitted. (Ing/Arisumi)
<u>ITEM J-13</u>	<u>ISSUANCE OF REVOCABLE PERMITS, HARBOR DIVISION, KEEHI COMMERCIAL SUBDIVISION, HONOLULU, OAHU (AQUELINO PAGALA).</u>
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
<u>ITEM J-14</u>	<u>USE OF HARBORS DIVISION FACILITIES, PIER 9 AND 10 PASSENGER TERMINALS, HONOLULU, OAHU (MUSCULAR DYSTROPHY ASSOCIATION).</u>
ACTION	Unanimously approved as submitted. (Ing/Arisumi)
<u>ITEM J-15</u>	<u>USE OF HARBORS DIVISION FACILITIES, PIER 10 PASSENGER TERMINAL, HONOLULU, OAHU (UNITED SERVICE ORGANIZATION).</u>
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
<u>ITEM J-16</u>	<u>USE OF HARBORS DIVISION FACILITIES, PIER 9 AND 10 PASSENGER TERMINALS, HONOLULU, OAHU (HONOLULU MARATHON ASSOCIATION).</u>
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
<u>ITEM J-17</u>	<u>USE OF HARBORS DIVISION FACILITIES, PIER 9 PASSENGER TERMINAL, HONOLULU, OAHU (SERVCO PACIFIC INC.).</u>
ACTION	Mr. Ing moved to approve as submitted. Motion carried with a second by Mr. Arisumi. Mr. Kealoha was excused from voting on this item.

ITEM J-17

CONSTRUCTION RIGHT-OF-ENTRY, ALA WAI BOAT HARBOR, HONOLULU, OAHU (JACK E. MEYERS).

ACTION

Mr. Arisumi moved to approve as submitted. Motion carried with a second by Mr. Arata.

Mr. Ing was excused from voting on this item.

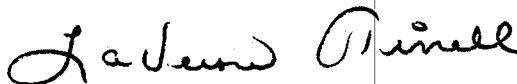
RESOLUTION:

The board unanimously adopted a resolution commending Mrs. Ichie Kami Kawamoto, Clerk Stenographer III in the Hawaii Land Management District Office of the Division of Land Management for faithfully and conscientiously serving the Territory and the State of Hawaii for more than thirty-eight years. Ichie will be retiring on August 29, 1986.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:20 p.m.

Respectfully submitted,



Mrs. LaVerne Tirrell
Secretary

APPROVED:



SUSUMU ONO
Chairperson

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