

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

DATE: February 12, 1988
TIME: 9:00 A.M.
PLACE: State Office Building
Conference Rooms A, B, AND C
3060 Eiwa Street
Lihue, Kauai

ROLL
CALL

Vice-Chairperson Douglas Ing called the meeting of the Board of Land and Natural Resources to order at 9:00 a.m. The following were in attendance:

MEMBERS: Mr. Moses W. Kealoha
Mr. Leonard Zalopany
Mr. John Arisumi
Mr. Herbert Arata
Mr. J. Douglas Ing

Absent & Excused

Mr. William W. Paty

STAFF: Mr. Alvin Kyono
Mr. Gordon Akita
Mr. Mike Shimabukuro
Mr. Sam Lee
Mr. Roger Evans
Mrs. LaVerne Tirrell

OTHERS: Mr. Johnson Wong, Deputy A.G.
Mr. Peter Garcia, Dept. of Transportation
Mr. Owen Moe (Item F-16)
Mr. Peter Taylor & Mrs. Elizabeth Martin (Item H-4)
Ms. Sharon Himeno and Mr. Mitch D'Olier (Item F-24)

ADDED
ITEMS

Upon motion by Mr. Kealoha and a second by Mr. Arata, the board voted unanimously to add the following item to the Agenda:

Item E-3 -- Filling of Position No. 30228, Groundskeeper I, Assigned to the Hawaii Parks District.

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

ITEM F-24

CONSENT TO PARTITION AND REMOVAL OF DEED RESTRICTION OF CERTAIN PROPERTY OF TIANA PARTNERS AND THE HAWAIIAN HUMANE SOCIETY, AS TENANTS IN COMMON, AT NIU VALLEY, HONOLULU, OAHU, TMK 3-7-04:01(POR.).

Mr. Shimabukuro explained that when one of the daughters of the Lucas estate died, she conveyed 52% interest of 680 acres of land in Niu Valley to the Hawaiian Humane Society and the other 48% to Tiana Partners. Spelled out in the conveyance deed to the Humane Society, in part, is as follows:

"So long as the same shall be used for the benefit of the public for the operation of an educational preserve for flora and fauna, to be made accessible as an educational experience for the public under the control and administration of said Hawaiian Humane Society, its successors, and assigns, and if not so used, then to the State of Hawaii, its successors and assigns for and as a public park....(hereinafter called the "Deed Restriction")."

Mr. Shimabukuro said that this is where the State's interest comes in. The State does have a contingency interest. Because of this restriction, however, Tiana Partners and the Hawaiian Humane Society are not fully able to develop the property. They have asked that the State consent to partition of the property so Tiana Partners and the Hawaiian Humane Society have entered into an agreement with the developers, R.Y.M., Inc., who has agreed to provide vehicular access to the 680 acres by extending and upgrading a roadway it will construct on its adjacent parcel. In providing this access R.Y.M. will be losing some land on which housing could be constructed so Tiana Partners and the Hawaiian Humane Society have agreed to the conveyance to R.Y.M. of an 11,625 sq. ft. parcel. The "Deed Restriction" needs to be removed from this 11,625 sq. ft. parcel before it is conveyed to R.Y.M., Inc. To do this, however, the State will have to consent to the partition and agree to enter a stipulation in said partition action so conveyance of the 11,625 sq. ft. parcel will be free and clear of the State's interest.

Representing the applicant at the meeting were Ms. Sharon Himeno and Mr. Mitch D'Olier

ACTION Unanimously approved as submitted. (Kealoha/Zalopany)

ITEM F-2 LANPAR/HTL ASSOCIATES REQUEST TO AMEND DIRECT SALE OF EASEMENT, GOVERNMENT SUBMERGED LANDS AT WAIULUA INLET, WAIULUA, SO. KOHALA, HAWAII.

ACTION Unanimously approved as submitted. (Arata/Zalopany)

ITEM F-19 STAFF RECOMMENDATION TO ADJUST MONTHLY RENT OF REVOCABLE PERMIT NO. S-6134 TO OLOKELE SUGAR CO., LTD., HANAPEPE, KAUAI.

ACTION Unanimously approved as submitted. (Zalopany/Arisumi)

ITEM H-4 CDUA FOR CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE AT KALIHAIWAI, KAUAI (PETER N. TAYLOR, INC., AGENTS FOR GAYLOR KAONOHI, TRINIDAD KAONOHI, DAVID MARTIN, AND ELIZABETH MARTIN).

Mr. Evans said that in looking at the background on this piece of property, it was indicated that at one point and time there was a single family house on the parcel. After the conservation zoning law came into effect in 1957, there was a tsunami and the tsunami destroyed the house. Staff, therefore, took a look at possible nonconforming provisions of the statutes which reflect two different definitions of nonconforming use:

1. Land, not more than 10 acres, if it meets certain criteria you can have a dwelling or a farm; and
2. The lawful use of any ...premises or...residence...which is the same as and no greater than that established prior to October 1, 1964.

Mr. Evans said that if No. 2 above is met, from staff's perspective, approval could be granted under nonconforming use. Therefore, staff is recommending approval subject to the conditions listed in the submittal.

Referring to Item No. 4 on page 9 of the submittal relating to the size of the dwelling prior to October 1, 1964, Mr. Kealoha seemed to doubt that we could establish the size of the dwelling if no plans of the dwelling at that time could be found. Mr. Evans said that staff would probably have to go to the County to seek what kinds of records are available, etc., in order to come to a reasonable judgment. Mr. Kealoha's concern was whether the applicant would be able to come up with the construction plans and specifications for the previous dwelling, as required in Condition No. 3.

Mrs. Martin and Mr. Peter Taylor were present to answer any questions the board might have. Mrs. Martin said that the property was given by her tutu to her uncle, who now is passing it on to she and her family. She said that her aunt and uncle will also be living in the new residence. In answer to an earlier question posed by Mr. Kealoha, Mrs. Martin said that there were two tidal waves, 1946 and 1960, and both took away homes from the property but the slab, which was there prior to the 1946 wave, was still on the property. As far as the homes that were previously on the property, Mrs. Martin described what was there and, if they are not able to find the previous construction plans, she hoped that an affidavit from her uncle and, possibly some old pictures, might suffice to meet staff's requirement for plans.

Mr. Ing voiced concerns about the guest house aspect. He said that the board has found, in the past, that the temptation is very great to rent that out. Because this is in the conservation limited subzone area, ordinarily the board does not allow residential areas in those areas. Where the board does allow residential structures in the conservation area, the board does not allow two structures for a single family residential use. The fact that there is a sizable guest house, is of particular concern. He asked Mrs. Martin if she would still go ahead and build this residence if the guest house was prohibited.

Mrs. Martin said that she would. She explained that the reasons for the guest house is so her aunt and uncle could be separated from her family.

Mr. Ing said that there is a difference in having an additional bedroom, or a room for members of the family, but not two kitchens. Mrs. Martin said that there would only be one kitchen.

ACTION

Unanimously approved as submitted. (Zalopany/Arisumi)

Mr. Kealoha called Mrs. Martin's attention to Condition No. 10., which says that the single family dwelling shall not be used for rental or any commercial purposes.

Mr. Ing asked Mr. Evans whether a description of the prior dwelling would suffice should the applicant not be able to obtain copies of the construction plans for the previous dwelling. Mr. Evans felt that, after discussion with the staff, followed by construction plans submitted with an affidavit, this may be a reasonable basis.

ITEM H-5

AMENDMENT TO A CDUA FOR A POOL AND LANDSCAPING ACTIVITIES AT KOKOKAHI, OAHU (MR. WILLIAM C. PEEBLES).

Mr. Evans said that the applicant is requesting to amend the original approval in order to construct a pool and conduct landscaping activities around the property. Work had begun on the pool and landscaping. However, all work has ceased pending the outcome of this request.

Mr. Peebles presented the board with pictures of the pool and the landscaping. He said that the pool was not a part of the original construction plans inasmuch as he was not sure how the pool would fit into their plans before the property was cleared. He said that he was not aware that he had to come back to the State again since he had received all permits from the City and County. However, after going to all the necessary agencies to sign off, the last one told him that he needed to go back to the State. When he went back to Dean Uchida with the permit, he was told that he would need to make a re-application.

Although not a part of his application, Mr. Peebles voiced great concern about the landfill which is adjacent to his property. He said that he has trapped over 100 rats and mongoose and, at one time, he counted about 20-30 pheasants on his property but now, because of the rats and the mongoose, it is down to about ten. He has also had problems with wild dogs.

Mr. Ing suggested to Mr. Peebles that he write a letter to the department, with a copy to the City and to the Department of Health. He thought that the City's representation to the board was that this would not occur. After receipt of this letter, then the department could investigate the problem.

ACTION

Unanimously approved as submitted. (Kealoha/Arisumi)

ITEM F-16

RESUBMITTAL - WITHDRAWAL OF LAND FROM THE OPERATION OF GENERAL LEASE NO. S-4222 AND SET ASIDE FOR WATER BIRD SANCTUARY PURPOSES AT KEKAHA, WAIMEA (KONA), KAUAI.

Mr. Shimabukuro explained that staff's original request was to withdraw thirty acres from G.L. S-4222. However, after meeting with the lessee, it was agreed that 30 acres would be designated as a bird sanctuary but only 15 acres would be withdrawn at this time. The other 15 acres would remain in the lease and Kekaha Sugar would be allowed to take sand from the area to maintain the sugar cane roads.

Mr. Zalopany moved to approve. Mr. Arisumi seconded.

Mr. Kealoha asked for how long they would be taking sand. Mr. Shimabukuro said that the lease expires in five years. Mr. Kealoha asked if the other 15 acres would be taken back at the end of the term of the present lease. Mr. Shimabukuro said that this is staff's plan; however, that this 15 acres would be excluded from the new lease is not a part of the agreement with Kekaha Sugar. He said that the final 15 acres would be taken back when the lease term expires. Mr. Kealoha asked if this was in the submittal. Mr. Shimabukuro said no, but he could include a condition that this will be withdrawn at the expiration of the lease term, and before the new lease is issued.

Owen Moe of Kekaha Sugar felt that it would take so many years past the lease for them to use up the other 15 acres so he felt that when they use it up then they would just turn it over to the Wildlife Service so they could use it for their bird sanctuary.

Mr. Shimabukuro explained that the question was that when the lease expires the 15 acres which they have been allowed to retain will be taken out of the new lease to be issued, subsequently.

Owen Moe felt that the State could do anything they want with the new lease, but sand would still be needed for whoever gets the new lease.

Mr. Kealoha said that his question was, when do we take back the second 15 acres?

Owen Moe said that his understanding is that when they have mined all the sand from it. Mr. Kealoha understood from Mr. Shimabukuro that it would be at the end of the lease term. Owen did not think that this was specifically addressed. Mr. Kealoha asked if they wanted to work this out and come back to the board.

Mr. Ing did not think that the lessee had any right to the land once the lease was terminated. He did not think that we could create a condition that we give them a right beyond the term of the lease. Mr. Kealoha said that the

problem he had with this is that normally at the end of the term of a lease, there is a one-year holdover under a revocable permit. For that reason, he wanted it to be specific and definite in today's meeting that at the end of the present term, regardless of whether or not there is a holdover, that the 15 acres be taken back. Mr. Ing felt that the way to handle this is to require that provisions of the new lease, with respect to the sandy area, is subject to board approval. At that time, the board will decide what the terms of the new lease will be, as it usually does. Although he felt that Mr. Kealoha did have a good point, he did not think that conditions for the new lease could be developed at this time.

Mr. Shimabukuro asked if he should add a condition C. to set aside the remaining 15 acres under the control and management of the Division of Forestry and Wildlife for waterbird sanctuary upon the expiration of the existing lease.

Mr. Moe said that in their letter to the board they had asked to offset the loss of revenue from the withdrawn land by being allowed to sell the sand for its own account with no royalty payment to the State. Mr. Shimabukuro said that if they want to sell sand they would have to come back with a request for a license. Under the present lease they are able to mine the sand for their own use but not for sale.

Mr. Moe said that they are losing \$60,000 an acre of potential revenue with the withdrawal of this land and are getting nothing in return. Mr. Ing could not understand what they would be losing since this is just sand. Mr. Moe said that it could be put into cane. It is not presently into cane. Mr. Shimabukuro did not feel that Kekaha Sugar could put this into cane inasmuch as only five years remain in the present lease. Mr. Ing said that they would have to look at the lease to see whether under the terms of the lease if the State withdraws that there is any equitable adjustment to the lease rental. Mr. Moe felt then that the State could start withdrawing all the pasture land that they have without giving them any economic recourse.

Mr. Arisumi said that this is the first time he has heard that this area is feasible for planting cane.

Mr. Zalopany felt that perhaps Sam Lee could explain the income problem to the board -- whether they are entitled to an offset of any kind because of the loss of potential revenue from the acreage that is subject to the withdrawal. Mr. Lee felt that Mr. Shimabukuro's position was correct and an equitable one based on the fact that this land, as listed in the lease, is classified as waste land and no rent is attributable to waste land. Using that rationale, staff felt that they are not withdrawing an area that is revenue producing in terms of paying rent to the State so there should be no reduction inasmuch as there is no loss.

Mr. Arisumi asked that this matter be deferred.

Mr. Kealoha said that a motion was made earlier. Mr. Arisumi withdrew his second to the original motion. Mr. Zalopany did not withdraw his motion inasmuch as he felt that they had all visited the site and did not know what else could be said that wasn't already presented to the board today.

ACTION

Mr. Ing asked if the motion was as amended, or as submitted.

Mr. Zalopany replied, "as submitted". Mr. Arata seconded; motion carried.

Mr. Arisumi opposed.

RECESS: 10:15 A.M.

RECONVENE: 10:20 A.M.

- ITEM C-1 FILLING OF POSITION NO. 2919, GENERAL LABORER I, DIVISION OF FORESTRY AND WILDLIFE, ISLAND OF OAHU.
- ACTION Mr. Zalopany moved to approve the appointment of Roger T. Tamai to Position No. 2919. Seconded by Mr. Arisumi, motion carried unanimously.
- ITEM C-2 FILLING OF POSITION NO. 27099, FORESTER III, DIVISION OF FORESTRY AND WILDLIFE, ISLAND OF HAWAII.
- ACTION Mr. Arata moved to approve the appointment of William T. Stormont to fill Position No. 27099. Seconded by Mr. Zalopany, motion carried unanimously.
- ITEM C-3 REQUEST FOR APPROVAL TO ENTER INTO COOPERATIVE AGREEMENTS FOR THE PROTECTION, DEVELOPMENT, AND MANAGEMENT OF FISH AND WILDLIFE RESOURCES AT THE NAVAL STATION, PEARL HARBOR; THE NAVAL AIR STATION, BARBERS POINT; AND THE NAVAL COMMUNICATION AREA MASTER STATION, EASTPAC, OAHU, HAWAII, WITH THE DEPARTMENT OF THE NAVY, PACIFIC DIVISION.
- ACTION Unanimously approved as submitted. (Kealoha/Zalopany)
- NOTE: DIVISION OF WATER AND LAND DEVELOPMENT ITEMS D-1 through D-5 were considered after the Division of State Parks items.
- ITEM E-1 OUT-OF-STATE TRAVEL REQUEST TO ATTEND NATIONAL PARK SERVICE HISTORIC PRESERVATION WORKSHOPS IN SAN FRANCISCO.
- ACTION The board voted unanimously to approve Dr. Don Hibbard's request to attend the National Park Service's historic preservation workshops February 22-26, 1988 in San Francisco. (Kealoha/Zalopany)
- ITEM E-2 FILLING OF POSITION NO. 12969, CLERK TYPIST III, OAHU.
- ACTION Mr. Kealoha moved to approve the appointment of David Nakasone to Position No. 12969. Seconded by Mr. Zalopany, motion carried unanimously.
- ADDED ITEM E-3 FILLING OF POSITION NO. 30228, GROUNDSKEEPER I, ASSIGNED TO THE HAWAII PARKS DISTRICT.
- ACTION Mr. Arata moved to approve the appointment of Ms. Elizabeth Greig to Position No. 30228. Seconded by Mr. Arisumi, motion carried unanimously.
- ITEM D-1 REQUEST TO ENTER INTO PROJECT AGREEMENTS WITH U. S. SOIL CONSERVATION SERVICE FOR EMERGENCY FLOOD PROJECTS IN WAIMANALO, OAHU.
- ACTION Unanimously approved as submitted. (Kealoha/Arata)
- ITEM D-2 APPLICATION FOR A STREAM CHANNEL ALTERATION PERMIT, KAHAWAINUI STREAM FLOOD CONTROL PROJECT, LAIE, KOOLAULOA, OAHU.
- ACTION Unanimously approved as submitted. (Kealoha/Zalopany)
- ITEM D-3 PERMISSION TO HIRE SURVEYING FIRM TO PREPARE A TOPOGRAPHICAL SURVEY, JOB JOB NO. 62-MF-G, KAHULUI GREENHOUSE NURSERY, KAHULUI, MAUI.
- ACTION Mr. Akita asked to amend this submittal by deleting "and Act 470, SLH 1986, Item D-7", as shown in the third paragraph.
- ACTION Unanimously approved as amended. (Arisumi/Zalopany)

PERMISSION TO HIRE AN ENGINEERING CONSULTANT FIRM TO PREPARE CONSTRUCTION PLANS AND SPECIFICATIONS FOR JOB NO. 98-MP-F, MAKENA-LA PEROUSE STATE PARK, PARK IMPROVEMENTS, MAKENA, MAUI.

ITEM D-4

ACTION Unanimously approved, subject to the Governor's release of the planning and design funds. (Arisumi/Zalopany)

ITEM D-5 SOIL AND WATER CONSERVATION DISTRICT DIRECTORS, OAHU.

ACTION The board voted unanimously to certify the election of Mr. Bunki Kumabe and Mr. Paul Low as Directors for the Windward Oahu Soil and Water Conservation District for a term ending June 30, 1990. (Kealoha/Arata)

ITEM F-1 DOCUMENTS FOR CONSIDERATION.

Item F-1-a CONSENT TO GRANT OF EASEMENT (GENERAL LEASE NO. S-4880), BOBBIE'S STEAK 'N LOBSTER, LTD., ASSIGNOR, TO H-B, INC., ASSIGNEE, TMK 2-1-06:10, WAIAKEA, SO. HILO, HAWAII.

Item F-1-b ISSUANCE OF REVOCABLE PERMIT TO DAVE SAUNDERS DBA IMAGES IN WOOD, LOT 82, HANAPEPE TOWN LOTS, HANAPEPE, KAUAI, TMK 1-9-10:35.

Item F-1-c CONSENT TO ASSIGNMENT OF GENERAL LEASE NO. S-4680 TO CAROL A. GALL, ASSIGNOR, TO HUALALALAI FLOWER FARMS, INC., ASSIGNEE, LOT 1, KEAHOLE FLOWER FARMS, INC., ASSIGNEE, LOT 1 KEAHOLE AGRICULTURAL PARK, NO. KONA, HAWAII.

Item F-1-d CONSENT TO ASSIGNMENT OF GENERAL LEASE NO. S-4807 TO LEW NAKAMURA, ASSIGNOR, TO HIKARI NURSERY, ASSIGNEE, LOT 16, PAHOA AGRICULTURAL PARK, PHASE II, KEONEPOKO IKI, PUNA, HAWAII.

Item F-1-e CALVIN K. HAYASHI AND CARY LYNNE HAYASHI REQUEST FOR CONSENT TO ASSIGNMENT OF GENERAL LEASE NO. S-4625, LOT 22, PAHOA AGRICULTURAL PARK, KEONEPOKO IKI, PUNA, HAWAII.

Mr. Shimabukuro asked that Condition 3 under RECOMMENDATION be changed from "Assignor" to "Assignee".

ACTION Mr. Kealoha moved to approve Items F-1-a through F-1-d as submitted and F-1-e as amended. Seconded by Mr. Arata, motion carried unanimously.

ITEM F-2 LANPAR/HTL ASSOCIATES REQUEST TO AMEND DIRECT SALE OF EASEMENT, GOVERNMENT SUBMERGED LANDS AT WAIULUA INLET, WAIULA, SO. KOHALA, HAWAII.

Approved. See Page 2.

ITEM F-3 DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES REQUEST FOR SET ASIDE OF ADDITIONAL LAND FOR EXPANSION OF KAUNAKAKAI CIVIC CENTER, KAUNAKAKAI, CIVIC CENTER, KAUNAKAKAI, MOLOKAI, TMK 5-3-05:POR. OF 10.

ACTION Unanimously approved as submitted. (Arisumi/Zalopany)

ITEM F-4 DIRECT SALE OF EASEMENT AT WAIHOLI-KEOKEA, KULA, MAKAWAO, MAUI, TMK 2-2-04:18; APPLICANT: EDWARD AND BLANCHE HEW.

ITEM F-5 DIRECT SALE OF EASEMENT AND RIGHT OF ENTRY AT WAIOLULI-KEOKEA, KULA, MAUI, TMK 2-2-04:18; APPLICANT: THEODORE HARDERS TRUST, ET AL.

ITEM F-6 DIRECT SALE OF EASEMENT AND RIGHT OF ENTRY AT WAIHOLI-KEOKEA, KULA, MAKAWAO, MAUI, TMK 2-2-04:18; APPLICANT: ABEL CHUNG, ET AL.

ACTION Mr. Arisumi moved to approve Items F-4, F-5 and F-6 as submitted. Seconded by Mr. Zalopany, motion carried unanimously.

ITEM F-7 DIRECT SALE OF EASEMENT COVERING PORTION OF SUBMERGED LAND, LAHAINA, MAUI, TMK 4-5-01:SEAWARD OF 05.

ACTION Unanimously approved as submitted. (Arisumi/Zalopany)

ITEM F-8 DEPARTMENT OF TRANSPORTATION REQUEST FOR AN EXECUTIVE ORDER SETTING ASIDE STATE LANDS AT KEAAHALA FOR INTERSTATE HIGHWAY, FEDERAL AID INTERSTATE PROJECT NO. I-83-1(3A), KOOLAUPOKO, OAHU.

ACTION Unanimously approved as submitted. (Kealoha/Arata)

ITEM F-9 DIRECT SALE OF RECLAIMED (FILLED) LAND, KANEOHE, OAHU, TMK 4-5-01:SEAWARD OF 33.

ACTION Unanimously approved as submitted. (Kealoha/Arata)

ITEM F-10 RESUBMITTAL - CITY AND COUNTY OF HONOLULU REQUEST AUTHORIZATION TO SOLICIT BIDS FOR KAPIOLANI GOLF DRIVING RANGE AND SNACK SHOP CONCESSION, KAPIOLANI PARK, HONOLULU.

ACTION Unanimously approved as submitted. (Kealoha/Arata)

ITEM F-11 RESUBMITTAL - CONSENT TO ASSIGNMENT AND EXTENSION OF TERM OF GENERAL LEASE NO. S-3856, LOT 9, WAIMANALO FARM LOTS SUBDIVISION, WAIMANALO, KOOLAUPOKO, OAHU.

Mr. Shimabukuro explained that this was deferred because the question as to whether or not we could legally allow a second extension of a general lease was raised. An opinion from the Attorney General's office said that a second extension is allowable as long as the term does not exceed 55 years, including the first extension of the lease. This, said Mr. Shimabukuro, does not exceed 55 years.

Mr. Shimabukuro also asked that "Living Designs, Inc." shown on page 3, recommendation B., be changed to "Allan R. Kunimoto Revocable Trust."

ACTION Unanimously approved as amended. (Kealoha/Arata)

ITEM F-12 REQUEST OF S&S PLANTS, INC. FOR EXTENSION OF TERM OF GENERAL LEASE NO. S-4298, LOT 20, WAIMANALO, KOOLAUPOKO, OAHU, TMK 4-1-10:03.

ACTION Unanimously approved as submitted. (Kealoha/Arisumi)

ITEM F-13 STAFF RECOMMENDATION TO TERMINATE GENERAL LEASE NO. S-4864 TO ALFRED ANDRADE, KALAHEO HOMESTEADS, KALAHEO, KAUAI.

ITEM F-14 STAFF RECOMMENDATION TO TERMINATE GENERAL LEASE NO. S-4861 TO PATRICK J. LYONS, SR., KAPAA HOMESTEADS, KAPAA, KAUAI.

Mr. Shimabukuro asked that Items F-13 and F-14 be considered together inasmuch as the Lessees, in both cases, asked that their leases be terminated. Because there is no mutual cancellation provision, staff is cancelling these leases on the basis of default.

In answer to Mr. Kealoha's question, Mr. Shimabukuro said that the leases were for pasture purposes. Mr. Zalopany added that the lessees were complaining that the bugs were eating up all the haole koa. Mr. Kealoha felt the rental was rather high for pasture use. Kauai Land Agent Sam Lee explained that things were going good and the lessees were very optimistic

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| | when they bid for these lots in 1983. However, since that time, grass fed beef prices have fallen from \$1.10 on a hoof to between 75¢ and 93¢, which is a dramatic drop in a short number of years, plus the haole koa problem. | |
| ACTION | Unanimously approved as recommended by staff. (Zalopany/Arisumi) | |
| <u>ITEM F-15</u> | <u>CONSTRUCTION OF RIGHT OF ENTRY FOR ROAD IMPROVEMENTS AND CONVEYANCE OF ROADWAY IN FEE SIMPLE TO THE COUNTY OF KAUAI.</u> | |
| ACTION | Unanimously approved as submitted. (Zalopany/Arata) | |
| <u>ITEM F-16</u> | <u>RESUBMITTAL - WITHDRAWAL OF LAND FROM THE OPERATION OF GENERAL LEASE NO. S-4222 AND SET ASIDE FOR WATER BIRD SANCTUARY PURPOSES AT KEKAHA, WAIMEA (KONA), KAUAI.</u> | |
| | See Pages 4 and 5. | |
| <u>ITEM F-17</u> | <u>DISPOSITIONS OF STATE LAND TO FACILITATE AKULIKULI BRIDGE RECONSTRUCTION PROJECT BY COUNTY OF KAUAI, KAPAA, KAWAIIHAO (PUNA), KAUAI.</u> | |
| ACTION | Unanimously approved as submitted. (Zalopany/Arisumi) | |
| <u>ITEM F-18</u> | <u>RENEWAL OF ADDITIONAL REVOCABLE PERMITS, ISLAND OF KAUAI.</u> | |
| | Mr. Shimabukuro said that these permits were not acted upon in the previous submittal. He asked, also, to amend this submittal by adding that the 4% rental increase be effective March 1, 1988. | |
| ACTION | Unanimously approved as amended. (Zalopany/Arisumi) | |
| <u>ITEM F-19</u> | <u>STAFF RECOMMENDATION TO ADJUST MONTHLY RENT OF REVOCABLE PERMIT NO. S-6134 TO OLOKELE SUGAR CO., LTD., HANAPEPE, KAUAI.</u> | |
| | Approved. See Page 19. | |
| <u>ITEM F-20</u> | <u>MARGARET MEDEIROS REQUEST FOR RIGHT OF ENTRY TO PRODUCE SALT AT HANAPEPE, KAUAI.</u> | |
| ACTION | Unanimously approved as submitted. (Zalopany/Arata) | |
| <u>ITEM F-21</u> | <u>LEASE OF OFFICE SPACE FOR THE DEPARTMENT OF HUMAN SERVICES, PUBLIC WELFARE DIVISION, KAPAA, KAUAI.</u> | |
| ACTION | Unanimously approved as submitted. (Zalopany/Arisumi) | |
| <u>ITEM F-22</u> | <u>LEASE OF OFFICE SPACE FOR THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT, ENERGY DIVISION, HAWAII.</u> | |
| ACTION | Unanimously approved as submitted. (Arata/Kealoha) | |
| <u>ITEM F-23</u> | <u>STAFF RECOMMENDATION TO TERMINATE GENERAL LEASE NO. S-5084 TO RALPH KOUCHI, ET AL, LOT 59, PUU KA PELE PARKS LOTS, WAIMEA (KONA), KAUAI.</u> | |
| | Withdrawn. Mr. Shimabukuro said that the lessee had cleared the default. | |
| <u>ITEM F-24</u> | <u>CONSENT TO PARTITION AND REMOVAL OF DEED RESTRICTION OF CERTAIN PROPERTY OF TIANA PARTNERS AND THE HAWAIIAN HUMANE SOCIETY, AS TENANTS IN COMMON, AT NIU VALLEY, HONOLULU, OAHU, TMK 3-7-04:01(POR.).</u> | |
| | Approved. See Page 2. | |

- ITEM G-1 FILLING OF POSITION NO. 161, CLERK II, OAHU.
- ACTION Mr. Zalopany moved to approve the appointment of Brian Wong to Position 161. Seconded by Mr. Arisumi, motion carried unanimously.
- ITEM H-1 CDUA FOR EXPLORATORY DRILLING OF THE MAKALEHA EXPLORATORY WELL II IN THE FOREST RESERVE, AT KAPAA, KAUAI (MR. MANABU TAGOMORI).
- ACTION Unanimously approved as submitted. (Zalopany/Arisumi)
- ITEM H-2 CDUA FOR SINGLE-FAMILY RESIDENTIAL USE AT HANA, MAUI (MARK & LAUREEN TANAKA-SANDERS).
- ACTION Unanimously approved as submitted. (Arata/Zalopany)
- ITEM H-3 CDUA FOR A SUBDIVISION OF STATE-OWNED SUBMERGED LANDS FOR THE CONSTRUCTION OF A NEW LOADING DOCK AT PUAKEA BOAT RAMP, PUAKEA, HAWAII (HON. EDWARD Y. HIRATA).
- ACTION Mr. Ing asked whether Condition 2 was necessary. Mr. Evans said no, and asked that it be deleted.
- ACTION Mr. Arata moved to approve with an amendment that Condition 2 be deleted. Seconded by Mr. Zalopany, motion carried unanimously.
- ITEM H-4 CDUA FOR CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE AT KALIHAWAI, KAUAI (PETER N. TAYLOR, INC., AGENTS FOR GAYLORD KAONOHI, TRINIDAD KAONOHI, DAVID MARTIN, AND ELIZABETH MARTIN).
- ACTION Approved. See Page 3)
- ITEM H-5 AMENDMENT TO A CDUA FOR A POOL AND LANDSCAPING ACTIVITIES AT KOKOKAHI, OAHU (MR. WILLIAM C. PEEBLES).
- ACTION Approved. See Page 4.
- ITEM H-6 AMENDMENT TO CDUA FOR MILITARY TRAINING ACTIVITIES AFFECTING PORTIONS OF NORTH AND SOUTH HILO, ISLAND OF HAWAII (STATE DEPARTMENT OF DEFENSE).
- ACTION Unanimously approved as submitted. (Arata/Zalopany)
- ITEM H-7 REQUEST FOR APPROVAL OF OUT-OF-STATE TRAVEL.
- ACTION The board unanimously approved Steven Lee's request to attend an international seafood exposition in Long Beach, California, February 17-19, 1988. (Kealoha/Arata)
- ITEM J-1 APPLICATION FOR ISSUANCE OF REVOCABLE PERMITS 4380, ETC., AIRPORTS DIVISION.
- ACTION Unanimously approved as submitted. (Zalopany/Arisumi)
- ITEM J-2 APPLICATION FOR ISSUANCE OF REVOCABLE PERMIT 4430, KEAHOE AIRPORT, HAWAII (PUAKEA BAY RANCH).
- ACTION Unanimously approved as submitted. (Arata/Zalopany)
- ITEM J-3 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KEEHI COMMERCIAL SUBDIVISION, OAHU (CONTAINER STORAGE OF HAWAII, LTD.).
- ACTION Unanimously approved as submitted. (Zalopany/Arisumi)

ITEM J-4 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 18 SHED, HONOLULU HARBOR, OAHU (MR. HONG YUL KIM).

ACTION Unanimously approved as submitted. (Kealoha/Zalopany)

ITEM J-5 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 31a SHED, HONOLULU HARBOR, OAHU (AIKANE CATAMARAN CRUISES).

ACTION Unanimously approved as submitted. (Kealoha/Zalopany)

ITEM J-6 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KEEHI SMALL BOAT HARBOR, OAHU (MR. MERV NOVAK DBA BLOCK ICE CO.).

ACTION Unanimously approved as submitted. (Kealoha/Arisumi)

ITEM J-7 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KAWAIHAE HARBOR, HAWAII (DEPT. OF COMMERCE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION).

ACTION Unanimously approved as submitted. (Arata/Arisumi)

ITEM J-8 CONTINUANCE OF REVOCABLE PERMITS H-86-1141, ETC., HARBORS DIVISION.

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

Mr. Ing was excused from voting on this item.

ITEM J-9 CONTINUANCE OF REVOCABLE PERMITS, H-84-1136, ETC., HARBORS DIVISION.

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

Mr. Ing was excused from voting on this item.

ITEM J-10 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 2, FORT ARMSTRONG, HONOLULU, OAHU (THEO DAVIES MARINE AGENCIES).

ACTION Unanimously approved as submitted. (Kealoha/Zalopany)

ITEM J-11 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIERS 39 AND 40, HONOLULU HARBOR, OAHU (DAVE DIETER F/V HAIDA).

Mr. Garcia asked that the submittal be amended as follows:

1. APPLICANT: from "DAVE DIETER" to "BLUE HAWAII ENTERPRISES, INC."
2. AREA: delete "1100 sq. ft. of shed space" -- (761 sq. ft. of land only.)
3. LOCATION: delete "and 40" - (Pier 39 only.)
4. RENTAL: Change \$611.00 per mo. to \$167.00 per month.

ACTION Unanimously approved as amended. (Kealoha/Arata)

ITEM J-12 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 22, HONOLULU HARBOR, OAHU (HAWAIIAN TUG & BARGE CORP).

ACTION Mr. Kealoha moved to approve as submitted. Mr. Arata seconded; motion carried.

Mr. Ing was excused from voting on this item.

ITEM J-13 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 34, HONOLULU HARBOR, OAHU (HAWAIIAN INDEPENDENT REFINERY, INC.).

ACTION Unanimously approved as submitted. (Kealoha/Arata)

ITEM J-14 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIERS 51b and 53, HONOLULU HARBOR, OAHU (MATSON TERMINALS, INC.).

Mr. Garcia asked to amend the rent from \$2322.00 per month to \$897 per month, based on 8-1/2¢ per sq. ft. instead of 22¢ per sq. ft.

ACTION Unanimously approved as amended. (Kealoha/Arata)

ITEM J-15 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 9 ANNEX, HONOLULU HARBOR, OAHU (MR. LEROY JENKINS DBA MWM PRODUCTION AGENCY).

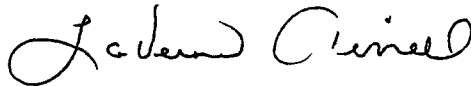
ACTION Unanimously approved as submitted. (Kealoha/Zalopany)

ITEM J-16 AMENDMENT NO. 2 TO LEASE NO. DOT-A-84-36, HAWAII DISTRICT AIRPORTS, HAWAII (TROPICAL RENT-A-CAR SYSTEMS, INC.).

ACTION Unanimously approved as submitted. (Arata/Zalopany)


ADJOURNMENT: There being no further business, the meeting was adjourned at 11:35 A.M.

Respectfully submitted,



Mrs. LaVerne Tirrell
Secretary

APPROVED:



WILLIAM W. PATY
Chairperson

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