

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

DATE: June 9, 1988
TIME: 8:30 A.M.
PLACE: Kona Surf Hotel
Kohala Conference Room
Kona, Hawaii

ROLL
CALL:

Chairperson William W. Paty called the meeting of the Board of Land and Natural Resources to order at 8:30 A.M. The following were in attendance:

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

STAFF: Mr. Manabu Tagomori
Mr. Russell Fukumoto
Mr. Alvin Katekaru
Mr. Ronald Walker
Mr. Ralston Nagata
Mr. Michael Shimabukuro
Mr. Roger Evans
Mr. Charles Supe
Mr. Glenn Taguchi
Mrs. Geraldine M. Besse

OTHERS: Johnson H. Wong, Deputy A.G.
Mr. Peter Garcia, Dept. of Transportation
Mr. Mo Matthews (Item E-3)
Capt. William Perreira (Item F-2)
Mr. Richard Hirata, Housing Finance and Development
Corporation (Item F-4)
Dr. David Clark (Item H-2)
Mr. Richard Holmes (Item J-3)

MINUTES: The minutes of the meeting of April 22, 1988, were unanimously approved as circulated (Kealoha/Zalopany).

ADDED
ITEMS: Upon motion by Mr. Kealoha and a second by Mr. Arisumi, the Board voted unanimously to add the following items to the agenda:

Item D-5 -- Permission to Hire an Engineering Consultant for the Water Development Project, Hawaii

Item E-4 -- Filling a Power Mower Operator Position for the Oahu Parks Section

Item H-3 -- Oral Report on Makena Acquisition

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

REQUEST TO USE HAPUNA BEACH STATE RECREATION AREA, ISLAND OF HAWAII FOR
A ROUGHWATER SWIMMING EVENT

Mr. Nagata stated that this was a request by the Big Island Masters Swim Association and the Hawaii Heart Association for their Tenth Annual Roughwater Swim at Hapuna, tentatively scheduled for Saturday, July 2. It is a one-mile swim approximately and commences at 8:30 a.m. He stated that the Association has requested approval to sell tee shirts and collect on-site entry fees; however, State Parks Division is recommending denial of that request.

Mr. Nagata stated that the Association has been conducting the swim event for the past 10 years; and last year, for the first time, the event was held in conjunction with the Heart Association. He stated it was his recollection that the matter was brought to the Board last year and the event was held on another island. There was a problem, he said, with the restriction of the entry fees; the Association, therefore, is now making an appeal to the Board to allow the on-site collection of fees.

Mr. Kealoha asked whether the sale of the tee shirts would be on-site. Mr. Nagata stated he believed that to be correct. In response to a question from Mr. Kealoha, Mr. Nagata stated that for similar events in the past, when the matter was handled locally without coming before the Board, these matters may not have been as carefully scrutinized. As an example, Mr. Nagata stated that for events held at Old Kona Airport State Park a special use permit would be required. Other activities, such as the sale of tee shirts and tickets at Wailoa State Park would not be allowed. Mr. Nagata stated that in Honolulu race events at Magic Island State Park, in most instances, State Parks has allowed the participants to come into the park as part of the race activity, be it swimming, biking or running; however, as far as the actual set-up for the collection of entry fees, it has been worked out with the County Parks Department. Mr. Nagata stated it his belief it was an unwritten DLNR policy to discourage commercial activities as much as possible at sporting events.

Mr. Arisumi asked about the proceeds of the sales--whether it went to the Hawaii Heart Association. Mr. Nagata stated it was his understanding that in the case of the tee shirt sales the proceeds would go to the Hawaii Heart Association but the entry fees would be used to defray expenses. Mr. Arisumi said he believed that the collection of on-site fees should be determined on a case-by-case basis. Mr. Nagata stated that the decisions are made at the Board's discretion.

Mr. Mo Matthews appeared before the Board. He stated he had a written statement but would address the concerns expressed by the Board instead. He stated that the roughwater swim at Hapuna would be the 10th annual; the first five were put on by the County. The County did not allow fees to be collected on site so the Masters took it on themselves to sponsor the meet. He said they received a permit for the first year or two but they ignored the insurance and the ban of commercial activities. In order to comply with the permit, Mr. Matthews stated they piggybacked with the Hawaii Heart Association. The Heart Association supplied the insurance, and the Masters gave them as large a donation as possible through the sale of the tee shirts. Until recently, he stated, the Masters still sold the tee shirts but felt that this was dishonest. Last year they asked for a waiver, which was granted. The fees amount to roughly one-third of the entries; they attempt to get the fees prepaid for administrative purposes and to comply with the rules and regulations. Mr. Matthews stated that every

ocean swim, with one or two exceptions, has beach entries. These entrants are those individuals who are unable to make up their minds. They are charged the entry fee, plus a penalty of \$1 or \$2. Mr. Matthews stated that the tee shirts are sold with the pre-entry fee; however, the entrants may want another one at the swim. He stated that the beach entries are essential to the race because the beach entries come from the mainland, Oahu, and long distances on the island of Hawaii. Their options, he said, are to allow the entries or deny them the opportunity. If denied, the reaction would be a negative one and those individuals would swim anyway. He said these unregistered swimmers would affect their timing. He said the basic question then is: do we allow beach entries or not. Without beach entries, he stated, they would have to call the race off. They do not wish to do this as he believes Hapuna Beach is the safest beach in the State to have an ocean swim--the water is clear and calm.

Mr. Matthews added that the sale of the tee shirts is done as discreetly as possible. There are no signs which advertise the sale of the tee shirts. There is no Heart Association banner; all there is a table with signs indicating where people should sign up to enter. The only other sign is a map of the race course and the finishing results. The only soliciting is done in the mail-out and in the newspaper announcement. He further stated that people interested in swimming will be there. In addressing Mr. Zalopany's concerns, Mr. Matthews stated that the entrants are aware of the proceeds going to the Hawaii Heart Association.

Mr. Paty asked Mr. Matthews how many entrants were expected this year. Mr. Matthews stated that there were 200 entrants last year and they are hoping for more this year.

Mr. Arata noted that the collection of entry fees was essential for the success of the swim event.

ACTION

There being no other discussion, Mr. Arata moved that the Board issue a permit to the Big Island Masters Swim Association and the Hawaii Heart Association to allow them the use of Hapuna Beach for the roughwater swimming event on July 2 and that they be permitted to collect entry fees and sell tee shirts at the event. The motion was seconded by Mr. Arisumi and unanimously approved as amended.

Mr. Kealoha asked for clarification on whether Mr. Arata asked to delete conditions 3 and 4 of the submittal. Mr. Arata answered in the affirmative.

ITEM C-1

REQUEST FOR AUTHORIZATION TO NEGOTIATE FOR SALVAGE HARVEST OF BURNED PINE PLANTATIONS IN STATE FOREST RESERVE ON MOLOKAI

Mr. Walker stated that the recent fire on Molokai burned approximately 9,500 acres, of which 1,000 were in the forest reserve. He stated that On-Site Energy Corporation expects to produce electricity through biomass.

Mr. Kealoha asked whether there was room for charcoal salvage. Mr. Walker stated that it had not been considered as part of the plan but that perhaps after On-Site is through there is that possibility.

Mr. Paty inquired about the reforestation plan and in particular kiawe. Mr. Walker stated that in this particular case, pine was to be salvaged and that pine would be replanted. The kiawe burn, he stated, was primarily on Hawaiian Homes and Molokai Ranch lands. Mr. Walker stated that On-Site is negotiating with Hawaiian Homes and the ranch to harvest those lands.

ACTION Mr. Arisumi moved for approval; seconded by Mr. Arata and unanimously carried.

ITEM F-4 DIRECT LEASE OF STATE LAND FOR DEVELOPMENT OF AFFORDABLE RENTAL HOUSING PROJECT, HONOKOWAI, LAHAINA, MAUI

Mr. Shimabukuro stated that the staff recommended a lease of 65 years at the rate of \$1.00 per year to the Housing Finance and Development Corporation. In answer to questions from Mr. Kealoha, Mr. Shimabukuro stated that the lessees were notified approximately five months ago of the impending project, besides the permittees, and that the Board has no obligation in this case regarding relocation. Mr. Richard Hirata from HFDC stated that construction on the project will commence as soon as possible because rentals in the area are very expensive. HFDC will probably start the project in January or February and expect to complete it in ten months. In response to a question from Mr. Arisumi, Mr. Hirata stated that the units would be advertised, a lottery drawn and individuals qualified according to income. Mr. Hirata stated that he is familiar with the conditions. Mr. Hirata stated that HFDC is concentrating heavily on floating bonds, which will keep the rental rates down. The bonds are now floating between 4-1/2 - 5 percent. He stated that they will probably not use the \$120 million, which was appropriated for the Governor's affordable housing package. Mr. Arisumi stated that his concern was using some of the money for Maui projects.

ACTION Mr. Arisumi moved for approval as submitted; seconded by Mr. Arata and unanimously carried.

ITEM F-1 DOCUMENTS FOR CONSIDERATION

Item F-1-a CONSENT TO FACILITIES USE AGREEMENT BY AND BETWEEN THE UNIVERSITY OF HAWAII AND THE DEPT. OF BUSINESS AND ECONOMIC DEVELOPMENT, PORTION OF GENERAL LEASE (G.L.) NO. S-4435 (UNIVERSAL TELEVISION STUDIO SITE AT FORT RUGER)

Item F-1-b ISSUANCE OF LAND PATENT IN CONFIRMATION OF LAND COMMISSION AWARD NO. 4643, APANA 2 TO PIAWE BY APPLICATION OF MRS. THOMAS KAULUKUKUI, TMK 4-8-13:11, ANAHOLA, KAWAIIHAU, KOOLAU, KAUAI

Item F-1-c ISSUANCE OF LAND PATENT IN CONFIRMATION OF LAND COMMISSION AWARD NO. 3620, APANA 2 TO KAUPÉ BY APPLICATION OF JAMIE G. HUTTON, TMK 3-2-02:04, NIUMALU, PUNA, LIHUE, KAUAI

Item F-1-d ISSUANCE OF LAND PATENT IN CONFIRMATION OF LAND COMMISSION AWARD NO. 4971 TO KALEHUA BY APPLICATION OF FRED M. THRONAS, TMK 4-8-05:12, ANAHOLA, KAWAIIHAU, KOOLAU, KAUAI

Item F-1-e ISSUANCE OF REVOCABLE PERMIT (R.P.) TO PACIFIC TRUCKER'S ASSOC., INC., TMK 9-9-12:47, AIEA, EWA, OAHU

Item F-1-f ASSIGNMENT OF GRANT OF EASEMENT NO. S-4439, MAUI KAMAOLE ENTERPRISES I, ASSIGNOR, TO MAUI KAMAOLE ENTERPRISES AS ASSIGNEE, KAMAOLE, WAILUKU (KULA), MAUI, TMK 3-9-04:POR. 61

Item F-1-g ASSIGNMENT OF GRANT OF EASEMENT (LOD NO. S-27654), JEROME S. KATZIN AS TRUSTEE OF TOWER DEVELOPMENT CORPORATION LIQUIDATING TRUST, ASSIGNOR TO DOMINION INVESTMENT, INC., ASSIGNEE, KAMAOLE, WAILUKU (KULA), MAUI, TMK 3-9-04:POR. 61

Item F-1-h CONSENT TO ISSUANCE OF R.P. NO. DOH 88-02, DEPT. OF HEALTH, PERMITTOR, TO MAUI AIDS FOUNDATION INC., PERMITTEE, PORTION OF LAHAINA COMPREHENSIVE HEALTH CENTER (G.E.O.) NO. 3283, STATE/COUNTY FACILITIES), WAHIKULI, LAHAINA, MAUI, TMK 4-5-21:16

Item F-1-i PACIFIC STANDARD LIFE INSURANCE CO. REQUEST FOR CONSENT TO ASSIGNMENT, G.L. NO. S-5018, WAIAKEA, SO. HILO, HAWAII

Mr. Shimabukuro asked to defer the above item as further information was required.

ACTION Mr. Kealoha moved for approval of Items F-1-a, -b, -c, -d, -e, -f, -g, and -h. The motion was seconded by Mr. Zalopany and unanimously carried.

ITEM F-2 COUNTY OF HAWAII REQUEST FOR SET ASIDE OF LAND AT NAALEHU, KAU, HAWAII

The request, Mr. Shimabukuro stated, was for the set aside of five acres for the construction of a police station. Captain William Perreira of Hawaii County Police Department was present. He stated that the new police station would give the department a 20-minute response time. Construction, he stated, would commence in the next fiscal year.

ACTION Unanimously approved as submitted (Arata/Arisumi).

ITEM F-3 HELCO, INC. REQUEST FOR DIRECT SALE OF UTILITY EASEMENT, PUUANAHULU, NO. KONA, HAWAII

ACTION Unanimously approved as submitted (Arata/Arisumi).

ITEM H-2 CDUA FOR ARCHAEOLOGICAL EXCAVATIONS AT WAIHE'E, MAUI (MAUI HISTORICAL SOCIETY)

Mr. Evans stated that the CDUA was from the Maui Historical Society. Mr. Evans stated that during the application process the staff discovered a violation in that the owners did give permission but the applicants went ahead with the project without the approval of the Board. Subsequently, the original landowner sold the property, and the staff asked the applicant to obtain a letter of permission from the new landowner in order to proceed with the application. The second landowner, C. Brewer, indicated that they intended to proceed quickly with development of the property and the dig would impede their project. Therefore, the staff recommends denial in that there is no permission from the new landowner and, secondly, there was a violation.

Mr. Evans stated that subsequent to the Board submittal, staff was verbally informed that the new landowner has given permission to carry out the project. Based on that verbal permission, Mr. Evans stated that they now have a different recommendation: first, that the Board find the violation and impose a fine of \$500, and, second, allow this project to go ahead as represented. However, he noted, that on page 11, the staff suggests a condition 3--that the applicant shall submit a signed affidavit from the property owner or designated representatives that the proposed archaeological excavation project has been approved as a land use.

Mr. Kealoha asked whether Wailuku Agribusiness would be fined. Mr. Evans stated that at the time of the violation Wailuku Agribusiness was the landowner. He further stated that past practice has been that the landowner is ultimately responsible for what occurs on his property. Mr. Evans stated that the violation occurred on May 20, 1987. It was a project under the direction of Dr. David Clark of Catholic University in Washington, D.C.

In further discussion, Mr. Evans stated that the applicant did not have Board approval and was unsure whether the landowner knew whether the applicant had not received approval. Although the application does not expire until July, the staff decided to bring the matter to the Board for a number of reasons--it was a community participation project,

the professor spearheading the project was employed on the mainland and only a certain time period was involved.

In response to Mr. Kealoha's concerns, Mr. Evans stated that there was excavation; however, although staff believes the project is a meritorious one the law has to be applied consistently.

In response to a question from Mr. Ing, Mr. Evans stated that this was a permitted use for scientific study. He stated that the Board delegated all but three permitted uses to the Chairperson: aquaculture, water development and government use but because of the alleged violation, this matter was brought before the Board.

Mr. Arisumi wanted to know how much excavation was done. Mr. Evans stated that there was more than one site involved. Mr. Arisumi asked that Dr. Clark appear before the Board to answer any questions. Dr. Clark stated that the excavations were conducted on a very small area. The area had extensive beach erosion. The unit size was 2x2 meter units. The trenches were incomplete as they did not have sufficient time to complete the exploratory work because practically no work had been done there before. He stated they put in only nine 2x2 meter excavation units in a small area measuring approximately 36x46 meters as indicated on the map. The landowner did give them permission to conduct two test units outside the conservation district, which was done last year. He stated there was minimal disturbance. He stated that the project was originated partly because a number of community leaders felt that there was substantial erosion of an important site.

Dr. Clark stated that he is an archaeologist and liaison professor for Catholic University. He is an instructor there and conducts research in several areas of the world. He has a full-time occupation teaching science and archaeology in elementary school. The project was designed to coincide with "Hoolako" to emphasize the cultural aspect. Many community leaders and interested parties on Maui thought this would be a good project. In 1981, he said, the site was pointed out to him by local individuals in the community. When he started the project in 1986, he went to community, political and cultural leaders and religious leaders and raised a substantial base of interest and support. After the first six weeks of work they received additional support by coordinating the project with the public elementary school. The two main goals of the project were to bring a community archaeology project to Maui and to educate the public of their own heritage. They proceeded and checked with the State Archaeologist to find out whether any permits were required. Dr. Clark stated that the tax map key was sent in and then he proceeded to another project. Because of a change in State personnel, it was felt that some of the paper work might have been displaced.

Mr. Evans stated that they would like to replace their previous analysis which included portions of pages 7, 8, and 9, and have them renumbered 10, 11, and 12. The only change is that rather than deny the project the Board approve the project with the stipulation that the applicant must document the landowner's approval. In terms of the violation, it was the Board's prerogative.

Dr. Clark stated that he had a meeting with the landowner and their legal representative to secure a right of entry permission letter and for them to sign an application which he prepared. When he called them last week, they stated that the signed application and the right of entry agreement had been sent to Mr. Evans' and Mr. Paty's offices. Mr. Evans stated he would check on his return to Honolulu.

ACTION

Mr. Arisumi moved for approval with the reduction of the fine to \$1.00. The motion was seconded by Mr. Kealoha and unanimously approved as amended.

ITEM J-3

CONSENT TO ASSIGNMENT OF SUBLEASE, HARBOR LEASE NO. H-82-4, HONOKOHAU BOAT HARBOR, HAWAII (ROBERT K. HOLMES/GLYNN ROSS)

Mr. Robert Holmes appeared before the Board stating that about three years ago when he entered into the business the Board gave his competition, Kona Fuel and Marine, whose general business was supposed to be fuel, the right to do fish, ice, and phototaking. It took away his business or potential business. In addition, he said, the State Master Lease to his competition says that they take 5 percent from all the sublessees under Kona Fuel and Marine, which also applied to his business as a sublessee. Mr. Holmes stated that he was informed that 10,000 pounds of ahi from Maui was sold to Hawaiian Sea Food, which was then sent to Honolulu. They paid \$1.00 a pound and they then turned around and made \$3.00 a pound, which amounted to \$30,000 in one sale. The point, he said, is that they are putting it through other books. Mr. Holmes asked that the Land Board look into the reasons why Hawaiian Sea Food is not paying the 5 percent. In answer to Mr. Ing, Mr. Holmes stated he had proof of this activity.

Mr. Wong pointed out that this was a Department of Transportation concern. Mr. Holmes stated that he brought this matter to the attention of DOT approximately two years ago but nothing has been done and that was the reason for him bringing it to the attention of the Land Board. Mr. Ing agreed that the matter of the 5 percent should be applied evenly.

Mr. Ing asked to make a formal request to the Department of Transportation, Harbors Division, to investigate the situation. If they are bringing the fish in to Honokohau and running it through another place and different books in order to avoid the 5 percent, it would be a fraud on the State. His understanding of the leases is that rent applied on a percentage gross basis should include all that comes through the outlet at Honokohau, Mr. Ing said.

Mr. Holmes indicated he had a copy of the lease. He stated that there are three other lessees who do pay the 5 percent. He stated that he put \$250,000 into the business with an ice house. Gentry had a fish and ice business; then John Hall built a fuel dock which was supposed to have vending machines but is now a package store and even has a deli.

Mr. Garcia stated the DOT would need some evidence and facts to further investigate. Mr. Ing asked that Mr. Holmes put his claim in writing.

Mr. Kealoha asked that Mr. Garcia get together with Mr. Holmes and take a look at the leases.

ACTION

Unanimously approved (Arata/Arisumi).

RECESS:

The Chairperson called a recess from 10:11 a.m. to 10:20 a.m.

ITEM B-1

REQUEST FOR APPROVAL TO EXTEND A PROJECT AGREEMENT (STATEWIDE KAPU SYSTEM) AND ENTER INTO A NEW AGREEMENT (NATIVE FRESHWATER SPECIES AND STREAM ECOSYSTEM STUDIES) WITH THE RESEARCH CORP. OF THE U.H. DURING FISCAL YEAR 1988-89

ACTION

Unanimously approved (Kealoha/Arata).

ITEM B-2	REQUEST FOR DUTY STATUS FOR DR. ROBERT N. NISHIMOTO, AQUATIC BIOLOGIST, TO PRESENT A PAPER AT THE MEETING OF THE AMERICAN SOCIETY OF ICHTHYOLOGISTS AND HERPETOLOGISTS AT THE UNIVERSITY OF MICHIGAN, ANN ARBOR, MICHIGAN
ACTION	Unanimously approved (Kealoha/Arata).
ITEM D-1	APPROVAL TO AWARD CONTRACT - JOB NO. 3-9W-D, WAIKOLU WELLS, REPLACEMENT OF ELECTRICAL TRANSFORMER, MOLOKAI
ACTION	Unanimously approved (Arisumi/Arata).
ITEM D-2	APPROVAL TO AWARD CONTRACT - JOB NO. 89-HP-D, KAMOA POINT, ARCHAEOLOGICAL COMPLEX SITE CLEARING, SO. KONA, HAWAII
ACTION	Unanimously approved (Arata/Arisumi).
ITEM D-3	PERMISSION TO HIRE A LAND SURVEYOR FOR JOB NO. 85-OP-D, KAHANA VALLEY STATE PARK AT KAHANA, OAHU
ACTION	Unanimously approved (Ing/Kealoha).
ITEM D-4	COOPERATIVE AGREEMENT WITH U.S. GEOLOGICAL SURVEY FOR WATER RESOURCES INVESTIGATION FOR THE ISLAND OF KAHOO LAWE
ACTION	Unanimously approved (Arisumi/Arata).
ADDED ITEM D-5	PERMISSION TO HIRE AN ENGINEERING CONSULTANT FOR THE WATER DEVELOPMENT PROJECT, HAWAII
ACTION	Unanimously approved (Arata/Arisumi).
ITEM E-1	FILLING OF POSITION NO. 05052E, HISTORIC SITES SPECIALIST II, HISTORIC SITES PROGRAM
ACTION	Mr. Nagata stated that the individual would be a DLNR employee. Funding would be 100% federal because a match has been identified at Hawaiian Homes which is interested in funding two archaeologists through their funding program to expedite their own projects. Hawaiian Home archaeologists will be Hawaiian Homes positions and we will assist them in hiring and will locate them most likely at the archaeology field office temporarily located at the Sand Island Baseyard. Unanimously approved to hire W. Bruce Masse to fill Position No. 05052E, Historic Sites Specialist II, effective July 18, 1988 (Ing/Kealoha).
ITEM E-2	OUT-OF-STATE TRAVEL REQUEST TO DISCUSS NATIONAL PARK SERVICE HISTORIC PRESERVATION PROGRAM REVIEW PROCEDURES
ACTION	Unanimously approved (Ing/Arisumi).
ITEM E-3	See page 3.
ADDED ITEM E-4	FILLING A POWER MOWER OPERATOR POSITION FOR THE OAHU PARKS SECTION
ACTION	Unanimously approved to hire Loren James Yoshimura to fill Position No. 21597, Power Mower Operator (Ing/Kealoha).
ITEM F-5	AUTHORIZATION TO SUBLEASE PORTION OF KAHUKU AGRICULTURAL PARK, KAHUKU, KOOLAULOA, OAHU
ACTION	Unanimously approved (Ing/Kealoha).

<u>ITEM F-6</u>	<u>REQUEST FOR DELETION OF ENCUMBRANCES, PAUMALU, KOOLAULOA, OAHU, TMK 5-9-06:23</u>
ACTION	Unanimously approved (Ing/Kealoha).
<u>ITEM F-7</u>	<u>FRANKLIN GRAY & ASSOCIATES, ET AL., REQUEST RIGHT OF ENTRY TO STATE LAND AT IWILEI, HONOLULU, OAHU, FOR TOPOGRAPHIC SURVEY, SOIL TESTING, AND SURVEY OF UTILITIES</u>
ACTION	Unanimously approved (Ing/Kealoha).
<u>ITEM F-8</u>	<u>AMENDMENT TO PRIOR BOARD ACTION TO PROVIDE FOR ADDITIONAL USE ON R.P. TO THRIFTY BUILDERS & CONSTRUCTION CO., SAND ISLAND, HONOLULU, OAHU</u>
ACTION	Unanimously approved (Ing/Kealoha).
<u>ITEM F-9</u>	<u>DOT REQUEST RIGHT OF ENTRY AT KEAAHALA, KANEOHE, OAHU FOR TEMPORARY RELOCATION OF ELECTRIC TRANSMISSION LINE, FAIP NO. I-H3-1(39).</u>
ACTION	Unanimously approved (Ing/Kealoha).
<u>ITEM F-10</u>	<u>PERPETUAL NON-EXCLUSIVE EASEMENT FOR ACCESS AND UTILITY PURPOSES, KAPAA HOMESTEADS, KAPAA, KAUAI</u>
ACTION	Unanimously approved (Ing/Kealoha).
<u>ITEM F-11</u>	<u>PUBLIC AUCTION SALE OF RESIDENTIAL LOTS IN FEE SIMPLE, ISLAND OF KAUAI</u>
	Mr. Shimabukuro asked to amend his submittal to authorize the subdivision of three lots notated on Exhibit A into smaller lots and then sell the lots at public auction. This would enable the State to obtain an additional 5 or 6 lots through the subdivision.
ACTION	Unanimously approved as amended (Zalopany/Kealoha).
<u>ITEM F-12</u>	<u>TERMINATION OF G.L. NO. S-4918 TO WAIALEALE BOAT TOURS, INC., WAILUA RIVER STATE PARK, WAILUA, KAUAI</u>
ACTION	Mr. Shimabukuro asked to withdraw this item as payment was made in full.
<u>ITEM F-13</u>	<u>CITIZENS' UTILITIES CO. AND HAWAIIAN TELEPHONE CO. REQUEST FOR PERPETUAL NON-EXCLUSIVE EASEMENT FOR ELECTRIC AND TELEPHONE TRANSMISSION FACILITIES, KAPAA HOMESTEADS, FIRST SERIES, KAPAA, KAUAI</u>
ACTION	Unanimously approved (Zalopany/Kealoha).
<u>ITEM F-14</u>	<u>LEASE OF OFFICE SPACE FOR THE DEPT. OF CORRECTIONS, INTERNAL AFFAIRS OFFICE, OAHU</u>
ACTION	Unanimously approved (Ing/Kealoha).
<u>ITEM F-15</u>	<u>RENEWAL OF LEASE OF OFFICE SPACE FOR THE DEPT. OF HUMAN SERVICES, PUBLIC WELFARE DIVISION, OAHU</u>
ACTION	Unanimously approved (Ing/Kealoha).
<u>ITEM G-1</u>	<u>PERMISSION FOR SECOND AMENDMENT TO STATE OF HAWAII CONTRACT NO. 21292 WITH THE LANGE GROUP FOR ELECTRONIC DATA PROCESSING CONSULTANT SERVICES</u>
ACTION	Unanimously approved (Ing/Kealoha).

ITEM G-2 REQUEST TO FILL POSITION NO. 22243, CLERK TYPIST I, TEMPORARY APPOINTMENT OUTSIDE OF LIST, OAHU

ACTION Unanimously approved appointment of Kalama K. Akamine to Position No. 22243, Clerk Typist I (Ing/Kealoha).

ITEM G-3 REQUEST TO FILL POSITION NO. 38264, CLERK TYPIST I, TEMPORARY APPOINTMENT OUTSIDE OF LIST, OAHU

ACTION Unanimously approved appointment of Lisa M. Nakagawa to Position No. 38264, Clerk Typist I (Ing/Kealoha).

ITEM H-1 CDUA FOR AN AFTER-THE-FACT DECK AND PROPOSED DECK EXPANSION AT LAHAINA, MAUI (CRISPINO AND HERMOGENES OMLAN)

Mr. Evans stated that he was informed that the applicants had an agent who had requested the opportunity to address the Board. Mr. Evans stated he felt it important that he be given that opportunity because of a potential violation and, therefore, asked that this matter be deferred.

ACTION Mr. Arisumi moved for deferral; seconded by Mr. Arata. Motion unanimously carried.

ITEM H-2 See page 7.

ADDED
ITEM H-3 MAKENA ACQUISITION

ACTION Mr. Kealoha moved that the Board authorize the Attorney General's Office at its discretion to abandon the condemnation of the Cole property at Makena, Maui. The motion was seconded by Mr. Zalopany and unanimously carried.

ITEM J-1 APPLICATION FOR ISSUANCE OF REVOCABLE PERMITS 4461, ETC., AIRPORTS DIVISION

ACTION Mr. Zalopany moved for approval; seconded by Mr. Arisumi. Motion carried, with Mr. Ing being excused.

ITEM J-2 SALE OF LEASE BY PUBLIC AUCTION, HARBORS DIVISION, LAHAINA SMALL BOAT HARBOR, MAUI

ACTION Unanimously approved (Arisumi/Arata).

ITEM J-3 See page 7.

ITEM J-4 CONTINUANCE OF REVOCABLE PERMITS H-337, ETC., HARBORS DIVISION

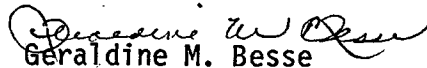
ACTION Unanimously approved, with Mr. Kealoha excused (Arisumi/Arata).

ITEM J-5 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 31A, HONOLULU, HARBOR, OAHU (PAULEY PETROLEUM, INC.)

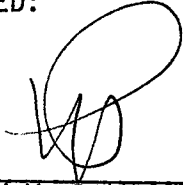
ACTION Unanimously approved (Ing/Kealoha).

ADJOURNMENT: There being no further business, the Chairperson adjourned the meeting at 10:40 a.m.

Respectfully submitted,


Geraldine M. Besse
Secretary

APPROVED:



WILLIAM W. PATY, Chairperson
Board of Land and Natural Resources