

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

DATE: June 24, 1988
TIME: 9:00 A. M.
PLACE: Kalanimoku Building
Room 132, Board Room
1151 Punchbowl Street
Honolulu, Hawaii

ROLL
CALL

Chairperson William W. Paty called the meeting of the Board of Land and Natural Resources to order at 9:05 a.m. The following were in attendance:

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

STAFF: Mr. Ronald Walker
Mr. Gordon Akita
Mr. Linford Chang
Mr. Ralston Nagata
Mr. Bill Gorst
Mr. Mike Shimabukuro
Mr. Roger Evans
Mr. Maurice Matsuzaki
Mrs. LaVerne Tirrell

OTHERS: Ms. Dona Hanaike, Deputy A.G.
Mr. Peter Garcia, Dept. of Transportation
Mr. Bob Stauffer, Mrs. Charlene Hoe and
Mrs. Kapeka Kaala (Item E-2)
Mr. Jim Greenwell (Item F-5)
Mr. Joe Ferdorowski (Item H-1)

MINUTES: The minutes of May 13, 1988 were unanimously approved as circulated.
(Ing/Zalopany)

ADDED
ITEMS

- Upon motion by Mr. Ing and a second by Mr. Kealoha, the following items were added to the Agenda:
- Item B-1 -- Filling of a Temporary Fishery Aid Position No. 32691 in the the Division of Aquatic Resources, Oahu.
 - Item D-5 -- Request for Governor's Waiver from Bidding Procedure Various Water and Land Projects Statewide.
 - Item D-6 -- Request for Governor's Waiver from Bidding Procedure Various State Parks Projects Statewide.
 - Item D-7 -- Request for Governor's Waiver from Bidding Procedure Various Forestry and Wildlife Projects Statewide.
 - Item E-3 -- Filling of Vacant Groundskeeper I Position for Oahu Park Section.
 - Item F-16 -- Filling of Position No. 34294, Real Property Appraiser IV, Technical Services, Honolulu, Oahu.

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

ITEM F-5

STAFF RECOMMENDATION FOR PUBLIC AUCTION, AUHAUKEAE, NO. KONA, HAWAII.

Mr. Shimabukuro explained that this particular property is presently vacant and is being claimed by both Leonard Radcliff Greenwell and Lanihau Partners. In order to resolve this multiple-claim situation, staff is recommending, with the concurrence of Mr. Greenwell, that he quitclaim all his interest to the State of Hawaii, then the State will proceed with a public auction lease of TMK 7-5-09:43 subject to the terms and conditions prescribed by the board.

Jim Greenwell, representing Lanihau Partners and his uncle L. Radcliff Greenwell, was called forward to testify. In answer to a question raised by Mr. Ing with respect to the area, Mr. Greenwell said that the area of the parcel is 15,280 sq. ft. and there is a roadway widening setback of about 2000 sq. ft. which fronts on Alii Drive. He commented that they have been trying to find some solution to this co-claimant situation that was equitable and that they were in support of staff's recommendation.

Mr. Paty asked Mr. Greenwell if he would explain how the property would be used should they be the successful bidder. As far as utilization of the parcel, Mr. Greenwell said that it has been the intent of their developer, Morris Development of California, to maintain a substantial portion (more than one-half) as an open area which would allow the public to come on the property and enjoy the view etc. No building construction is being anticipated for that parcel at this time although it would be clearly incorporated and maintained as a part of the development of the 4-1/2 acres which they own and would be leasing directly back to them.

ACTION

Unanimously approved as submitted. (Arata/Arisumi)

ITEM H-1

FOLLOW-UP CONDITIONS FOR AFTER-THE-FACT CDUA FOR CONDUCTING RELIGIOUS ACTIVITIES AT HANAUMA BAY BEACH PARK AND BLOW HOLE LOOKOUT ON OAHU (ISKCON HAWAII, INC.).

Mr. Evans asked that the following amendments be made:

1. Page 1, next to A. Storage - add "(Non First Amendment Protected Activity)".
2. Page 2, under 2. Signage - first paragraph, third line, change word "sight" to "site".
3. Page 3, under 4. Prasadam, fourth line, change "injest" to "ingest".
4. Attachment 1 (1 of 4) - FIRST AMENDMENT PROTECTED ACTIVITY - after the word "Table", add "(Non First Amendment Protected Activity)". Following that, where it reads "Size: Not to exceed 6 ft. x 3 ft." change that to "6 ft. x 8 ft."
5. Attachment 1 (2 of 4) - under Storage (what doesn't fit on the table top) add "(Non First Amendment Protected Activity)". Following that, delete "No ground storage" and add the sentence "Allowed directly under table upon advance payment of a nominal monthly rent of \$12.00 to landowner per site."
6. Add at the end of page 2 of 4 the heading "Table Facade". Under that heading add "ground to table top facade designed, constructed and painted to blend in with the natural environment."

7. Attachment 1 (3 of 4) - FACT SHEET - Delete the "s" after the word Hare Krishnas.
8. Attachment 1 (4 of 4) - (SKETCH) - Add in the corner of "Side B", opposite the "Fact Sheet" a circle that indicates a water cooler with catch bucket.

Mr. Evans explained that the above amendments represent subsequent discussions following the written submittal to the board.

Mr. Evans continued that staff would be presenting the board with a package which is not set in concrete. Staff is asking for the board's consideration with every expectation that should this package be approved, based upon representations by himself and counsel for the applicant, is basically what the board may expect. Notwithstanding this, should the board consider this proposal as a package this morning if, in the future, the board or staff feel that some adjustments need to be made, this is possible. He explained that the reason behind the package structure is that when staff entered into discussions with the applicant there was sort of a "building block by block" situation.

There are two basic issues which were developed said Mr. Evans. One was of disclosure, what staff sensed the board was speaking about and the other issue was one of storage. From staff's perspective, the question of storage, is that it is not a First Amendment Protected Activity. Staff argued that the devotees have a van at their disposal and what they should do when they want to get something from the van is to go to where the van is parked and bring it out to the table top. The applicant felt that they had practical problems with that approach. They asked staff to reconsider their position on that. When staff thought about this further, they felt that insofar as this was not a First Amendment Protected Activity that perhaps there should be some kind of further consideration on the part of the applicant. It was suggested, and the applicant agreed, that insofar as this is not a protected activity that the board clearly has got the discretion to allow this or not to allow it. It is expected that they will be there from 8:00 a.m. until 5:00 p.m. at which time everything is out of the park. However, while they are there they would like to store some things under the table. Staff has indicated that if they really feel they need it then, because it is public land, there should be some kind of remuneration to the public for that. Staff's rationale was that if the board were to approve it and a complaint were to come in from the public, staff could say that while this is not a First Amendment Protected Activity they are making a payment for that area. This was the basis for staff changing their position from "no storage" to one where there would be storage allowed provided that there be a monthly rental of \$12.00 per site. Mr. Evans went on to explain staff's reason for coming up with the \$12.00 amount.

With respect to the signage, Mr. Evans said that the applicant, at the last board meeting, said that they felt that the language was unreasonable and the dimensions were unreasonable and burdensome. Staff did have an opportunity to discuss this with the applicant at length and have proposed not to require the applicant to put up a sign at this time. This does not prevent, at any time in the future, the State or the County from erecting a sign on their property. Mr. Evans said that in discussions with the Department of Recreation, they represented that, if in the future, we would like to have a sign placed, they will put said sign up if we would let them know the size and dimension, the wording, etc. Accordingly, staff would like to remove the sign from this particular package at this time knowing that it is there for staff to use in the future.

In terms of the questions relating to the sanctified foodstuffs, staff felt that here there was a problem of disclosure. The applicant has represented that all the packages, except the samples, would be labeled and the label that would be put on the cookies would say "Mercy of the Lord", which is a literal translation of the term "prasadam". There was also an agreement that there would be no commercial cup logo or design. As far as the fruit punch is concerned, the same term would show up.

Mr. Ing asked Mr. Evans what would be printed on the stickers. Mr. Evans replied, "Mercy of the Lord" - no donation required - ingredients.

Mr. Evans said that, in terms of the religious literature, they felt that it should be up front on the table and provision was made for approximately one-half of the table to be covered by the religious literature and, on that side of the table, a fact sheet, as developed by staff is also to be on that side of the table.

Discussions on donations were that the participants may be asked for voluntary donations and a suggested amount may be made verbally but there is to be no donation required for any offering of sanctified foodstuff or religious literature. Staff tried to develop the disclosure on this in three areas: 1) the fact sheet is to be on the table; 2) the merchandise is to be labeled; and 3) requiring the devotees to wear robes. The bottom line, said Mr. Ing, from what he had read in the submittal, is that they will not be required to wear robes but that they will wear badges. Mr. Evans explained that, from staff's perspective, the board could not require the wearing of robes. He stated, however, that the applicant was prepared to make a representation regarding the robes and what may be expected should this morning's package be accepted.

While discussing the fact sheets, Mr. Arata asked, because of the great number of Japanese tourists, whether this would also be written in Japanese. Mr. Evans said that staff had not thought of this but that it would be no problem. Because this is a sensitive issue, staff is asking the board to allow them to come in with a package but at the same time staff is also hesitant because they do not want the board to think that they are trying to slam something down somebody's throat by coming in with a package. However, they would like to give this a try for maybe a month or so and, if something is not right then staff, as well as the applicant, will take a look at the problem to see what can be done.

Mr. Arata was disturbed that because a lot of people are not able to read they go by what they see so if this is to be a religious activity he felt that they should wear their robes. He felt that by the way it is now people would think that this is just a punch and cookie booth so, if the intent is that this is for a religious purpose then somehow the design would show that this is an ISKCON booth and not just a food and beverage booth.

Mr. Evans said that what was out there before was a guy in a tee shirt and no religious literature. Staff is trying to move from that by seeing that half of the table is religious literature plus, in terms of dress, the applicant is prepared to make a statement in this respect. Even though a person is not able to read or speak English the package should envelope the entire idea of disclosure.

Mr. Joe Fedorowski, representing ISKCON, commented that the bottom line, after all discussions, is that there will be some changes. The tables will look a lot better, there will be much more disclosure and it will be delivered in a nicer way. The table will split up one-half with cookies and one-half with literature. As far as the devotees' looks are concerned, ISKCON has agreed to voluntarily wear a modified robe. The idea for this

modified robe is that the traditionally Indian robe does not work up at the Blow Hole area, the wind blows it up and exposes them, they get food all over and they trip on it. The devotees have agreed to wear nice pants but a kurta, or devotee type shirt with neck beads. When someone goes up they will look like a devotee, not just like someone pushing punch and cookies. Within a month all of this should be implemented, should the board agree on the package. If, after going up there, the board members have problems with some aspect of it, ISKCON will sit down and work on it again. The devotees then modeled the various types of garments that they will be wearing at the site. After viewing the garments, Mr. Arata commented that he would not view the devotees as Krishnas with the robes that were just modeled.

ACTION Mr. Zalopany moved to approve as amended. Mr. Ing seconded, motion carried unanimously.

ITEM E-2 APPROVAL OF POLICIES FOR THE IMPLEMENTATION OF THE KAHANA STATE PARK DEVELOPMENT PLAN.

Mr. Nagata informed the board that there was a request, under the signature of the co-chair of the Kahana Advisory Council, to defer this item. He stated also that he had received a call this morning from Senator Jimmy Wong in support of this request for deferral. However, staff's recommendation to the board is to take action on the policies submitted this morning. Should the board approve staff's recommendation to take action, Mr. Nagata said he would then like to pass out further information with respect to a meeting which was held with the Kahana residents last week.

Mr. Paty asked Mr. Nagata to first review this and, since the board is aware of the request to defer, if at that time they feel that they want to defer they will so act, if not then the board would proceed.

Mr. Nagata passed out for the board's review PROPOSED POLICIES FOR THE IMPLEMENTATION OF THE KAHANA STATE PARK DEVELOPMENT amended 6/23/88 and an ITEM E-2 SUPPLEMENT, BASED ON JUNE 16, 1988 MEETING WITH KAHANA VALLEY RESIDENTS. Mr. Paty wanted it noted for the record that the board can, at any time during presentation of the material that if they would like further time to study or receive further information, they may ask for and act upon a request for deferral at any time during the presentation.

Mr. Nagata proceeded to read from the Item E-2 supplement. However, at Mr. Kealoha's request, he instead presented the Item E-2 submittal first. He explained that this submittal was prepared prior to meeting with the residents and then went on to present the Item E-2 Supplement as follows:

General Park Development/Interpretive Program

- The Kahana State Park Development Plan included camping in an inland forest land area but did not include beach camping for the general public. Staff feels a need to help meet the public demand for beach camping. Therefore, a makai camping area is proposed just mauka of Kamehameha Highway, leaving the beach itself for day use only. No change in the submitted policy is recommended.

Mr. Paty asked about the concerns voiced by the residents relative to camping. Mr. Nagata said that a concern voiced by one particular resident was not to allow overnight camping. The kind of camping they were talking about were primarily day camps. Looking at the plan that was developed with the assistance of the residents earlier, camping was called for in the upper reaches of the valley. No camping was proposed for the lower area. However, because of the ongoing camping occurring in the County Park, staff felt that it would be too much to just eliminate camping from that area completely.

- A Park Manager is proposed for the park in order to administer the day-to-day park visitor program and valley resident needs. Some concern was expressed regarding the role of this position in deciding program needs. Two policy changes are recommended to clarify (1) that the park manager will be responsible for overall park management and not just the interpretive program and (2) there will continue to be a collaboration of the State Parks Division and the Kahana Advisory Council in developing interpretive programs.

Mr. Paty asked if there was a Park Manager at any other park. Mr. Nagata replied that there is a Resources Program Manager, higher up in the system, but the use of the word Park Manager has not yet been established. Staff is hoping that this will be so funded inasmuch as they will be putting in an item in the budget request for the coming biennium to create such a position.

- The li'i resources are an important aspect of the interpretive program and are recommended for inclusion in the program activity listing.

Other things were covered e.g. the chapel on Trout Farm Road, which is covered generally as "Other Areas as Listed", in the Kahana State Park Development Plan.

Resident Program Participation

- Residents requested clarification of program participation requirements. It is recommended that all work hours directly related to the interpretive program be eligible to satisfy residential lease requirements. This may include preparation and maintenance time as well as time spent with park visitors, providing a prior agreement has been established with the park manager. No other policy changes are recommended at this time but adjustments are anticipated after we have had some experience with the program. Other concerns such as participation hours and participation of residents under 18 years of age can be considered at that time.
- The current 25-hour requirement was determined after evaluating the input from individual interviews with most valley resident permittees. Responses to a requirement ranged from a "viable project" rather than specific hours to 40 hours per week. Most responses were higher than the 25 hours per month but staff feels some specific measurable requirement must be designated and 25 hours represents a fair and workable requirement. It is also recognized that both the interpretive program and resident participation requirements are new so we will have to learn from experience and then make adjustments. No change in the submitted 25-hour participation requirement is recommended at this time.

Agricultural Area

- The park development planning has focused on activities for the park visitors and resident participation in interpretive program activities. The agricultural plan has not been worked out in any detail and we recommend the Kahana Advisory Council continue to serve as an advisory organization for this planning.

Infrastructure and Residential Improvement

- A few residents are not expected to be relocated and may be able to meet building code requirements by improving their existing home rather than building a new home. They, therefore, requested that State home loan funds be available for home improvements as well as new home construction. It is recommended that the submitted policy be amended to allow the Department and HFDC to consider this request. However, this policy change would not guarantee that this option is feasible.

Resident Housing

- The total number of 31 residential households eligible for long-term leases was questioned. This number was derived from a November 8, 1985 Board action authorizing revocable permits for valley residents. This action identified 31 residential dwellings being lived in by valley residents, 2 dwellings used for farm helpers only and 2 dwellings used for storage only. The eligible Kahana Valley resident families had been determined by the March, 1985 Report on Residents of Kahana Valley prepared by the Kahana Advisory Council. No change in in the submitted policy is recommended.

Mr. Ing stated that the issue here was whether the one house, or one converted workshop was supposed to be a part of the Kahana Valley residence or not, he was not sure whether just referring to the 1985 Report was positive of that. They felt that the basis for the Kahana Valley Advisory Council recommendation was the homes in existence as of a certain date and therefore there should have been 30 and not 31 dwellings. Mr. Nagata said that staff could research this further; however, he believed that they had received input from the residents as a group and this question was raised by one resident. Staff's analysis is that they should hold to the 31 but, if there is strong feelings on the part of the board, then staff would research this issue more thoroughly.

Mr. Paty called Charlene Hoe to come forward. In answer to Mr. Ing's question, Ms. Hoe explained that the process that was followed in determining the 31 dwellings was built on the decisions which were made by the board prior to that. That decision to issue the 24 permits, with 31 dwellings, was based on a document which was prepared with the Advisory's Council input and research, determining recommendations for the board action. When the working committee started working on actually implementing the long term leases for the residents and also making it possible for residents to finance their own homes, it became clear that in order to finance their own homes each dwelling would have to have their own lease so the committee worked backwards from that realization to what dwellings were eligible and that is where the 31 came from. If the question is withheld on the one dwelling there are several other dwellings that may come up for questioning and would throw them back to the document written by the Advisory Council. Mr. Ing acknowledged Ms. Hoe's reasons.

Mr. Nagata continued:

- The timing of resident program participation and the signing of leases was discussed. Staff believes that the infrastructure for homes should be in place and lots surveyed before leases are granted. Once a lease is signed, the program participation requirements would also begin. Work on the lease documents and infrastructure design has been initiated and action on leases is projected for sometime in 1990. No change in the submitted policy is recommended.
- An affidavit of non-ownership or lease of another residence is required but the change in wording is recommended to clarify the meaning of the law.

Relocation Criteria

- The relocation of residents living in the flood plain or areas planned for intensive public park use continues to be a major concern. Residents living in these areas generally prefer to remain where they are and provide security and interpretive programs in adjoining areas. Staff has identified the following concerns related to the flood plain area:

Additional costs to residents:

- . Dwelling will cost from 5% to 30% more depending on specific requirements to alleviate flood hazards.
- . Flood insurance will be required for mortgages. This will cost an additional \$5 - \$10 per thousand dollars of insured value per year.

Mr. Paty asked whether flood insurance would be required if they were relocated in the new proposed areas. Mr. Nagata thought not since they would be out of the flood plain.

- . Oahu Self Help Projects, low cost construction program being considered to assist residents, will not consider building in a flood plain.

Mr. Paty said that a concern expressed by one or more legislators was that by requiring them to move you lose the flavor of the old-time residential type homes in and around the valley and the visitors would be more in tune with that type of style. That consideration against this problem of the flood plain and the fact that they would probably have to put the houses on stilts would not exactly lend itself to rural lifestyle, plus the cost of the flood insurance which they would have to carry if for whatever reason they stay down there. But it seems obvious that for those people who are down there it's their home and that is where they are comfortable and are not all that anxious to move so there is a real concern here.

Another key concern, said Mr. Nagata, whether they are living in the flood plain or not there are some of them living in very primary, expected public use areas. Mr. Nagata stated that the park is really being developed for the general public and staff is hoping to work together with and have the residents provide some kind of interpretive services to make the park that much more attractive, but still keeping park space open for general public use. Even the residents, said Mr. Nagata, would like to have more picnic type use rather than camping uses out there.

Mr. Kealoha asked Mr. Nagata if what he was saying was that the residents had no choice -- if they are asked to move then they have to move. Assuming that staff moves on the policies being proposed, then this would be correct, said Mr. Nagata. Mr. Kealoha said that the concept of the park would be more to cater to the visitor rather than a living park. He felt that staff was moving away from the living park concept, which was the original concept of the valley. He noted that even with the rain in December no one was hurt. Nor was anyone hurt in April or in 1986. He could not see where staff was coming from by classifying certain areas as flood zone. Mr. Nagata said that the area may not have been washed away but there have been instances where the water has risen where the residents are currently living. Mr. Kealoha felt that staff should take a closer look before relocating the people. By moving them to higher grounds they would have other problems such as transportation costs, safety etc. Mr. Ing felt that those concerns voiced by Mr. Kealoha would have to be worked out with the valley residents, particularly in the areas on the makai side. With the houses remaining where they are he felt that the use by the general public would be destroyed since there just is not enough space in there. If this area is left in residential housing, it does not become a park, it becomes an estate for those people who are living there and not for the general public so he agreed with the concept of relocation primarily because they take up very valuable space which should be used for park purposes and not for homes. Mr. Kealoha did not disagree for the area makai of the highway but for those areas where the picnic areas are located he felt that homes scattered here and there would not hurt the theme. One of the problems, said Mr. Paty, is financing. Mr. Nagata said that the

State, together with the support of the residents, got the legislature to allow for a state funded home and mortgage financing program. One of the things is that we would have to work with the Hawaii Finance and Development Corporation. HFDC has said that they don't believe that it is appropriate to allow construction in the flood plain.

Mr. Bill Gorst explained to the board the reasons for selecting the sites they did. Charlene Hoe also tried to address questions posed by the board with respect to flooding, safety, buses for the school children, lighting, etc. Addressing Mr. Kealoha's concern that staff was moving away from the "living park" concept, Mr. Nagata said that they expected participation as a part of the lease requirement. These programs which have been talked about they would like to occur -- but not necessarily right outside of someone's door. Mr. Kealoha felt that these people were being treated like third class citizens and that what was being proposed was not according to the Mogi Plan. In support of Mr. Nagata, Mr. Paty said that it is not every citizen that is allowed 10,000 sq. ft. piece of land on a 60 year lease at no cost, with a \$50,000 loan to build a house.

Much discussion continued with respect to flood problems in the area.

Mr. Paty called on Bob Stauffer to briefly inform the board on the background of the Advisory Council. Mr. Stauffer said that the Advisory Council's representatives met several times on the policies. They have come up with several changes, plus a few other changes which the DLNR staff felt that they couldn't get along with. While he could understand the concerns of wanting to defer this item, he said that he has been involved with this for eleven years and felt that much work had gone into what was presented today. He felt that most of the residents were very pleased with what was being offered by the State. He suggested that maybe one way of addressing some of Mr. Kealoha's concerns is to use a little of the money and take another look at the lower areas again.

Mr. Nagata continued:

Succession

- There was a general concern that successors should be qualified to participate in interpretive programs established for the park. Staff, therefore, recommends the additional criteria for a lessee's successor.
- There was a general agreement that residents should be well qualified to participate in interpretive programs but a concern was expressed that successors for lessees' families should have lived in the valley for a considerable portion of their lives. No measurable ties to the valley were suggested and there was also some concern to allow families flexibility in naming their successors. Staff feels the additional criteria recommended in the previous paragraph is sufficient and does not recommend any further changes in the submitted policies.

In terms of designating a successor, staff included "or successors" in the event they wanted to have a primary, secondary, etc. To give the lessee flexibility, staff did not incorporate this one resident's request saying that it had to be someone who had lived there before.

Mr. Nagata asked that the Item E-2 Supplement, as presented to the board, be included as a part of this submittal.

Mr. Nagata asked also whether the board would like to entertain the request to defer.

In answer to Mr. Kealoha's question as to whether the Manager's position was a civil service position or appointed position, Mr. Nagata replied that staff would probably try to establish a civil service position, but said that they could go either way. Mr. Kealoha favored a civil service position. In this respect, Mr. Nagata said that there has been some talk from staff's level that Park employees should not come from the resident's pool. This would probably be a conflict of interest.

At Mr. Paty's invitation, Mrs. Kapeka Kaala, a resident of the Valley, conveyed her thoughts of the State's plans for the valley. She explained to the board how she and her family handled the floods when they occurred; how they felt a responsibility to the valley, and that they preferred to remain in their current residence.

RECESS: 11:20 A.M.

RECONVENE: Mr. Ing called the meeting back to order at 11:30 A.M.

Mr. Kealoha asked the board if they had any problems with taking action on Item E-2 rather than deferring. Mr. Ing said that the matter would be considered as scheduled on the Agenda.

ACTION Mr. Kealoha moved to approve Item E-2 as recommended by staff and as amended. Seconded by Mr. Arata, motion carried unanimously.

ITEM B-1 FILLING OF A TEMPORARY FISHERY AID POSITION NO. 32691 IN THE DIVISION OF AQUATIC RESOURCES, OAHU.

ACTION The board unanimously approved Cynthia White's appointment to Position No. 32691 beginning July 1, 1988. (Zalopany/Kealoha)

ITEM C-1 FILLING OF POSITION NO. 21434, FORESTRY WORKER II, ISLAND OF HAWAII.

ACTION The board unanimously approved the appointment of Oren K. Kitayama to Position No. 21434. (Arata/Kealoha)

ITEM D-1 AWARD OF CONSTRUCTION CONTRACTS, VARIOUS WATER AND LAND PROJECTS STATEWIDE.

ACTION Upon motion by Mr. Arisumi and a second by Mr. Arata, awards were approved as follows for the Total Sum Bid (*unless otherwise noted).

<u>Job No.</u>	<u>Awardee</u>	<u>Total Sum Bid</u>
3-9W-D1	Roscoe Moss Company (Waikolu Wells)	\$ 109,619
4-OW-T	Kiewit Pacific Company (Desalting Plant, Campbell Ind. Park)	5,722,511
31-OA-B	Haitsuka Brothers Limited (Waimanalo Ag Park)	1,343,074
12-KW-18	Paul Frandsen & Associates (Makaleha Well)	190,150
* 35-MW-L	Maeda/Mitsunaka Construction (Kula Water System (Award shall be Total Sum Bid + Additive Alternate)	4,357,733 + 923,995
2-HW-F	Jas. W. Glover, Ltd. (Puu Pulehu Reservoir)	1,583,190
4-OW-P	Ralph S. Inouye Co., Ltd. (Kuliouou Well)	875,116.50
* 31-OL-C	Kaikor Construction Co., Inc. (Waikiki Seawall) (Award shall be Basic Bid + Additive Alternate No. 1)	295,363 + 21,000
5-OW-B	Site Engineering, Inc. (Waimanalo Irrig.)	76,211
35-MW-G	Bernard W. Despins et al (Keanae Flume)	46,687.20
67-KW-B	Haitsuka Brothers Ltd. (E. Waioli Irrig.)	80,391
2-HW-E	Haitsuka Brothers, Ltd. (Hamakua Ditch)	1,925,550

With respect to Job 12-KW-18, Mr. Arisumi noted that the low bid was \$190,150 and the State estimate was \$559,000. He asked why the State's bid was so much higher. Mr. Linford Chang felt that the reason may have been that the terrain was so steep. Also, historically, Paul Fransen has always been a low bidder. He explained also that when they do go with a low bid they watch the construction very carefully.

ITEM D-2

AWARD OF CONSTRUCTION OF CONTRACTS, VARIOUS STATE PARKS PROJECTS STATEWIDE.

Upon motion by Mr. Ing and a second by Mr. Kealoha, awards were approved as follows for the Total Sum Bid (*unless otherwise noted).

<u>Job No.</u>	<u>Awardee</u>	<u>Total Sum Bid</u>
98-MP-A	Haitsuka Brothers Ltd. (Hana Road Wayside Park)	\$ 182,702
86-OP-F1	Site Engineering, Inc. (Waimanalo Bay Recrtn)	41,644
87-OP-H	Chuck Maples Sprinklers, Inc. (Tantalus/Makiki Recrtn Area)	265,900
* 84-OP-J	Per, Inc. (Wahiawa State Park) (* Bids exceed allotment - will not award.)	46,693
83-OP-G	Per, Inc. (Washington Place)	55,377
89-HP-H	Oceanic Construction, Inc. (Kona Airport St. Park)	61,485
90-HP-D	Richard K. W. Tom, Inc. (Mauna Kea Recrtn Area)	144,333
84-OP-F	Primer Construction, Inc. (Kaiaka Recrtn Area)	186,938
88-OP-I	Site Engineering, Inc. (Keaiwa Heiau Recrtn Area)	99,100
87-OP-I	LTM Corporation dba Civil-Mechanical Contractor (Waahilo Ridge Recrtn Area)	63,008
89-HP-F	Oceanic Construction, Inc. (Kealakekua Bay Historical Park)	281,182
87-OP-D	Kaikor Construction Co., Inc. (Diamond Head State Monument)	75,560
80-OP-D3	Prime Construction, Inc. (Aina Moana Recrtn Area)	31,555
91-HP-G	Site Engineering, Inc. (Wailuku River St Park)	46,711
93-KP-A1	Standard Plumbing, Inc. (Kokee State Park)	95,000
* 93-KP-F	H.M. Construction, Inc. (Russian Fort) (* Award shall be negotiated with the low bidder to cut the scope of work.)	317,400
* 83-OP-F	Creative Landscaping, Inc. (State Capitol Irrigation System.) (* Award shall be for Total Lump Sum Base Bid + Additive Alt. 1)	143,555 +
* 84-OP-C	Haitsuka Brothers, Ltd. (Kaena Point Recrtn Area) (* Award shall be for Lump Sum Base Bid and will negotiate scope to \$185,000.)	25,000 211,600
* 85-OP-F	Site Engineering, Inc. (Malaekahana Recrtn Area) (* Award being made on a reduced scope of work)	46,711
95-KP-F	Honson Co., Inc. (Haena)	29,745
94-KP-C1	K. Shoi Construction, Inc. (Wailua River Park)	162,226
* 93-KP-A	Koga Engineering & Const. (Kokee State Park Water System) (* Award shall be for Basic Bid plus Additive Alternate.)	229,444 + 90,317
* 98-MP-H & 80-MP-D2	Gusalino Bros. Constr. (Waianapana: 1) Proj. A & Proj. B) (*1) Lump Sum Bid \$297,920: will negotiate scope to \$200,000; 2) Lump Sum Bid \$197,775: will not award)	495,695
* 99-MP-A	Walter Y. Arakaki (Palaau Park) (Bids exceed allotment: will not award)	62,743
97-MP-D	Bernard W. Despins et al (Iao Valley)	129,471
97-MP-B	Haitsuka Brothers, Ltd. (Halekii-Pihana Heiaus)	45,800
98-MP-F	Bernard W. Despins et al (Makena La Perouse)	76,768

ITEM D-3 AWARD OF CONSTRUCTION CONTRACTS, VARIOUS FORESTRY AND WILDLIFE PROJECTS STATEWIDE.

Upon motion by Mr. Ing and a second by Mr. Kealoha, awards were approved as follows for the Total Sum Bid (*unless otherwise noted).

<u>Job</u>	<u>Awardee</u>	<u>Total Sum Bid</u>
* 63-HF-B-2	Fair Contr. Co. (Hilo DLNR Baseyard) (*The award shall be for both Schedules A & B)	\$ 344,114 (A) 101,071
* 62-MM-A2	Haitsuka Bros., Ltd. (Olinda Propagation Facility, Phase II (Will negotiate Bid to \$1,200,000)	1,491,915
61-MM-A3	Sublett & Assoc. (Olinda Propagation Facility)	34,679
63-HF-C	Hilo Const., Inc. (Kamuela Support Facility)	162,800
63-HF-B	Fair Cont. Co. (Hilo Baseyard)	24,651

ITEM D-4 PERMISSION TO ADVERTISE FOR INFORMAL BIDS, FOREST TRAILS, SHELTERS, AND ROAD, DIVISION OF FORESTRY AND WILDLIFE, OAHU.

ACTION Unanimously approved as submitted. (Kealoha/Zalopany)

ADDED ITEM D-5 REQUEST FOR GOVERNOR'S WAIVER FROM BIDDING PROCEDURE VARIOUS WATER AND LAND PROJECTS STATEWIDE.

Mr. Linford Chang said that no water and land projects were received with "No Bid" so he asked that this item be withdrawn.

ACTION Withdrawn.

ADDED ITEM D-6 REQUEST FOR GOVERNOR'S WAIVER FROM BIDDING PROCEDURE VARIOUS STATE PARKS PROJECTS STATEWIDE.

Mr. Chang said that no bids were received for Job No. 80-KP-D4, Kokee State Park, construction of ramps and toilet facilities for the handicap, and recommended waiver of bidding procedures so staff could negotiate with a contractor.

ACTION Mr. Ing moved to approve as requested above. Mr. Kealoha seconded; motion carried unanimously.

ADDED ITEM D-7 REQUEST FOR GOVERNOR'S WAIVER FROM BIDDING PROCEDURE VARIOUS FORESTRY AND WILDLIFE PROJECTS STATEWIDE.

Mr. Chang said that no valid bids were received for Job No. 63-HF-C2, so staff recommended waiver of bidding procedures in order for staff to be able to solicit from contractors.

ACTION Mr. Zalopany moved to approve as recommended above. Mr. Kealoha seconded; motion carried unanimously.

ITEM E-1 OUT-OF-STATE TRAVEL REQUEST TO ATTEND ANNUAL CONFERENCE OF NATIONAL ASSOCIATION OF STATE PARKS DIRECTORS.

ACTION The board unanimously approved Ralston Nagata's request for out-of-state travel to attend the above conference in Cadiz, Kentucky, September 6-10, 1988. (Arata/Arisumi)

<u>ITEM E-2</u>	APPROVAL OF POLICIES FOR THE IMPLEMENTATION OF THE KAHANA STATE PARK DEVELOPMENT PLAN.
ACTION	See Page 10.
<u>ADDED ITEM E-3</u>	<u>FILLING OF VACANT GROUNDSKEEPER I POSITION FOR OAHU PARK SECTION.</u>
ACTION	Unanimously approved as submitted. (Ing/Arata)
<u>ITEM F-1</u>	<u>DOCUMENTS FOR CONSIDERATION.</u>
<u>Item F-1-a</u>	CONSENT TO ASSIGNMENT OF SUBLEASE, PORTION OF GENERAL LEASE NO. S-3662 (MAUNA KEA AGRICBUSINESS CO., INC.), PIIHONUA CAMP 5, PIIHONUA, SO. HILO, HAWAII.
<u>Item F-1-b</u>	ISSUANCE OF LAND PATENT IN CONFIRMATION OF PORTION OF LAND COMMISSION AWARD 8559-B, APANA 19, TO WM. C. LUNALILO BY APPLICATION OF KAUPU RANCH, LTD.
<u>Item F-1-c</u>	ISSUANCE OF REVOCABLE PERMIT TO FUJISHIGE TRUCKING CO., LTD., LOT 117, SAND ISLAND, HONOLULU, OAHU, TMK 1-5-41A:261.
<u>Item F-1-d</u>	ISSUANCE OF REVOCABLE PERMIT TO ATOZ, INC., KAALAWAI, KAPAHULU, HONOLULU, OAHU, TMK 3-4-40:POR. 67.
<u>Item F-1-e</u>	RESUBMITTAL - PACIFIC STANDARD LIFE INSURANCE CO., REQUEST FOR CONSENT TO ASSIGNMENT OF GENERAL LEASE NO. S-5018, WAIAKEA, SO. HILO, HAWAII. Mr. Arata was excused from acting on Item F-1-e.
ACTION	Mr. Kealoha moved to approve Items F-1-a, b, c, d, and e as submitted; motion carried unanimously with a second by Mr. Zalopany.
<u>ITEM F-2</u>	<u>HELCO REQUEST FOR DIRECT SALE OF UTILITY EASEMENT, PUUANAHULU, NO. KONA, HAWAII.</u>
ACTION	Unanimously approved as submitted. (Arata/Arisumi)
<u>ITEM F-3</u>	<u>SOUTH OSHIRO IMPROVEMENT CORP. REQUEST FOR DIRECT SALE OF EASEMENT, OLAA RESERVATION LOTS, OLAA HOMESTEADS, PUNA, HAWAII.</u>
ACTION	Unanimously approved as submitted. (Arata/Arisumi)
<u>ITEM F-4</u>	<u>FRED BENDER REQUEST FOR AMENDMENT TO DIRECT SALE OF ROADWAY REMNANT, KAUMALUAMALU, NO. KONA, HAWAII.</u>
ACTION	Unanimously approved as submitted. (Arata/Arisumi)
<u>ITEM F-5</u>	<u>STAFF RECOMMENDATION FOR PUBLIC AUCTION, AUHAUKEAE, NO. KONA, HAWAII.</u>
ACTION	See Page 2.
<u>ITEM F-6</u>	<u>ACCEPTANCE OF SURPLUSSED CEDED LANDS FROM THE UNITED STATES OF AMERICA (9-U-HI-454-D) AND SET ASIDE TO THE DEPARTMENT OF TRANSPORTATION, HARBORS DIVISION, SAND ISLAND, HONOLULU, OAHU.</u>
ACTION	Unanimously approved as submitted. (Kealoha/Zalopany)
<u>ITEM F-7</u>	<u>AMENDMENT TO PRIOR BOARD ACTION APPROVING DIRECT SALE OF RECLAIMED (FILLED) LAND, KANEOME, OAHU (11/20/87, ITEM F-13).</u>
ACTION	Unanimously approved as submitted. (Kealoha/Zalopany)

- ITEM F-8 FILLING OF POSITION NO. 12077, OAHU DISTRICT LAND AGENT, DIVISION OF LAND MANAGEMENT, HONOLULU, OAHU.
- ACTION Unanimously approved as submitted. (Arisumi/Arata)
- ITEM F-9 STAFF RECOMMENDATION TO TERMINATE GENERAL LEASE NO. S-4873 TO KAUAI SAND AND GRAVEL, INC., KAPAA, KAUAI.
- Mr. Shimabukuro asked that this item be withdrawn inasmuch as the lessee has restored the affected area to its original condition.
- ACTION Mr. Zalopany moved to withdraw. Motion carried unanimously with a second by Mr. Arisumi.
- ITEM F-10 TERMINATION OF GENERAL LEASE NO. S-4655 TO LIHUE PLANTATION CO., LTD., WAILUA, KAUAI.
- ACTION Unanimously approved as submitted. (Zalopany/Arisumi)
- ITEM F-11 LEASE OF OFFICE SPACE FOR THE DEPARTMENT OF HEALTH, EMERGENCY MEDICAL SERVICES SYSTEM, LIHUE, KAUAI.
- ACTION Unanimously approved as submitted. (Zalopany/Kealoha)
- ITEM F-12 LEASE OF NURSING QUARTERS FOR THE DEPARTMENT OF HEALTH, KAUAI VETERAN'S MEMORIAL HOSPITAL, KAUAI.
- ITEM F-13 RENEWAL OF LEASE OF OFFICE SPACE FOR THE DEPARTMENT OF HUMAN SERVICES, PUBLIC WELFARE DIVISION, KAUAI.
- ITEM F-14 RENEWAL OF LEASE OF OFFICE SPACE FOR THE DEPARTMENT OF HEALTH, EMERGENCY SERVICES SYSTEM, PRINCEVILLE, KAUAI.
- ACTION Mr. Zalopany moved to approve Items F-12, 13 and 14 as submitted. Seconded by Mr. Kealoha, motion carried unanimously.
- ITEM F-15 LEASE OF OFFICE SPACE FOR THE DEPARTMENT OF EDUCATION, HAWAII STATE PUBLIC LIBRARY SYSTEM, ISLAND OF HAWAII.
- ACTION Unanimously approved as submitted. (Arata/Zalopany)
- ITEM F-16 ADDED FILLING OF POSITION NO. 34294, REAL PROPERTY APPRAISER IV, TECHNICAL SERVICES, HONOLULU, OAHU.
- ACTION The appointment of Charles Unoki to Position No. 34294 was unanimously approved by the board. (Kealoha/Zalopany)
- ITEM H-1 FOLLOW-UP CONDITIONS FOR AFTER-THE-FACT Cдуа FOR CONDUCTING RELIGIOUS ACTIVITIES AT HANAUMA BAY BEACH PARK AND BLOW HOLE LOOKOUT ON OAHU (ISKCON HAWAII, INC.).
- ACTION See Page 5.
- ITEM H-2 Cдуа FOR AN AFTER-THE-FACT DECK AND PROPOSED DECK EXPANSION AT LAHAINA, MAUI (MR. MEYER M. UEOKA, AGENT FOR CRISPINO AND HERMOGENES OMLAN).
- Mr. Evans said that he was in receipt of a request from the applicant's counsel to defer this matter. They would like to have this deferred to the Maui meeting so the applicant could attend the meeting.
- ACTION Mr. Arisumi moved to defer; seconded by Mr. Arata, motion carried unanimously.

ITEM J-1 RENEWAL OF REVOCABLE PERMITS 2869, ETC., AIRPORTS DIVISION.

ACTION Unanimously approved as submitted. (Zalopany/Kealoha)

ITEM J-2 APPLICATION FOR ISSUANCE OF REVOCABLE PERMITS 4475, ETC., AIRPORTS DIVISION.

ACTION Mr. Zalopany moved to approve as submitted; seconded by Mr. Kealoha, motion carried unanimously.

Mr. Ing was excused from voting on this item.

ITEM J-3 ADDITIONAL USE OF REVOCABLE PERMIT, HARBORS DIVISION, KEEHI SMALL BOAT HARBOR, HONOLULU, OAHU (MR. MERV NOVAK DBA THE BLOCK ICE CO.)

ACTION Unanimously approved as submitted. (Ing/Kealoha)

ITEM J-4 APPROVAL OF CONSENT TO SUBLEASE A PORTION OF THE PREMISES OF LEASE NO. H-83-2, HONOKOHAU HARBOR, HAWAII (KONA FUEL & MARINE, INC.).

ACTION Unanimously approved as submitted.

OTHER Mr. Paty, on behalf of the board, expressed appreciation of Mr. Zalopany's fine work with the board and wished him well in his future endeavors. This was Mr. Zalopany's last official meeting with the Board.

ADJOURNMENT: There being no further business, the meeting was adjourned at 12:30 p.m.

Respectfully submitted,



Mrs. LaVerne Tirrell
Secretary

APPROVED:



WILLIAM W. PATY
Chairperson

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