

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

DATE: July 22, 1988
TIME: 9:00 A.M.
PLACE: 1151 Punchbowl Street
Room 132, Kalanimoku Building
Honolulu, Hawaii

ROLL CALL: Chairperson William W. Paty 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. J. Douglas Ing
Mr. Moses W. Kealoha
Mr. John Arisumi
Mr. William W. Paty

Absent & Excused

Mr. Herbert Arata
Mr. Herbert Apaka

STAFF: Mr. Henry Sakuda
Mr. Richard Kanayama
Mr. Ronald Walker
Mr. Mason Young
Mr. Roger Evans
Mr. John Corbin
Mrs. LaVerne Tirrell

OTHERS: Mr. Randall Young, Deputy A.G.
Mr. Peter Garcia, Dept. of Transportation
Mr. Olsen (Item E-3)
Mr. Alan Murakami, Ms. Linda Delaney (Item F-4)
Mr. Dale Zane (Item F-6)
Mr. Joseph Vierra (Items H-1 and H-3)
Mr. Lui-Kwan (Item H-5)
Capt. Tom Osteen, Messrs. Ernest Shima, Bob Smolenski, Ken Hermanson, Louis Macknick, John Learned, Dr. Donald Hall and Dr. Richard Canfield (Item H-6)
Mr. Fred Shiroma (Item H-7)

MINUTES: The minutes of June 9, 1988 were unanimously approved as circulated. (Ing/Arisumi)

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

- Item B-1 -- Filling of a Temporary Fishery Aid Position No. 32691 in 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, Hawaii.

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

CDUA FOR THE CONSTRUCTION OF A 53-FOOT ANTENNA TOWER AND EQUIPMENT BUILDING AT HALEAKALA, MAUI (APPLICANT: KING BROADCASTING, AGENT: SMOLENSKI AND WOODSELL).

ITEM H-6

Mr. Evans explained that this item was deferred at its meeting of July 8, 1988 because the University of Hawaii's Institute of Astronomy came before the board with strong reservations as to the propriety of allowing such a use in an area particularly so close to their astronomy facilities at Science City at Halekala. That particular proposed use is a request by King Broadcasting.

The specific concerns expressed, said Mr. Evans, related to two areas -- the frequency and the power that would be used in transmitting the Channel 13 signal to the people of Maui. Following the Board's consideration of those concerns, the board chose to defer the matter for a period of two weeks to see what, if anything, could be done to accommodate both the University of Hawaii and their concerns as well as Channel 13 in their efforts to go into the County of Maui and provide Channel 13 service to the Maui residents.

Mr. Evans felt that the absolute position which the University of Hawaii took at the last board meeting had been changed. In terms of Channel 13, they have indicated some movement. However, staff cannot represent to the Board this morning that they do have an agreement between the two parties. Because of this, what is being presented to the board this morning is staff's feelings on the matter. Notwithstanding the actions of the parties involved, Mr. Evans said that he would like to modify some of the conditions of staff's recommendations. The recommendation before the Board this morning was not to allow Channel 13 to go in and set up shop per se but that the Board approve the proposed test site facility on the subject property as represented by the applicant for a period of up to one year. During this period frequency and power studies would be conducted and analyzed, given the input regarding the study scope and the performance, an analysis from DLNR, the University of Hawaii, Institute of Astronomy, and the U. S. Dept. of the Air Force, and that this interim approval be reviewed by the Board when the identified studies have been completed and verified accurate by all parties.

Also, said Mr. Evans, staff's recommendation was that the permanent land use approval for the facility be further reviewed by the Board following staff's assessment of the report. With that staff did recommend an interim Land Use approval. The only change this morning, in terms of the conditions, is that the final location be subject to approval by the Board. Also, should the applicant be required or desires to physically move to the Department of Budget and Finance Telecommunication site, all the technical requirements relative to the transmitter power and frequency use would be approved by the Department of Budget and Finance with the understanding that any interference with the operation to the Dept. of Budget and Finance and other agencies be eliminated at no cost to the State. The last condition (20) is that this board approval, should the board sustain the staff this morning, be considered a Temporary Variance for the interim test period at the Department of Budget & Finance site for a period not to exceed one year at which time either this application or the State Department of Budget & Finance application should be reviewed for a possible amendment.

Mr. Kealoha asked, "Roger, when you say that you addressed all parties, are you talking about all the users on the site?" Mr. Evans said, no. Basically, the parties are the ones listed in the recommendation i.e. the University of Hawaii Institute of Astronomy, U. S. Department of the Air Force, the applicant, DLNR and, with the this morning's amendment, the Department of Budget and Finance Telecommunication Division.

Mr. Paty asked the applicant to come forward.

Mr. Robert Smolenski, attorney for King Broadcasting, introduced Ken Hermanson, Vice President and Chief Engineer of King Broadcasting and then asked if Mr. Hermanson could have a few minutes to review the three conditions, 18, 19 and 20, which was just presented by Mr. Evans this morning. After this review, Mr. Smolenski said that he had no problems with any of the conditions except that he noted in Condition No. 19 that their technical requirements relative to transmitter power and frequency usage at the Budget and Finance site would be subject to approval by the Department of Budget and Finance. As he understood it, the FCC requires that there be no interference and the FCC allocates the frequencies and he wondered if that might be a problem. He assumes that Budget and Finance would not be unreasonable but normally there is not that requirement since they get their approval from the FCC and then they require that you not interfere.

Mr. Hermanson stated that he had no concern about their inability to operate at the site. Mr. Smolenski added that they would agree to these three additional conditions. He said that since the last meeting they did have several discussions with the University of Hawaii and a couple of meetings with the assistants of staff also. They feel that they have worked out everything with the University of Hawaii except one important matter. They don't have any problem between them as far as any interference from Mauna Kea which was one of the concerns. They have agreed that the requirements should be satisfied and they feel they can do this with no problem.

Mr. Hermanson expressed some concerns about electro-magnetic radiation for safety. They have no problem there either. The difference that they have is the matter of interference. King has proposed that they be at this site (Kolekole Hill) for a test period of up to one year. If anyone receives additional interference because of that operation then they would have to mitigate. If they can't take care of the interference problem then they would not be able to operate up there. They are willing to live with that and they are willing to put in a substantial investment.

The University of Hawaii has suggested that King, on a normal basis, not be able to have a signal that is stronger than the mean signal that the University is receiving up there. In other words, they are getting a range from the TV stations -- there is someone at the higher end, and someone at the lower end. They don't want King's signal to be any stronger than the mid-point for normal operations. King feels that this would require such a low level of power for a UHF transmitter and King may not be able to operate and have coverage competitively on Maui. King feels that because of the nature of UHF, which requires more power but is more directional, it should be allowed to go to the higher power required as long as it does not interfere.

As far as concerns from the Air Force, Mr. Shima said that as of this morning they had not received any written concerns from them. However, he did receive a letter from the Air Force saying that now they are concerned and would like more time to study this. Mr. Smolenski felt that the testing period would be a protection for the Air Force. If they have a problem during the testing problem, they would let King know and

adjustments would be made. Mr. Smolenski asked that the board approve this submittal with all of the conditions recommended and King would abide by all of these conditions and King elected or were required to go to the alternate site, they would certainly be willing to do so. He reiterated that he still had concerns with Condition No. 19. They would really not like to be subject to all technical requirements of the Department of Budget & Finance. Mr. Paty said, then if we changed the language making you subject to the FCC, that would be acceptable? Mr. Smolenski said, yes.

Mr. Ing said that King's letter of June 15, 1988 indicated that the Air Force wanted them to move back at that time. At the time of the Board meeting on Maui, Mr. Smolenski said that he asked Capt. Osteen what their position was and he had said that the temporary period was fine with the Air Force at that point. However, on the mainland they have changed their minds on that. They have been trying to get them to move. King looked into whether they would be able to move down there but it was his understanding that it was not feasible to move at this time. They have about 18 months into this CDUA from the time they first started with KGMB and they would not like to go back and begin on another site. They understood that the Dept. of Budget and Finance had a year period under their CDUA for a feasibility study to see if they would be responsible for non-public users and his understanding was that the Dept. of Budget and Finance when they asked was not prepared to have a private user come down there and that they would have to get their permission, so it was their understanding that they could not go down there without some action by the board.

As of today, asked Mr. Ing, you would prefer to go to the Budget and Finance area? Mr. Smolenski answered in the affirmative.

If the Board said don't set up at Kolekole Hill but go to the Budget and Finance site and run your tests at that site, when would you be able to start, asked Mr. Ing? Mr. Hermanson felt that a typical FCC action would be about 30 days. The physical equipment, however, might not happen for at least ninety days.

Dr. Donald Hall from the Institute of Astronomy, stated that his duties included responsibility for the development of astronomical and related facilities on Mauna Kea and Haleakala and the preservation of their astronomical qualities. He continued:

"The University and the State encourage telescopes which do not require the extreme altitude and conditions of Mauna Kea to locate on Haleakala. The Mees Solor Observatory has been in operation on Haleakala since 1964 and is undergoing a major expansion under the leadership of Dr. Richard Canfield. The LURE ranging telescope is considered the centerpiece of NASA's Crustal Dynamics Program. A new facility, the Haleakala Gamma Ray Telescope, recently went into operation as the third UH facility on Haleakala. The Institute for Astronomy is actively seeking additional telescopes to locate on Haleakala and is discussing sites with three potential projects.

'The preservation of the astronomical properties of the Haleakala site is by no means assured. There is no county lighting ordinance on Maui, and the levels of radio frequency contamination at the UH facilities are already more than 100 times higher than the international guidelines for observatory sites. These levels of RF contamination are known to cause interference to sensitive astronomical equipment, and all three UH facilities are experiencing interference which impacts astronomical operations. Any substantial increase in RF contamination is almost certain to increase the incidence of RF interference to a level where astronomical operations would be severely impacted or even made impossible. Such an

increase would also represent a further significant degradation of the Haleakala site which would severely limit opportunities for future astronomical development there. Interference is not a single issue where one can turn on and transmit up CB interference and figure out what needs to be done to correct it. In the sorts of interference which we experience within the complex equipment programs we have, often we don't see the results of interference till three or four months later when the data is finally produced back in the Mainland. Often it means that nights, weeks, or even months of critical data are simply worthless. We have to put in a great deal of effort to correct the problem. We don't feel that we can take on that sort of risk even on a test basis on Haleakala.

'On the basis of expert technical advice, and on this one we rely on the National Radio Astronomy Observatory, UH is convinced that operation of the proposed King Broadcasting antenna at the proposed power level will cause just such an increase in radio frequency contamination at UH facilities on Haleakala. In our discussions with King Broadcasting in trying to reach some sort of core to allow them to operate at that site, the one difference that we were unable to solve is that it is the University's position that although we would prefer to see the level of radio frequency contamination capped, and even try to reduce it, we would, in the interest of trying to reach an accommodation, be prepared to see an additional facility come in which generates about the same level of radio frequency contamination as the other ones which are already causing us problems. The scientific and technical people at Haleakala already feel that that is a problem, that is an additional deterioration of the site but we are prepared to accept that. What we cannot accept is to see a much higher level of power being produced and then to find out maybe months later that it is simply invalidated key observations. In the absence of a binding commitment by King Broadcasting to keep their levels of radio frequency contamination at the UH facilities comparable to those now induced by the existing transmitter, UH strongly opposes approval of the referenced CDUA, even for the proposed test period of up to one year.

'The conflicting requirements of astronomical research and broadcast/telecommunications highlighted by this CDUA are likely to intensify on Haleakala unless policy guidelines are established where broadcasters should locate. Astronomers and broadcasters covet high mountain sites for conflicting land uses. Broadcasters want to reach the widest viewing areas with high-quality transmission and need high power. Astronomers strive to detect faint signals with sensitive, sophisticated equipment and must have a radio-quiet environment. The conflict occurs in many locations, such as Mt. Wilson, near Los Angeles, and Mt. Lemon, near Tuscon and is most severe when broadcast transmitters and astronomical facilities are located in close proximity (as is the case for the proposed King antenna). There are alternate locations on Haleakala which would provide much greater separation (both horizontal and vertical) from the astronomical facilities with additional radio frequency attenuation from the intervening terrain. A policy decision to locate all new transmitters in the most favorable such region would concentrate them in a single, planned location and, with proper design, allow high broadcast power without further deteriorating the radio frequency environment at the astronomical facilities. Eventual relocation of existing transmitters to this area would markedly improve the radio frequency environment, greatly enhancing Haleakala's competitiveness as a world-class astronomical site. The identification of an optimum transmitter site and development of clear policy guidelines for radio frequency contamination of the astronomical facilities would allow both broadcast and astronomical users to plan for ongoing operations and future facilities. It would greatly reduce the potential for serious conflicts in land use. UH urges the Board to endorse such measures and stands ready to work with other parties to develop them."

Dr. Hall felt that the site by Budget and Finance represents a significant improvement in terms of reducing the level of electro-magnetic radiation induced at their facilities. There are concerns that even though the facilities are moved away from the lunar ranging and the solar observatory, it does put it in potential conflict with the gamma ray telescope which is at the other corner of their site and they simply have not had time to carry out a technical, detailed evaluation of the level of interference that might be caused at that location.

In terms of the new location, Dr. Hall believed that it would likely be significantly better than the originally proposed site but he would like a requirement in the approval that it not produce any increase in radiation levels at their facilities above those caused by the existing transmitters which are in the area.

Dr. Hall said that they are resigned to there being radio frequency transmitters for Maui but what they would like to do is maximize the separation both vertically and horizontally between some specific location for antennas and transmitters at their facilities. They can live with the levels of radiation being induced at their facilities right now. What they can't live with is some additional increase over that.

Dr. Canfield, Director of the Mees Solor Observatory which is located within the Haleakala High Altitude Observatory site, a few hundred feet from the antenna site identified in the referenced CDUA, testified as follows:

"We often experience spurious electronic noise problems at Mees Solor Observatory. The electric fields from the existing TV stations exceed levels known to cause interference with computers and electronic instruments. Although I am a physicist, not an electrical engineer, it is clear to me from basic physics that electromagnetic reflection and absorption by the various antennas and buildings on the summit will significantly alter the idealized far-field antenna patterns upon which King Enterprises based its FCC application. I am confident that the radiation from the proposed transmitter will increase the present electric field levels at Mees Solor Observatory many fold.

'What will be the impact on Mees Solor Observatory of a multi-fold increase in electrical fields on Haleakala? If Board approval is granted, even for only the next year, Mees Observatory's support of NASA's Solar Maximum Mission will become impossible. If Board approval is granted anytime within the next three years, several proposed solar astronomical projects that rely on observations, with a combined budget of roughly \$500,000 per year, will also be lost. If approval is granted anytime within the next ten years, our new vector magnetograph instrument, for which we have just received grants totaling \$680,000, will not be operable. We will not be able to carry out our central role in the upcoming Japan/US Solar-A space mission, at an additional loss of over \$10 million in grants over the next decade and an immeasurable loss in state, national and international recognition for Hawaii. It requires no technological expertise to see that if the board approves this application, for even one year, we will needlessly lose an important role in international scientific research and education.

'To summarize, a Haleakala land use policy that separates and protects both astronomy and commercial broadcasting, not just a decision on the present land use application, is what is necessary to avoid perpetuation of conflicts such as the one that embroils us at the present time. There are many ways to address legitimate commercial broadcasting needs without destroying astronomical research at the University of Hawaii. Computers and electromagnetic sensors of increasing sensitivity and complexity are

the astronomical research tools of the future. In order for the Haleakala High Altitude Observatory site to be useful for the purpose for which it was set aside, the electromagnetic contamination with the Haleakala High Altitude Observatory Site should be decreasing, not increasing.

Mr. Arisumi understood that if there was any interference by King Broadcasting then this application would be denied. Mr. Evans said that the representation made by staff in condition 19. is that should the applicant be required or desires to move to the Budget & Finance site, all the technical requirements, relative to the power and frequency, be approved by Budget and Finance with the understanding that any interference with the operations of the Department of Budget and Finance and other agencies, specifically the University of Hawaii, be eliminated by the applicant at no cost by the State. For clarification, Mr. Smolenski explained to Mr. Arisumi that King's representation is that it will take care of the interference. If it's down at the alternate site and there is interference that's experienced by the operator's, including the University, that is in excess of their present interference, then they would take care of it. They still have a difference of opinion with Dr. Canfield and Dr. Hall. As Dr. Canfield has said the electrical field strength which is what they are getting there is easily measurable and he compares it to the smog in Los Angeles. Mr. Smolenski did not think that this is an appropriate comparison. King has a UHF permit instead of a VHF, which is presently up there. UHF requires more power. However, he understands that the antenna is designed so that it is very directional and you can control where the pattern of the signal goes and that is different from the VHF which he understands goes out but not in such a narrow pattern. Therefore, King feels that it will be able to get to the level of signal which it requires and still not cause any interference.

Mr. Ing explained to Mr. Smolenski that the process being arrived at is one where the Board would give King Broadcasting temporary authority to operate at the Budget & Finance site. This temporary authority would be for one year for them to run their tests. At this time the University, Air Force and Budget and Finance would check for interference. At some point, during the course of this year King Broadcasting would then come back to the Board at which time if the Board felt that they had satisfied their terms, would either amend the current Budget & Finance facility to add their project to it. Mr. Smolenski said that this would certainly be acceptable to them.

Dr. Canfield saw from the discussions today that the important issue is how to measure interference and that is why he brought up the analogy between the scientific chemical analysis of smog in the occurrence of a death. Because the problem is so complicated, as it is in real life in the smog analogy, it is very hard to demonstrate that the death occurred because that car emitted smog. The analogy here is that it is acceptable scientifically, physically to measure the strength of the electric field and accept that as a measure of the level of contamination of the environment. It is extremely complicated because of the dependence of the level of interference on obscure perimeters like a vehicle driving by the antenna -- is the dome rotated, is the telescope pointed off here, or is it pointed off here -- to demonstrate that the analog of the death to smog occurred because of that transmitter.

Mr. Paty stated that the Board understood the difficulty on this but would like to find out whether or not, given the situation, a balance couldn't be found. The Board recognized that during this period of time if the Board went along with the location of the Budget and Finance site that something could be worked out i.e. the basis with which they hope to arrive at the interference levels. During this period of time the University could stay in touch with DLNR.

Mr. Smolenski said that there have been discussions with staff on this but before a construction permit would actually be granted or signed off if they could sit down and talk about the process of how they are going to do this they would be working together right from the outset. He felt confident that, based on the meeting which they have had with the University, both sides are certainly sincere and willing to work together.

In summary, a four page testimony which was read, and also presented to the Board by Louis S. Macknik, Project Manager, Lure Observatory, stated that the present radio frequency environment on Mt. Haleakala is detrimental to the operation of all observatories within the Science Reserve and should be improved upon. The installation of yet another transmitter, and at a power level more than ten times above that which already exist, is certain to cause interference at a level which cannot be corrected. The positioning of strong transmitters adjacent to weak-signal receivers is a situation which can never be tolerated. They are incompatible at the base level. They should be physically separated so that their unique and different functions can be performed without interference. The television stations can be operated successfully and provide service to the community from other locations, while no other location on Maui offers the exceptional astronomical conditions of Mt. Haleakala. The loss of this observatory would be a major set-back not only for science, but would result in loss of prestige and loss of the economic benefits that a multi-million dollar contract brings to the community. He asked that this CDUA be denied.

Dr. John Learned, Associate Professor spokesman for the Haleakala Gamma Ray Observatory, said that he was not speaking on behalf of the University of Hawaii but a collaboration of physicists from the Universities of Athens, Columbia, Hawaii, Purdue and Wisconsin who have a high energy gamma ray observatory on Haleakala since 1985. He reiterated that the power being proposed is not a small increase, we're talking about something that is more than 1000% increase in the total power radiated on the top of the mountain. He emphasized that, of particular concern to them, is the frequency of the new antenna as being higher, and the high frequencies cause more radio frequency. In summary, Dr. Learned asked that the Board:

1. Reject King Broadcasting's original proposal;
2. Some program be undertaken to take a look at the long term needs of Science City on the top of the mountain and balance that against the public needs.

With respect to the new site, Dr. Learned said that it is not clear to him that it is all that much better from the standpoint of the Gamma Ray Observatory. Another consideration, he said, is that in driving to that road across the top of the mountain to that site one would have to worry about light and dust pollution. Headlights would certainly wipe them out.

Capt. Tom Osteen, of the U. S. Air Force, said that they have gone on record with their concerns as outlined in the July 21, 1988 letter from Col. Billy E. Burke, USAF Chief of Staff, to the Board. He summarized as follows:

1. The technical issues involved in determining whether there will be interference or even a radiation hazard as a result of the location of the proposed antenna are very complex and cannot be resolved in the time frames proposed by the BLNR.
2. USAF video systems used in satellite tracking already received some low level TV interference from transmitters existing at the proposed site. The impact of a ten fold increase in power is unknown, but could seriously degrade operations at Maui.

3. Although the AF has obtained only limited data from the FCC as to the characteristics of the transmitter, the Radiation Compliance statement provided to FCC by King Broadcasting bases its prediction that the radiation exposure level is less than their proposed protection limit of 1.51 mw/cm² because the depression angle is greater than 20 degrees. Because of the height of the domes at Maui, part of their facility will be level with the center of radiation at 11.18 M, and therefore at maximum field strength. Based on the power projections, the AF believes that there could be a significant radiation hazard created in their facility.
4. The AF has not been advised whether any obstruction lights will be mounted on the tower. If such is the case, there is the potential to interfere with the optical observations and the mission of Maui STS.
5. The AF, which maintains the road past the Kolekole Hill site, has not been contacted by King Broadcasting as to whether construction equipment and additional traffic associated with the site will impact the maintenance of the road.

In light of these concerns, Capt. Osteen said that the Air Force Base Command prefers that the BLNR reject the application outright and permit the University of Hawaii, the Air Force and any other concerned parties to work with King Broadcasting on reasonable alternatives which could work to the benefit of all parties involved.

Mr. Ing asked Capt. Osteen how he felt about King's move to the B&F site. Capt. Osteen replied that this would definitely be a significant improvement but they would have to conduct an analysis of that location also.

ACTION

Mr. Ing moved that the board:

- A. Issue a temporary variance for the proposed test site facility on the Budget and Finance site;
- B. That the temporary variance be in effect for a period of one year;
- C. That this will be temporary land use only and the results of the testing program and the responses from the various operators in the area will be reviewed by the Board at a later time;
- D. That the applicant, King Broadcasting, during this one year period, shall either submit an amendment to the Budget and Finance CDUA for the use of the facility on a more permanent basis or submit a new CDUA on its own accord which will be reviewed and at which time the results of the various tests to be conducted can be reviewed by the Board and other users; and
- E. As a condition of the temporary variance, the Board would incorporate Conditions 1 through 12 and 14 through 19, as recommended by Mr. Evans with the following amendments:
 - . With respect to Condition No. 3 where it reads "Since this approval is for use of conservation lands", insert the word "temporary" prior to the word "use".
 - . Condition No. 13 to be deleted in its entirety.
 - . Condition No. 16 to be amended to read in the second line "render this temporary variance null and void" and that the words "Conservation District Land Use Application" be deleted.

- . Condition No. 19, the words "Department of Budget and Finance" in the 5th and 6th lines of that condition be deleted and instead "Federal Communications Commission" be inserted.
- . Condition No. 20, be amended as follows: That this "temporary variance" be considered and the word "a" be deleted. In the third line the word "shall be" to be inserted after the word period and the word "to" deleted. The words "or a new CDUA be obtained for permit use" to be added at the end of the sentence. The new condition 20 should read as follows:

20. That this temporary variance for interim test period at the Department of Budget and Finance site shall not exceed a period of one year at which time either the State Department of Budget and Finance application be reviewed for possible amendment or a new CDUA be obtained for permit use.

Mr. Kealoha seconded.

Mr. Paty asked Mr. Shima of Budget and Finance whether he had comments to add. Mr. Shima commented that the applicant, King Broadcasting, did mention the fact that FCC does give approvals and that frequency compatibility studies are submitted to them for their review. However, the reason that B&F thought that it might be appropriate for King Broadcasting to come to them is that the frequency compatibility study that they submitted to FCC they would like to review and if they feel that there is something else in there which needs to be done it would give them an opportunity to hire their own outfit to do another study. They would also like to have some of their consultants look at the study which is submitted to FCC. They would also like to meet with the University of Hawaii when they get this information to see whether their people found anything with the frequency interference study that they normally would submit to FCC for approval. Mr. Shima believed that Section 19. of the amendment should ask that there be some concurrence from B&F. They are not looking for anything that would be subjective but would like to be sure that the analysis submitted to FCC covers most of the areas of concern -- not only of B&F but the other users in the area.

Mr. Shima said that he also has a problem with the one year timetable inasmuch as they just received their CDUA approval and are finalizing the design and the facility construction should take them to about March or April of 1989 to be completed. Their equipment will not be installed until after that time. King Broadcasting will probably be on the air at that time and they would not have time to do an analysis. He felt that the one year period should end about December 31, 1989 so they would have an opportunity to really look at the information submitted. As far as alternatives, King Broadcasting is going to high power and they would like to see them reduce their power if possible by tilting their antennas to cover the Maui area. One of the reasons they are boosting their power is to get their signals to the Big Island. He felt that the signals could be sent to the Big Island by micro-wave, as an example. He reiterated that their two concerns are 1) the time table; and 2) that King's application be reviewed by Budget & Finance.

Mr. Ing asked Mr. Smolenski how long from today would you like to start the one year period, assuming that they did not want it to run during the time they are trying to get their equipment in place. Mr. Hermanson felt that it would take about three months just to start. Mr. Ing said that the commencement date for the Temporary Variance could be started October 1, 1988, which can only go for a period of one year under regulations. Mr. Smolenski said that the date was fine.

Mr. Smolenski said that a concern he had with Mr. Shima's suggestions is that while they have no problem working with Budget & Finance they do not want to be in a position of having Budget & Finance veto, relative to frequency. They have no problem with interference, but as far as the original language which was stricken in the proposed motion they feel that it should stay stricken. They feel that if they go to the FCC after discussions with Budget & Finance with a request for a frequency that B&F opposes they certainly can get their input to the FCC and there are procedures at the FCC level. They would like to have B&F input but they do not want to have an effective veto because one of them tells Mr. Shima I don't like this or I don't like that -- the FCC should determine that type of thing. Mr. Ing felt that this could be accommodated inasmuch as Mr. Shima represents a State Agency and it is State land so the board is going to give difference to the State anyway, as long as the Board has the final say he felt that it would be sufficient for King Broadcasting to accommodate their interests. Mr. Smolenski asked that the 19 conditions remain as proposed.

Mr. Paty asked Mr. Shima whether Mr. Ing's observation relative to the State's interest was satisfactory. Mr. Shima said fine just as long as they have an opportunity to review the studies presented to the FCC.

ADDED
MOTION

Mr. Ing made the following additional amendment that the Temporary Variance commence October 1, 1988 and that the CDUA application for the Kolekole Hill site be denied in light of the issuance of a Temporary Variance for the B&F site. Mr. Kealoha seconded the amendment.

Mr. Paty called for the vote on both motions. The Board's vote was unanimous; motion carried.

RECESS: 10:45 A.M.

RECONVENE: 10:50 A.M.

ITEM J-3 ASSUMPTION AND ASSIGNMENT OF PARKING PERMIT AND REVOCABLE PERMITS, AIRPORTS DIVISION, HONOLULU INTERNATIONAL, LIHUE, KAHULUI, GENERAL LYMAN FIELD AND KEAHOLE AIRPORTS (PACIFIC ISLANDS AIRLINES, INC.).

ACTION Unanimously approved as submitted. (Arisumi/Ing)

ADDED
ITEM J-11 DEPARTMENT OF TRANSPORTATION REQUEST FOR RIGHT OF ENTRY, WASTEWATER TREATMENT PLANT, GENERAL LYMAN FIELD (REQUEST BY MARK NELSON OF BARRETT CONSULTING GROUP, INC.).

ACTION Unanimously approved as submitted. (Kealoha/Arisumi)

ITEM H-1 CDUA FOR A SUBDIVISION TO CREATE A WATER TANK AND PIPELINE AT HANAMAULA, KAUAI, HAWAII (APPLICANT: MR. RAYMOND SATO, AGENT: MR. LAURENCE S. AGENA).

Mr. Joseph Vierra represented the applicant on this application. In answer to Mr. Kealoha's question as to whether he had any problems with any of the conditions listed in the submittal, Mr. Vierra said, no.

ACTION Unanimously approved as submitted. (Kealoha/Arisumi)

ITEM H-3

AMENDMENT TO CDUA FOR THE ESTABLISHMENT OF A PRIVATE RECREATIONAL AREA AND CONSOLIDATION AND RESUBDIVISION OF THE PUBLIC PARK AT KEONILOA BAY, KAUAI, HAWAII - FILED BY MR. GREGORY A. KAMM.

Mr. Joseph Vierra represented the applicant on this application.

Mr. Kealoha questioned as to whether or not they had conducted the archaeological study and, if such study was conducted, whether or not the report was satisfactory. In answer to the first question, Mr. Evans said that at the time when the question first came up they had not, but they have now. With respect to the second question, Mr. Evans said that based upon the consultation and review of the Historic Sites Division and their response, staff is satisfied.

ACTION

Mr. Kealoha moved for approval as submitted. Mr. Arisumi seconded.

Mr. Paty called for the question.

Mr. Ing asked whether this approval was subject to a time condition to which Mr. Evans answered yes because they are asking that all of the questions of the previous approval remain in effect and the previous approval granted a specific set time to commence in one year and be completed in three years and this is to be incorporated in this approval as well. Mr. Ing said that he was confused by the response to question no. 8 on page 12 of the submittal which states in part: "A review of our records indicate that staff recommended removing the three-year time limit in favor of completing the project by the end of 1990. Mr. Ing thought there was a regulation which states that construction must start within one year and be completed within three years. Mr. Evans that this goes with every approval given by the Board. In terms of this particular application when the board originally approve it, this was incorporated and there was concern about the completion date by the applicant that they did need the extra time and as a result of that expressed concern what happened is that the Board did change the time to 1990 and in staff's letter to the applicant staff failed to put in that 1990 completion date in. Mr. Evans thought that maybe this could be added as a condition of this approval. He suggested adding Condition No. 7 stating that the completion date be 1990 as represented in Question 8. on page 12. Mr. Ing asked what would be the completion date for the work envisioned by this amendment to the CDUA since we are working on two time limits. In terms of starting, Mr. Evans said that this period would be immediately inasmuch as part of this project is the consolidation and resubdivision of the property and staff has been told that as soon as the board approves that work will be started by the applicant. In terms of completion date of 1990, there has been no word from the applicant that they will need more time.

Mr. Paty asked whether the applicants concurred with the recommendation. Mr. Evans thought they did but because of the proposed Condition No. 7 relating to the completion date the applicant may have some response to that. Mr. Joseph Vierra, representing the applicant, said that it was acceptable to him that they start immediately and be completed by 1990. If they are unable to meet that deadline they will certainly come back to the Board and request an extension.

Mr. Paty called for the vote. Vote was unanimous; motion carried.

ITEM H-2

CDUA FOR AN AFTER-THE-FACT SEAWALL, FILL, AND PORTION OF A BEACH COTTAGE ON STATE-OWNED LANDS AT HOLUALOA, NORTH KONA, HAWAII (APPLICANT: WENDELL, SUE AND EVELYN FOO,, AGENT: COMMUNITY PLANNING, INC.).

Mr. Evans stated that the applicant was present and had requested deferral of this matter.

ACTION

Mr. Kealoha said that the Big Island Board Member had requested deferral of this item and therefore moved for deferral to the next meeting. Seconded by Mr. Arisumi, motion carried unanimously

ITEM H-7

CDUA FOR COMMERCIAL AGRICULTURAL USE AT MAUNAWILI, OAHU, HAWAII, FILED BY MR. FRED SHIROMA, LULUKU BANANA GROWERS COOPERATIVE.

Mr. Evans stated that the Luluku Banana Growers Cooperative proposes to relocate their existing banana farming operations from private land at Luluku to State-owned lands at Maunawili. Some of the farmers at the Luluku site are being affected by the H-3 highway project. This CDUA is for a site at Maunawili containing about 200 acres planted in bananas for cultivation.

Maintenance of the banana orchards will entail fertilizing 2 to 4 times annually, herbiciding approximately 2 to 3 times annually, and fungiciding 4 to 6 times annually. Fertilizer formulation includes a high potassium content such as 10-5-20, 10-5-40, and 12-5-30. Herbicides use will include roundup, paraquat, Evik 80 W. Fungicide use will include dithane m-22 and m-45, manzate 200, benlate, and volk supreme.

Mr. Arisumi asked whether the HSPA was going to take a sample from the stream now to see later whether there was an increase or decrease of pesticides in the water. Mr. Evans replied, yes. He said that staff is asking the board to incorporate this monitoring program in consultation with our department. One of the things staff is interested in right now is to go into the stream and see what's there. The idea is to get a baseline of what exists now so that in the future if something is increasing or decreasing there at least is a baseline to measure it.

Mr. Paty asked about Condition No. 11. Mr. Evans said that this condition would require the applicant to get a permit from the newly established Water Commission for any work which they plan to do in the stream.

Referring to Condition No. 13, Mr. Arisumi asked from what point would the 25 feet buffer zone between banana plantings and the bank of rivers and/or the intake system be measured. Mr. Evans said that it would be from the top of the bank, back. He explained that the 25 feet is an arbitrary figure.

Mr. Ing suggested adding to Condition 13 that the buffer zone be laid in the field and the people from the department go out and field inspect and, where the topography would allow for a narrower buffer zone that would still be sufficient to prevent excessive siltation and chemical runoff into the streams, perhaps make an adjustment. Mr. Evans felt that something could be done where the applicant lays out a buffer zone of 25 feet between the banana plantings and the bank of the rivers and present to the department for approval and as a part of that approval process staff would go out.

Mr. Paty asked Mr. Fred Shiroma whether he wanted to respond with respect to the 25 feet buffer zone. Mr. Shiroma said that his group had no problems with the 25-foot buffer zone. As far as the other conditions, Mr. Shiroma said that he did not have a chance to review these earlier inasmuch as this item was just distributed to the board. He took a few minutes to review same.

When asked about the chemicals to be used, Mr. Shiroma said that just as long as the chemical has a high potassium content it would be sufficient. Nitrogen may be used when they start to plant however any maintenance of the orchard would be a high potassium combination. Mr. Ing asked Mr. Shiroma how he felt about the inclusion of a condition saying that they have to do monitoring and asked also whether they had had any discussions with the Department of Transportation. Mr. Shiroma said that they did not talk to DOT but he understood that samples of water was taken from their particular area just recently and that there was some nitrogen content just below the banana patches. As far as the amount of pesticides that they use, it would be very little. They do not use any type of toxic-type chemicals. Mr. Ing explained that the monitoring program was put in because this is a watershed area and these waters are sent down to the Waimanalo Ag Park. Mr. Ing asked also whether DOT would be assisting the farmers with funding for this monitoring. Mr. Shiroma said that they had not discussed this.

Mr. Ing explained that what the board would like is to have samples taken before construction commences upstream of the HSPA Experimentation Station so we will know what chemicals, if any, are already in the water. During the course of the cultivation, the board would require a periodic monitoring to see if there is any change. A monitoring plan should be submitted to Mr. Evan's office which would set out what you're going to do and where you're going to do the sampling. Mr. Paty was sure the HSPA would be cooperative in this matter.

ACTION

Mr. Ing moved to approve with the following amendments:

- . With respect to the monitoring program, the understanding is that the program will include baseline chemical surveys of the streams upstream of the HSPA site prior to construction and cultivation in the area.
- . Condition 13 to be modified to read that the 25-foot distance to be taken from the top of the banks of the rivers and that the following be added, that the buffer zone be laid out on-site and be approved by representatives from the department which would include the Divisions of Forestry and Wildlife and Water and Land Development. If the topography can accommodate a narrower buffer zone that it be considered at that time.

Mr. Arisumi seconded, motion carried unanimously.

ITEM F-11

REQUEST FOR REVOCABLE PERMIT, MAUNAWILI VALLEY, KOOLAUPOKO OAHU, TMK 4-1-10:POR. 01.

Mr. Young asked to change the Tax Map Key from 4-1-10 to 4-2-10 and also that the conditions under which the permit is to be issued be subject to the amendments with respect to the monitoring and the buffer zones, as made by Mr. Ing, under Item H-7.

ACTION

Unanimously approved as amended. (Ing/Kealoha)

ITEM E-3

REQUEST FOR AMENDMENT OF G.L. S-4875, KOKEE CONCESSION, KOKEE STATE PARK, WAIMEA, KAUAI.

Mr. Bill Olsen was present to answer any question that the Board might have with respect to this request.

Kokee Concession is requesting an amendment of their contract lease terms under General Lease S-4875 to allow for an increase in the rates charged for the rental of the State Parks cabins. Mr. Kanayama said that they are requesting this increase inasmuch as they are presently losing money on the cabin rental operation although the overall concession operation does show a profit. The present rate for cabins is \$25 per cabin per night for the 12 existing cabins. The Concessionnaire is requesting that this be raised to \$55 per night per cabin for four of the newer cabins and \$40 per night per cabin for eight of the older ones.

Kokee Ventures was awarded the concession contract for the Kokee concession by the Board on January 28, 1983. The concession consists of the operation of restaurant, cabin rental, gift shop and a bar.

Staff conducted an analysis of the operation and are recommending that the Board allow amendment of G. L. S-4875 to allow for an increase in the rate charged for the rental of the State park cabins to \$35.00 per night for the eight older cabins and \$45.00 per night for the other four cabins. Further, that the percentage rate being used to determine the payment for cabin rentals be reduced from the present 25% to a new rate of 16.5%. By doing this the amount of income that the State will be deriving from this operation will remain the same but the Concessionnaire will receive a little more profit and the general public using the cabins will not be affected as much. Staff is also recommending that the fee structure be re-evaluated in 3-5 years in anticipation of other changes which may change the profitability of this operation.

Mr. Arisumi questioned whether it was legal, or proper, for the Concessionnaire to request an increase in cabin rental rate because he isn't making money, especially since it was auctioned off at a certain rate. Mr. Kanayama said that this was discussed and the lease itself allows the Concessionnaire to submit a request to the Board. This was spelled out to the applicants at the time of bidding.

Mr. Paty called Mr. Bill Olsen to come forward.

With respect to the question of the original bidding, Mr. Olsen said that they bid on this lease in 1982 and the bid documents allow the Concessionnaire to request an increase from the board. The cabin rental rates were stated in the lease at \$25 a night and that is what they bid on. An analysis of their actual cost show that they are operating at a loss at 96% occupancy. The \$25 figure is way below the market of these cabins. If they ever have a vacancy they also have a long waiting list.

Mr. Olsen said that the reason for the request for a dual price structure is because there are eight cabins which are basically single wall and four that are panelled cabins and are perceived to be more desirable than the other cabins to the extent that people are disappointed that they are paying the same price but are not getting the same cabins.

ACTION

Unanimously approved as submitted. (Kealoha/Arisumi)

ITEM F-4

RESUBMITTAL - ISSUANCE OF EXECUTIVE ORDER AND RIGHT OF ENTRY TO DEPARTMENT OF TRANSPORTATION, KAA NAPALI SHORES AND SHOREWATERS AND SUBMERGED LAND, KAA NAPALI, LAHAINA, MAUI.

Mr. Young said that this was deferred at the prior July meeting and the question at that time was concerning revenues to the Office of Hawaiian Affairs. Staff is suggesting that if there are revenues that the recommendation be amended that 20% of all revenues derived from that area go to OHA. If the Board agrees with this than this be a condition of the set aside.

ACTION Mr. Kealoha moved to approve with the addition of a Condition A.1. to read as follows:

A.1 That the transfer of land be subject to the constitutional and statutory provisions requiring pro rata sharing of all funds derived from these ceded lands with the Office of Hawaiian Affairs.

When asked by Mr. Paty if this was o.k. with OHA, Ms. Linda Delaney said that it was.

Mr. Arisumi seconded; motion carried unanimously.

ITEM H-5

CDUA FOR A SUBDIVISION AND CONSTRUCTION OF ROADWAY AND DRIVEWAYS AT KUKUAU, SOUTH HILO, HAWAII - FILED BY MR. IVAN M. LUI-KWAN.

Mr. Evans said that subsequent to the preparation of staff's case, a letter was received from the applicant to withdraw this CDUA. He said that staff has no objection to withdrawal of this item if this was o.k. with the Board.

ACTION

Withdrawal without prejudice.

ITEM F-6

THE QUEEN EMMA FOUNDATION REQUEST TO WAIVE RESTRICTIVE USE AND BUY-BACK PROVISION, HIGHWAY REMNANT R-1, LUNALILO FREWAY, FAP NO. I-H-1-1(23), TMK 2-1-37:06, HONOLULU, OAHU.

Mr. Young said that staff has been in contact with the Department of Transportation and the Director of Transportation has informed staff that they have no objection to this waiver and the statutes allows, if the Board so wishes, to amend these conditions subject to the conditions listed in the Agenda.

ACTION

Unanimously approved as submitted. (Ing/Arisumi)

ITEM H-6

(See also Pages 2 - 11)

Mr. Smolenski said that when their people talked to Budget & Finance, B&F said that they would rather have more time after July of next year when they are in place to observe what is going on. Rather than beginning October 1, 1988, that they be allowed to start December 1, 1988.

Mr. Ing requested advice from Deputy A.G. Randall Young as to how they should reopen this request. Mr. Young did not see any problem since he did not feel that this request was of such great substance.

ACTION

Mr. Ing moved to reopen Item H-6 for consideration only of the time in which the Temporary Variance is to commence. He then moved further to amend Condition No. 20 (which after renumbering will become No. 19 inasmuch as Condition No. 13 was deleted) that the time which the Temporary Variance commences be moved from October 1, 1988 to December 1, 1988. Mr. Kealoha seconded; motion carried unanimously.

ITEM B-1

REQUEST FOR APPROVAL TO ENTER INTO AGREEMENTS WITH THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII TO CONDUCT THE KEAWAKAPU ARTIFICIAL REEF RESTORATION/ENHANCEMENT PROJECT AND THE CLAM BED ENHANCEMENT PROJECT.

ACTION

Unanimously approved as submitted. (Ing/Kealoha)

ITEM B-2

REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH THE UNIVERSITY OF HAWAII, ENVIRONMENTAL CENTER, TO CONDUCT BASELINE STUDIES OF THE HANAIEI RIVER ESTUARY AND OTHER NORTH SHORE RIVERS ON KAUAI.

ACTION

Unanimously approved as submitted. (Ing/Kealoha)

ITEM B-3 REQUEST FOR APPROVAL TO FILL AQUATIC RESOURCES INFORMATION SPECIALIST, TEMPORARY POSITIONS, FOR THE ISLANDS OF OAHU, HAWAII, KAUAI AND MAUI.

Mr. Sakuda asked that for the Island of Maui that the appointee be changed from Glenn Sato to Brooks Tamae. Mr. Sato presently resides on the Island of Kauai and for the time being is not interested in moving to Maui.

ACTION Unanimously approved as amended. (Arisumi/Kealoha)

ITEM C-1 FILLING OF POSITION NOS. 13167, 12357, AND 13363, TEMPORARY APPOINTMENTS, GENERAL LABORER I, ISLAND OF HAWAII.

ACTION The Board unanimously approved the appointments of Glenn Nihipali, John Mauga, Jr. and Curtis Tempos to fill Positions 13167, 12357 and 13363. (Ing/Kealoha)

ADDED
ITEM C-2 FILLING OF POSITION NO. 039753, AVICULTURIST, ISLAND OF MAUI.

ACTION The Board unanimously approved the appointment of Dr. Fern Duvall to Position 039753. (Arisumi/Kealoha)

ITEM E-1 REQUEST TO USE THE OLD KONA AIRPORT STATE PARK IN KAILUA-KONA, HAWAII, FOR A FUND RAISING CARNIVAL.

ACTION Mr. Arisumi moved to amend Condition No. 14 by changing the word "Board" to "Chairperson". Seconded by Mr. Ing, motion carried unanimously.

ITEM E-2 PERMISSION TO ENTER INTO COOPERATIVE AGREEMENT BETWEEN THE DEPARTMENT OF THE ARMY AND THE STATE OF HAWAII FOR THE CONSTRUCTION OF A SHORELINE PROTECTION PROJECT AT SAND ISLAND STATE PARK, HONOLULU, OAHU.

ACTION Unanimously approved as submitted. (Ing/Kealoha)

ITEM E-3 REQUEST FOR AMENDMENT OF G. L. S-4875, KOKEE CONCESSION, KOKEE STATE PARK, WAIMEA, KAUAI.

ACTION Approved. See Page 15.

ADDED
ITEM E-4 REQUEST TO FILL POSITION NO. 40412 TEMPORARY APPOINTMENT OUTSIDE OF LIST, MAUI PARKS OFFICE.

ACTION The board unanimously approved the appointment of Ann Marie Sentani to Position 40412. (Arisumi/Kealoha)

NEW
EMPLOYEE Mr. Young introduced the new Real Property Appraiser, Charlene Unoki.

ITEM F-1 DOCUMENTS FOR CONSIDERATION.

Item F-1-a CONSENT TO ASSIGNMENT OF GENERAL LEASE NO. S-5098, LOT 83, PUU KA PELE PARK LOTS, WAIMEA (KONA), KAUAI, TMK 1-4-02:81.

Item F-1-b CONSENT TO ASSIGNMENT OF GRANT OF EASEMENT (LOD S-27654) DOMINION INVESTMENT, INC., ASSIGNOR, TO KITAHARA REALTY (HAWAII), INC., ASSIGNEE, TMK 3-9-04:POR. 61, KAMAOLE, MAUI.

Item F-1-c ISSUANCE OF LAND PATENTS IN CONFIRMATION OF VARIOUS LAND COMMISSION AWARDS BY APPLICATION OF KIICHI ODO AND KIMI E. ODO, ISLAND OF KAUAI.

ACTION Mr. Kealoha moved to approve Items F-1-a, b and c as submitted. Seconded by Mr. Arisumi, motion carried unanimously.

ITEM F-2	LEASE OF HAWAIIAN HOMES COMMISSION SITE FOR TELECOMMUNICATIONS DIVISION, DEPARTMENT OF BUDGET AND FINANCE FOR ITS HAWAII INTERACTIVE TELEVISION SYSTEM TOWER AND EQUIPMENT BUILDING AT HUMUULA, NO. HILO, HAWAII.
ACTION	Unanimously approved as submitted. (Kealoha/Arisumi)
ITEM F-3	RECOMMENDATION FOR DIRECT LEASES FOR RESIDENTIAL PURPOSES MILOLII-HIIPULOA LOTS PHASE III, HOOPULOA, SO. KONA, HAWAII.
ACTION	Unanimously approved as submitted. (Arisumi/Kealoha)
ITEM F-4	RESUBMITTAL - ISSUANCE OF EXECUTIVE ORDER AND RIGHT OF ENTRY TO DEPARTMENT OF TRANSPORTATION, KAA NAPALI SHORES AND SHOREWATERS AND SUBMERGED LAND, KAA NAPALI, LAHAINA, MAUI.
ACTION	See Page 15.
ITEM F-5	ISSUANCE OF EXECUTIVE ORDER SETTING ASIDE LANDS AND RIGHT OF ENTRY PERMIT TO DEPARTMENT OF BUDGET AND FINANCE FOR TELECOMMUNICATIONS FACILITY, HALEAKALA, MAUI.
ACTION	Unanimously approved as submitted. (Arisumi/Kealoha)
ITEM F-6	THE QUEEN EMMA FOUNDATION TO WAIVE RESTRICTIVE USE AND BUY-BACK PROVISION, HIGHWAY REMNANT R-1, LUNALILO FREEWAY, FAP NO. I-H1-1(23), TMK 2-1-37:06, HONOLULU, OAHU.
ACTION	Approved. See Page 16.
ITEM F-7	AMENDMENT TO PREVIOUS BOARD ACTION TO CORRECT PERMIT AREA, THRIFTY BUILDERS AND CONSTRUCTION CO., LOT 215-A, SAND ISLAND, HONOLULU, OAHU.
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
ITEM F-8	WITHDRAWAL OF LAND FROM GENERAL LEASE NO. S-4935, LOT 14, WAIMANALO AGRICULTURAL PARK, PHASE I, TMK 4-1-35:14, WAIMANALO, KOOLAUPOKO, OAHU.
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
ITEM F-9	ACQUISITION OF LANDS FOR PURPOSES OF DEVELOPING HOUSING, BACK-UP AREA FOR HARBOR RELATED USES, PUBLIC FACILITIES, AND LAND BANKING, TMK 9-1-14, 16, 17, HONOULIULI, EWA, OAHU.
ACTION	Unanimously approved as submitted. (Ing/Arisumi)
ITEM F-10	CITY AND COUNTY OF HONOLULU REQUEST FOR STREET CONVEYANCE IN FEE, AND CONSTRUCTION RIGHT OF ENTRY RELATING TO KAHAWAINUI STREAM FLOOD CONTROL PROJECT, LAIE, KOOLAULOA, OAHU.
ACTION	Unanimously approved as submitted. (Ing/Arisumi)
ITEM F-11	REQUEST FOR REVOCABLE PERMIT, MAUNAWILI VALLEY, KOOLAUPOKO, OAHU, TMK 4-1-10:POR. 01.
ACTION	Approved. See Page 14.
ITEM F-12	MR. AND MRS. ANTHONY E. CANASTRO REQUEST FOR PERPETUAL NON-EXCLUSIVE EASEMENT FOR ACCESS PURPOSES, KAPAA, KAUAI.
ACTION	Unanimously approved as submitted. (Arisumi/Kealoha)
ITEM F-13	HOLDOVER OF GENERAL LEASE NO. S-3987 TO HELEN SOUZA, LOT 2-A, KAPAA RICE AND KULA LOTS, KAPAA, KAWAIIHAU, KAUAI.
ACTION	Unanimously approved as submitted. (Arisumi/Ing)

<u>ITEM F-14</u>	HAWAII HOUSING AUTHORITY REQUEST FOR INTERIM CONTROL AND MANAGEMENT OF STATE LANDS AT KAPAA, KAUAI.
ACTION	Unanimously approved as submitted. (Ing/Arisumi)
<u>ITEM F-15</u>	REQUEST FOR PERPETUAL NON-EXCLUSIVE EASEMENT FOR VEHICULAR ACCESS PURPOSES AND IMMEDIATE CONSTRUCTION RIGHT OF ENTRY, WAIMEA VALLEY, KAUAI.
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
<u>ITEM F-16</u>	RENEWAL OF LEASE OF OFFICE SPACE FOR THE DEPARTMENT OF HEALTH, MENTAL HEALTH DIVISION, ISLAND OF LANAI.
ACTION	Unanimously approved as submitted. (Arisumi/Kealoha)
<u>ITEM F-17</u>	RENEWAL OF LEASE OF OFFICE SPACE FOR THE DEPARTMENT OF HUMAN SERVICES, COMMUNITY LONG TERM CARE SERVICES BRANCH, MAUI.
ACTION	Unanimously approved as submitted. (Arisumi/Kealoha)
<u>ITEM F-18</u>	LEASE OF OFFICE SPACE FOR THE DEPARTMENT OF HUMAN SERVICES, VOCATIONAL REHABILITATION AND SERVICES OF THE BLIND, OAHU.
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
<u>ITEM H-1</u>	CDUA FOR A SUBDIVISION TO CREATE A WATER TANK AND PIPELINE AT HANAMAULU, KAUAI - APPLICANT: MR. RAYMOND SATO, AGENT: MR. LAURENCE S. AGENA
ACTION	Approved. See Page 11.
<u>ITEM H-2</u>	CDUA FOR AN AFTER-THE-FACGT SEAWALL, FILL, AND PORTION OF A BEACH COTTAGE ON STATE-OWNED LANDS AT HOLUALOA, NORTH KONA, HAWAII - APPLICANT: WENDELL, SUE AND EVELYN FOO; AGENT: COMMUNITY PLANNING, INC.
ACTION	See Page 12.
<u>ITEM H-3</u>	AMENDMENT TO CDUA FOR THE ESTABLISHMENT OF A PRIVATE RECREATIONAL AREA AND CONSOLIDATION AND RESUBDIVISION OF THE PUBLIC PARK AT KEONILOA BAY, KAUAI - FILED BY MR. GREGORY A. KAMM.
ACTION	See Page 12.
<u>ITEM H-4</u>	CDUA FOR A POTABLE WATER ULTRAVIOLET STERILIZATION FACILITY, IAO VALLEY, MAUI - FILED BY COUNTY OF MAUI DEPARTMENT OF WATER SUPPLY.
ACTION	Unanimously approved as submitted. (Arisumi/Ing)
<u>ITEM H-5</u>	CDUA FOR A SUBDIVISION AND CONSTRUCTION OF ROADWAY AND DRIVEAYS AT KUKUAU, SOUTH HILO, HAWAI - FILED BY MR. IVAN M. LUI-KWAN.
ACTION	Withdrawn. See Page 16.
<u>ITEM H-6</u>	CDUA FOR THE CONSTRUCTION OF A 53-FOOT ANTENNA TOWER AND EQUIPMENT BUILDING AT HALEAKALA, MAUI - APPLICANT: KING BROADCASTING; AGENT: SMOLENSKI AND WOODSELL.
ACTION	Approved with amendments. See Pages 9, 10, 11 and 16.
<u>ITEM H-7</u>	CDUA FOR COMMERCIAL AGRICULTURAL USE AT MAUNAWILI, OAHU - FILED BY MR. FRED SHIROMA, LULUKU BANANA GROWERS COOPERATIVE.
ACTION	See Page 14.

<u>ADDED ITEM H-8</u>	<u>REQUEST FOR APPROVAL OF OUT-OF-STATE TRAVEL TO ATTEND AQUACULTURAL CONFERENCE.</u>
ACTION	The Board unanimously approved John Corbin's request to attend the Aquacultural Conference to be held September 6-9, 1988 in Vancouver, British Columbia. (Ing/Kealoha)
<u>ADDED ITEM H-9</u>	<u>REQUEST FOR APPROVAL OF OUT-OF-STATE TRAVEL TO ATTEND CANADA FOOD FAIR.</u>
ACTION	The Board unanimously approved Steven Lee's request to attend the Canada Food Fair from August 29 - September 2, 1988.
<u>ITEM J-1</u>	<u>APPLICATION FOR ISSUANCE OF REVOCABLE PERMIT 4483, GENERAL LYMAN FIELD, HAWAII (BIG ISLAND AIR, INCORPORATED).</u>
ACTION	Unanimously approved as submitted. (Arisumi/Kealoha)
<u>ITEM J-2</u>	<u>AMENDMENT NO. 12 TO LEASE NO. A-62-17, HONOLULU INTERNATIONAL AIRPORT, OAHU (QUANTAS AIRWAYS, LTD.).</u>
ACTION	Unanimously approved as submitted. (Ing/Arisumi)
<u>ITEM J-3</u>	<u>ASSUMPTION AND ASSIGNMENT OF PARKING PERMIT AND REVOCABLE PERMITS, AIRPORTS DIVISION, HONOLULU INTERNATIONAL, LIHUE, KAHULUI, GENERAL LYMAN FIELD AND KEAHOLE AIRPORTS (PACIFIC ISLANDS AIRLINES, INC.).</u>
ACTION	Approved. See Page 11.
<u>ITEM J-4</u>	<u>CONSTRUCTION RIGHT-OF-ENTRY AND DIRECT SALE OF LEASE OF EASEMENT AT PIER 38, HONOLULU HARBOR, OAHU (GASCO, INC.).</u>
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
<u>ITEM J-5</u>	<u>CONSTRUCTION RIGHT-OF-ENTRY AND LEASE OF EASEMENT, HARBORS DIVISION, RICHARDS STREET TO PIER 7, HONOLULU HARBOR, OAHU (GASCO, INC.).</u>
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
<u>ITEM J-6</u>	<u>ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 39, HONOLULU, OAHU (LOU GERONIMO, INC.).</u>
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
<u>ITEM J-7</u>	<u>ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 40, HONOLULU HARBOR, OAHU (CPM&F, INC.).</u>
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
<u>ITEM J-8</u>	<u>ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 39 MEZZANINE AND PIER 19 SHED, HONOLULU HARBOR, OAHU (SEA ENGINEERING, INC.).</u>
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
<u>ITEM J-9</u>	<u>ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 9 MEZZANINE AND PIER 19 SHED, HONOLULU HARBOR, OAHU (SEA ENGINEERING, INC.).</u>
ACTION	Unanimously approved as submitted. (Ing/Kealoha)
<u>ADDED ITEM J-10</u>	<u>DEPARTMENT OF TRANSPORTATION REQUEST FOR APPROVAL OF MEMORANDUM OF AGREEMENT REGARDING ACQUISITION OF NAVY LAND FOR CONSTRUCTION OF H-3.</u>
ACTION	Unanimously approved as submitted. (Ing/Arisumi)

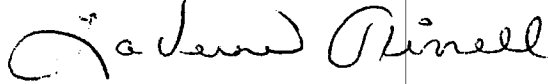
ADDED
ITEM J-11

DEPARTMENT OF TRANSPORTATION REQUEST FOR RIGHT OF ENTRY, WASTEWATER
TREATMENT PLANT, GENERAL LYMAN FIELD.

ACTION Unanimously approved as submitted. (Kealoha/Arisumi)

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

It