

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

DATE: July 14, 1989
TIME: 8:30 a.m.
PLACE: State Office Building
Conference Rooms A, B, and C
75 Aupuni Street
Hilo, Hawaii

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

MEMBERS: Mr. Moses W. Kealoha
Mr. John Arisumi
Mr. Herbert Arata
Mr. Herbert Apaka
Mr. William W. Paty

STAFF: Mr. Michael Buck
Mr. Dan Lum
Mr. Ralston Nagata
Mr. Mike Shimabukuro
Mr. Roger Evans
Mr. Sterling Chow
Ms. Janet Swift
Mr. Don Horiuchi
Mr. Glenn Taguchi
Mr. Larry Okazaki
Mr. Rowell Yim
Mr. Charles Wakida
Mrs. Geraldine Besse

OTHERS: Dona Hanaike, Esq., Deputy Attorney General
Mr. Earl Matsukawa (Item H-1)
Mr. Fred Cachola (Item H-3)
Mr. Russell Odo (Item H-3)
Ms. Carol Wybam (Item H-5)
Dr. Don Hall (Item H-6)
Mr. Peter Garcia (Dept. of Transportation)

MINUTES: The Board unanimously approved the minutes of January 13, 1989, March 10, 1989, and March 23, 1989 (Arisumi/Kealoha).

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

Item C-2 -- Filling of Position No. 11447, Forester IV, Island of Hawaii

Item D-6 -- Adoption of Proposed Administrative Rules on Geothermal/Cable Permitting

Item D-7 -- Approval for Award of Contract - Job No. 1-OL-A, Furnish and Deliver Equipment for the Division of Water and Land Development, Oahu

Item D-8 -- Approval for Award of Contract - Job No. 3-9W-K1, Furnish and Deliver Material for the Molokai Irrigation System, Hoolehua, Molokai

Item E-3 -- Filling of One Vacant Tractor Mower Operator #28239 for Oahu Park Section

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

ITEM F-1-b: ISSUANCE OF A REVOCABLE PERMIT TO A&B HAWAII, INC. FOR THE TAKING OF WATER, "NAHIKU LICENSE" AREA, KOOLAU FOREST RESERVE, MAUI

ITEM F-1-c: ISSUANCE OF A REVOCABLE PERMIT TO EAST MAUI IRRIGATION COMPANY, LIMITED (EMI), FOR THE TAKING OF WATER, "HUELO LICENSE" AREA, KOOLAU FOREST RESERVE, MAUI

ITEM F-1-d: ISSUANCE OF A REVOCABLE PERMIT TO EAST MAUI IRRIGATION COMPANY, LIMITED (EMI) FOR THE TAKING OF WATER FROM THE "HONOMANU LICENSE" AREA, KOOLAU FOREST RESERVE, MAUI

ITEM F-1-e: ISSUANCE OF A REVOCABLE PERMIT TO EAST MAUI IRRIGATION COMPANY, LIMITED (EMI) FOR THE TAKING OF WATER FROM THE "KEANAE LICENSE" AREA, KOOLAU FOREST RESERVE, MAUI

Mr. Shimabukuro asked that the above items be considered together. He asked that under "Purpose," second line of Item F-1-e, the word be changed from "Honomanu" to "Keanae."

ACTION Items F-1-b, -c, and -d unanimously approved as submitted, and Item F-1-e, as amended (Arisumi/Kealoha).

ITEM H-1: CDDA FOR A SUBDIVISION ESTABLISHING TWO PARCELS FOR TELECOMMUNICATION FACILITY PURPOSES AT PUU PAPAA, OAHU (APPLICANT: GTE HAWAIIAN TELEPHONE, INC. (HAWTEL); AGENT: MR. EARL K. MATSUKAWA, WILSON OKAMOTO AND ASSOCIATES)

ACTION Unanimously approved as submitted (Kealoha/Apaka).

ITEM H-3: REQUEST FOR THE TIME FRAME DEVIATION ON CDDA FOR A SUBZONE AMENDMENT TO ESTABLISH HALE O HO'OPONOPONO SPECIAL, SUBZONE AT HONAUNAU, HAWAII (APPLICANT: KAMEHAMEHA SCHOOLS/BISHOP ESTATE)

ACTION Unanimously approved as submitted (Arata/Arisumi).

ITEM H-5: CDDA FOR A MODEL AQUACULTURE OPERATION AT UALAPUE FISHPOND ON MOLOKAI (APPLICANT: HUI O KUAPA)

Mr. Evans stated that approval is recommended; however, staff had reservations about the commercial aspect of the project because of the lack of a marketing plan.

Ms. Carol Wybam, project coordinator, addressed the Board. She stated the project is viewed as a model for economic development for the island's resources of fishponds. Ms. Wybam stated that the product would be mullet and milk fish.

Mr. Paty stated that the Board would like to see a marketing plan when the project is semi-productive.

Ms. Wybam stated that the project is looking at a two-year time frame before going to market and a semi-intensive production.

Mr. Kealoha asked whether Condition No. 3 would pose a problem. Ms. Wybam stated it would depend on the turn-around from Historic Sites. Mr. Kealoha suggested that the two-year period commence from the date of the approval of Condition No. 3. Mr. Evans suggested that the following amendment to Condition No. 2 would resolve the problem: "Following compliance with Condition No. 3."

ACTION Unanimously approved as amended (Arisumi/Arata).

REQUEST FOR DETOUR ROAD MAUNA KEA OBSERVATORY ACCESS ROAD IMPROVEMENTS,
PHASE I AND PHASE IIA (APPLICANT: UNIVERSITY OF HAWAII, INSTITUTE OF
ASTRONOMY)

ITEM H-6:

Mr. Evans stated that the applicant is asking for approval of the contractor's request to construct a detour road, connecting the ends of two spurs near the summit area. The road is necessary to handle the heavy equipment and would be constructed at the contractor's expense and maintained by the University. He stated that the contractor also had some difficulty with the retaining walls on the access road. Mr. Evans noted a disadvantage in that once the road is constructed it cannot be restored because of its location and altitude on the mountain. He stated, however, that an advantage is that eventually the road would be extended to accommodate the new Japanese telescope.

Dr. Don Hall stated that once the detour is not necessary it is anticipated that the detour would be used only in unusual circumstances. He further stated that the road would reduce congestion on snow weekends and would provide a second emergency exit.

ACTION Unanimously approved as submitted (Arata/Arisumi).

RECESS: The Chairperson called a recess from 9:35 a.m. to 9:47 a.m.

ITEM C-1: APPROVAL OF LICENSE RENEWAL TO HANA RANCH FOR A COMMERCIAL SHOOTING PRESERVE

ACTION Unanimously approved as submitted (Arisumi/Arata).

ITEM C-2: FILLING OF POSITION NO. 11447, FORESTER IV, ISLAND OF HAWAII

ACTION Unanimously approved the appointment of William T. Stormont to Position No. 11447, Forester IV, on the Island of Hawaii (Arata/Arisumi).

ITEM D-1: APPROVAL OF AWARD OF CONTRACT - JOB NO. 48-HW-0, HONOKAA WELL A (6428-01), HAWAII

ACTION Unanimously approved as submitted (Arata/Arisumi).

ITEM D-2: PERMISSION TO HIRE A SURVEYOR FOR JOB NO. 61-OF-1, MANOA FALLS TRAIL FOOTBRIDGE, OAHU

ACTION Unanimously approved as submitted (Kealoha/Apaka).

ITEM D-3: PERMISSION TO HIRE A CONSULTANT FOR THE IMPROVEMENTS TO THE DIAMOND HEAD STATE MONUMENT, HONOLULU, OAHU

ACTION: Unanimously approved as submitted (Kealoha/Apaka). Mr. Kealoha asked that maps of the proposed roadway be provided at next meeting of the Board.

ITEM D-4: APPROVAL TO HIRE A CONSULTANT FOR GEOTHERMAL AND CABLE SYSTEM DEVELOPMENT PERMITTING

ACTION Unanimously approved as submitted (Kealoha/Apaka).

ITEM D-5: APPROVAL FOR AWARD OF CONTRACT - JOB NO. 60-OF-C, LEASING CRAWLER TRACTOR FOR KUAOKALA GAME MANAGEMENT ROAD, KAENA, OAHU

ACTION Unanimously approved as submitted (Kealoha/Apaka).

- ITEM D-6: ADOPTION OF PROPOSED ADMINISTRATIVE RULES ON GEOTHERMAL/CABLE SYSTEM PERMITTING
- Mr. Lum distributed copies of the proposed rules. He stated that the rules provide for a consolidation of the permit requirements under DLNR; however, each agency would retain its individual authority.
- Mr. Kealoha asked that the minutes and/or transcripts of the public hearings be provided to members of the Board and that a briefing of Board members scheduled prior to the next meeting of the Board.
- ACTION Deferred to the next meeting of the Board (Kealoha/Arata).
- ITEM D-7: APPROVAL FOR AWARD OF CONTRACT - JOB NO. 1-OL-A FURNISH AND DELIVER EQUIPMENT FOR THE DIVISION OF WATER AND LAND DEVELOPMENT
- ACTION Unanimously approved as submitted (Arisumi/Arata).
- ITEM D-8: APPROVAL FOR AWARD OF CONTRACT - JOB NO. 3-9W-K1, FURNISH AND DELIVER EQUIPMENT FOR THE MOLOKAI IRRIGATION SYSTEM, HOOLEHUA, MOLOKAI
- ACTION Unanimously approved as submitted (Arisumi/Arata).
- ITEM E-1: FILLING OF POSITION NO. 12938, PLANNER V, DEVELOPMENT BRANCH, STATE PARKS DIVISION, OAHU
- ACTION Unanimously approved the appointment of Norman Shiroma to Position No. 12938, Planner V, State Parks Division (Kealoha/Apaka).
- ITEM E-2: RESUBMITTAL - COOPERATIVE AGREEMENT FOR THE PRESERVATION OF NATURAL AND CULTURAL RESOURCES, KALAUPAPA NATIONAL HISTORICAL PARK
- ACTION Unanimously approved as submitted (Arisumi/Arata).
- ITEM E-3: FILLING OF ONE VACANT TRACTOR MOWER OPERATOR #28239 FOR OAHU PARK SECTION
- ACTION Unanimously approved the appointment of Robert P. Gonzales to Position No. 28239, Tractor Mower Operator, Oahu Park Section (Kealoha/Apaka).
- ITEM F: DOCUMENTS FOR BOARD CONSIDERATION:
- Item F-1-a: ISSUANCE OF LAND PATENT IN CONFIRMATION OF LAND COMMISSION AWARD NO. 8106 TO HAINA BY APPLICATION OF MARIA M. HUSTACE, TAX MAP KEY 5-7-11:05, KALUAHA, MOLOKAI
- Item F-1-b: See page 2.
- Item F-1-c: See page 2.
- Item F-1-d: See page 2.
- Item F-1-e: See page 2.
- Item F-1-f: ISSUANCE OF A REVOCABLE PERMIT TO MRS. HELEN SOUZA FOR PASTURE PURPOSES, LOT 2-A (EASTERN PORTION), KAPAA RICE AND KULA LOTS, KAPAA, KAWAIHAU (PUNA), KAUAI, TAX MAP KEY 4-5-15:29
- Item F-1-g: CONSENT TO ASSIGNMENT OF GENERAL LEASE NO. S-5036, DOUGLAS M. WEDEMEYER, ASSIGNOR TO ALAN AND MARTHA DRINAN, ET AL., ASSIGNEE, LOT 75, KOKEE CAMP SITE LOTS, WAIMEA, KAUAI, TAX MAP KEY 1-4-04:69

- ISSUANCE OF LAND PATENT IN CONFIRMATION OF PORTION OF LAND COMMISSION AWARD NO. 10474 TO N. NAMAUU BY APPLICATION OF FRANK STUART COVEY AND BRIGITTE INGRID COVEY, TAX MAP KEY 2-8-02:06, ULUMALU, HAMAKUALOA, MAKAWAO, MAUI
- Item F-1-h:
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- ISSUANCE OF LAND PATENT IN CONFIRMATION OF PORTION OF LAND COMMISSION AWARD NO. 10474 TO N. NAMAUU BY APPLICATION OF MICHAEL R. TINKLER AND CARLEDA TINKLER, TAX MAP KEY 2-8-09:10, ULUMALU, HAMAKUALOA, MAKAWAO, MAUI
- Item F-1-i:
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- ACTION Mr. Apaka moved for approval of Items F-1-a, -f, -g, -h, and -i; seconded by Mr. Kealoha and unanimously carried.
- WITHDRAWAL OF LAND FROM GOVERNOR'S EXECUTIVE ORDER NO. 2365 AND CONVEYANCE IN FEE TO THE COUNTY OF MAUI FOR ROADWAY AND SEWERLINE PURPOSES, TAX MAP KEY 5-3-02:PORTION 72, KAUNAKAKAI, MOLOKAI
- ITEM F-2:
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- ACTION Unanimously approved as submitted (Arisumi/Arata).
- RESUBMITTAL - STAFF RECOMMENDATION TO REVISE AREA OF LAND LICENSE NO. S-291 TO ALLIED HAULING, INC., TAX MAP KEY 3-8-08:PORTION 01, PULEHUNUI AND WAIKAPU, WAILUKI, MAUI
- ITEM F-3:
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- ACTION Unanimously approved as submitted (Arisumi/Arata).
- AMENDMENT TO PRIOR BOARD ACTIONS REGARDING SALE OF LEASE AT PUBLIC AUCTION AFFECTING TAX MAP KEYS 2-7-28:19 AND 1-7-02:03, HONOLULU, OAHU
- ITEM F-4:
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- ACTION Unanimously approved as submitted (Kealoha/Apaka).
- FILLING OF TWO LAND AGENTS POSITIONS, HONOLULU, OAHU
- ITEM F-5:
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- ACTION Unanimously approved the appointment of Thomas W. Wong to Position No. 08804 and Mary Spero to Position No. 13177, Land Agents, Island of Oahu (Kealoha/Apaka).
- AMENDMENT TO PRIOR BOARD ACTION REGARDING DIRECT AWARD OF EASEMENT TO HAWAIIAN ELECTRIC CO., INC., FOR ELECTRIC TRANSFORMER SITE, KAKAKO IMPROVEMENT DISTRICT, TAX MAP KEY 2-1-05:09, HONOLULU, OAHU
- ITEM F-6:
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- ACTION Unanimously approved as submitted (Kealoha/Apaka).
- AFTER-THE-FACT APPLICATION FOR PERPETUAL, NON-EXCLUSIVE EASEMENT FOR ACCESS PURPOSES, HANAIEI HOMESTEADS, HANAIEI, HALELEA, KAUAI
- ITEM F-7:
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- Mr. Shimabukuro asked to amend the submittal under "Remarks" to reflect the correct TMK no. as "5-4-02:26."
- ACTION Unanimously approved as amended (Apaka/Kealoha).
- MR. AND MRS. DAYNE NAKAMURA REQUEST FOR EXTENSION OF CONSTRUCTION DEADLINE, SPECIAL SALE AGREEMENT NO. S-5586 COVERING LOT 4, KAPAA TOWN LOTS, 1ST SERIES, KAPAA, KAWAIIHAU, KAUAI, TAX MAP KEY 4-5-09:61
- ITEM F-8:
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- ACTION Unanimously approved as submitted (Apaka/Kealoha).
- FILLING OF CLERK III, POSITION NO. 22242, OAHU
- ITEM G-1:
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- ACTION Unanimously approved the appointment of Kelly Y. Ehara, to Position No. 22241, Clerk III (Apaka/Kealoha).
- ITEM H-1: See page 2.

- ITEM H-2: CDUA, AFTER-THE-FACT, FOR HALAWA XERISCAPE GARDEN AT HALAWA VALLEY, OAHU (APPLICANT: BOARD OF WATER SUPPLY, CITY AND COUNTY OF HONOLULU)
ACTION Unanimously approved as submitted (Kealoha/Apaka).
- ITEM H-3: See page 2.
- ITEM H-4: CDUA FOR MODIFICATION TO EXISTING RESIDENTIAL DWELLING AND ADDITION OF A THREE-CAR GARAGE, KANEOHE, OAHU (APPLICANT: MARILYN MITCHELL; AGENT: DHYANA MARKLEY)
ACTION Unanimously approved as submitted (Arisumi/Apaka).
- ITEM H-5: See page 2.
- ITEM H-6: See page 3.
- ITEM J-1: APPLICATION FOR ISSUANCE OF REVOCABLE PERMITS 4567, 4568, AND 4569, AIRPORTS DIVISION
ACTION Unanimously approved as submitted (Kealoha/Apaka).
- ITEM J-2: RENEWAL OF REVOCABLE PERMITS 2877, ETC., AIRPORTS DIVISION
ACTION Unanimously approved as submitted (Kealoha/Apaka).
- ITEM J-3: ISSUANCE OF NEGOTIATED LEASE, HARBORS DIVISION, PIER 32 TRANSIT SHED, HONOLULU HARBOR, OAHU (HONOLULU AGENCY, INC. (HAI), A HAWAII CORPORATION)
ACTION Mr. Garcia asked to withdraw this item at the request of Honolulu Agency for further review.
- ITEM J-4: CONSENT TO SUBLEASE AMENDMENTS, HARBOR LEASE NO. H-82-4, HONOKOHAU BOAT HARBOR, HAWAII (GENTRY PACIFIC, LTD./KURT W. BROWN, DBA HONOKOHAU MARINE SERVICES)
ACTION Unanimously approved as submitted (Arata/Arisumi).
- ITEM J-5: CONSENT TO THE SALE, BY AGREEMENT OF SALE, OF SUBLEASE NO. GKM-008, HARBOR LEASE NO. H-82-4, HONOKOHAU BOAT HARBOR (KURT W. BORWN/DANIEL J. ISSACSON)
ACTION Unanimously approved as submitted (Arata/Arisumi).
- ITEM J-6: ISSUANCE OF REVOCABLE PERMIT, HARBOR DIVISION, PIER 60, KEEHI COMMERCIAL SUBDIVISION, HONOLULU, OAHU (MR. ROBERT WILSON DBA TOTAL MECHANICAL & WELDING, INC.)
ACTION Unanimously approved as submitted (Kealoha/Apaka).
- ITEM J-7: ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, LAHAINA HARBOR, MAUI (ROSE MARINE, INC.)
ACTION Unanimously approved as submitted (Arisumi/Arata).
- ITEM J-8: ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, NAWILIWILI HARBOR, KAUAI (THE LIHUE PLANTATION COMPANY, LTD.)
ACTION Unanimously approved as submitted (Apaka/Kealoha).
- ITEM J-9: ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 39, HONOLULU, OAHU (JACK ENDO ELECTRIC, INC.)
ACTION Unanimously approved as submitted (Kealoha/Apaka).

ITEM J-10: ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, HILO AND KAWAIHAE HARBORS, HAWAII (HAWAIIAN PETROLEUM DISTRIBUTORS, INC.)

ACTION Unanimously approved as submitted (Arata/Arisumi).

ITEM J-11: ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, NAWILIWILI HARBOR, KAUAI (LADY ANN CRUISES, INC.)

ACTION Mr. Kealoha asked that this item be deferred in order that the Department of Transportation can return to the Board with information on whether the submerged land is by Executive Order to DOT or through lease from DLNR to DOT. Mr. Kealoha asked that DOT produce evidence indicating nothing is on DLNR submerged land (Kealoha/Apaka).

ITEM J-12: ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, HONOKOHAU BOAT HARBOR, HAWAII (ALIENTO CHARTERS, INC.)

ACTION Unanimously approved as submitted (Arata/Arisumi).

ITEM J-13: ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 8, HONOLULU HARBOR, OAHU (MIKE DOYLE, LTD.)

ACTION Unanimously approved as submitted (Kealoha/Apaka).

ITEM J-14: ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KEWALO BASIN, HONOLULU, OAHU (PARADISE CRUISE, LTD.)

ACTION Unanimously approved as submitted (Kealoha/Apaka).

ITEM J-15: ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, ROOM 102, CHARTER BOAT BUILDING, KEWALO BASIN, HONOLULU, OAHU (CATHERINE S. ENTERPRISES, LTD.)

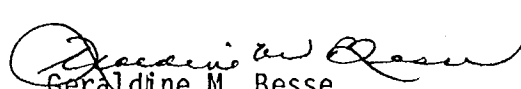
ACTION Unanimously approved as submitted (Kealoha/Apaka).

ITEM J-16: CONTINUANCE OF REVOCABLE PERMITS H-82-994, ETC., HARBORS DIVISION

ACTION Unanimously approved as submitted (Arisumi/Arata).

ADJOURNMENT: There being no further business, the Chairperson adjourned the meeting at 11:27 a.m.

Respectfully submitted,


Geraldine M. Besse
Secretary

APPROVED:


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