

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

DATE: FEBRUARY 8, 1991
TIME: 8:30 A.M.
PLACE: COCONUT PALACE CONFERENCE ROOM
COCO PALMS HOTEL
41-241 KUHIO HIGHWAY
WAILUA, KAUAI

ROLL CALL Vice-Chairperson John Arisumi called the meeting of the Board of Land and Natural Resources to order at 8:35 a.m. The following were in attendance:

MEMBERS: Mr. Herbert Apaka
Ms. Sharon Himeno
Mr. Christopher Yuen
Mr. John Arisumi

ABSENT & EXCUSED Mr. William Paty

STAFF: Mr. Ralston Nagata
Mr. Mason Young
Mr. Sam Lee
Mr. George Niitani
Ms. Dorothy Chun

OTHERS: Mr. Johnson Wong, Deputy Attorney General
Mr. Peter Garcia, Department of Transportation
Ms. Marsha Erickson, (Item E-1)
Mr. Bill Horneman, (Item F-1a)

MINUTES: Mr. Apaka moved that the minutes of September 28, 1990 be approved as circulated. Seconded by Ms. Himeno, motion carried.

ADDED UPON: Upon motion by Mr. Apaka and a second by Ms. Himeno, the following
ITEM: item was added to the agenda:

Item E-3 Request to Erect Model Shelter on the State Capitol Grounds

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

ITEM E-1 APPROVAL OF GRANT-IN-AID FOR HUI O LAKA, KAUAI

Mr. Nagata informed the board that Hui O Laka, through a State lease is responsible for the maintenance and administration of the Kokee Natural History Museum. He said that staff was recommending that the Board authorize the Chairperson and another member to enter into a grant-in-aid contract.

Mr. Nagata said that he would like to point out a couple of things for the Board's information which occurred since the submittal was prepared. He understands that the Department of Education is also trying to push through the legislature for an interpretative type of facility for school children. It is as yet unfunded and would cater to the school kids.

This particular training center could also cater to school children but also to visitors and the scientific community.

Mr. Nagata said he wanted to point out that State Parks had a concern with the location and of the site that is being proposed. Staff has been in touch with Hui O Laka because the same site is also being proposed as the sewage treatment plant (STP) and leach field as needed to service the museum, the Kokee Lodge and the nearby cabins.

The Hui O Laka people have looked at several different alternatives and they favor an alternative elsewhere for the sewage treatment plant and leach field system. They are not sure that they will be able to construct in that area, so whatever they are recommending is subject to determining the location of the site.

Staff wants the Board to know that should they approve this submittal they are not approving the site.

Mr. Nagata said they'd like to take a closer look at the determination of the site and they think the department should determine where the site should be. The department is already designing for the very same site for the sewage treatment plant. They feel that the department, division together with the Chairperson can make the decision to inform Hui O Laka whether the site is not available once they have a chance to fully look at the letter that was submitted in their proposal.

Mr. Arisumi's question to Mr. Nagata was whether they would come back to the Board if the site was not available and a new site selected.

Mr. Nagata replied that was not necessarily so unless the Board wishes.

Mr. Arisumi felt that it is the responsibility of the Board and the matter should be brought back to the Board for approval once the site is set.

Ms. Marsha Erickson, Executive Director of Hui O Laka tried to show a video of the proposed project area, but the VCR was not working properly. Because there were problems with the VCR she said she would try to paint a picture for the Board members as it's impossible for all the members to visit the site because it's so far away.

She wanted to make it clear that as far as Hui O Laka is concerned, there is no dispute or problem with the Division of State Parks. They acknowledge the need for a sewage treatment plant at Kokee. The one thing that she wanted to point out is the site that has been chosen. The site assessment survey done by Belt Collins was picked before this proposal was an active proposal. This became an active proposal when they actually got permission to renovate one building. Referring to the proposal in the copies she passed out this morning, the site plan, building (1) is completely renovated. These buildings are 1930's wooden buildings and they are deemed structurally sound and they had no trouble renovating that. They have not yet moved in and there's no electricity in the building.

The siting for the leach field is in the middle of the quadrangle area and would necessitate the removal of buildings (4), (5) and (6), and then the attendant smell would definitely affect the rest of the site as the technology is not perfected with leach fields. We're proposing that we take the old C. C. C. Camp and renovate them, approximately 9,000 square feet of usable space at Kokee for this use. It is a proposal that the entire Department of Land and Natural Resources could make us of. In addition, other agencies have expressed desire for occasional use; researchers at the UH, Manoa and the Pacific Tropical Botanical Gardens are just a few to mention. The museum is non-profit working with State Parks and under contract with DLNR though there's no exchange of money.

The reasons for this project is (1) Joe Souza was the founder of Kokee Museum as well as the chief architect of State Parks in its early years; (2) the functional reason is that we're mandated to create interpretation for Waimea Canyon and Kokee State Parks.

Even though State Parks has gone through the design stage she asked that the Board take a look at the long term solution and also be able to use the old C.C.C. camp site for this innovative use.

In closing she said that they're actually interested in recycling that site because it exists, because they don't have to bulldoze any brand new forest for it. If that site were destroyed, she supposes they would put this proposal on a major back-burner because they do not believe that the Division of State Parks or the State government is going to be able to reproduce 9,000 square feet of usable space for a wilderness park. It's there now, they can use it and it is eminently repairable. This is a little background on the project and she appreciates the division's recommendation that they be allowed to perceive with this initial phase.

Mr. Arisumi addressed Mr. Nagata to arrange a field trip so that the Board could view the site first hand.

Mr. Yuen's question to Mr. Nagata was, "If you put the STP by the C. C. C. camp with the leach field in the quadrangle, does that pretty much make that camp, unusable, the old camp?"

Mr. Nagata replied, "Yes, my understanding is as she mentioned, it would require taking down some of the buildings."

Another question by Mr. Yuen was, "Isn't there somewhere away from all these buildings that you can locate a 15,000 square foot leach field? It seems that you have all these buildings up there, to put it next to all these buildings when all you need is an open area to run some pipes and let the water flow in the ground. It seems there must be some place."

Mr. Nagata replied, "It also deals or has to do with the soil condition. As I indicated, with some of the comments that have been made in the submittal and proposals, we'd be willing to have the consultant take another look at it and if there is some reasonable alternative we'd be happy to consider it, but I want to make sure that the Board in its deliberation today did not take for granted that this was the location. This was my main purpose of making the comment."

ACTION Unanimously approved as submitted. (Apaka/Himeno)

ITEM E-2 REQUEST TO ALLOW CAMPING FOR SOLAR ECLIPSE VIEWERS AT THE OLD KONA AIRPORT AND HAPUNA BEACH STATE RECREATION AREA

Mr. Nagata said their division was approached by many people to allow camping for viewers of a solar eclipse which will occur on July 11, 1991. The center of the eclipse will pass through Hilo and continue across the center of the island to West Hawaii making the island of Hawaii the premium site to view this phenomena.

Staff's recommendation is that the Board designate Hapuna Beach and Old Kona Airport State Recreation Areas for camping the evening of July 10, 1991 and ending the morning of July 11, 1991 to accommodate the solar eclipse viewers and to waive issuance of permits.

Discussion followed on available manpower to take care of parking, pitching up tarps next to the cars, toilet facilities and other anticipated problems. The estimated number of cars for Old Kona Airport is 600 cars and estimate for Hapuna is about 300 cars.

ACTION Unanimously approved as submitted. (Yuen/Apaka)

ADDED

ITEM E-3 REQUEST TO ERECT MODEL SHELTER ON THE STATE CAPITOL GROUNDS

Mr. Nagata made the presentation of Representative Reb Bellinger's request to erect a model shelter structure on the State capitol grounds.

Discussion followed that should the Board allow this model shelter structure to be erected on the State capitol grounds, it may open the door for others to apply to erect their products also.

Staff's recommendation was to deny the request.

ACTION Motion was made by Ms. Himeno to approve Item E-3 as submitted, which was to deny the request. Seconded by Mr. Apaka, motion carried.

ITEM F-1 DOCUMENTS FOR CONSIDERATION:

Item F-1a ISSUANCE OF REVOCABLE PERMIT TO HAWAIIAN CEMENT FOR OPERATION OF CONCRETE BATCHING PLANT FACILITY AT PULEHUNUI, WAILUKU (KULA), MAUI, TAX MAP KEY 3-8-08:31

Mr. Young said that Item F-1a is a request of a revocable permit covering some .5 acres at Pulehunui. He then went over the proposed use as listed under Remarks in the submittal. He said that staff's recommendation was that the Board authorize the issuance of the revocable permit.

Ms. Himeno addressed the Chair that she would like to disclose that Alexander and Baldwin is a client of her law firm but she didn't think there was a conflict here.

Mr. Bill Horneman, representing the applicant was present. He offered to answer any questions from the Board.

ACTION Unanimously approved as submitted.

Item F-1b ASSIGNMENT OF GENERAL LEASE NO. S-4636, LOT 8, PANAWEA FARM LOTS, SECOND SERIES, WAIAKEA, SO. HILO, HAWAII, TAX MAP KEY 2-4-49:22

Item F-1c ASSIGNMENT OF GENERAL LEASE NO. S-4610, PORTION OF GOVERNMENT (CROWN) LAND OF WAIAKEA, WAIAKEA, SO. HILO, HAWAII, TAX MAP KEY 2-4-56:22

Item F-1d ASSIGNMENT OF GENERAL LEASE NO. S-5187, PORTION OF GOVERNMENT (CROWN) LAND OF WAIAKEA, WAIAKEA, SO. HILO, HAWAII, TAX MAP KEY 2-1-09:42

Item F-1e SUBLEASE BETWEEN COUNTY OF MAUI, SUBLESSOR, AND DUANE R. CRANNEY, SUBLESSEE, LOT 18, MOLOKAI TASK FORCE SUBDIVISION AT PALAAU AND HOOLEHUA, MOLOKAI, TAX MAP KEY 5-2-01:27

Item F-1f ISSUANCE OF REVOCABLE PERMIT TO PAUL YIM FOR RECREATIONAL PIER, SUBMERGED LAND AT KANEOHE BAY, KEAALAU, KANEOHE, KOOLAUPOKO, OAHU, TAX MAP KEY 4-4-37:4

Item F-1g ASSIGNMENT OF PERPETUAL NON-EXCLUSIVE EASEMENT FOR ACCESS AND UTILITY PURPOSES, RONALD GARDNER, ASSIGNOR TO JOHN & SUSAN MAHELONA, ASSIGNEE, POR. OF GOVERNMENT (CROWN) LAND OF KAPAA, KAPAA, KAWAIHAU, KAUAI, TAX MAP KEY 4-6-06:POR. ROAD

ACTION After Mr. Young's presentation of the documents for consideration, Mr. Yuen moved for approval of Items F-1b, F-1c, F-1d, F-1e, F-1f and F-1g as submitted, seconded by Ms. Himeno motion carried.

ITEM F-2 STAFF RECOMMENDATION FOR CANCELLATION OF PORTION OF GRANT OF SEWER EASEMENT FOR PARCELS 15 AND 16, AT KANEOHE SEWERS, KANEOHE, KOOLAUPOKO, OAHU, TAX MAP KEY 4-5-06:POR. 54

ACTION Unanimously approved as submitted. (Himeno/Yuen)

ITEM F-3 TWO (2) PROPOSED LAND EXCHANGES BY AND BETWEEN STATE OF HAWAII AND WAGON WHEEL RANCH, INC. AT WAIMANALO, KOOLAUPOKO, OAHU, TAX MAP KEY 4-1-13:2, 10 AND 18

Mr. Young presented a map to the board and pointed out the areas of interest. He mentioned that staff worked with the Attorney General's Office in trying to straighten out the boundaries.

If staff wants to amend the lease for land exchange, they can only exchange it for equal area affecting the lease because it was sold at public auction, this was on the advice received from the Attorney General's Office. An appraisal will also have to be done to be sure the area is of equal square footage and same zoning.

Reason for two proposed land exchanges is because part of the land in question is not affected by the lease. This land exchange is needed to straighten out the boundaries.

ACTION Ms. Himeno moved for approval as submitted. Seconded by Mr. Apaka, motion carried.

RECESS Chairperson Arisumi called for a 5-minute recess. (9:30 am-9:35 a.m.)

ITEM F-4 GRANT OF NON-EXCLUSIVE EASEMENT FOR SEAWALL, KEAALAU, KANEOHE, KOOLAUPOKO, OAHU, TAX MAP KEY 4-4-37:4

ACTION Unanimously approved as submitted. (Himeno/Apaka)

ITEM F-5 LEASE-PUBLIC AUCTION, POR. OF GOVERNMENT (CROWN) LAND OF KAPAA AT KAPAA, KAWAIHAU (PUNA), KAUAI, TAX MAP KEY 4-3-04:12

Before beginning his presentation, Mr. Young requested to make an amendment on page two of the submittal, under STATUS the expiring date should be August 14, 1991 instead of August 2, 1991.

Responding to questions of the board, Mr. Young explained the different types of leases and why they need to go out to public auction.

Mr. Young gave the explanation for Condition C under Recommendation whereby the present occupant may be issued a revocable permit if the new lease is not sold by August 14, 1991.

ACTION Mr. Apaka moved for approval of Item F-5 as amended by staff. Seconded by Ms. Himeno, motion carried.

ITEM F-6 LEASE-PUBLIC AUCTION, LOT 24, WAILUA RICE AND KULA LOTS, WAILUA, KAWAIHAU (PUNA), KAUAI, TAX MAP KEYS 3-9-04:1 AND 3-9-02:POR. 3

Mr. Young requested to amend staff's submittal by adding a condition no. 11, where a residential use will not be permitted.

ACTION Mr. Apaka moved for approval of Item F-6 as amended by staff. Seconded by Ms. Himeno, motion carried.

ITEM F-7 LEASE-PUBLIC AUCTION, POR. OF THE GOVERNMENT (CROWN) LANDS WITHIN THE KAPAA RICE AND KULA LOTS, KAPAA, KAWAIHAU (PUNA), KAUAI, TAX MAP KEY 4-5-15:10, 28 AND POR. OF 37

Mr. Young requested to amend staff's submittal by adding condition no. 11, where a residential use will not be permitted.

ACTION Mr. Apaka moved that Item F-7 be approved as amended by staff. Seconded by Mr. Yuen, motion carried.

ITEM F-8 AMENDMENT TO PRIOR BOARD ACTION OF APRIL 22, 1988 (AGENDA ITEM F-14) RELATING TO PROPOSED LAND EXCHANGE BETWEEN STATE OF HAWAII AND HAROLD K. KOBAYASHI FOR EXPANSION OF HANAIEI ELEMENTARY SCHOOL AT WAIOLI, HANAIEI, KAUAI

Mr. Young informed the Board that Mr. Kobayashi had a disagreement with respect to valuation of the five parcels originally approved for exchange. He would like to look at the additional five parcels suggested for land exchange to see if he could get a more acceptable package.

ACTION Unanimously approved as submitted. (Apaka/Himeno)

ITEM F-9 AUTHORIZATION TO WITHDRAW LAND FROM THE OPERATION OF GENERAL LEASE NO. S-4746 AND SUBSEQUENT SET ASIDE TO THE HAWAII HOUSING AUTHORITY FOR A SEWAGE TREATMENT PLANT AND DISPOSAL SYSTEM FACILITIES, KAPAA, KAWAIHAU, KAUAI, TAX MAP KEY 4-5-15:POR. 28

The Board was informed that there was a need to withdraw land from a General Lease No. S-4746 to Lincoln Y.T. Ching and subsequent set aside to the Hawaii Housing Authority for a sewage treatment plant and disposal system facility in Kapaa. The lessee Lincoln Ching was contacted regarding the proposed withdrawal and has no objections.

ACTION Unanimously approved as submitted. (Apaka/Himeno)

ITEM 10 KAUAI RACING ASSOCIATION REQUESTS RIGHT-OF-ENTRY TO UTILIZE KAUAI RACEWAY PARK, MANA, KAUAI

This is an annual request by the the Kauai Racing Association for certain dates to conduct their race activities. It was mentioned that this is one of the few places in the islands where the people can race their cars. Upon request, Mr. Lee informed the board that Mr. Paul Silva, Jr. is the President of the Kauai Racing Association.

ACTION Unanimously approved as submitted. (Apaka/Himeno)

ITEM J-1 APPLICATION FOR ISSUANCE OF REVOCABLE PERMITS 4746, ETC., AIRPORTS DIVISION

ACTION Unanimously approved as submitted. (Yuen/Himeno)

ITEM J-2 DIRECT SALE OF LEASE OF PIPELINE EASEMENT AT BARBERS POINT HARBOR, OAHU (CHEVRON U.S.A. INC. AND TEXACO REFINING AND MARKETING, INC.)

ACTION Unanimously approved as submitted. (Himeno/Apaka)

ITEM J-3 DIRECT SALE OF LEASE OF PIPELINE EASEMENT AT BARBERS POINT HARBOR, OAHU (HAWAIIAN ELECTRIC COMPANY, INC.)

DEFERRED Ms. Himeno informed the chair that she had a conflict of client interest. There being no quorum, item was deferred.

ITEM J-4 HOLDOVER OF LICENSE NO. 86, HARBORS DIVISION, PIERS 37 AND 38, HONOLULU HARBOR, OAHU (CHEVRON U.S.A. INC.)

Responding to Chairperson Arisumi's question, Mr. Garcia replied that it was in the same area for another year. The rent will increase but they will not be permitted to do any improvements.

ACTION Unanimously approved as submitted. (Himeno/Apaka)

ITEM J-5 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 21, HONOLULU HARBOR, OAHU (CRYM, INC., DBA PIER 21 LUNCHROOM)

ACTION Unanimously approved as submitted. (Himeno/Apaka)

ADJOURNMENT There being no further business, the meeting was adjourned at 10:00 a.m.

Respectfully submitted,

Dorothy Chun
Dorothy Chun
Secretary

APPROVED FOR SUBMITTAL



William W. Paty, Chairperson