

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

DATE: FRIDAY, JULY 10 1992
TIME: 8:30 A.M.
PLACE: MAUNA KEA CONFERENCE ROOM
KONA SURF HOTEL
78-128 EHUKAI STREET
KAILUA-KONA, HAWAII

**ROLL
CALL**

Chairman William Paty 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. John Arisumi
Mr. Herbert Apaka
Mr. Christopher Yuen
Ms. Sharon Himeno
Mr. William Paty

STAFF: Mr. W. Mason Young
Mr. Roger Evans
Mr. Paul Kawamoto
Mr. Pete Hendricks
Mr. David Parsons
Mr. Glenn Taguchi
Ms. Dorothy Chun

OTHERS: Mr. Johnson Wong, Deputy Attorney General
Mr. Peter Garcia, Department of Transportation
Mr. Charles Toguchi, Mr. Richard Cameron, Ms Dorie
Tiedemann (Item F-4)
Ms. Nani Rapoza (Item H-3)
Mr. Merwyn Jones, Mr. Roland Gella (Item F-1-d)
Ms. Lily Kong, Mr. James Ota, Ms. Joanna Gasper
(Item B-1)
Mr. George Lindsey, Mr. Steven Lim, Miss Toni
Withington, Mr. Everette Kaneshige (Item H-1, H-2)

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

**RESUBMITTAL--REQUEST FOR AUTHORIZATION TO ACQUIRE LAND FOR
PROPOSED UPCOUNTRY MAUI HIGH SCHOOL, MAKAEHU, KULA,
ITEM F-4 MAKAWAO, MAUI, TAX MAP KEY 2-3-07:POR. 1**

Mr. Young made the presentation of a resubmittal of a request to acquire land for a proposed Upcountry Maui High School. This item was deferred to give the Department of Education (DOE) and the community chance to discuss the site selection. An independent review committee was selected and the committee submitted a recommendation to select site 2 which the superintendent has approved.

Mr. Young said that knowing that this item would be presented today, staff wrote to some 15 different people, organizations and associations. Only one request was received from an attorney Paul Mancini representing Haleakala

Ranch. They were concerned basically with respect to the traffic problems that may be emanating from the result of the new high school, the archaeological and environmental impacts that were described in the EIS. Staff looked at the letter of Mr. Mancini and it appears that the traffic concerns would be addressed in the EIS by the DOE through the DOT as well as the County. With respect to their environmental concerns it appears they have been answered. As a result, staff is recommending board approval.

Mr. Charles Toguchi, Superintendent of the Department of Education gave a little background for the site selection for a new high school. He continued to read his testimony into the record of which a copy has been placed in the departmental board folder. Mr. Toguchi also assured the board that they will be addressing the traffic concerns. They are prepared and committed to hiring a consultant to look into the traffic concerns raised by the community. In addition to that they will be working closely with DLNR if there are any archaeological concerns.

Discussion followed and Mr. Toguchi informed the Board that the panel said that all of the sites would have various concerns. He assured the Board that they would mitigate the traffic situation and in fact they had been told by the different agencies in charge of traffic that if they don't mitigate the traffic situation they won't receive their approval. Also discussed was the noise that might disturb the cattle on the ranch nearby.

Mr. Richard Cameron of Maui Land and Pineapple Company commented that this Site No. 2 is not the best and not the worst but, a site they could live with and support. He also mentioned they appreciated Mr. Toguchi working with them in the past and look forward to continuing that relationship and that they will be able to mitigate as much as possible any of the adverse impacts both pineapple operations on the school and vice versa.

Ms. Dorie Tiedemann said that she was representing a group called Friends of Upcountry Maui and had testified at the March meeting on Maui. She said that her group was against the site selection of No. 2. She again mentioned concerns relating to traffic, pesticides, soil testing, the EIS and their feeling that they shouldn't go ahead with the project until all concerns could be mitigated. She agreed that this would delay the process but felt it should be done right.

Mr. Arisumi posed a question, "Because time is of the essence, I think we should mention that they will be studying all these things before they purchase the property, that has to be cleared before purchasing the property, am I right or am I wrong?"

Mr. Toguchi responded saying that the panel did not say that all these things must be completed before they acquire the property. They would like to do some of these things concurrently. The point he was trying to make was, if they don't mitigate these concerns, like the traffic, he didn't think they would get the permission of the County to move ahead with the site. They are fortunate in that they are working with the same landowner on all the sites.

ACTION Unanimously approved as submitted. (Arisumi/Himeno)

ITEM H-3 CDUA FOR A SINGLE FAMILY RESIDENCE AT KEEKEE, HAWAII, TAX MAP KEY 8-1-4:13; APPLICANT: WILLIAM AND RITA COWELL

Mr. Evans said the singular reason for denial of this application is the failure on the part of the applicant to obtain clearance from the County of Hawaii relative to any SMA requirement that there may be. Had that clearance been obtained, then staff's recommendation would be for approval.

Mr. Evans mentioned that the applicant has requested a deferral to allow them to obtain the necessary permits.

Mr. Yuen said he had no problem with deferring this item to the next meeting but that there were two questions or things that he would like to see dealt with during that time frame:

1) When the applicant first applied, they did an archaeological study which identified a number of archaeological sites on the property. While the permit application was pending and before they had any permit, they went ahead and built.

His concern is that while building they may have damaged one of the archaeological sites. From the report, it seems no one has been back there to look since the original study was done. In reading the comments from the Division of Historic Preservation it seems that they were not aware that a building was put up after a study was done.

2) Now they're going to have two structures if this application is granted. They would have the 600 square foot structure and roughly little over a 1000 square foot house and the policy has been to have only one dwelling in the conservation district and this should be addressed.

Ms. Nani Rapoza, attorney with Cates●Schutte●Fleming and Wright said that she was representing the Cowells. At the time they submitted the application for the CDUA they simultaneously submitted an SMA application to the County. Unfortunately the County did not work as quickly to address the SMA application. Their concern is the same as Mr. Yuen's. According to the County representatives they are attempting to get the State archaeologists to go on site to look at the structure or identify the archaeological sites and make a determination and recommend any mitigation plan. That is their position. According to the Planning Department's representative, they anticipate the archaeologist will be hopefully out there some time next week and they hope to have a response from the County by the next board meeting in Honolulu. They ask that the Board grant them a deferral to the next meeting.

DEFERRED Mr. Yuen moved that this item be deferred to the next meeting. Motion was seconded by Mr. Arisumi and carried.

For the record, Mr. Arisumi pointed out on page one of the submittal, that the date shown in the last paragraph should be September 1991.

Item F-1-d Issuance of Revocable Permit to Honolulu Community Action Program (HCAP), Government Land of Nanakuli at Nanakuli, Oahu, Being the Former Camp Andrews Site, Tax Map Key 8-9-02:Por. 1

Mr. Young made his presentation and explained the request for the Board's consent. He mention that this area has been used for huluhuli chicken sales for benefit projects on the weekends.

Mr. Merwyn Jones of the Office of Community Services said that they administer part of the Headstart Program, the State portion. They are in the process of identifying Statewide all those lands that they don't have a legal kind of a document for the headstart program that were placed where they are now for the past 20 years. This becomes important because this land has been identified as one that may be transferred to the Department of Hawaiian Home Lands in the future. They are also working with the DHHL, Nanakuli Homestead Association and others in the event it goes to the Hawaiian Homes Commission in the future.

Mr. Roland Gella, Headstart Director for Oahu said that about two months ago they found out that they did not have any permits for this particular site and they've been there for almost 20 years now. As Mr. Jones mentioned, he also stated that they would like to clean up their act on all the lands that were given to them in the past 20 years to the various departments. They are federally funded with State support and part of the 80/20 match they operate from, the State gives 20% matching of the Federal monies coming in and a lot of it is land and space.

ACTION Unanimously approved as submitted. (Himeno/Apaka)

ITEM B-1 ADOPTION OF HAWAII ADMINISTRATIVE RULES--CHAPTER 13-57, KEAUHOU BAY, HAWAII (NEW FISHERIES MANAGEMENT AREA)

Mr. Paul Kawamoto, Aquatic Biology Program Manager made the presentation of Item B-1. He began by making some corrections to the Minutes of the Public Hearing, Exhibit 1. On page one, the date of the Public Hearing was Wednesday, June 17, 1992 and not 1991. The second correction is on page two, third paragraph, the date of the publication of the notice of public hearing should have been May 17, 1992 and not June 17 as indicated in the parenthesis.

Mr. Kawamoto then made his presentation which asked the Board to adopt the proposed Hawaii Administrative Rules--Chapter 13-57, Keauhou Bay, Hawaii which creates a new fisheries management area. This is the result of two public meetings and the public hearing held in Kona to discuss measures intended to resolve the matter of recreational anglers and commercial netters competing for hahalalu schools congregating in the inner small boat harbor of Keauhou Bay.

Discussion followed and Mr. Kawabata said that signs would be posted with the 'Do's and Don't', etc. for the public to readily recognize where they can throw net and where they can't. Mr. Kawabata referred the question on the amount of commercial netting being done in the bay to Mr. Pete Hendricks of his Hawaii staff.

Mr. Hendricks explained that there are three types of fishing going on in Keauhou Bay, hook and line, throw net and gill net and this is a difficult resource allocation problem. There is a substantial amount of small scale commercial and occasionally large boats that come in the outside of the bay, so it's an important input commercially to the community as well as recreational.

Mr. Hendricks explained that there are both types conducted. The surround encloses the fish and there's also gill netting. Gill netting is targeting one species of fish. The netters that come into bay to gill net are essentially going for akule.

Ms. Lily Kong, native of Keauhou Bay addressed the Board and spoke in length regarding the nets used, amount of commercial fishing being done in Keauhou Bay, different types of fish found there and the different size of netting used. Pointing to the boundary, she talked about on the map provided between Mokukanekaula Island to Doc Hill. She said if you were to net from that island, you would be running into boat traffic and also if you are familiar where the swimming pool is to Mokukanekaula there's a drop there, you would be running into lots of strong currents there and it reaches up to the second story at the Kona Surf.

She mentioned the different areas that were dangerous with high surf and the safer areas for fishing claiming that netting is seasonal.

Mr. Yuen asked what were the reasons for establishing the boundary at Mokukanekaula Island instead of Kinimaka Point or someplace else.

Mr. Kawabata said that based on the input that was received at the public hearings plus the fact that there's a number of 10 to 12 boats that moor just off Mokukanekaula and Kinimaka Point, they did not want to have a conflict between the netting operation and the boats that are moored at that point across from Doc Hill's to Mokukanekaula Island.

More discussion followed regarding where boats moor and the distance to the island and the boat traffic in the bay.

Chairperson Paty commented on whether staff felt the proposal by Lily Kong to throw additional netting opportunities would ascend from Kinimaka Point in a semi-circle out towards the inside of the present Fairwind buoys and coming back around Mokukanekaula. Whether that would prevent additional problems. He also asked about the question of boat traffic and how you define that area if you added that arc to the permitted area for gill netting and whether you could indicate that it was gill netting, straight gill netting as opposed to surround.

Mr. Kawamoto said, "It would actually prohibit. The intent was to prohibit not just gill netting but netting in general, the commercial netting in general which would include the surround netting as well." Also on the landing area, he thought that we need to maintain our position that it's not really that far from the landing itself where the major pole and line activity occurs when the hahalalu schools are in and I think we do need a big enough buffer zone where throw netting will be allowed. The corner of the landing seems to be pretty close to where the landing itself is.

Chairperson asked Mr. Hendricks if he concurred with that.

Mr. Hendricks said, "Yes, we made a field trip several times with Dr. Nishimoto and staff and we understand the throw netters concerns but we want to avoid conflicts where possible. If I may clarify on another point that's been under discussion, part of the reason why we chose Mokukanekaula Island as a boundary was the ease of administration and enforcement. To be fair to the enforcement branch, they have to have easily defined boundaries and the public has to know what's the boundaries too. One of the concerns for picking the island was, several folks who testified, who cast pole and line along the shoreline, and so that's one of the reasons the line is out there instead of Kinimaka Point. Kinimaka Point would also be an easily definable point if we just move the line from Doc Hill to Kinimaka, just draw a straight line and one of the problems with a mark in the water, for example, the Fairwind buoy, the buoys move around and sometimes get lost. ... We have discussed this with the enforcement division locally and we want to share their concerns for manageable and easily identifiable boundaries."

Mr. James Ota testified, "I'd like to talk about a portion of this problem which has to do with allocation of resources. The gill netters catch only a particular size and the rest of them goes over the net or go through the net. The pole fishermen usually get bites that go through the net. The bigger ones are smarter than the smaller hahalalu or the ones that Lily Kong talked about. So what I'm saying the pole fishermen are not deprived of the ones that are really biting and those are the hahalalu and the in-between sizes. The surround fishermen, which surround the school completely, take fishes by the tons. The gill netters take a very small portion of those fishes because the rest of them go through or go over the nets when the akule hits the net, the net lays down and the rest of the fish goes by. The fishes are let go in that fashion. So I don't think the gill netters should be penalized for something that they're not responsible for."

Ms. Joanna Gaspar testified that she was one of the Leslie's that do surround the nets out there. She said that her dad brought them up that way and now her brothers carry on in supporting their families. She talked of people sharing their fish catch also. When we see the people with the gill nets there, my family goes down there, we don't take the fish away from them. Like my dad say, that's there place, let them have it. So I feel we should go according to Lily Kong.

ACTION Mr. Yuen moved for approval on the condition that the originally proposed seaward boundary which prohibited net fishing from "Doc Hill" to Mokukanekaula Island be moved to "Doc Hill" to Kinimaka Point, and a sign placed at that point for reference. Seconded by Ms. Himeno, motion carried.

ITEM F-2 **COUNTY OF HAWAII REQUESTS DIRECT GRANT OF EASEMENT FOR SEWER LINE AND SEWAGE PUMP STATION SITE AT WAIAKEA, HILO, HAWAII, TAX MAP KEY 2-2-29:POR. 1**

Mr. Young presented Item F-2 saying that the reason for the sewer line easement requested by the County is the fact that the individual wastewater

system over the cesspool is believed to be a contributing factor to the pollution to the Wailoa pond. Existing water facilities are inadequate due to the high water table and the large influx of ground water into the pond area. It is hoped that the easement recommended to the Board today is granted to the County to eliminate this problem and solve the pollution to the Wailua River and pond area.

Staff is recommending that the Board grant the easement to the County. There were some concerns addressed by the Division of State Parks with respect to the sewer line. The County did respond and suggest some mitigating measures with respect to the Division of State Parks concerns.

Staff would like to make an amendment that should our State parks facilities require hook up to the sewer line that any hook up by the State Parks division to the proposed sewer line will be free of charge.

Another amendment, on the indemnification provision in submittal under RECOMMENDATION, to read, "that they defend, indemnify and hold harmless the State."

Mr. Harold Sugiyama of the County of Hawaii said that as far as this project goes, they have been in contact with the Department of Health for many years, trying to mitigate some of the pollutions caused by cesspools that are going into the Wailua River. They feel that this project will help some of the problems. They have no problem with the proposed amendments.

ACTION Mr. Yuen moved for approval as amended; seconded by Mr. Arisumi, motion carried.

RECESS 10:15 a.m.-10:25 a.m.

ITEM H-1 **AFTER-THE-FACT CONSERVATION DISTRICT USE APPLICATION (CDUA) FOR SINGLE FAMILY RESIDENCE PROPERTY IMPROVEMENTS PUAKEA, HAWAII, TAX MAP KEY 5-6-02:41; APPLICANT: GEORGE AND SHIRLEY ISAACS, AGENT: MR. EVERETT S. KANESHIGE**

(See below Item H-2.)

ITEM H-2 **STATE CONSERVATION DISTRICT LAND USE REVIEW REGARDING CONSTRUCTED PASSIVE PARK PUAKEA BAY RANCH SUBDIVISION, PUAKEA BAY, NORTH KOHALA, HAWAII, TAX MAP KEY 5-6-02:42; LANDOWNER: PUAKEA BAY RANCH OWNERS ASSOCIATION; AGENT: MR. EVERETT S. KANESHIGE**

Mr. Evans addressed the Board saying that Items H-1 and H-2 are related. Item H-1 is an after-the-fact Conservation Application for a single family residence and property improvement. Item H-2 is a land use enforcement review.

Mr. Evans then went over the process and began with the recommendations which were based on three parts. 1) Request for a contested case hearing was received. 2) There is a violation to the case. 3) There is an analysis and

a recommendation relative to the land use.

The 180 day expiration date was extended properly because of a request for a contested case hearing. The new 180 day date for Board action requirement on Item H-1 is August 13, 1992. He mentioned that one of the conditions suggest the possibility of mediation in this case.

Discussion then followed on the aspects of a contested case; consultation with the Department of the Attorney General; criteria that would be used by staff in similar cases to require the petitioners to remove the structures or issuance of a fine; and the criteria used by staff used to recommend petitioners remove all the improvements in this particular case.

Mr. Evans explained the criteria used by staff. He again clarified there were two items that received board approval but no departmental approval and those are the dog kennel and various landscaping elements. There are also seven specific items that received no approval from either the Board or the department. Those items would include the sun porch, the access walkway, the tennis court, the perimeter fencing, the access walkway by the park boundary and various landscaping elements as well as the shoreline trail signage.

There was more discussion on the trail not being built in the designated area and would that also be required that the trail to be built on the designated area and route.

Ms. Himeno asked Mr. Evans if staff had made any kind of assessment as to how much it would cost to remove all of the improvements.

Mr. Evans said that staff was unaware of the cost of removal at this time.

Mr. Steven Lim, attorney for the applicant referred to a memorandum they submitted to the board. He said an important point listed was that Miss Withington has submitted a petition for a contested case hearing, signing as a member of the Steering Committee of the Citizens for the Protection of the North Kohala Coastline. She has indicated in her petition what that organization stands for, however they are not aware of a formal meeting to request whether or not the other members wanted to proceed this way. She is not a property owner, next to the property, although she does allege an interest to the access to the shoreline. He concluded that they would be asking that the Board deny the petition for a contested case hearing. (A copy of the memorandum has been placed in the Departmental Board folder.)

Chairperson invited questions of Mr. Lim or Mr. Lindsey.

Miss Toni Withington testified that she just got a copy of the memorandum from Mr. Lim last night and the time constraints on preparing an adequate response were tremendous but she did prepare a response to that. She then passed out copies of her testimony to the members of the Board. (A copy of her response has been placed in the Departmental Board folder.)

She said that was what was basically said in their response to Mr. Lim's

memorandum was that the entire argument that Mr. Lim puts forward is based on their standing. What they're addressing here is the process procedures and amplification of their standing in this case. She said that in March they submitted a 14 page comments on the CDUA however, this was a lot of material submitted to staff. She claimed that at the public information meeting, the department passed along to the Board virtually all communication from the applicants and representatives, but chose to severely edit and interpret all communication from their group.

Mr. Lim then commented on Miss Withington's written testimony which he had just received. He said that they thought that the Citizens for the Protection of the North Kohala Coastline do have an expressed interest in some of the environmental issues. Their primary concern is that, they're not aware of any meetings or authorizations that were taken by that association to file the request for a contested case hearing.

Mr. Lim said that he had a letter from Mr. Anthony Carvalho dated July 19, 1992. He then read the entire letter into the record. (A copy of the letter has been placed in the Departmental Board folder.) In the letter Mr. Carvalho states that he is a current dues paying member of the Citizens for the Protection of the North Kohala Coastline and familiar with the Conservation District Use Application filed by George and Shirley Isaac for their residence at Puakea Bay Ranch. "As far as I am aware, there are a number of members of the Citizens for the Protection of the North Kohala Coastline who were never contacted by Ms. Withington nor asked to participate in the decision to file the petition for a contested case hearing. Additionally, I am not aware of any formal meeting of the Citizens for the Protection of the North Kohala Coastline or its steering committee to authorize the filing of this petition by Ms. Withington, or the initial action which lead to it."

Chairperson Paty thanked him and called on Ms. Withington to respond.

Ms. Withington said, "In response to his allegation that the membership is not kept aware of the ongoings with the Isaacs' access issue, I think that you will see our petition attached to our position copies of our newsletter which indicated regularly held meetings. I'm not sure that Mr. Carvalho made it to those meetings but we did hold regular meetings of the general membership. Also we hold regular meetings of the steering committee. The steering committee did very specifically authorize myself to petition for a contested case hearing."

Mr. Yuen made a motion that the Board go into an executive session to consult with counsel because of this being a legal matter. Seconded by Mr. Arisumi, motion carried.

EXECUTIVE SESSION 11:05 a.m.-11:20 a.m.

Chairperson Paty then called the regular meeting back to order.

Mr. Yuen asked if the two parties were still willing to have a face to face discussion.

Mr. Everette Kaneshige, representing the Puakea Bay Ranch Owners Association, said that there was a meeting between Miss Withington, George Isaacs and the president of the ranch owners association. Basically all the issues before the Board today were discussed. The response that he got from his client was that they could not agree on a solution to the groups position that the trail had to be relocated. The group also wanted the association to dedicate the park, parking stalls and barbeque pits on the park parcel.

Mr. Yuen asked if there was any kind of third party mediator present as it sometimes facilitates reaching a solution.

Mr. Kaneshige said that they had never gotten together with a formal mediator, no formal arbitration.

Miss Withington said she did not see either party as a mediator.

MOTION Mr. Yuen moved to defer decision on all issues including the contested case, the parties be encouraged to have a meeting with a mediator within a time frame. Motion was seconded by Mr. Arisumi.

Part of Chairperson Paty's comments that followed were that he was not convinced that the issues before them are not issues that can't be resolved. He said that he is going to ask that Board member Chris Yuen work with the parties involved on this and would look to each of the parties to re-examine their position. I'd like to advise you to make the most of this opportunity, working with someone, like Mr. Yuen who has a strong interest in bringing this about and see if we can't bring this to a solution.

Mr. Lindsey said that they would defer to whatever the Board suggests on this matter. Just like to point out couple of things. If we do act in the spirit of feasibility, practicality and the interest of the problems, that's really where we wanted to do in the first place. If Mr. Yuen can help us do that, that's great. His question is, "If we're going to enter into this mediation process, we've already been through this process for a little over a year now, my clients, especially Mrs. Isaacs, has been through the stress involved with somebody she feels is attacking her home." His question was related to the time that would be given to mediate and will it waive the question of a contested case.

Chairperson Paty responded by saying that they don't intend to drag this thing out.

Miss Withington said that she is delighted with that motion and welcomes an opportunity to sit down with these people and she respects Mr. Yuen's position as being the mediator instead of someone from the outside. She said that their whole reason for creating this is the access and all those other things came about in the discovery of why the access was to be moved. They hope they can work things out.

ACTION The Chairperson called for the question and motion to defer carried unanimously.

DISCUSSION Mr. Evans asked the chairperson to clarify that the motion and the

second was to defer both Items H-1 and H-2.

Chairperson so clarified.

Mr. Kaneshige also had a question of clarification to the chairperson regarding ex parte contacts.

Mr. Yuen said that there needs to be an agreement that he can get in touch with all parties to discuss setting up the procedures on this mediation because of the rule about ex parte contacts (Not having individual contacts with a Board member when there's a request for a contested case.).

All parties agreed on the method of contact to be used by Mr. Yuen.

ITEM F-1 TRANSMITTAL OF DOCUMENTS:

Item F-1-a Issuance of Revocable Permit to Le Jardin Academy, Portion of Kawaiuli Marsh, Kailua, Koolaupoko, Oahu, Tax Map Key 4-2-13:por. 40

Mr. Young asked to make an amendment on this item, that the area to be determined by the Chairperson. He was not sure whether it's 12,000 or 2,000 square feet and he would like to verify this with the Board's permission and have that area amended to be determined by the Chairperson at a later date. Also, under "REMARKS," 2nd paragraph, "6,926" acres be changed to "6.926" acres.

Item F-1-b Issuance of Revocable Permit to Tadashi Okuyama Covering Government Shoreline and Submerged Land at Wallupe Peninsula, Aiea, Oahu, Tax Map Key 3-6-01:seaward of 17

Item F-1-c Issuance of Revocable Permit to Department of Accounting and General Services, Government Land at Kaunakakai, Molokai, Tax Map Key 5-3-05:por. 10

Item F-1-d See page 4 for Action.

Item F-1-e Sand Island Business Association Requests Reconsideration of Monthly Rental to Revocable Permit Consented to by Land Board at its Prior Meeting of June 12, 1992 (Agenda Item F-1-j), Sand Island Industrial Park, Sand Island, Honolulu, Oahu, Tax Map Key 1-5-41:327

Regarding Item F-1-e, Mr. Young informed the Board that the applicants, SIBA were not able to attend this meeting and are asking that the Board defer this to the July 24, 1992 meeting. Staff had no problem with the request.

ACTION Ms. Himeno made a motion to approve Items F-1-a, F-1-b, and F-1-c as amended; seconded by Mr. Arisumi, motion carried. Item F-1-e was deferred.

ITEM F-2 See Page 7 for Action.

AMENDMENT TO VARIOUS PRIOR BOARD ACTIONS RELATIVE TO THE DIRECT SALE OF PERPETUAL, NON-EXCLUSIVE ACCESS AND UTILITY EASEMENT, KAMAOLE, WAILUKU (KULA), MAUI, TAX MAP

ITEM F-3 KEY 3-9-04:POR. 141

ACTION Unanimously approved as submitted. (Arisumi/Himeno)

ITEM F-4 See page 2 for Action.

REQUEST BY CITY AND COUNTY OF HONOLULU FOR FEE CONVEYANCE OF REMNANT PARCELS R-13 AND R-13-A ADJACENT TO KEAAHALA STREAM, KANOHULUIWI HOMESTEADS, KANEOHE, KOOLAUPOKO,

ITEM F-5 OAHU, TAX MAP KEY 4-5-14

With the permission of the Board, Mr. Young requested to delete Remnant Parcel R-13 inasmuch as the Board has already approved the sale of the remnant to an adjoining owner. The request here is only for R-13-A.

ACTION Unanimously approved as amended. (Himeno/Apaka)

CITY AND COUNTY OF HONOLULU, BOARD OF WATER SUPPLY REQUESTS PERPETUAL, NON-EXCLUSIVE EASEMENT FOR WATER METER PURPOSES AT WAIPAHU CIVIC CENTER, WAIPIO, EWA, OAHU,

ITEM F-6 TAX MAP KEY 9-4-17:POR. 52

ACTION Unanimously approved as submitted. (Himeno/Apaka)

SET ASIDE TO DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF FORESTRY AND WILDLIFE, STATE LAND AT WAIOMAO, PALOLO VALLEY, HONOLULU, OAHU, AS AN ADDITION TO THE

ITEM F-7 HONOLULU WATERSHED AND FOREST RESERVE, TAX MAP KEY 3-4-15:7

WITHDRAWN With the permission of the Board, Mr. Young requested that Item F-7 be withdrawn due to some legal problems with respect to falling rocks in the area. Staff is currently working with the Department of the Attorney General on this matter.

STAFF RECOMMENDATION TO TERMINATE GENERAL LEASE NO. S-5197, HAUULA HOMESTEAD, HAUULA, KOOLAUPOKO, OAHU, TAX MAP

ITEM F-8 KEY 5-4-14:3

Mr. Young explained the reasons for staff's recommendation to terminate the lease and amend the request to be sold at public auction. Under "RECOMMENDATION," Condition 3, "March 1, 1992" revised should be changed to "March 31, 1992."

ACTION Unanimously approved as amended. (Himeno/Apaka)

ITEM F-9 GRANT OF PERPETUAL, NON-EXCLUSIVE FIXED GUIDEWAY RAPID TRANSIT EASEMENTS AND CONSENT TO MEMORANDUM OF UNDERSTANDING, CITY AND COUNTY OF HONOLULU, OAHU

ACTION Unanimously approved as submitted. (Himeno/Apaka)

ITEM F-10 RESUBMITTAL--SET ASIDE OF STATE LAND FOR IOLANI PALACE GROUNDS, HONOLULU, OAHU, TAX MAP KEY 2-1-25:2

ACTION Unanimously approved as submitted. (Himeno/Apaka)

ITEM H-1 Deferred, see Page 10.

ITEM H-2 Deferred, see Page 10.

ITEM H-3 Deferred, see Page 3.

ITEM J-1 CONSENT TO SUBLEASE, HONOLULU INTERNATIONAL AIRPORT, OAHU (DFS HAWAII, A DIVISION OF DFS GROUP L. P. - ROBERTA B. FITHIAN DBA TIARE ENTERPRISES)

ACTION Unanimously approved as submitted. (Himeno/Apaka)

ITEM J-2 AMENDMENT NO. 6 TO LEASE NO. DOT-A-78-23, LIHUE AIRPORT, KAUAI (ALOHA AIRLINES, INC.)

ACTION Unanimously approved as submitted. (Apaka/Arisumi)

*Note: Ms. Himeno was absent from the Board Room when Item J-2 was presented and voted upon.

ITEM J-3 APPLICATION FOR ISSUANCE OF REVOCABLE PERMITS 4883, 4884 AND 4885, KEAHOLE AIRPORT, HAWAII

ACTION Unanimously approved as submitted. (Yuen/Arisumi)

ITEM J-4 RENEWAL OF REVOCABLE PERMITS 2869, ETC., AIRPORTS DIVISION, LIH, OGG, KOA, HNL, ITO, HDH, LNY, HNM, MUE

ACTION Unanimously approved as submitted. (Himeno/Apaka)

ITEM J-5 APPROVAL OF CONSENTS TO SUBLEASE, HARBORS DIVISION, LEASE NO. H-82-4, HONOKOHAU SMALL BOAT HARBOR, HAWAII (GENTRY PROPERTIES)

Mr. David Parsons made the presentation of Item J-5.

ACTION Unanimously approved as submitted. (Yuen/Himeno)

ITEM J-6 CONSENT TO ASSIGNMENT OF SUBLEASE, HARBORS DIVISION, LEASE NO. H-70-14, KEEHI LAGOON, OAHU (KEEHI MARINE, INC.)

Mr. Parsons made the presentation of Item J-6.

ACTION Unanimously approved as submitted. (Himeno/Apaka)

ITEM J-7 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, KEWALO BASIN, OAHU (PARADISE CRUISE, LTD.)

ACTION Unanimously approved as submitted. (Himeno/Apaka)

ITEM J-8 ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, PIER 36, HONOLULU HARBOR, OAHU (HAWAII MARITIME CENTER)

ACTION Unanimously approved as submitted. (Himeno/Apaka)

ITEM Z-1 RESULTS OF PUBLIC AUCTION SALE HELD ON THE ISLAND OF HAWAII ON JUNE 25, 1992

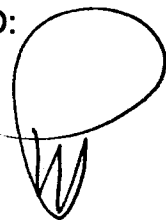
Report Item Z-1, was accepted by the Board.

ADJOURNMENT The meeting was adjourned at 12:00 noon.

Respectfully submitted,

Dorothy Chun
Dorothy Chun
Secretary

APPROVED:



WILLIAM W. PATY, Chairperson

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