

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

DATE: August 12, 1992
TIME: 9 a.m.
PLACE: Kalanimoku Building, Board Room, Room 132
1151 Punchbowl Street
Honolulu, Hawaii 96813

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

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

STAFF: Mr. Henry Sakuda
Mr. Richard Kanayama
Mr. Mason Young
Mr. Roger Evans
Mr. Al Rogers
Mr. James Schoocraft
Mr. Larry Cobb
Mr. Richard Fassler
Ms. Geraldine Besse

OTHERS: Dawn N. Chang, Esq., Dept. of the Attorney General
Mr. Peter Garcia, Dept. of Transportation
Dr. David W. Greenfield (Item No. B-1)
Rev. William Han (Item No. F-5)
Mr. Charles R. Wichman (Item No. H-1)
Mr. & Mrs. Christopher Miller (Item No. H-2)
Mr. Donald Chung and Mr. Colin De Silva (Item No. H-4)
Mr. Paul Broad (Item No. J-3)

APPROVAL OF MINUTES The minutes of the meetings of April 22, 1992, and June 12, 1992, were unanimously approved as submitted (Arisumi/Apaka).

ADDED ITEM Upon the motion of Mr. Arisumi and a second by Mr. Apaka, the Board voted unanimously to add the following item to the agenda:

Item No. H-6 -- Permission to Hire a Consultant to Assist in a Study of Hawaiian Fishpond Restoration on Molokai

Items were heard in the following order to accommodate those applicants and interested persons present:

ITEM H-4: REQUEST FOR A TIME EXTENSION ON CDUA OA-2436 FOR THE CONSTRUCTION OF A SINGLE FAMILY RESIDENCE, KANEOHE, KOOLAUPOKO, OAHU, TAX MAP KEY 4-4-13:34; APPLICANT: COLIN DE SILVA, AGENT: DONALD H. CHUNG

Mr. Evans explained that the Attorney General's opinion had been received and the staff recommendation remained as previously recommended.

ACTION Unanimously approved as submitted (Arisumi/Yuen).

ITEM H-1: **PETITION TO AMEND TITLE 13, CHAPTER 12, HAWAIIAN ADMINISTRATIVE RULES IN ORDER TO ESTABLISH A SPECIAL SUBZONE AT LIMAHULI GARDENS AND PRESERVE AT HAENA, KAUAI, TAX MAP KEYS 5-9-1:3, 5-9-6:2,3,4,5,6,8,9; PETITIONERS: NATIONAL TROPICAL BOTANICAL GARDEN, MR. CHARLES R. WICHMAN, MR. CHARLES R. WICHMAN, JR.**

Mr. Evans asked to correct a typo error on page 17; he said the date of the map should be corrected to August 12, 1992.

ACTION Unanimously approved as amended (Apaka/Himeno).

ITEM H-2: **CONSERVATION DISTRICT USE APPLICATION FOR A SINGLE FAMILY RESIDENCE AT 170 FOREST RIDE WAY, TANTALUS, HONOLULU, OAHU, TAX MAP KEY 2-5-14:08; APPLICANT: CHRISTOPHER AND PATRICIA MILLER**

Mr. Yuen asked that Condition No. 18 be added which would provide that the applicant must comply with County provisions regarding height limits, setback standards, etc., even though they do not apply to the conservation district.

ACTION Unanimously approved as amended (Himeno/Arisumi).

ITEM B-1: **REQUEST FOR A SCIENTIFIC COLLECTING PERMIT BY DR. DAVID W. GREENFIELD TO USE POISON (ROTENONE) TO COLLECT FISH SPECIMENS AT DEPTHS BELOW 50-FEET AT 40 SITES AROUND THE ISLAND OF OAHU**

ACTION Unanimously approved as submitted (Himeno/Arisumi).

ITEM F-5: **DIRECT LEASE TO TRUSTEE OF APOSTOLIC CHURCH OF HONOLULU AT LAHAINA, MAUI, TAX MAP KEY 4-5-05:POR. 17**

Mr. Young stated that the submittal did not reflect comments by other divisions or State agencies and concurred with Mr. Arisumi that it might be best to defer the item and to check with the Department of Transportation and the Small Boat Harbors Program about their future plans for the area.

ACTION Deferred to next meeting of the Board (Arisumi/Apaka).

ITEM J-3: **RESUBMITTAL--ISSUANCE OF LEASE BY PUBLIC AUCTION, ALA WAI SMALL BOAT HARBOR, OAHU (DEFERRED FROM BOARD OF LAND AND NATURAL RESOURCES MEETING HELD ON JUNE 26, 1992)**

Mr. Cobb indicated that it appears that no one except the present lessee would bid at the auction and, therefore, preliminary work has been done on the lease document.

ACTION Unanimously approved as submitted (Yuen/Himeno).

Recess was called by the Chair from 10:10 to 10:20 a.m.

ITEM C-1: **PERMISSION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING FOR A SOIL SURVEY FOR THE ISLAND OF HAWAII**

- ACTION** Unanimously approved as submitted (Yuen/Himeno).
- ITEM E-1:** APPROVAL TO ENGAGE THE SERVICES OF A CONSULTANT TO OBTAIN REGULATORY PERMITS FOR THE RESTORATION OF HUILUA FISHPOND AT KAHANA VALLEY STATE PARK, OAHU
- ACTION** Unanimously approved as submitted (Himeno/Apaka).
- ITEM F-1:** DOCUMENTS FOR BOARD CONSIDERATION:
- Item F-1-a:** ASSIGNMENT OF GENERAL LEASE NO. S-5122, WILLIAM E. FERNANDES, ASSIGNOR, AND RANDAL BANDMANN, ASSIGNEE, GOVERNMENT LAND AT HALELEA, HANAIEI, KAUAI, TAX MAP KEY 5-4-02:33 AND 42
- Item F-1-b:** ASSIGNMENT OF GENERAL LEASE NO. S-4195, THE FLAGS RESORT APARTMENTS, INC., ASSIGNOR TO THE OMEGA INVESTMENT GROUP, INC., A NEVADA CORPORATION, ASSIGNEE, COVERING GOVERNMENT LAND AT KAMAOLE, KULA, MAUI, TAX MAP KEY 3-9-05:46
- Item F-1-c:** ISSUANCE OF REVOCABLE PERMIT TO MR. SAMUEL AKINA, LOT 36-A, WAILUA HOMESTEAD LOTS, WAILUA, HANA (KOOLAU), MAUI, TAX MAP KEY 1-1-06:43
- Item F-1-d:** ISSUANCE OF REVOCABLE PERMIT TO MR. JOSEPH J. DAY, LOT 33-A, WAILUA HOMESTEAD LOT, WAILUA, HANA (KOOLAU), MAUI, TAX MAP KEY 1-1-06:38
- Item F-1-e:** ISSUANCE OF LAND LICENSE TO L. REGO DUMP TRUCK & HEAVY EQUIPMENT, KAWAIELE, MANA, KAUAI, TAX MAP KEY 1-2-02:POR. 1
- ACTION** Unanimously approved as submitted, except for Item No. F-1-e, which was withdrawn (Apaka/Arisumi).
- ITEM F-2:** DIRECT SALE OF REMNANTS TO F. NEWELL BOHNETT, GOVERNMENT "PAPER" ROADS AT PUUANAHULU HOMESTEADS, NO. KONA, HAWAII, TAX MAP KEY 7-1-05:PAPER ROADS
- Mr. Young asked that this item be withdrawn because of recent correspondence which needed to be addressed.
- ACTION** Item withdrawn (Yuen/Arisumi), with Ms. Himeno recused.
- ITEM F-3:** WATER COMMISSION, COUNTY OF HAWAII REQUEST DIRECT GRANT OF EASEMENT FOR WATER PIPELINE PURPOSES, WAIAKEA, SO. HILO, HAWAII, TAX MAP KEY 2-2-29:POR. 1
- ACTION** Unanimously approved as submitted (Yuen/Arisumi).
- ITEM F-4:** AMENDMENT TO PRIOR BOARD ACTION OF NOVEMBER 8, 1991, (AGENDA ITEM F-5) RELATIVE TO COUNTY OF HAWAII REQUEST FOR WAIVER OF RESTRICTION CONTAINED IN LAND PATENT GRANT NO. 13,352 COVERING LAND SITUATE AT WAIAKEA, SO. HILO, HAWAII, TAX MAP KEY 2-4-25:27)

ACTION Unanimously approved as submitted (Yuen/Himeno).

ITEM F-5: See page 2.

ITEM F-6: **REQUEST FOR AUTHORIZATION TO ENTER INTO LICENSE AGREEMENT FOR STATE TELECOMMUNICATIONS FACILITY SITE, PUU KILEA, LANAI, TAX MAP KEY 4-9-02:POR.1**

Mr. Young asked to amend the submittal to provide that the agreements with HECO and MECO be approved by the Board.

ACTION Unanimously approved as amended (Arisumi/Apaka).

ITEM F-7: **STAFF REQUEST FOR AUTHORIZATION OF INTENT TO SELL AGRICULTURAL SMALL ANIMAL HUSBANDRY LEASE AT PUBLIC AUCTION COVERING STATE LAND AT WAIMANALO, KOOLAUPOKO, OAHU, TAX MAP KEY 4-1-27:01**

and

ITEM F-8: **STAFF REQUEST FOR AUTHORIZATION TO SELL AN AGRICULTURAL SPECIAL EQUESTRIAN LEASE AT PUBLIC AUCTION COVERING STATE LAND AT WAIMANALO, KOOLAUPOKO, OAHU, TAX MAP KEY 4-4-10:05**

ACTION Unanimously approved as submitted (Apaka/Arisumi).

ITEM F-9: **REQUEST FOR AUTHORIZATION TO ACCEPT TITLES OF REAL PROPERTIES FROM THE THRIFT GUARANTY CORPORATION AND TO DISPOSE OF THEM AS APPROPRIATE**

Mr. Yuen asked that Mr. Young contact the National Park Service to see whether they had any long-range plans for the area or were interested in acquiring some of the parcels in the Royal Garden area.

ACTION Unanimously approved as submitted (Yuen/Himeno).

ITEM H-1: See page 2.

ITEM H-2: See page 2.

ITEM H-3: **AUTHORIZATION TO APPOINT PUBLIC HEARING MASTERS PURSUANT TO AN AMENDMENT TO TITLE 13, CHAPTER 3, HAWAII ADMINISTRATIVE RULES, IN ORDER TO COMPLY WITH ACT 059, SIXTEENTH LEGISLATURE, 1992, RELATING TO THE CONSERVATION DISTRICT**

ACTION Unanimously approved as submitted (Yuen/Himeno).

ITEM H-4: See page 2.

ITEM H-5: **CDUA FOR A PUBLIC BEACH PARK AT KAUPULEHU, NORTH KONA, HAWAII, TAX MAP KEY 7-2-4:POR.5, APPLICANT: HUEHUE RANCH ASSOCIATES, LP.: AGENT: PBR HAWAII**

Mr. Evans stated that he had received a written request from the applicant asking that the item be withdrawn as they were unable to obtain an SMA.

ACTION Withdrawn (Yuen/Arisumi).

- ITEM H-6: PERMISSION TO HIRE A CONSULTANT TO ASSIST IN A STUDY OF HAWAIIAN FISHPOND RESTORATION ON MOLOKAI**
- ACTION** Unanimously approved as submitted (Arisumi/Apaka).
- ITEM J-1: ISSUANCE OF LEASES BY PUBLIC AUCTION, HONOKOHAU SMALL BOAT HARBOR, HAWAII**
- ACTION** Unanimously approved as submitted (Yuen/Himeno).
- ITEM J-2: ISSUANCE OF REVOCABLE PERMIT, WAILOA RIVER, KAILUA-KONA WHARF AND KAWAIHAE HARBOR NORTH, HAWAII (PACIFIC RESOURCES TERMINALS, INC.)**
- ACTION** Unanimously approved as submitted (Yuen/Himeno).
- ITEM J-3:** See page 2.
- ITEM K-1: AMENDMENT NO. 2 TO LEASE NO. DOT A-83-10, KAUAI (FEDERAL AVIATION ADMINISTRATION (FAA))**
- ACTION** Unanimously approved as submitted (Apaka/Arisumi).
- ITEM K-2: APPLICATION FOR ISSUANCE OF REVOCABLE PERMITS 4891, ETC., AIRPORTS DIVISION, HNL, ITO, OGG**
- ACTION** Unanimously approved as submitted (Himeno/Arisumi).
- ITEM K-3: APPLICATION FOR ISSUANCE OF REVOCABLE PERMIT 4892, ETC., AIRPORTS DIVISION, HNL, LIH, ITO**
- ACTION** Unanimously approved as submitted (Himeno/Apaka).
- ITEM K-4: AMENDMENT TO HARBOR LEASE NO. H-91-4, KAWAIHAE HARBOR, HAWAII (MATSON TERMINALS, INC.)**
- ACTION** Unanimously approved as submitted, with Ms. Himeno recused (Yuen/Apaka).
- ITEM K-5: ISSUANCE OF A REVOCABLE PERMIT BY PUBLIC AUCTION, HARBORS DIVISION, KEWALO BASIN, HONOLULU, OAHU**
- ACTION** Unanimously approved as submitted (Himeno/apaka).
- ITEM K-6: ISSUANCE OF A REVOCABLE PERMIT BY PUBLIC AUCTION, HARBORS DIVISION, FORT STREET NEAR PIER 10, HONOLULU HARBOR, OAHU**
- ACTION** Unanimously approved as submitted (Himeno/Apaka).
- ITEM K-7: ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION SLIP E-1, KEWALO BASIN, HONOLULU, OAHU (HOKUNANI ASSOCIATES, INC.)**
- ACTION** Unanimously approved as submitted (Himeno/Apaka).

ITEM K-8: ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, NAWILIWILI HARBOR, KAUAI (HEALY TIBBITS BUILDERS, INC.)

ACTION Unanimously approved as submitted (Yuen/Himeno).

ITEM K-9: ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, HILO HARBOR, HAWAII (KAWAIHAE TERMINALS, INC.)

ACTION Unanimously approved as submitted (Yuen/Himeno).

ITEM K-10: ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, HILO HARBOR AND KAWAIHAE HARBOR, HAWAII (PACIFIC RESOURCES TERMINALS, INC.)

ACTION Unanimously approved as submitted (Yuen/Himeno).

ITEM K-11: RESTAURANT AND LOUNGE CONCESSION LEASE, HONOLULU INTERNATIONAL AIRPORT, OAHU

ACTION Unanimously approved as submitted (Himeno/Yuen).

RESOLUTIONS: The Board unanimously adopted the following resolutions:

(1) Commending Noah K. Pekelo, Jr., Chief of Fish and Wildlife Enforcement, DOCARE, upon retirement;

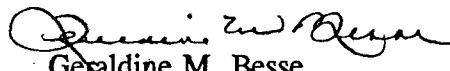
(2) Commending Hubert E. Sing Fook, Harbor Agent, Division of Boating and Ocean Recreation, upon retirement;

(3) Commending Yuri L. Sasaki, Clerk-Typist, Division of State Parks, upon retirement; and

(4) Commending Julio John Velles, Park Caretaker, Division of State Parks, upon retirement.

ADJOURNMENT: There being no further business, the Chairperson adjourned the meeting at 11:00 a.m.

Respectfully submitted,


Geraldine M. Besse
Secretary

APPROVED:



WILLIAM W. PATY, Chairperson

8/13/92