

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

DATE: THURSDAY, JUNE 10, 1993  
TIME: 9:00 A.M.  
PLACE: BOARD ROOM, ROOM 132  
1151 PUNCHBOWL STREET  
HONOLULU, HAWAII

**ROLL  
CALL**

The Chairperson called the meeting of the Board of Land and Natural Resources to order at 9:14 a.m. The following were in attendance:

**MEMBERS:** Mr. William W. Paty (excused at 1:15 p.m.)  
Mr. John Arisumi  
Mr. Herbert Apaka  
Ms. Sharon Himeno (excused at 1:15 p.m.)  
Mr. Christopher Yuen  
Mr. Keith W. Ahue

**STAFF:** Mr. Gordon Akita  
Mr. Ralston Nagata  
Mr. Mason Young  
Mr. Ed Henry  
Mr. David Parsons  
Mr. Maurice Matsuzaki  
Mrs. Geraldine M. Besse

**OTHERS:** Mr. Johnson H. Wong, Dept. of the Atty. General  
Mr. Peter Garcia, Dept. of Transportation  
Mr. Clancey Greff, Mr. Tom Heggarty, Ms. Susan Matsuura, Ms. Diane Faye, Ms. Helena Santos, Ms. Amy Chandler, Mr. Jeff Chandler, Ms. Stacey Prather, Mr. Harold Bronstein, Ms. Sharon Prather, and Mr. Ed Pollock (Item No. E-2)  
Ms. Lisa Ikeda (Item No. H-2)  
Mr. Don Kitaoka, Mr. Richard Puehl, Mr. Quentin Dura, Ms. Janet Sakoda, and Mr. Minoru Yoneshige (Item No. H-5)  
Mr. John Min and Mr. David D. Dodds (Item No. H-6)  
Mr. Jim Coon (Item No. J-1)  
Mr. Richard Fukumoto (Item No. J-2)

**ADDED ITEM** It was moved by Mr. Arisumi, seconded by Mr. Apaka and unanimously approved to add the following item to the agenda:

Item F-11 -- Amendment to Prior Board Action of July 24, 1992, (Agenda Item F-3) Relative to Authorization to Sell at Public Auction a Telecommunications Facility Lease at Humuula, North Hilo, Hawaii, Tax Map Key 3-8-01:11

Items on the agenda were considered in the following order to accommodate the applicants and interested parties who were present:

**ITEM H-6 CDUA FOR THE SUBDIVISION OF LAND AT KIPAHULU, HANA, MAUI, TMK 1-6-10:01, APPLICANT: KAAPAHU HOLDING CO.; CONSULTANT: CHRIS HART AND PARTNERS**

Mr. John Min and applicant David D. Dodds were present and said they agreed with the recommendations.

**ACTION** Unanimously approved as submitted (Arisumi/Yuen).

**ITEM J-2 ISSUANCE OF LEASE BY PUBLIC AUCTION, KEEHI SMALL BOAT HARBOR, ISLAND OF OAHU, FOR MARINE BUSINESS CENTER**

Mr. Richard Fukumoto was present to answer any questions of the Board.

**ACTION** Unanimously approved as submitted (Paty/Himeno).

**ITEM E-2 REQUEST FOR A ONE-YEAR EXTENSION FOR THREE SPECIAL USE PERMITS TO MAKE COMMERCIAL TOUR BOAT LANDINGS AT THE NA PALI COAST STATE PARK AND/OR HAENA POINT, KAUAI**

Presentation of the item was made by Ralston Nagata and David Parsons. Mr. Nagata explained that Mr. Greff was authorized to land and pick up campers at Kalalau Beach and make up to four landings at Nualolo Kai for day use and land and pick up campers at Milolii, all along the Na Pali State Park. He is also authorized no more than two boats, making up to three trips per day at Makua or Tunnels Beach.

Mr. Heggarty is authorized to land permitted campers at Kalalau, to make up to two landings per day at Nualolo Kai for day use and to land and pick up campers at Milolii.

Lady Ann Cruises is authorized to make two landings per day at Nualolo Kai for day use and four landings per day on week days at Milolii for day use.

At present the Department is in transition with respect to boating operations now that the Boating and Ocean Recreation Division has been established in DLNR. Only provisions regarding landings at Na Pali State Park will be covered by permit through State Parks; BOR will be responsible for regulating and permitting commercial ocean recreation activities at Makua or Tunnels pursuant to its administrative rules.

Mr. Parsons explained that the rules presently allow BOR to issue permits up to 10 vessels from Makua or Tunnels, with allowance for an additional service boat if necessary. It permits ingress/egress to and from the beach. The rules, he said, refers to the operator who has a permit from DLNR and refers to the operation in existence at the time the rules were adopted, which would be Mr. Greff's operation.

Mr. Parsons referring to the letter from the Kauai Planning Director stated that his understanding was that an SMA was required from the Hanalei Rivermouth area. However, he noted that the present application is for Tunnels Beach and Na Pali Coast; that Hanalei is a separate issue. Mr. Paty noted that the Planning Director claims that the present applicant does not have an SMA. A concern was the proximity to the residential area, and that the Makua cave area might be more appropriate. Mr. Nagata answered that the Kee Beach was addressed several years ago and the finding was that Kee Beach was a small area, quite heavily used, and created a hazardous situation.

Mr. Yuen expressed his concerns regarding the administrative rules and cautioned that the division should ensure that it was on "solid ground." Mr. Parsons suggested that possibly the Board could defer to the division for issuance of permits for water recreation uses and could limit permits for the Makua area to the number of vessels authorized in the special use permits for the Na Pali Coast Park area.

Mr. Nagata stated that under the rules BOR is authorized to permit up to 10 boats but to the existing operator when the rules went into effect; therefore, it is Mr. Greff's operation so it is a Board decision on the number of boats he could operate. From 1980-86, an additional eight boats were added to Mr. Greff's original operation; however, more recently, the Board has decided on two as the number it would allow. Mr. Apaka commented that it was his understanding that it was done because the County was attempting to work out the situation at Hanalei--that the situation would be resolved by the County but it has not. Mr. Nagata suggested that a way to resolve Mr. Arisumi's concerns on permitting more than two boats would be to amend the rules. Mr. Arisumi stated his concern was for residents of the area as well as the economy of the island. He also stated that there may be other applicants interested in obtaining permits to operate from Tunnels.

Mr. Ahue suggested that the resolution might be a condition that any number above two boats would have to be brought to the Board.

Mr. Paty suggested that an opportunity be afforded to change the rule, along with the suggestion of the chair that Board approval be required for more than two boats.

Mr. Greff stated that in 1977 when he applied for a CDUA it was for two boats. He said the Hanalei situation arose shortly after. He said DLNR delineated that a permit was not required from Hanalei as long as the boats did not land at Na Pali. He said he was told by Kauai Land Management and State Parks that he did not need a permit for the other eight boats because those boats did not land. He said that in 1988-89 he was advised by Mr. Evans that a CDUA was required for those remaining eight boats. His attorney said it was "ridiculous" and did not apply as he claimed those boats were not under Board jurisdiction. He advised that he moved his boats out over a period of time over to the Hanalei ingress/egress zone. He said that when he first applied for the SMA permit, he was advised that he could not apply on his own but had to apply with the other operators in Hanalei. He said he did and soon after he was enjoined; however, the Supreme Court dissolved the injunction. He said he needs to operate 4-5 boats and also cited the extensive publicity his operation has had.

Mr. Heggarty said he operates one catamaran and one zodiac out of Hanalei and operates under the SMA granted to Sheehan's. He said in 1986, his attorney talked with the County and was advised he did not need an SMA.

Ms. Susan Matsuura stated that the operation was moved to Kikiaiola but hasn't been in operation since the hurricane because business has not built up. She said they have tried to apply for the SMA and a hearing was being held this date on Kauai.

Mrs. Diane Faye stated she has appeared a number of times before the Board on this issue and reiterated that her arguments were the same as in the past.

Mrs. Helena Santos commented that she has appeared numerous times also and urged denial of the permits. She said it is a recreational harbor and the commercial operation should be out of a commercial harbor.

Ms. Amy Chandler stated that the area is a "zoo" because of so much human activity. She cited environmental, safety, parking concerns, and the lack of enforcement.

Mr. Jeff Chandler stated he was brought up to respect the aina and that the resources are being depleted to the detriment of the native Hawaiians.

Ms. Stacey Prather asked why commercial boats couldn't be kept in commercial harbors and urged the Board to say "no" to the permits.

Mr. Harold Bronstein representing Waiola cited Rule 1986-39, the "Clancey Greff rule." He stated that the rule does not specifically state that it is only for Clancey Greff although Mr. Greff was the only operator at the time and urged that the rules be amended. He also cited the requirement for an EA/EIS under Chapter 343. He stated that commercial activity should operate out of a commercial harbor; that the issue is where it [commercial boating activity] goes and how it is conducted; that making an industry change is not putting it out of business. He said that Mr. Greff chooses not to change. He stated that the SMA is primary and

must be obtained first before any other permits can be issued.

He also asked that the Na Pali Master Plan be reviewed.

Mr. Bronstein urged that the Board not delegate the authority to BOR. He said that irrespective of Act 272 and HRS 200, a CDUA is required.

**RECESS** The Chairperson called for a recess from 10:55 to 11:05 a.m.

Ms. Sharon Prather stated that the entire North Shore area should be considered as one and protected. She stated that there is no enforcement, which is impacting their way of life.

Mr. Ed Pollock stated that he has been a commercial boat operator most of his life and Makua has been a problem from the beginning, and there are complaints daily. He stated that commercial boat operations should be in commercial harbors under the scrutiny of the Coast Guard.

A 22-minute video was presented showing the problems mentioned by those testifying.

**EXECUTIVE SESSION:** Mr. Apaka moved for an executive session to consult with the deputy attorney general; the motion was seconded by Mr. Paty and unanimously approved. The Board met in executive session from 11:34 a.m. to 12:11 p.m.

Mr. Paty noted that the issue has been before the Board for a number of years and he had the opportunity to chair the Board. He said there was no easy resolution, and it appeared that the way to resolve it was not just having a few people at one time on this island before the Board to obtain a balanced decision. He noted there is a contested case request before the Board and that within the setting of a contested case, both parties, in a courtroom setting, would put forth the issues, with a finding made and presented to the Board for action. This would provide a complete record. With that available to the Board, Mr. Paty moved to approve the applications with that understanding that the contested case will then move forward. In that interim, before any further opportunity beyond two boats is approved, that issue would come back before the Board for specific approval and the DLNR rules would be amended to reflect that action of the Board.

**ACTION** Mr. Paty moved to approve the applications, with the understanding it would set the stage for the contested case hearing; in the interim, approval beyond two boats would require specific approval of the Board, with the boating rules addressed in due course. Seconded by Mr. Arisumi.

Ms. Himeno commented that the testimony raised concerns with her of the appropriateness of commercial boating and that it would be beneficial to have everyone afforded the opportunity to discuss the issues in depth through the contested case hearing, which would be a better forum for resolution of the issues. hearings officer submits a report to the Board, would provide an opportunity to look at the issue again.

Mr. Yuen commented that he was concerned about the ingress/egress zone, not only the landings and the number of boats.

Mr. Nagata commented that the contested case involves only one of the permits-- Mr. Greff's permit. Mr. Paty stated that if the others were covered under that proviso when it comes back before the Board, the Board can provide for whatever extensions are deemed appropriate. He clarified that it would be for a one-year extension for two boats not to exceed time of the contested case hearing.

Motion unanimously carried.

Mr. Nagata stated that there was a request from County Planning regarding filming activity, and the County had hoped to have Mr. Greff move out of Tunnels for approximately five days this summer. The Mayor requested that the Board consider allowing Mr. Greff to operate out of Kee Beach during that temporary period. Mr. Nagata stated that the Board previously disallowed use of Kee Beach. He indicated there was some discussion of use of Hanalei River but the County was somewhat adamant about disallowing Hanalei River.

**ACTION** Mr. Paty moved that the matter be handled administratively by the Chairperson; the motion was seconded by Mr. Apaka.

Mr. Apaka asked whether a CDUA was required for filming at Makua. Mr. Henry indicated that the matter was handled by the Film Permit Office, in consultation with DLNR, and preliminary approval has been given. The options available, he said, were Kee Beach, Hanalei River, or compensation by the production company to Mr. Greff if he has a valid permit and is precluded from business on the beach because of the closure.

Mr. Apaka stated he would support the motion provided Kee was not used because of the number of children swimming in the lagoon. Mr. Henry indicated that the film production office said they would provide lifeguards. Mr. Apaka suggested that if the County wanted to use Makua, then Mr. Greff should be relocated to Hanalei. Mr. Greff indicated his choice would be to operate out of Hanalei using the ingress/egress zone. Mr. Henry stated that there will be more discussion and maybe other considerations would be made.

The Chairperson clarified that the motion was to delegate to the Chairperson the County's request but the Board's position would be that Kee was not an option.

Unanimously approved.

**ITEM H-5 TEMPORARY VARIANCE APPLICATION FOR SOIL BORINGS, WAIALAE NUI, OAHU, TMK 3-5-24:1, APPLICANT: LUINAKOA PARTNERS**

Mr. Henry stated that some concerns were expressed by the community regarding the dust, noise, access, the possibility of falling rocks, notice to the community, particularly to the residents of the two adjoining streets, and restoration of the land after the tests are conducted. He pointed out Condition No. 6--that residents of Luinakoa Street should be notified prior to the activity. He asked to amend Condition No. 6 so that appropriate measures are taken to minimize any disturbance to surrounding residences during the operation, including the suppression of dust and that written notice be given to the residents, not only of Luinakoa Street, but to residents of Ainakoa Avenue, as well, which is adjacent to the project, and that the Ainakoa Community Association be also notified one week prior to the activity. Mr. Henry suggested a condition requiring a barrier at the end of Luinakoa Street to restrict vehicle access to the property.

Mr. Don Kitaoka stated he had no objections to the amended conditions; however, as to the characterization of the barrier, he asked that the condition only refer to a restriction to access during the time the applicant, agents or workers are not on the property. He pointed out that the applicant is presently before the Land Use Commission on petition for district boundary amendment, and the Aina Koa Community Association has intervened in the proceeding, the major concern being soil stability at the site. The intent of the applicant is simply to do a minimal amount of disturbance necessary to conduct the testing. Any disturbance of the area would be restricted to the access road presently on site and clearing of pathways for the equipment.

Ms. Himeno moved to approve.

Mr. Quentin Dura, president of Aina Koa Community Association, testified that a letter was submitted on June 3, 1993, to the Board. He pointed out that the Aina Koa Community Association opposed the proposed development to build the 52 house lots at the end of Luinakoa Street. He said there are 585 acres in East Honolulu that are already zoned for urban use. Since the development would take land out of conservation, the Association felt that the 585 acres should be developed first. He said there was no objection to the testing of the soil and felt the EIS was incomplete without the soil survey. He asked that consideration be given: (1) the destruction of trees limited to those absolutely necessary to be removed; (2) because of the large number of retirees in the valley at home during the day who take care of their grandchildren that necessary precautions be taken to prevent dust on Luinakoa Street, that portion of Aina Koa Avenue situated above Hale Koa Drive; and (3) a fence with a gate be

erected at the end of Luinakoa Street to keep dirt bikers and other vehicles out.

Mr. Henry stated that under Condition No. 4 the applicant would be required, should the Board concur, that appropriate measures be taken to control any erosion or sedimentation, including dust, during and after the activity.

Mr. Kitaoka stated that the operation would take six weeks and not one week as had been earlier indicated. With respect to the restriction of access, he asked that it reflect vehicular access.

Mrs. Janet Sakoda, resident, opposed the rezoning but asked for additional conditions: (1) the developer remove as little vegetation as possible and after the tests are completed that the developer restore the land as much as possible to its original condition; and (2) the developer provide adequate dust and noise control measures, citing the majority of elderly residents.

Mr. Minoru Yoneshige, 35-year resident of the area, testified that he opposed the zoning change but asked that the soil testing be done with a minimum of impact on the environment. He displayed photos to the Board and pointed to a path close to the canal. Mr. Yoneshige explained that the drainage canal was constructed prior to 1955 for the development of the Aina Koa community. Part of the canal was destroyed during a storm, and the portion rebuilt by the Army Corps of Engineers. Mr. Yoneshige contends that the old portion does not come up to the Corps standards and is susceptible to similar damage and believes the proposed path between the three makai sites and the three mauka sites should be revised. He said the best path would be from Aina Koa Avenue through the boulder basin to the mauka sites.

He also expressed concern about erosion.

Mr. Richard Puehl, soils engineer, testified that the proposed access path would cause no stress to the canal and explained the stress distribution.

Mr. Kitaoka commented that there was a causation problem in accepting responsibility for damage to the wall.

Mr. Henry proposed the following for consideration: (1) applicant modify his proposal, in coordination with the Aina Koa Community Association, to ensure that the drainage channel not be adversely impacted or damaged by the proposed access road. Mr. Kitaoka stated he had a problem with that in that there is no requirement at present for the design to be modified in order for it to be "correct" in engineering terms. He said that unless the Board has questions why it was designed this way, the soils engineer is saying that it is the most practical and appropriate route for a 10-foot pathway. Mr. Puehl said he could not see sitting down with the community association to attempt to come to a non-engineering position. Mr. Puehl stated that there are thousands of regulations addressing dust control, erosion, revegetation, all points are covered by ordinances and didn't feel it required special attention. He stated that if they are

responsible for damage, they would be required to pay for it. These are normal conditions, he said. Mr. Kitaoka stated his concern was that the engineer would be hampered in his efforts to provide feasible and appropriate design in accordance with engineering standards if he had to be compromised by layman understanding. Mr. Puehl reiterated that there would be no impact on the wall that exceeds regulation and would be responsible for any liability.

**ACTION** Ms. Himeno stated that based on the representations made by the engineer and other conditions, she moved to approve as modified--Condition No. 6 which includes the suppression of dust and written notice to residents on Luinakoa and Aina Koa Streets and that the applicant erect some type of barrier at the end of Luinakoa Street to restrict vehicular access to the property. Seconded by Mr. Paty.

The Chairperson commented that the Board had to depend on the expertise of the engineers on this issue and on the fact that they are required to comply with ordinances and statutes that pertain to all of the issues and concerns.

The motion was unanimously approved as amended.

**ITEM H-2 CDUA FOR A UTILITY EASEMENT AT KANEOHE, OAHU, TMK 4-5-42:2, 7-9 AND 11; APPLICANT: HAWAIIAN ELECTRIC CO., INC.; AGENT: PACIFIC PLANNING & ENGINEERING, INC., OA-2617**

**ACTION** Ms. Himeno asked to be recused. Ms. Lisa Ikeda from Hawaiian Electric was present to answer any questions of the Board. Item unanimously approved as submitted (Paty/Arisumi).

**ITEM J-1 ISSUANCE OF LEASE BY DIRECT NEGOTIATION, MANELE BAY SMALL BOAT HARBOR, ISLAND OF LANAI, COUNTY OF MAUI, FOR PASSENGER REST AREA, CONVENIENCE STORE, SNACK BAR AND ICE HOUSE (TRILOGY CORPORATION)**

**ACTION** Mr. Jim Coon was available to answer any questions of the Board. Unanimously approved as submitted (Arisumi/Apaka).

**ITEM F-3 GRANT OF PERPETUAL, NON-EXCLUSIVE ROADWAY EASEMENT LOCATED AT WAHIAWA, OAHU, TAX MAP KEY 7-4-22:50**

**ACTION** Unanimously approved as submitted (Paty/Apaka).

**RECESS:** The Chairperson called a recess from 1:15 p.m. to 2:03 p.m. Mr. Paty and Ms. Himeno excused at this time.

**ITEM D-1 PERMISSION TO HIRE A MECHANICAL ENGINEER FOR JOB NO. 17-HW-F, HUALALAI WELL DEVELOPMENT, HAWAII**

**ACTION Unanimously approved as submitted (Yuen/Arisumi).**

**ITEM E-1 PERMISSION TO NEGOTIATE WITH THE FRIENDS OF IOLANI PALACE, INC., AND EXECUTE DOCUMENT FOR A MANAGEMENT CONTRACT FOR IOLANI PALACE, BARRACKS, CORONATION PAVILION AND OLD ARCHIVES (KANAINA) BUILDING, HONOLULU, OAHU**

**ACTION Unanimously approved as submitted (Arisumi/Apaka).**

**ITEM E-2 See page 6.**

**ITEM F-1: DOCUMENTS FOR BOARD CONSIDERATION:**

**ITEM F-1a: SUBLEASE BETWEEN CITY AND COUNTY OF HONOLULU, SUBLESSOR AND SAND ISLAND BUSINESS ASSOCIATION, SUBLESSEE, COVERING SAND ISLAND SEWAGE TREATMENT PLANT SITE AT SAND ISLAND, OAHU**

**ITEM F-1b ASSIGNMENT OF GENERAL LEASE NO. S-4276 BETWEEN AMERICAN TRUST CO. OF HAWAII, INC., A HAWAII CORPORATION, THE ASSIGNOR, AND TONY A. TAY, THE ASSIGNEE, LOT 22, HANAPEPE BUSINESS LOTS, HANAPEPE, WAIMEA (KONA) KAUAI, TAX MAP KEY 1-8-08:40**

**ITEM F-1c ISSUANCE OF REVOCABLE PERMIT TO MIDEAST AND CHINA TRADING COMPANY, GOVERNMENT LAND BETWEEN OLD ARMED FORCES YMCA BUILDING (HEMMETER BUILDING) AND RICHARDS STREET SITUATE AT HONOLULU, OAHU, TAX MAP KEY 2-1-17:2**

**ITEM F-1d ISSUANCE OF REVOCABLE PERMIT TO MARY TEVES, ET AL., GOVERNMENT LAND AT KAILUA, KOOLAUPOKO, OAHU, TAX MAP KEY 4-2-13:POR. 10**

**and**

**ITEM F-1e ISSUANCE OF REVOCABLE PERMIT TO DIAMOND 'K' RANCH, GOVERNMENT LAND AT KAILUA, KOOLAUPOKO, OAHU, TAX MAP KEY 4-2-13:POR. 10**

Mr. Young asked to amend both permits to include a fencing requirement, which should be stock-proof fencing.

**ITEM F-1f** ASSIGNMENT OF GENERAL LEASE NO. S-3860, LOT 31, WAIMANALO FARM LOTS, WAIMANALO, KOOLAUPOKO, OAHU, TAX MAP KEY 4-1-24:62 AND 63

**ACTION** Approved Items F-1a, -b, -c, and -f, as submitted, and Items F-1d and -e, with the condition that permittee shall fence the entire perimeter of the area with stock-proof cattle fence (Apaka/Arisumi).

**ITEM F-2** AMENDMENT TO PRIOR BOARD ACTION OF FEBRUARY 12, 1993, (AGENDA ITEM F-7) RELATIVE TO THE DIRECT ISSUANCE OF A GOVERNOR'S EXECUTIVE ORDER TO HAWAII HOUSING AUTHORITY FOR PUBLIC HOUSING AT WAIANAE-KAI, WAIANAE, OAHU, TAX MAP KEY 8-5-28:POR. 42

**ACTION** Unanimously approved as submitted (Arisumi/Apaka).

**ITEM F-3** See page 9.

**ITEM F-4** REQUEST OF ABIGAIL K. KAWANANAKOA FOR CONSENT TO MORTGAGE AND EXTENSION OF LEASE TERM ON GENERAL LEASE NO. S-3794, LOT 18-B, WAIMANALO AGRICULTURAL SUBDIVISION, WAIMANALO, KOOLAUPOKO, OAHU, TAX MAP KEY 4-1-10:5

**ACTION** Unanimously approved as submitted (Apaka/Arisumi).

**ITEM F-5** STAFF REQUEST AUTHORIZATION TO SELL AT PUBLIC AUCTION INDUSTRIAL LEASES COVERING GOVERNMENT LAND, MOANALUA, HONOLULU, OAHU, TAX MAP KEY 1-1-64:6, 7, 29 AND 39

**ACTION** Mr. Young asked to amend "industrial" to "business," on page 1 of "purpose." Unanimously approved as amended (Apaka/Arisumi).

**ITEM F-6** DIRECT SALE OF PERPETUAL, NON-EXCLUSIVE EASEMENT FOR ACCESS AND UTILITY PURPOSES, WAIMANALO, KOOLAUPOKO, OAHU, TAX MAP KEY 4-1-10:POR. 79

**ACTION** Unanimously approved as submitted (Yuen/Apaka).

**ITEM F-7** AMENDMENT TO PRIOR BOARD ACTION OF SEPTEMBER 14, 1990, (AGENDA ITEM F-20), LOT 285, KEKAHA HOUSELOTS, KEKAHA, KAUAI, TAX MAP KEY 1-3-05:73

and

**ITEM F-8** AMENDMENT TO PRIOR BOARD ACTION OF JULY 13, 1990, (AGENDA ITEM F-8), LOT 10, BLK. 1, KAPAA TOWN LOTS, 1ST SERIES, KAPAA, KAWAIHAU (PUNA), KAUAI, TAX MAP KEY 4-5-09:43

**ACTION** Mr. Young asked to amend the interest rate to 8 percent and that the improvement required be increased to \$75,000. He asked that all six lots ~~(to~~ including lots under F-9, F-10 and F-11 of previous meetings) going to public auction on June 24 have the same requirements. Unanimously approved as amended (Apaka/Arisumi).

**ITEM F-9** EXCHANGE OF LAND BETWEEN DEPARTMENT OF HAWAIIAN HOME LANDS AND DEPARTMENT OF LAND AND NATURAL RESOURCES, KEKAHA AND HANAPEPE, KAUAI

**ACTION** Mr. Yuen asked that the final package be submitted for Board review. Unanimously approved as amended (Apaka/Arisumi).

**ITEM F-10** STAFF REQUEST AUTHORIZATION TO SELL AT PUBLIC AUCTION, LOT 26, BLK. J., KAPAA TOWN LOTS, KAWAIHAU, KAUAI, TAX MAP KEY 4-5-09:51

**ACTION** Mr. Young asked to amend his submittal to reflect the 8 percent interest rate and the improvements be increased to \$75,000 (Apaka/Arisumi).

**ITEM F-11** AMENDMENT TO PRIOR BOARD ACTION OF JULY 24, 1992, (AGENDA ITEM F-3) RELATIVE TO AUTHORIZATION TO SELL AT PUBLIC AUCTION A TELECOMMUNICATIONS FACILITY LEASE AT HUMUULA, NORTH HILO, HAWAII, TAX MAP KEY 3-8-01:11

**ACTION** Unanimously approved as submitted (Yuen/Apaka).

**ITEM H-1** PERMISSION TO HIRE THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII TO ASSIST IN AQUACULTURE RESEARCH

**ACTION** Item withdrawn.

**ITEM H-2** See page 9.

**ITEM H-3 TIME EXTENSION REQUEST FOR CONSERVATION DISTRICT USE PERMIT OA-2179, SINGLE FAMILY RESIDENCE AT NIU VALLEY, OAHU, TMK 3-7-15:63; APPLICANT: LAWSON CANNON**

**ACTION Unanimously approved as submitted (Yuen/Apaka).**

**ITEM H-4 TIME EXTENSION REQUEST ON CONSERVATION DISTRICT USE PERMIT OA-2304 FOR THE CONSTRUCTION OF A SINGLE FAMILY RESIDENCE AT TANTALUS, OAHU, TMK 2-5-16:1; APPLICANTS: MR. & MRS. STEPHEN R. THOMPkins**

**ACTION Unanimously approved as submitted (Yuen/Apaka).**

**ITEM H-5 See page 9.**

**ITEM H-6 See page 2.**

**ITEM H-7 PERMISSION TO NEGOTIATE WITH A CONSULTANT TO REVIEW THE EXISTING CONSERVATION DISTRICT STATUTE (CHAPTER 183-41, HRS) AND ADMINISTRATIVE RULE (TITLE 13, CHAPTER 2) AND RECOMMEND APPROPRIATE REVISIONS AND AMENDMENTS**

Mr. Henry stated that there was some concern expressed regarding the procedure for sole source contract. He stated that the request was submitted to DAGS and the Governor's Office with the information that the proposed project was a continuation of a phase that was already initiated and which previously received approval for exemption through the appropriate channels. The Chairperson pointed out that page 3 contains the justification for the sole source. Arisumi requested that the Attorney General review.

**ACTION Unanimously approved as amended (Yuen/Apaka).**

**ITEM I-1 APPOINTMENT OF LICENSE AGENT, THE HUNTING SHOP OF KAUAI, ISLAND OF KAUAI**

**ACTION Unanimously approved as submitted (Yuen/Apaka).**

**ITEM J-1 See page 9.**

**ITEM J-2 See page 2.**

**ITEM J-3 ISSUANCE OF REVOCABLE PERMIT, KAWAIHAE SMALL BOAT HARBOR (NORTH), ISLAND OF HAWAII, TO DISPENSE FUEL VIA TANK TRUCK (KAWAIHAE TERMINALS)**

- ACTION** Unanimously approved as submitted (Yuen/Apaka).
- ITEM J-4** **ISSUANCE OF REVOCABLE PERMIT, ALA WAI BOAT HARBOR, ISLAND OF OAHU, FOR MOORING OF VESSEL (ALA WAI FUEL SERVICES, INC.)**
- ACTION** Unanimously approved as submitted (Yuen/Apaka).
- ITEM J-5** **ISSUANCE OF REVOCABLE PERMIT, LAHAINA HARBOR, ISLAND OF MAUI, FOR TICKET BOOTH SITE (ROSE MARINE, INC.)**
- ACTION** Unanimously approved as submitted (Arisumi/Apaka).
- ITEM K-1** **LEASE - HONOLULU INTERNATIONAL AIRPORT, SOUTH RAMP, OAHU (HAWAII AIR AMBULANCE, INC.)**
- ACTION** Unanimously approved as submitted (Yuen/Apaka).
- ITEM K-2** **AMENDMENT NO. 4 TO LEASE NO. DOT-A-84-25, HAWAII DISTRICT AIRPORTS, HAWAII (BUDGET RENT-A-CAR SYSTEMS, INC.)**
- ACTION** Unanimously approved as submitted (Yuen/Arisumi).
- ITEM K-3** **ISSUANCE OF REVOCABLE PERMIT, HARBORS DIVISION, 20 SAND ISLAND ACCESS ROAD, OAHU (DEPT. OF LAND AND NATURAL RESOURCES, DIV. OF BOATING AND OCEAN RECREATION)**
- ACTION** Unanimously approved as submitted (Yuen/Arisumi).
- ITEM K-4** **CONTINUANCE OF REVOCABLE PERMITS H-74-443, ETC., HARBORS DIV.**
- ACTION** Unanimously approved as submitted (Yuen/Apaka).
- ITEM K-5** **APPLICATION FOR ISSUANCE OF REVOCABLE PERMITS 5026 AND 5039, AIRPORTS DIVISION--LANAI, KEAHOLE**
- ACTION** Unanimously approved as submitted (Yuen/Arisumi).
- ITEM K-6** **RESUBMITTAL OF SHOWER AND LOCKER ROOM CONCESSION LEASE, HONOLULU INTERNATIONAL AIRPORT, OAHU**
- ACTION** Unanimously approved as submitted (Yuen/Arisumi).

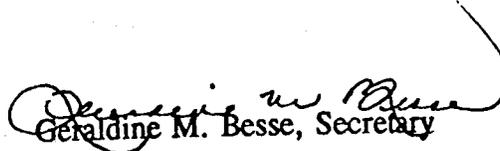
**ITEM K-7 ISSUANCE OF CONSTRUCTION RIGHT OF ENTRY FOR INTERIM OFFICE IMPROVEMENTS AT PIER 18 SHED, HONOLULU HARBOR, HARBORS DIVISION (ALOHA TOWER ASSOCIATES)**

**ACTION** Unanimously approved as submitted (Yuen/Apaka).

**BOARD RESOLUTION** - The Board unanimously adopted a resolution commending Nelson Santos, wildlife biologist, Division of Forestry and Wildlife, for his more than 33 years of faithful and conscientious service to the State of Hawaii. Mr. Santos will retire on June 30, 1993.

**ADJOURNMENT** - There being no further business, the Chairperson adjourned the meeting at 2:30 p.m.

Respectfully submitted,

  
Geraldine M. Besse, Secretary

**APPROVED:**

  
\_\_\_\_\_  
KEITH W. AHUE, Chairperson  
Board of Land and Natural Resources