

ITEM E-2 - Request to Extend February 15, 1996 Building Requirement Deadline for Applicable Kahana Valley Resident Lessees

Recommended by staff to grant extension of deadline to all lessees.

Testimony was given by Leimomi Gaceta who spoke in behalf of her father, Jose Gaceta, who stated that the drainage is not large enough and that their concern is the flooding on the whole of their property.

Al Rogers stated that the City building inspector for HFDC worked with Kahala on the project and the inspector said no building permit was required because he did not exceed a certain height limit. The Board recommended that Rogers obtain a written statement from the City building inspector.

Representative Meyer referred to a graph showing the status of where the tenants were in their building stages and felt that given the one year extension they would be able to reach their goals.

Keith George testified that he has the notarized amendments to the lease and is working on obtaining a builder's permit to bring his house up to code.

Lena Solizen testified in behalf of her mother Puanani Martinez and asked the Board for the extension.

Pualoke Dela Cerna stated that she is on the Housing Committee for the association of Kahana and has been helping residents to get permits but said it is a lengthy process. She felt with the time extension they would be able to meet the deadline.

Representative Ululani Beirne testified about the leech field, the drainage system, the berm and the termites in the chapel. She asked for the time extension and extended an invitation to the Board for a visit to the valley.

Unanimously approved as submitted (Matsumoto/Kennison)

ITEM E-3 - Request for exchange of two (2) general residential lots at Kahana Valley State Park, Oahu.

Unanimously approved as submitted (Apaka/Kennison)

ITEM E-1 - Request to delegate authority to close guarded State Beach Parks during extreme hazardous ocean conditions.

Unanimously approved as submitted (Apaka/Kennison)

ITEM E-4 - Approval of Friends of Iolani Palace request relating to admission fees, Honolulu, Oahu.

Ms. Tummons inquired whether the Friends of Iolani were paying rent or not and Nagata said the space they are occupying is under management agreement with the State in which they offer a public interpretative program. Betty Lou Stroup stated that the lecture and educational rooms are available for use at no cost. Unanimously approved as submitted (Matsumoto/Yuen)

ITEM H-1 - Petition to withdraw DLNR as a party to CCH and as co-applicant with Waihole Irrigation Company.

Member Matsumoto recused himself.

Uchida recommended that the Board decline to act on the subject petition.

Paul Achitoff, Attorney with the Sierra Club Legal Defense Fund said he represents Waihole-Waikane Community Association, Kahalu'u Neighborhood Board, Hakipu'u Ohana and Ka Lahui Hawaii. He asked the Board to withdraw as a party.

John Reppun appealed to the Board to, "have DLNR there without clouds over their heads and make it right".

Pat Tummons urged that DLNR immediately withdraw as a party to the contested case.

Uchida distributed a faxed testimony from Carol Wilcox recommending DLNR withdraw.

Motion made at 12:35 p.m. to move into executive session to consult with the Deputy Attorney General on legal issues concerning this matter. (Yuen/Kennison). Motion unanimously carried.

Chairperson Wilson reconvened the meeting at 2:03 p.m.

Unanimously approved as submitted (Kennison/Apaka).

Linnel Nishioka clarified that the Commission has deferred action on the motion; that it has not refused to act.

Chairperson Wilson clarified that the employees of DLNR are free to speak to anyone and are not required to have an attorney present and that the employees should not feel concerned about expressing their opinions.

ITEM F-1

- a. Revocable permit to Honolulu Recovery, Inc. Keehi Industrial Lots, Kalihi-Kal, Honolulu, Oahu.
- b. Revocable permit to Alliance American Fire Protection, Inc., Keehi Industrial Lots, Kalihi-Kal, Honolulu, Oahu.
- c. Resubmittal-revocable permit to Moana Lois Kiminaka, Lot 54-B, Hanapepe Town Lots, Hanapepe, Waimea, Kauai.
- d. Revocable permit to Morrison Knudsen Corporation, Keehi Lagoon, Moanalua, Oahu.
- e. Revocable permit to Q Produce Corporation, OR&L Depot & Iwilei Produce Center Site, Honolulu, Oahu.
- f. Assignment of lease and mortgage, Lot 22, Kanoelehua Industrial Lots, Waialeale, So. Hilo, Hawaii.
- g. Revocable permit to Herbert, Kenneth and Clarence Omizo, Govt Land of Waimanalo, Koolaupoko, Oahu.
- h. Revocable permit to Irving Kawashima, Lot 5-A, Paaulo Homestead, Hamakua, Hawaii.
- i. Revocable permit to Captain Cook Honey, Ltd., Puu Anahulu, No. Kona, Hawaii
- j. Revocable permit to Anthurium Kamaka, Govt Land of Nanakuli, Oahu.

Items F-1 a through j unanimously approved as submitted (Kennison/Apaka).

ITEM F-3 - Direct Issuance of a utility easement to GTE Hawaiian Telephone Co. Inc., and immediate R-O-E for site control purposes. Huelo Hui Partition Lots, Waipio-Huelo, Hamakualoa, Maui, TMK: 2-0-07: POR 3.

Uchida asked to include Condition 8 on the recommendation to read, "Prior to issuance of any documents, the applicant resolve the outstanding fees owed the State".

Unanimously approved as amended (Kennison Apaka).

ITEM F-4 - Direct issuance of a utility easement to GTE Hawaiian Telephone Co. Inc. and Maui Electric Co., Immediate R-O-E for site control purposes, Por. Olinda, Makawao, Maui, TMK: 4-5-15: POR 6 and 2-4-13: POR 53.

Uchida asked to include Condition 12 on the recommendation to read, "Prior to issuance of any documents, the applicant resolve the outstanding fees owed the State."

Unanimously approved as amended (Kennison/Matsumoto).

ITEM F-5 - Direct Issuance of a non-exclusive easement to County of Maui, Dept of Public Works for sewer and construction purposes and Immediate R-O-E for site control purposes, Wahikuli, Lahaina, Maui, TMK: 4-5-21: PORS 3 and 11.

Unanimously approved as submitted (Kennison/Apaka).

ITEM F-6 - Direct lease to Hospice of Hilo for hospice purposes, Piihonua, So. Hilo, Hawaii, TMK: 2-3-32: POR 1.

Unanimously approved as submitted (Yuen/Matsumoto).

ITEM F-8 - Staff recommendation to deny application for direct issuance of a non-exclusive easement for seawall and building purposes to Sans Souci, Inc. Co-op Apartments, Waikiki Oahu, TMK: 3-1-32:07 (Seaward).

Uchida withdrew the item due to unsigned submittal.
Unanimously approved as recommended (Yuen/Kennison).

ITEM F-9 - Amendment to prior Board action (6/28/91) for direct lease to qualified permittee under Act 237, SLH 1988, Statewide.

Uchida asked that the Board amend its prior action of June 28, 1991 to include revocable permit issued to Edwin Naki who was inadvertently missed for general agricultural purposes as a qualified permittee.

Unanimously approved as submitted (Kennison/Matsumoto).

ITEM F-10 - Amendment of revocable permit No. S6929 to Hawaiian Dredging Construction Co. for use of land at Iwilei, Honolulu, Oahu, TMK: 1-5-07: POR 14.

Unanimously approved as submitted (Apaka/Yuen).

ITEM F-11 - Amendment to revocable permit No. 5525 to Aloha State Cab Co., Inc. for use of State land at Kapalama, Oahu, TMK: 1-5-33: POR 9 and 2.

Uchida said the Attorney General's office advised that Condition 7 be included to read, "The Revocable Permit be referred to the Department of Attorney General for review and approval." He asked the Board to consider the recommendation.

Unanimously approved as submitted (Yuen/Apaka).

ITEM F-13 - Set aside to County of Hawaii for the Holualoa Bay Sewage Pumping Station, Holualoa 1st, 2nd partition, No. Kona, Hawaii, TMK: 7-6-14:27.

Uchida withdrew, action previously taken.

Unanimously approved to withdraw (Yuen/Apaka).

ITEM G-1 - Request for approval to conduct public hearing on amendments to Hawaii Administrative Rules, Chapter 13-16, Conveyances, and Appointment of Masters to hold public hearings.

Unanimously approved as submitted (Matsumoto/Kennison).

ITEM J-1 - Request for permission to conduct public hearings to amend Title 13, Chapters 230-234; 240, 244, 245; and 250, 251 and 254-256, Hawaii Administrative Rules.

Dave Parsons requested to amend the item to include Chapter 257 to conduct public hearings.

Move to approve purposed changes to the Ocean Recreation Management Area with amendment to 13-256-5 (k), page 17 to delete the change and upon consultation with the attorney general, bring back before the Board with the specific recommendation if necessary. Unanimously approved as amended (Yuen/Matsumoto).

Motion to approve circulation for public hearings amendments to 13-250 and 13-257 per preliminary draft dated 1/16/96 and subject to review by the Attorney General. Unanimously approved (Yuen/Apaka).

Unanimously approved to conduct public hearings on Small Boat Harbors Rules (Yuen/Kennison).

ITEM K-1 - Authorizing the Department of Transportation to convey to the City and County of Honolulu Portion of Waipahu Street, Kamehameha Highway to vicinity of Hianakiu Street, Interstate Highway, FAP No. 1-H1-1(14), Waiawa Interchange, Oahu.

Unanimously approved as submitted (Yuen/Matsumoto).

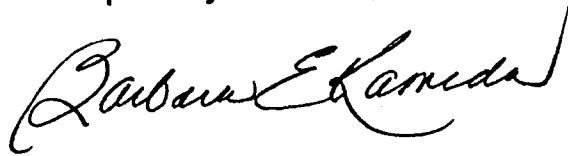
ITEM K-2 - Consent to assignment of lease, Harbor Lease No. H-74-3, Kaunalapau Harbor, Lanai, Harbors Division.

Motion was made to amend the assignment of lease to insure that Dole Foods not be released from their liabilities and obligations with respect to insure that the harbor be properly maintained. (Kennison/Matsumoto). Unanimously approved as amended.

The meeting was adjourned at 3:14 p.m.

~~NOTE: ALL TAPES OF THE MEETING ARE FILED IN THE CHAIRPERSON'S OFFICE AND ARE AVAILABLE FOR REVIEW. CERTAIN ITEMS ON THE AGENDA WERE TAKEN OUT OF SEQUENCE TO ACCOMMODATE APPLICANTS OR INTERESTED PERSONS PRESENT.~~

Respectfully submitted,



Barbara E. Kameda
Secretary

APPROVED FOR SUBMITTAL:



MICHAEL D. WILSON
Chairperson
Board of Land & Natural Resources

