

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

DATE: Friday, March 8, 1996
TIME: 9:00 A.M.
PLACE: Kalanimoku Building
Land Board Conference Room 132
1151 Punchbowl Street
Honolulu, Hawaii

OPENING: Chairperson Wilson called the meeting to order at 9:16 a.m. The following were in attendance:

MEMBERS: Chairperson Michael Wilson
Mr. Christopher Yuen Mr. Herbert Apaka
Mr. William Kennison Mr. Colbert Matsumoto

STAFF: Dean Uchida Peri Manthos
Ralston Nagata Barbara Kameda

GUESTS: Ed Watson (Deputy Attorney General)
Cat Brady, Juliet Bagley
Sidney Fuke (D-1)
Mr. and Mrs. Spence Aguiar (D-5)

APPROVAL OF MINUTES

Minutes of March 24, 1995:

Item F-2, page 2 - Correct Mike Nomura to Mike Moore.

Minutes of August 11, 1995:

Item F-12, page 3 - Add a condition that was previously omitted. A requirement that the adjoining parcel be put under a management plan that is leased by Dillingham Partners to Koa Aina Ventures. The management plan would not be under the same condition as the management plan that's presented for the parcel that Koa Aina is acquiring in fee.

Item H-2, page 3 - Correct the penalty amount from \$1,000 a day to \$1,000.

Minutes unanimously approved as amended (Matsumoto/Yuen).

Minutes of May 26, 1995, September 29, 1995, October 13, 1995, October 27, 1995 and February 9, 1996 unanimously approved as submitted (Matsumoto/Yuen).

Juliet Bagley commented that the minutes are not very detailed and that they are very basic.

Member Yuen referred to October 13, 1995 minutes, Item D-1, page 3, saying that Michael Nekoba requested formal opinion by the Attorney General on the process of hiring consultants and Yuen requested a follow up. Ed Watson said he would do so.

BUSINESS:

ITEM D-4 AUTHORIZATION TO LEASE FEDERAL FEE LAND AND ACQUIRE RIGHT-OF-ENTRY FOR THE DIVISION OF STATE PARKS, DEPT. OF LAND AND NATURAL RESOURCES, MAKUA, WAIANAE, OAHU, TMKS: 8-1-01:POR.1, POR. 2, 9, POR. 10; 8-2-01:POR. 2, 9, 10.

Unanimously approved as submitted (Kennison/Apaka).

ITEM D-1 KALAPANA OHANA ASSOCIATION REQUEST FOR APPROVAL OF A DIRECT LEASE OF GOVERNMENT LANDS, KAIMU, PUNA, HAWAII, TMK: 1-2-06:33 (POR.)

Sidney Fuke clarified that there is electricity fronting the properties and that the church is within the road right of way and that it needs to be moved off the highway. Fuke said the conditions are acceptable by the Kalapana Ohana Association.

Unanimously approved as submitted (Yuen/Matsumoto).

ITEM D-2 ISSUANCE OF A LAND PATENT GRANT AND QUITCLAIM DEED TO DAVID A. SNIFFEN, SR., LOT 2, PARTS A & B, KAHAKULOA HOMESTEADS, KAHAKULOA, WAILUKU, MAUI, TMK: 3-1-01:20

Unanimously approved as submitted (Kennison/Matsumoto).

ITEM D-3 REQUEST FOR AUTHORIZATION TO CANCEL REVOCABLE PERMIT NO. S-6785 AND REISSUANCE OF A NEW REVOCABLE PERMIT TO C&C RADIO CORPORATION, WAIOHULI-KEOKEA, KULA, MAKAWAO, MAUI, TMK: 2-2-04:89

Motion was made and seconded by Kennison and Apaka to approve as submitted. Member Matsumoto proposed to amend the motion to add condition for staff appraisers to re-examine the monthly rent and if a change was warranted an adjustment be made (Matsumoto/Kennison). Unanimously approved as amended.

ITEM D-5 WITHDRAWAL FROM GENERAL LEASE NO. S-3827/REVOCABLE PERMIT NO. S-6959, SPENCE AGUIAR REQUEST FOR PURCHASE OF PORTION OF DITCH R-O-W, REALIGNMENT OF SAID R-O-W AND GRANT OF NON-EXCLUSIVE DITCH EASEMENT TO STATE OF HAWAII, KAPAA HOMESTEAD, KAPAA, TMK: 4-6-26: POR. 1

Deputy Attorney General Ed Watson expressed his concern about the realignment within the property because of previous situations. Uchida confirmed that the easement would not be diagonally across but around the property, on a right angle, at no cost to the State.

Mr. Aguiar said through his Attorney, Richard Minatoya, is in contact with OHA and that OHA has no problem in relocating the ditch. Dean Uchida stated that the staff's plan was to take it to the Attorney General's office to set up the procedure and present it to OHA. Chairperson Wilson suggested that Sam Lee do a presentation for the Board and provide his recommendations.

Motion made to approve staff recommendation with condition that the sale of the remnant is approved by OHA (Apaka/Kennison). Unanimously approved as amended.

ITEM D-6 AMENDMENT TO PRIOR BOARD ACTION (6/28/91, ITEM F-8) FOR DIRECT LEASE TO QUALIFIED PERMITTEES UNDER ACT 237, SLH 1988, STATEWIDE

Motion made to approve staff recommendation and to include Mr. Richard Sunada and Mr. James Ng from General Agriculture purposes to Pasture Purposes (Matsumoto/Kennison). Unanimously approved as amended.

ITEM D-7 APPROVAL FOR AWARD OF CONSTRUCTION CONTRACT, DSR NO. 75745, REPAIR AIDS TO NAVIGATION AT ALA WAI SMALL BOAT HARBOR, HONOLULU, OAHU

Peri Manthos explained and read from a section of the Procurement Law in which World Contracting misunderstood what was expected of them and wished to withdraw their bid.

Motion made to approve staff recommendation with an amendment to allow World Contracting withdraw their bid and to award Dutra Construction (Matsumoto/Yuen). Unanimously approved as amended.

ITEM E-1 APPROVAL TO ENGAGE THE SERVICES OF A CONSULTANT TO CONDUCT
BASELINE WATER QUALITY MONITORING AT HUILUA FISHPOND,
KAHANA VALLEY STATE PARK, OAHU

Unanimously approved as submitted (Matsumoto/Kennison).

Meeting was adjourned at 10:03 a.m.

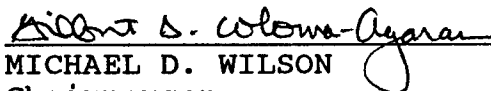
NOTE: All tapes of the meeting are filed in the Chairperson's office and are available for review. Certain items on the agenda were taken out of sequence to accommodate applicants or interest persons present.

Respectfully submitted,



Barbara E. Kameda
Secretary

APPROVED FOR SUBMITTAL:


for MICHAEL D. WILSON
Chairperson
Board of Land & Natural Resources