

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

DATE: May 10, 1996
TIME: 9:00 a.m.
PLACE: Board Room
Kalanimoku Building, Room 132
1151 Punchbowl Street
Honolulu, Hawaii 96813

**ROLL
CALL**

Chairperson Michael D. Wilson called the meeting of the Board of Land and Natural Resources to order at 9:06 a.m. The following were in attendance:

MEMBERS: Mr. Herbert K. Apaka
Mr. Christopher Yuen
Mr. William Kennison
Mr. Colbert Matsumoto *
Mr. Michael D. Wilson

STAFF: Mr. Michael Buck
Mr. Dean Uchida
Mr. Ralston Nagata
Mr. Peter Schuyler
Ms. Maile Sakamoto

OTHERS: Ms. Linnel Nishioka, Esq. and Mr. Ed Watson, Esq. (Deputy Attorneys General)
Mr. James Nakatani (Director, Department of Agriculture)
Mr. Richard Haake (Managing Director, County of Maui)
Ms. Diane Wakamatsu (Economic Development Specialist, County of Maui)
Mr. Ed Reinhart (Manager of Engineering, Maui Electric Company)

* Member Matsumoto arrived at the commencement of Item E-1

Business:

ITEM D-1 TIME EXTENSION REQUEST, CONSERVATION DISTRICT USE PERMIT MA-2542 FOR WATER SYSTEM IMPROVEMENTS AND SUBDIVISION OF THE PROJECT AREA, WAIKAPU, MAUI, TMK: 3-6-02:2

Mr. Uchida requested that the item be withdrawn for further work. No public testimony was presented.

Unanimously approved to withdraw (Kennison/Apaka).

ITEM D-10 STAFF REQUESTS AUTHORIZATION TO CANCEL GENERAL LEASE NO. S-4433 WITH THE COUNTY OF MAUI AND SUBLEASES AND RIGHT OF ENTRIES UNDER THIS LEASE, AUTHORIZATION TO SET ASIDE THESE LANDS TO THE DEPT. OF AGRICULTURE, AND ISSUANCE OF REVOCABLE PERMIT TO THE MOLOKAI LIVESTOCK COOPERATIVE AND THE PRESENT TENANTS OF THESE LANDS, HOOLEHUA, MOLOKAI, TMK: 5-2-01:10-28 (TO BE DISTRIBUTED)

Mr. Richard Haake, representing the administration of the County of Maui, testified in concurrence with staff's recommendations.

Unanimously approved as submitted (Kennison/Apaka).

ITEM D-19 STAFF REQUESTS AUTHORIZATION TO CANCEL GENERAL LEASE NO. S-5155 WITH THE COUNTY OF MAUI, LOWER HONOKOWAI, LAHAINA, MAUI, TMK: 4-4-01:POR. 36 (TO BE DISTRIBUTED)

In response to a question by Chairperson Wilson, Mr. Uchida responded that, following the cancellation of General Lease No. S-5155, the lot would be secured until the lease can be sold.

No public testimony was presented.

Unanimously approved as submitted (Kennison/Apaka).

ITEM D-16 REQUEST BY MAUI ELECTRIC COMPANY, LTD. FOR A PERPETUAL, NON-EXCLUSIVE EASEMENT FOR UTILITY & ACCESS PURPOSES, A REVOCABLE PERMIT FOR STAGING AREA PURPOSES AND AN IMMEDIATE RIGHT-OF-ENTRY FOR SITE CONTROL PURPOSES, VARIOUS AREAS ON MAUI, TMKS: 3-6-01:POR. 14; 4-6-18:POR. 4; 4-6-20:POR. 2; 4-8-01:PORS. 1 AND 2; 4-8-02:PORS. 2 AND 8; 4-8-03:PORS. 8, 9 AND 40

Mr. Ed Reinhart presented the Public Utilities Commission (PUC) background and summarized the need for the project.

Unanimously approved as submitted (Kennison/Apaka).

ITEM D-2 CONSERVATION DISTRICT USE APPLICATION FOR RELOCATION OF ELECTRICAL DISTRIBUTION LINES AT LAUPAHOEHOE, HAWAII, HA-2795, SOUTH HILO, HAWAII, TMK: 3-6-02:11, PUBLIC RIGHT-OF-WAY AND "OLD GOVERNMENT ROAD"

No public testimony was presented.

Unanimously approved as submitted (Yuen/Kennison).

ITEM D-7 AMENDMENT TO PRIOR BOARD ACTION OF JANUARY 23, 1976, ITEM F-2 FOR DIRECT SALE OF PERPETUAL, NON-EXCLUSIVE EASEMENT FOR POWERLINE, POLES AND ANCHORS AT SOUTH HILO, HAWAII, TMK: 2-2-58:12, 14, AND 15

No public testimony was presented.

Unanimously approved as submitted (Apaka/Yuen).

ITEM C-1 FENCE CONSTRUCTION; KILAUEA FOREST AND PU'U MAKALA NATURAL AREA RESERVE

A letter from Mr. Steven Araujo, requesting deferral of the project, was distributed to members.

Mr. Buck stated that the project, ongoing for 2½-years, provided ample opportunities for the various groups to discuss and recommended that the project be approved despite Mr. Araujo's request.

No public testimony was presented.

Unanimously approved as submitted (Yuen/Kennison)

ITEM C-2 REQUEST FOR APPROVAL OF A CONTRACT WITH MOANALUA GARDENS FOUNDATION TO DEVELOP EDUCATIONAL MATERIALS AND A TEACHER NETWORK RELATING TO ISSUES OF THE INTRODUCTION OF ALIEN SPECIES TO HAWAII'S NATIVE ECOSYSTEMS

No public testimony was presented.

Unanimously approved as submitted (Kennison/Apaka).

ITEM C-3 APPROVAL TO ISSUE A REQUEST FOR PROPOSALS (RFP) TO DESIGN AN ADVERTISING CAMPAIGN TO BUILD PUBLIC AWARENESS OF THE THREAT OF ALIEN PEST SPECIES TO HAWAII'S NATIVE ECOSYSTEMS AND TO ENTER INTO A CONTRACT WITH A QUALIFIED BIDDER

Mr. James Nakatani testified that the public awareness campaign would be focussed on arriving passengers and the airport terminal.

Unanimously approved as submitted (Kennison/Apaka).

ITEM C-4 REQUEST FOR APPROVAL OF A CONTRACT WITH THE YOUNG MEN'S CHRISTIAN ASSOCIATION TO PROVIDE ENVIRONMENTAL EDUCATION PROGRAMS EMPHASIZING STEWARDSHIP OF OAHU'S NORTH SHORE "AMBASSADOR" POSITION TO PROMOTE COMMUNITY INVOLVEMENT

No public testimony was presented.

Unanimously approved as submitted (Apaka/Kennison).

ITEM C-5 REQUEST FOR APPROVAL TO ISSUE A REQUEST FOR PROPOSALS (RFP) TO PRODUCE AND AIR A PUBLIC AWARENESS TELEVISION AD CAMPAIGN ON THE BROWN TREE SNAKE AND TO ENTER INTO A CONTRACT WITH A QUALIFIED BIDDER

No public testimony was presented.

Unanimously approved as submitted (Apaka/Kennison).

ITEM E-1 APPROVAL TO ENGAGE THE SERVICES OF A CONSULTANT TO RESTORE SELECTED RETAINING WALLS AT PIHANA HEIAU, HALEKI'I-PIHANA HEIAU STATE MONUMENT, MAUI

Chairperson Wilson recommended that the Maui Burial Council be alerted to the project.

No public testimony was presented.

Unanimously approved as submitted (Kennison/Apaka).

ITEM D-3 CONSENT TO REVOCABLE PERMIT FOR THE PURPOSE OF PAPAYA CULTIVATION ON STATE LAND SITUATE AT KAIMU, PUNA, HAWAII, TMK: 1-2-06:15 AND 16

Member Yuen questioned whether the holder of the interim revocable permit would have an unfair advantage when the lease is put up for sale. Mr. Uchida replied in the negative.

In response to Mr. Watson's question regarding what happens to the plants should the holder of the interim permit not be the successful bidder, Mr. Uchida responded that language will be inserted in the interim permit stating that the permittee plant at their own risk.

No public testimony was presented.

Unanimously approved as submitted (Yuen/Apaka).

ITEM D-4 ASSIGNMENT OF GENERAL LEASE NO. S-5374, PORTION OF THE GOVERNMENT (CROWN) LAND OF KAPAPALA, BEING PARCELS 1 AND 2, KAPAPALA, KAU, HAWAII, TMK: 9-8-01:3 (POR.), 9 & 10 AND TMK: 9-7-02: POR 1

No public testimony was presented.

Unanimously approved as submitted (Kennison/Yuen).

ITEM D-5 CONSENT TO ASSIGNMENT OF GENERAL LEASE NO. S-3935, LOT 13, BLOCK 31, WAIAKEA HOUSE LOTS, WAIAKEA, SOUTH HILO, HAWAII, TMK: 2-2-37:66

No public testimony was presented.

Unanimously approved as submitted (Yuen/Matsumoto).

ITEM D-6 DEPT. OF TRANSPORTATION REQUESTS AUTHORIZATION TO NEGOTIATE ACQUISITIONS OF PRIVATELY-OWNED LANDS SITUATE AT WAIAKEA, SOUTH HILO, HAWAII, TMK: 2-1-09:4 AND 8

No public testimony was presented.

Unanimously approved as submitted (Yuen/Apaka).

ITEM D-8 AMENDMENT TO REVOCABLE PERMIT NO. S-5930 ISSUED TO HUEHUE RANCH LOCATED AT NORTH KONA, HAWAII, TMKS: 7-2-04:4 AND 7-2-06:17

No public testimony was presented.

Unanimously approved as submitted (Yuen/Kennison).

ITEM D-9 CONSENT TO THE ASSIGNMENT OF GENERAL LEASE NO. S-4101, WAIMANALO, KOOLAUPOKO, OAHU, TMK: 4-1-08:80

No public testimony was presented.

Unanimously approved as submitted (Kennison/Yuen).

ITEM D-11 REQUEST BOARD APPROVAL FOR THE DIRECT ISSUANCE OF A PERPETUAL NON-EXCLUSIVE EASEMENT TO THE BOARD OF WATER SUPPLY, CITY AND COUNTY OF HONOLULU, FOR WATERLINE PURPOSES, SAND ISLAND, KAHOLALOA, HONOLULU, OAHU, TMK: 1-5-41:POR

No public testimony was presented.

Unanimously approved as submitted (Kennison/Yuen).

ITEM D-12 RESUBMITTAL-REQUEST FOR CANCELLATION OF PRIOR BOARD ACTION DATED APRIL 12, 1990, AGENDA ITEM F-10, GENERAL LEASE NO. S-4890, AND CONSENT TO ASSIGNMENT, LOT 7, MAUNALAHA HOMESITES, MAUNALAHA, HONOLULU, OAHU, TMK: 2-5-24:07 (TO BE DISTRIBUTED)

Mr. Watson stated that the Board may not be able to rescind a prior Board's action if reconsideration is not done within a reasonable period of time. He requested that the Board allow the Attorney General's Office to review the cancellation.

Item D-12 was amended to make the Board's action subject to the Attorney General's review.

No public testimony was presented.

Unanimously approved as amended (Kennison/Apaka).

ITEM D-13 JOSEPH S. BRUN REQUEST FOR WAIVER OF BOND REQUIREMENT FOR GENERAL LEASE NO. S-5381, WELIWELI, KAUAI, TMK: 2-8-22:6

No public testimony was presented.

Unanimously approved as submitted (Apaka/Kennison).

ITEM D-14 HAWAIIAN FRUIT FLAVORS, INC.'S REQUEST FOR WAIVER OF THE PERFORMANCE BOND REQUIREMENT FOR GENERAL LEASE NO. S-4333, LOT 2, BLOCK 39, WAIAKEA HOUSE LOTS, WAIAKEA, SOUTH HILO, HAWAII, TMK: 2-2-37:56

No public testimony was presented.

Unanimously approved as submitted (Kennison/Apaka).

ITEM D-15 REQUEST TO ASSIGN GENERAL LEASE NO. S-5485 FROM MRS. DAISY MAY LIND, PERSONAL REPRESENTATIVE OF THE ESTATE OF JOHN (JACK) C. LIND, DECEASED, TO GREG LIND, KIPAHULU, HANA, MAUI, TMKS: 1-6-05:2 AND 1-6-08:8

No public testimony was presented.

Unanimously approved as submitted (Kennison/Apaka).

ITEM D-17 REQUEST ISSUANCE OF A REVOCABLE PERMIT TO BRIAN RECOPUERTO FOR PASTURE PURPOSES, PEAHI HUI PARTITION LOTS, PEAHI, MAKAWAO, MAUI, TMK: 2-8-06:45

In response to a question by Chairperson Wilson, Mr. Uchida recommended that the item be amended to add a condition of sale at public auction. Member Yuen stated that, because the sale of the lease was not on the agenda, the item should not be amended at this time.

Mr. Uchida subsequently recommended that the item be withdrawn.

No public testimony was presented.

Unanimously approved to withdraw (Kennison/Yuen).

ITEM D-18 REQUEST TO AMEND PRIOR BOARD ACTION OF NOVEMBER 17, 1989,
AGENDA ITEM F-12, AS AMENDED, PROPOSED LAND ACQUISITION
FOR ADDITION TO PUU-O-MAHUKA STATE MONUMENT, PUPUKEA,
KOOLAULOA, OAHU, TMK: 5-9-05:POR. 4

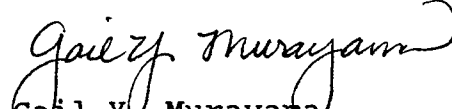
No public testimony was presented.

Unanimously approved as submitted (Kennison/Apaka).


There being no further business, Chairperson Wilson adjourned the
meeting at 11:05 a.m.

Tapes of the meeting and all written testimony submitted at 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 parties present.

Respectfully submitted,


Gail Y. Murayama
Secretary

Approved for submittal:



MICHAEL D. WILSON
Chairperson
Board of Land and Natural Resources

