

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

DATE: Friday, September 25, 1998  
TIME: 9:00 a.m.  
PLACE: Natural Energy Laboratory  
of Hawaii Authority  
Conference Room  
73-4460 Queen Kaahumanu Hwy  
Kailua-Kona, Hawaii 96740

Chairperson Michael D. Wilson called the meeting of the Board of Land and Natural Resources to order at 9:00 a.m. The following were in attendance:

MEMBERS:

Mr. Michael D. Wilson  
Ms. Lynn P. McCrory  
Mr. William Kennison  
Ms. Kathryn W. Inouye

STAFF:

Mr. Dean Uchida, Land Division  
Mr. Harry Yada  
Ms. Charlene Unoki

OTHERS:

Mr. Edwin Kamauoha, Esq.  
Deputy Attorney General  
Mr. Carl Caliboso, D-28  
Ms. Ruth Makai, D-2  
Mr. Joe Chu, D-16 & D-17  
Mr. Bill Hornemann, D-14  
Mr. Bob Siarot, D-11 & D-12  
Mr. Randall Yamada, D-18  
Mr. Ernie Dias, D-28  
Ms. Pamela Larson, D-28  
Mr. Ben Kudo, D-4  
Mr. Eric Guinther, D-13  
Mr. Alfredo Evangelista,  
D-16 & D-17  
Ms. Karen Chun, D-11 & D-12  
Ms. Regina Kawamura, D-22

**Business:**

**EXECUTIVE MEETING:**

EXECUTIVE MEETING PURSUANT TO SECTION 92-4, SECTION 92-5(a)(4), HRS, TO CONSULT WITH LEGAL COUNSEL ON QUESTIONS AND ISSUES PERTAINING TO THE BOARD'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES, AND LIABILITIES ARISING FROM THE ALLEGATIONS CONTAINED IN THE LAWSUIT OHA V. HFDC, ETAL.

Chairperson Wilson stated that the executive meeting pertaining to the OHA lawsuit would be rescheduled.

ITEM A-1 APPROVAL OF THE MINUTES OF THE JULY 9, 1998 BRIEFING

The minutes were unanimously approved as submitted (McCroory/Kennison).

ITEM D-28 REQUEST TO APPROVE SUBORDINATION AGREEMENT AND ESTOPPEL CERTIFICATE FOR SUNKISS SHRIMP COMPANY LIMITED, GL S-5367, WAIMEA, KAUAI, TMK 4TH/1-2-02: 22 (TO BE DISTRIBUTED)

Mr. Uchida presented the staff submittal requesting the approval of a subordination agreement and estoppel certificate for Sunkiss Shrimp Company Limited, GL S-5367, Waimea, Kauai. Mr. Uchida informed the Board that on August 27, 1998, the Chairperson of the BLNR approved the consent to mortgage between Sunkiss Shrimp Company and Bank of America (BOA) in the amount of \$3 million. He stated that the BOA is currently asking that the Board consider an agreement to subordinate the State's interest in the personal property on the Sunkiss leasehold. He noted that the state is interested in trying to assist the start-up company and thus, willing to consider subordinating its interest in the personal property as outlined in the staff recommendation. Mr. Uchida highlighted two conditions of the staff's recommendation:

- 1) Condition #3, requiring that the applicant post a security or performance bond, in an amount to be determined, in order to protect the State's interest in the event of bankruptcy or the state's need to clean the property. He noted that the current bond is only twice the annual rent of \$800/year; staff is asking that the bond be posted in the amount of \$25,000 - \$50,000.
- 2) Condition #4, cancelling the subordination provision should a breach occur wherein neither the lessee nor the bank elect to step in to cure the breach. The specific instance of concern involved a situation in which the state defaulted on the said lease, notified the lender, and the lender chooses not to step in and take possession of the property. Although the bank has indicated that it still wants an opportunity to come back and take control of personal property even if it chooses not to step forward and cure the breach under default, the state's position is that, should they choose not to step forward and cure the breach and take possession of the property, they have no right to the property once the lease is terminated.

ITEM D-28 (cont.)

Mr. Uchida reiterated that the state is supportive of this new industry on Kauai and would like to accommodate them as best possible; at the same time, the state is not willing to jeopardize its position as landowner.

Member McCrory questioned the exact nature of what was being subordinated; Mr. Uchida responded that the applicant should be able to provide a better answer.

Ms. Pamela Larson, representing Sunkiss Shrimp Co., Ltd. provided some background on the project:

Ms. Larson testified that Sunkiss Shrimp Company was in the process of building a large scale aquaculture farm on Kauai to raise shrimp. She testified that the subordination is being requested on a 5 acre parcel, the Sunkiss parcel, that is fully developed and operational. Ms. Larson noted that the operation also involves over 100 acres of Department of Agriculture (DOAG) lands which are adjacent to the Sunkiss property and will be used in conjunction with the whole project. Ms. Larson stated that the company has put in over \$3 million of equity money into construction and needs an additional \$3 million for completion of the project. She stated that one of the conditions imposed by both the USDA and BOA is that each have first lien on the property. Ms. Larson informed the Board that the DOAG has agreed to subordinate with respect to its leases on the larger parcel; by way of the subject submittal, the same request was being made of the DLNR for the 5-acre parcel. Ms. Larson testified that the lessee had no problem with respect to condition #3, however, she noted that the company did not use any hazardous materials in its operation. With regards to condition #4, Ms. Larson testified that the situation described was, in fact, the very instance why the subordination was being requested. She acknowledged the Land Division's concern regarding the situation of having to secure and care for personal property while the bank decided what they are going to do. Ms. Larson stated that the lessee was willing to take responsibility for all property within a period identical to the cure periods, ie. thirty days for rent, or 60 days for other breaches. Ms. Larson further offered a guarantee by the parent company (CEATECH) as additional security and offered to increase the cash bond from two years of minimal rent to cover the entire seven year period.

ITEM D-28 (cont.)

Mr. Ernie Dias, CEATECH, testified that the site will be used only to do breeding. He stated that stock is then moved to the DOAG site for grow out. Mr. Dias stressed that the subordination would exclude all the "hard" assets that is put on the leasehold.

In response to Member McCrory's question regarding the \$3 million, Mr. Dias responded that the \$3 million would be used to build out the entire site. Mr. Dias informed the Board that, should the company default the state was in the position of taking control of four 1/4 acre ponds, two 200-ft. deep wells, a water reservoir, a 200,000 sq. ft. block building, a smaller concrete block structure for storage, and the hatchery building.

Carl Caliboso, representing the Bank of America, stated that the Bank generally supports the recommendations for approval except for condition #4. He noted that the bank only wants subordination on the personal property, and is not asking for subordination on DLNR's lien on the buildings and improvements. Mr. Caliboso informed the Board that the DOAG subordination agreement required the bank to remove all personal property within 30 days after being given notice.

Chairperson Wilson recommended that the item be deferred until later in the agenda to give staff and the applicant time to work out mutually agreeable language.

Member Inouye further recommended that staff and the applicant also discuss the amount of the bond to be posted for the hazardous waste clean-up.

Discussion on Item D-28 resumed following Item D-22.

Deputy Attorney General Ed Kamauoha proposed that the Board resolve into executive session to discuss legal matters relating to Item D-28. The Board resolved into executive session at 10:05 a.m. (McCrory/Inouye)

Chairperson Wilson reconvened the meeting at 10:25 a.m.

Mr. Uchida stated that, in reference to condition #3, the applicant has agreed to post a \$15,000 performance bond which staff feels is sufficient. Regarding condition #4, Mr. Uchida stated that staff is agreeable to allow the subordination agreement to continue for 30 days after the lease is terminated. Mr. Uchida stated that the bank will be required to take responsibility for the personal property within 30

ITEM D-28 (cont.)

days or forfeit the property to the state. He further noted that the bank also agreed to absolve the state of any liability for the property during the thirty day period.

By as unanimous vote of the members present, Item D-28 was approved as amended (McCrory/Kennison).

ITEM D-4 DIRECT SALE OF PORTION OF THE MAMALAHOA TRAIL REMNANT AT KONA, HAWAII, TMK: (3) 7-4-8-POR. OF 2

Staff submittal recommended approval of the direct sale of a portion of Mamalahoa Trail. Mr. Uchida stated that the subject portion was a remnant piece, isolated and separate from the main trail system, and located within the applicant's private property. He noted that the Historic Preservation Division and the Na Ala Hele program both agree with the staff recommendation. Mr. Uchida informed the Board that staff had received a fax from Mr. David Frankel, Sierra Club, objecting to the sale. He stated that staff had discussed Mr. Frankel's letter with Na Ala Hele, and that Na Ala Hele stands by their statement that sale of the remnant would not affect the trail system.

No public testimony was presented.

By a unanimous vote of the members present, Item D-4 was approved as submitted (Inouye/McCrory).

ITEM D-2 REQUEST BY THE COUNTY OF MAUI FOR ISSUANCE OF AN AFTER-THE-FACT PERPETUAL, NON-EXCLUSIVE ACCESS AND UTILITY EASEMENT AND AN IMMEDIATE RIGHT-OF-ENTRY FOR SITE CONTROL PURPOSES OVER, UNDER AND ACROSS GOVERNMENT LANDS SITUATE AT LAHAINA, MAUI, FURTHER IDENTIFIED BY TMK: (2) 4-6-07: POR. 02

Staff submittal recommended the issuance of an after-the-fact perpetual easement and immediate right-of-entry to the Department of Public Works, Maui County, for lands encumbered under an executive order for Lahaina Park. Mr. Uchida stated that, in 1979, the Second Circuit Court ordered an easement be granted to the landowner/plaintiff, however, the county never followed up. The subject submittal involves landowners of another affected parcel who are currently in the process of selling their property, and need the easement question settled before escrow can be closed.

ITEM D-2 (cont.)

Ms. Ruth Mukai, Maui Realty Company, speaking on behalf of Mr. and Mrs. Kaoru Tamura, the owners of the subject parcel, reiterated the need for the easement.

By a unanimous vote of the members present, Item D-2 was approved as submitted (Kennison/McCrory).

ITEM D-13 TIME EXTENSION REQUEST - CONSERVATION DISTRICT USE PERMIT MA-2741 FOR THE MAUI OCEAN CENTER, MAALAEA, MAUI

Staff submittal recommended the approval of a time extension to add additional pipeline for the intake system for the Maui Ocean Center. Mr. Uchida informed the Board that the Maui Ocean Center is seeking to try and improve the water quality of its intake system by extending the current 720-ft pipeline to the CDUA allowed total of 1400 feet.

Eric Guinther was present to answer questions.

In response to Chairperson Wilson's question whether the proposed length of pipe would be sufficient to improve water quality, Mr. Guinther stated that, because the Center was unable to determine the exact cause of the poor water quality, it could not answer the Chair's question. He noted, however, that, because of time constraints which require the Center to try and improve the water quality immediately, and the fact that it is known that water quality improves further from shore, the Center is requesting the approval of the time extension to extend the pipes.

By a unanimous vote of the members present, Item D-13 was approved as submitted (Kennison/Inouye).

ITEM D-16 CONSENT TO THE ASSIGNMENT OF GENERAL LEASE NO. S-5376, LOT 51, WAIMANALO AGRICULTURAL SUBDIVISION, WAIMANALO, KOOLAUPOKO, OAHU, TMK: 4-1-8: 79

Mr. Uchida stated that the subject consent would, basically add Mr. Wong's wife to the lease.  
No public testimony was presented.

by a unanimous vote of the members present, Item D-16 was approved as submitted (Inouye/Kennison).

ITEM D-17 REQUEST TO AMEND PRIOR BOARD ACTION OF OCTOBER 28, 1994  
(AGENDA ITEM H-6), AS AMENDED ON APRIL 9, 199, CONVEYANCE  
OF LAND FROM THE DEPARTMENT OF LAND AND NATURAL RESOURCES  
TO THE DEPARTMENT OF HAWAIIAN HOME LAND AT VARIOUS SITES,  
STATEWIDE

Mr. Uchida provided board members with general background as discussed in staff's submittal. Staff recommended that the Board approve the Department of Hawaiian Home Lands (DHHL) request to transfer the subject parcel.

Mr. Fred Evangelista, Esq., representing the lessees of the subject parcel, testified that the lessees concurred with staff's recommendation, however, further requested that condition 3 be amended to require the prior written consent of the lessee.

Mr. Joe Chu, DHHL, stated that Hawaiian Home Lands had no objections to the requested amendment.

By a unanimous vote of the members present, Item D-17 was approved as amended (Inouye/Kennison).

ITEM D-14 REQUEST FOR DIRECT ISSUANCE OF LAND LICENSES TO HAWAIIAN  
CEMENT CO. AND AMERON MAUI HAWAII FOR MINING AND SALE OF  
CINDER FROM THE OLOWALU CINDER PIT, IMMEDIATE RIGHT OF  
ENTRY FOR MINING AND SALE OF CINDER PURPOSES, AND STAFF  
REQUEST TO WITHDRAW PARTIAL LAND FROM EXECUTIVE ORDER NO.  
2972, WITH THE COUNTY OF MAUI FOR INCLUSION IN THE LAND  
LICENSE, TMK: 4-8-03: 04 AND PORTION 39, OLOWALU, MAUI

Mr. Uchida informed the Board that the subject submittal had been previously deferred by the Board due to concerns regarding the fees, premiums, etc. attached to the license. Mr. Uchida stated that, after researching the issue, staff formulated four alternatives to funding; the preferred alternative was Alternative 3: Annual royalty only of \$2.75/cubic yard.

No public testimony was presented.

By a unanimous vote of the members present, Item D-14 was approved as submitted (Kennison/McCrory).

ITEM D-11 REQUEST FOR PARTIAL WITHDRAWAL OF LAND UNDER A PENDING REVOCABLE PERMIT WITH A&B HAWAII, INC., SET ASIDE AND ISSUANCE OF AN EXECUTIVE ORDER TO THE DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION FOR HIGHWAY PURPOSES, AND AN IMMEDIATE RIGHT OF ENTRY FOR SITE CONTROL PURPOSES OVER, UNDER, ACROSS AND ON GOVERNMENT LAND, IDENTIFIED BY TMK: 1-1-02: PORTION 02, KEANAE, KO'OLAU, HANA, MAUI

Staff submittal recommended authorization of the withdrawal of approximately one acre from the permit and approve the recommendation for an executive order for the Department of Transportation for improvements to Hana Highway. No public testimony was presented.

By a unanimous vote of the members present, Item D-11 was approved as submitted (Kennison/McCrory).

ITEM D-12 CONSERVATION DISTRICT USE APPLICATION (MA-2899) FOR THE HANA HIGHWAY REALIGNMENT/REPAIR AT HONOMANU, HANA, MAUI, TMK: 1-1-01: 44 (POR.)

Staff submittal recommended approval of the CUA for improvements to portions of Hana Highway currently experiencing extensive erosion and cracking. Mr. Uchida informed the Board that the Department of Transportation would be moving the right-of-way 170 feet mauka. He noted that, because Hana Highway would be closed during different periods of the day, the roadwork will cause some inconvenience to travelers in the area. No public testimony was presented.

By a unanimous vote of the members present, Item D-12 was approved as submitted (Kennison/McCrory).

ITEM D-18 SALE OF ABANDONED FLUME RIGHT-OF-WAY REMNANT, KAIELE HOMESTEADS, SOUTH HILO, HAWAII TMK: 3RD/2-7-05: 68

Staff submittal recommended the approval of the sale to the landowner of record. Mr. Uchida stated that, for reasons unknown, the remnant was not included in the original sale to the present owners (Abel and Yoshie Wakida). The Wakidas, in turn, are currently in the process of selling the property and wished to include the portion of the ditch in the sale. No public testimony was presented.

By a unanimous vote of the members present, Item D-18 was approved as submitted (Inouye/Kennison).



ITEM D-22 REQUEST ACCEPTANCE AND APPROVAL OF THE PUUNENE AIRPORT  
CONCEPTUAL MASTER PLAN, LICENSE AGREEMENT CONSENT AND  
IMMEDIATE RIGHT OF ENTRY FOR THE COUNTY OF MAUI, TMK: 3-  
8-08: PORTION 01, PORTION OF PULEHUNUI AND WAIKAPU,  
WAILUKU, MAUI

Mr. Uchida that acceptance of the conceptual master plan would allow the county to proceed with Chapter 343 provisions. He noted that the area would eventually provide some benefit to the state -- a proposed industrial park, a baseyard, and a DOCARE training facility.

In response to questions by Member Kennison, Mr. Uchida stated that the DOCARE training facility would be required as part of today's action, but that infrastructure development would determine how soon the Department could move on construction.

Regina Kawamura, County of Maui, voiced the County's support of staff's recommendation.

By a unanimous vote of the members present, Item D-22 was approved as submitted (Kennison/McCrory).

Item D-28 was revisited at this time. (See Item D-28).

ITEM D-1 CANCELLATION OF LOD S-28,275 ISSUED TO MASANORI KUSHI AND  
SUMIE KUSHI AT PONAHAHAWAII, HAWAII, TMK: (3) 2-5-36-  
PORTION OF 57

No public testimony was presented.

By a unanimous vote of the members present, Item D-1 was approved as submitted (McCrory/Inouye).

ITEM D-3 REQUEST ISSUANCE OF A LAND PATENT IN CONFIRMATION OF THE  
AWARD ON LCA #3758 LOCATED AT LALAMILO, HAWAII, TMK: (3)  
6-9-2-12

Mr. Uchida requested that this item be withdrawn.  
No public testimony was presented.

By a unanimous vote of the members present, Item D-3 was withdrawn (McCrory/Kennison).

ITEM D-5 WITHDRAWAL FROM MALAMA-IKI FOREST RESERVE AND SET ASIDE TO THE DIVISION OF STATE PARKS FOR THE MACKENZIE STATE PARK, PUNA, HAWAII, TMK: (3) 1-3-7-PORION 26

No public testimony was presented.

By a unanimous vote of the members present, Item D-5 was approved as submitted (Kennison/McCrory).

ITEM D-6 RELEASE OF RESTRICTIONS - LAND PATENT GRANT NO. 13,140, LOT 7, HAUKALUA HOMESTEADS, HAUKALUA 2ND, SOUTH KONA, HAWAII, TMK: 3RD/8-7-04: 04

No public testimony was presented.

By a unanimous vote of the members present, Item D-6 was approved as submitted (Kennison/McCrory).

ITEM D-7 RESCISSION OF PREVIOUS BOARD ACTION ON SALE OF PAPER ROADS TO BIG ISLAND COUNTRY CLUB ESTATES LIMITED PARTNERSHIP, FORMERLY ROYAL VISTA ESTATES AND COUNTRY CLUB, PUU ANAHULU HOMESTEADS, NORTH KONA, HAWAII, TMK: 3RD/7-1-05: PAPER ROADS

Mr. Uchida informed the Board that the prior action was done with the understanding that the county did not own the roads; subsequently, the county has since claimed ownership of the roads.

No public testimony was presented.

By a unanimous vote of the members present, Item D-7 was approved as submitted (McCrory/Kennison).

ITEM D-8 AUTHORITY TO DISPOSE OF NEGOTIATED LEASE FOR SUGAR CAN DIVERSIFIED AGRICULTURAL AND AQUACULTURAL PURPOSES, KEKAHA, KAUAI

Member Inouye questioned the rental amounts and its relationship to the uses. Mr. Uchida stated that the rents are based only on the sugar operation, and that any other uses (shrimp farm, etc.) would be handled through a sub-lease arrangement.

No public testimony was presented.

By a unanimous vote of the members present, Item D-8 was approved as submitted (McCrory/Kennison).

ITEM D-9 DIRECT SALE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT FOR ROADWAY AND UTILITY PURPOSES AT NORTH KOHALA, HAWAII, TMK: (3) 6-6-1-PORION 2

No public testimony was presented.

By a unanimous vote of the members present, Item D-9 was approved as submitted (Kennison/McCrory).

ITEM D-10 CONVEYANCE OF LOT 25-A KAPAKA ROAD TO THE COUNTY OF KAUAI AND LOTS 4 AND 4-A TO THE DEPARTMENT OF TRANSPORTATION, KALIIHIKAI, AND HANAIEI, HALELEA, KAUAI

No public testimony was presented.

By a unanimous vote of the members present, Item D-10 was approved as submitted (McCrory/Kennison).

ITEM D-15 DIRECT ISSUANCE OF PERPETUAL, NON-EXCLUSIVE UNDERGROUND POWERLINE AND ACCESS EASEMENTS TO HAWAIIAN ELECTRIC COMPANY, INC. IN CONJUNCTION WITH THE BOARD OF WATER SUPPLY, CITY AND COUNTY OF HONOLULU'S WELL PROJECT AT MAAKUA, HAUULA, KOOLAULO, OAHU, TMK: 1ST/5-4-05: 01

No public testimony was presented.

By a unanimous vote of the members present, Item D-15 was approved as submitted (Inouye/Kennison).

ITEM D-19 REQUEST BOARD APPROVAL FOR THE DIRECT ISSUANCE OF PERPETUAL NON-EXCLUSIVE EASEMENTS FOR SANITARY SEWER PURPOSES AND ACCESS PURPOSES TO THE CITY AND COUNTY OF HONOLULU, DEPARTMENT OF ENVIRONMENTAL SERVICES, SAND ISLAND INDUSTRIAL PARK SUBDIVISION, SAND ISLAND, OAHU, TMK: 1-5-41

No public testimony was presented.

By a unanimous vote of the members present, Item D-19 was approved as submitted (Inouye/Kennison).

ITEM D-20 ISSUANCE OF REVOCABLE PERMIT FOR LOTS 2 AND 3, POR. OF HANAPEPE, WAIMEA, KAUAI, TMK: 1-8-8: 49 AND 50

No public testimony was presented.

By a unanimous vote of the members present, Item D-20 was approved as submitted (McCrory/Inouye).

ITEM D-21 REQUEST BOARD APPROVAL FOR THE DIRECT ISSUANCE OF PERPETUAL NON-EXCLUSIVE EASEMENTS FOR WATERLINE AND WATER METER PURPOSES TO THE BOARD OF WATER SUPPLY, CITY AND COUNTY OF HONOLULU, SAND ISLAND INDUSTRIAL PARK SUBDIVISION, SAND ISLAND, OAHU, TMK: 1-5-41

No public testimony was presented.

By a unanimous vote of the members present, Item D-21 was approved as submitted (Inouye/Kennison).

ITEM D-23 REQUEST FOR CONSENT TO WAREHOUSE LEASE AGREEMENT FOR THE DEPARTMENT OF PUBLIC SAFETY, KAKAAKO, HONOLULU, TMK: 2-1-30: 15

No public testimony was presented.

By a unanimous vote of the members present, Item D-23 was approved as submitted (Inouye/Kennison).

ITEM D-24 AMEND PREVIOUS BOARD ACTION TO SELL LEASE AT PUBLIC AUCTION FOR PASTURE PURPOSES, LOT 62, KAPAA HOMESTEADS, FIRST SERIES, KAWAIHAU (PUNA), KAUIAI, TMK: 4-6-6: 28 AND 29, AND ISSUANCE OF INTERIM REVOCABLE PERMIT

No public testimony was presented.

By a unanimous vote of the members present, Item D-24 was approved as submitted (McCrary/Kennison).

ITEM D-25 CERTIFICATION OF ELECTION AND APPOINTMENT OF SOIL AND WATER CONSERVATION DISTRICT DIRECTORS (HAMAKUA AND WAIAKEA)

Staff submittal recommended the appointment of Millicent Kim, director of the Hamakua district, and the certification of election of Stanley Watanabe, director of Waiakea district. No public testimony was presented.

By a unanimous vote of the members present, Item D-25 was approved as submitted (McCrary/Kennison).

ITEM D-26 REQUEST TO SET ASIDE HALE O LONO HARBOR AND ACCOMPANYING ACCESS ROAD BY EXECUTIVE ORDER TO THE DIVISION OF BOATING AND OCEAN RECREATION, AND AN IMMEDIATE RIGHT OF ENTRY FOR SITE CONTROL PURPOSES, TMK: 5-1-02: 12, 23 AND 30, KALUAKOA, MOLOKAI

Mr. Uchida stated that the Division of Boating and Ocean Recreation had requested deferral of Item D-26 until the October 9, 1998 Board meeting.  
No public testimony was presented.

By a unanimous vote of the members present, Item D-26 was deferred (McCrorry/Inouye).

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ITEM D-27 RESCIND PRIOR BOARD ACTION OF DECEMBER 28, 1984 (AGENDA ITEM F-8), STAFF RECOMMENDATION FOR STANDARDIZATION OF RELOCATION CLAUSE CONTAINED IN GRANT OF EASEMENT DOCUMENTS.

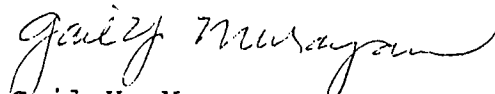
No public testimony was presented.

By a unanimous vote of the members present, Item D-27 was approved as submitted (Inouye/Kennison).

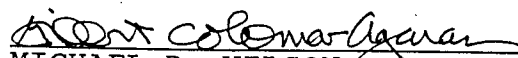
There being no further business, Chairperson Wilson adjourned the meeting at 10:45 a.m.

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.

Transcribed by,

  
Gail Y. Murayama

Approved for submittal:

  
MICHAEL D. WILSON  
Chairperson  
Board of Land and Natural Resources



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