

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

DATE: FRIDAY, OCTOBER 9, 1998
TIME: 9:00 A.M.
PLACE: BOARD ROOM
KALANIMOKU BUILDING, ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HAWAII 96813

Chairperson Michael D. Wilson called the meeting of the Board of Land and Natural Resources to order at 9:16 a.m. The following were in attendance:

MEMBERS:

Mr. Michael Wilson
Mr. Colbert Matsumoto
Mr. Russell Kokubun

Mr. William Kennison
Ms. Kathryn Inouye

STAFF:

Mr. Dean Uchida, Land Division
Mr. Wayne Ching, Division of Forestry and
Wildlife (DOFAW)
Mr. Nelson Ayers, DOFAW
Mr. Betsy Gagne, DOFAW

Mr. John Hino, Division of Boating and
Ocean Recreation (DOBOR)
Mr. Howard Gehring, DOBOR
Mr. David Parsons, DOBOR

OTHERS:

Mr. Randy Young, Department of the
Attorney General (DAG)
Mr. Jimmy Nakatani (D-18)
Mr. Jim Coon (J-1)
Mr. Benjamin Kudo (D-8)
Mr. Al Lyman (D-8)
Mr. Colin Kippen (D-8)
Mr. Kevin Hopkins (D-2)
Mr. Brian Nishimura (D-19)

Mr. Peter Garcia, Department of
Transportation (DOT)
Mr. Kimo Frankel (D-18 & D-8)
Ms. Lorna Ross (D-11)
Mr. Michael Matsukawa (D-8)
Mr. Kumu Vasconcellos (D-8)
Ms. Peggy Ratcliffe (D-8)
Mr. James Leonard (D-16)

**ITEM D-18 DEPARTMENT OF AGRICULTURE (DOA), REQUESTS SET ASIDE
OF STATE LAND, FOR AGRICULTURAL PARK PURPOSES,
SITUATE AT HONOULIULI, EWA, OAHU, TMK: 9-1-31: 25 & 26**

Mr. Dean Uchida, Administrator of the Land Division presented the staff submittal recommending that the Board approve of and recommend to the Governor the issuance of an Executive Order setting aside parcels 25 and 26 to the Department of Agriculture (DOA) for agricultural park purposes subject to standard conditions.

Mr. Jimmy Nakatani, Chairperson of DOA testified in favor of staff's recommendation.

Mr. Kimo Frankel of the Sierra Club recalled several years ago when Meadow Gold Dairies leased State land and was imposed a number of conditions that would require them to do a better job in controlling the pollution. He said he would like to see the same conditions imposed on DOA as they are imposed on the private party. Mr. Uchida clarified that the Meadow Gold Dairies situation was not the same as this particular situation.

Unanimously approved as submitted (Inouye/Kennison).

ITEM J-1 RESUBMITTAL: REQUEST FOR AMENDMENT OF SPECIFIC PROVISION OF BOATING LEASE NO. B-93-02 FOR TRILOGY CORPORATION FOR USE OF GOVERNMENT LANDS SITUATED AT THE MANELE SMALL BOAT HARBOR, ISLAND OF LANAI

Mr. John Hino, Property Manager for the Division of Boating and Ocean Recreation (DOBOR) stated that Item J-1 is a resubmittal requesting for amendments to specific provisions of Boating Lease No. B-93-02 for Trilogy Corporation. The original cost for build out of the facility was estimated to be \$100,000.00 but to date it has skyrocketed to \$750,000.00. An estimated \$250,000.00 will be expended to complete the project and the current expectation for improvements will exceed \$1,000,000.00. Trilogy is requesting that the lease term be extended from 35 to 45 years. It is necessary for Trilogy to extend its term of the lease to more reasonably amortize its improvements and to obtain necessary financing. Since the project has not been totally completed, it is realistic to say that Trilogy would have less than 29 years to amortize \$1,000,000.00 in improvements according to the current lease term, hence the debt service on this note would amount to approximately \$10,000.00 per month. It would be very difficult for any small business to take on such an increased debt load. Staff's recommendation is that the Board approve the amendments to Boating Lease No. B-93-02 subject to terms and conditions.

Member Colbert Matsumoto felt that the State should be getting something back in exchange for the extension and questioned staff on why they didn't use this opportunity to extract the utilities that the State is mandated to install in exchange for the 10-year extension.

Mr. Jim Coon of Trilogy Corporation testified in favor of staff's recommendation and gave some background information on his lease. In response to Member Matsumoto's question regarding what the State will gain in exchange for the 10-year extension, Mr. Coon said the State will be getting a long term tenant and a fantastic beach pavilion that the State wouldn't

have to spend any money on. He mentioned that part of the lease agreement was for the State to put in electricity at the Harbor but this has not been done yet.

Member Kathryn Inouye commended Mr. Coon on what he's doing to accommodate the community and stated that her concern is in regard to the business assumption of the project and not the merits of the project. She felt that more information was needed from Mr. Coon's bank.

A motion was made at 10:00 a.m. to go into Executive Session to discuss legal issues with the Deputy Attorney General (AG). (Matsumoto/Kennison). The meeting was reconvened at 10:15 a.m.

Member William Kennison made a motion to defer Item J-1 because of questions that were raised by the Deputy AG regarding Section 171-59(b), Hawaii Revised Statute (HRS).

Unanimously approved to defer Item J-1. (Kennison/Inouye).

ITEM D-11 PETITION TO AMEND TITLE 13, CHAPTER 5, HAWAII ADMINISTRATIVE RULES, IN ORDER TO RECLASSIFY A PORTION OF A PARCEL FROM THE LIMITED TO THE RESOURCE SUBZONE AT NIUMALU, LIHUE, KAUAI, TMK: 3-2-1: 01

Mr. Uchida presented that staff submittal recommending that the Board approve the petition to redesignate the subject area from the Limited to the Resource Subzone at Niumalu, Lihue, Kauai.

Ms. Lorna Ross representing Okada Trucking Company said she was present to answer any questions that the Board might have.

Unanimously approved as submitted. (Kennison/Inouye).

ITEM D-8 DIRECT LEASE OF WATER RIGHTS TO HAWAII ELECTRIC LIGHT COMPANY, INC. FOR THE USE OF GROUNDWATER AND A RIGHT-OF-ENTRY AT KEAHOLE, HAWAII, TMK: (3) 7-3-49- PORTION OF 36

Mr. Uchida amended staff submittal that reads: "Statute: Section 171-58(c) and 95, HRS". He said staff should not have included Section 171-58(c), HRS and requested that any references to this Section be deleted. He said Item D-8 is a request from Hawaii Electric Light Company (HECO) for a water license. In the 1970's there was a land patent grant issued to HECO for the purchase of this land. A well construction permit was obtained from the Commission on Water Resource Management (CWRM) on July 20, 1992 and a pump

installation permit was obtained from CWRM on November 6, 1997. He said it was brought to staff's attention recently that the land patent grant had a restriction that required the State to issue a disposition for the use of water. Staff's recommendation is that the Board authorize the direct award of the water rights for groundwater purposes to HECO and also authorize the right-of-entry subject to standard conditions.

Mr. Michael Matsukawa representing the Keahole Defense Coalition submitted written testimony in opposition to staff's recommendation. He gave some background information on the issue of whether HECO has rights to use the groundwater. He felt that Section 171-95, HRS that refers to disposition of public land did not clarify as to whether it includes disposition of water.

Mr. Kumu Vasconcellos, Deputy AG for the Department of Hawaiian Homelands (DHHL) testified in opposition to staff's recommendation. He clarified that DHHL is the adjoining landowner on the north side of the subject property and intends to build approximately 500 single family residences. He said DHHL is particularly concerned about Section 171-58(g), HRS that provides for statutory requirements that pertain to DHHL in particular. This statute requires that DHHL be notified when this type of disposition occurs. Section 171-95, HRS would circumvent this statutory provision.

Mr. Colin Kippen, Deputy Administrator for the Office of Hawaiian Affairs (OHA) testified in opposition to staff's recommendation. He said there are substantial questions as to whether the issue of native rights to water was appropriately addressed in the administrative process and if there has been adequate notice under the law to DHHL and whether or not a consultation process that seems to be contemplated in the Legislation was in fact something that occurred. He said it appears that neither of these things have been done and there must be certainty in part by the Board before action is taken.

Mr. Frankel testified in opposition to staff's recommendation. He asked the Board to deny HECO's request because of numerous legal issues that are involved.

Ms. Peggy Ratliff, Director of the Keahole Defense Coalition submitted written testimony in opposition to staff's recommendation. She gave some background information on the contested case hearings and the EIS process regarding HECO's proposal to expand Keahole Generating Station. She questioned HECO's right to the groundwater and requested that the Board deny HECO's request for the direct lease of groundwater.

Mr. Benjamin Kudo representing HECO responded to a statement made earlier regarding water not being included as land. He referred to Section 171-1, HRS that defines land as including all interest there and natural resources *including water*, minerals, and other things. He also responded to the adequacy of DHHL's position on the EIS process. He explained that DHHL did not own the land adjacent to the power plant during the EIS process because the land was transferred to DHHL after the EIS was done. He said it was through the contested case hearing which followed the acceptance of the EIS that HECO learned what

DHHL's plans were for that particular area. He was not sure what DHHL would use the water for because the water is extremely brackish.

In response to Chairperson Wilson's question, Mr. Al Lyman of CH2M Hill clarified that the issue of water ownership or the alleged ceded water was not raised during the EIS process. The issue was raised by interveners at the contested case hearing.

Mr. Vasconcellos said DHHL did come in late at the contested case hearings but HECO knew a year in advance about the lands being transferred to DHHL. He felt that it's HECO's obligation as the applicant to find out what DHHL's plans are and to provide this information to the Board. He said the EIS that was provided by HECO needs updating because it did not address DHHL's concerns about impact on traffic, noise and air in a residential subdivision.

A motion was made at 11:30 a.m. to go into Executive Session to discuss legal issues with the Deputy AG. (Kennison/Kokubun).

A lunch break was taken by the Board following the Executive Session and the meeting was reconvened at 1:10 p.m.

Member Russell Kokubun made a motion to defer action on this matter for approximately 30 days to allow for consultation with DHHL pursuant to Section 171-58(g).

Unanimously approved to defer Item D-8. (Kokubun/Inouye).

ITEM D-2 CANCELLATION OF GOVERNOR'S EXECUTIVE ORDER #2382, SET ASIDES TO THE COUNTY OF HAWAII, DEPARTMENT OF PUBLIC WORKS FOR THE PUA SEWAGE PUMP STATION AND THE UNIVERSITY OF HAWAII, HILO CAMPUS FOR THE DEVELOPMENT OF THE PACIFIC AQUACULTURE AND COASTAL RESOURCES CENTER, CANCELLATION OF EASEMENT B, DIRECT SALE OF PERPETUAL, NON-EXCLUSIVE EASEMENTS FOR SEWER, DRAINAGE AND ACCESS PURPOSES AND A CONSTRUCTION RIGHT-OF-ENTRY AT KEAUKAHA, HAWAII, TMK: (3) 2-1-11-4

Mr. Uchida presented the staff submittal recommending that the Board authorize the cancellation of Governor's Executive Order #2382, set-asides to the County of Hawaii, Department of Public Works for the Pua Sewage Pump Station and the University of Hawaii, Hilo Campus for the development of Pacific Aquaculture and Coastal Resources Center, cancellation of Easement B, direct sale of perpetual, non-exclusive easements for sewer, drainage and access purposes and a construction right-of-entry at Keaukaha, Hawaii subject to standard conditions.

In response to Member Kokubun's question, Mr. Kevin Hopkins of the University of Hawaii said there maybe some commercial research activities there, but not a commercial production facility. He said they do expect to sell some products out of the facility but it's basically a byproduct of research and education.

Unanimously approved as submitted. (Kokubun/Kennison).

ITEM C-1 APPLICATION FOR FISCAL YEAR 1999, RURAL COMMUNITY FIRE PROTECTION (RCFP) GRANT - (HONOLULU FIRE DEPT.)

Mr. Wayne Ching, State Protection Forester for the Division of Forestry and Wildlife (DOFAW) presented the staff submittal recommending that the Board approve the Honolulu Fire Departments request and authorize the Chairperson to transmit the same to the USDA Forest Service for their concurrence.

Unanimously approved as submitted (Inouye/Kennison).

ITEM C-2 REQUEST APPROVAL TO ESTABLISH NEW HAWAII ADMINISTRATIVE RULES FOR CHAPTER 13-109, FOREST STEWARDSHIP AND CHAPTER 13-210, NATURAL AREA PARTNERSHIP PROGRAMS

Mr. Ching presented the staff submittal recommending that the Board approve establishing new Hawaii Administrative Rules, Chapter 13-109 relating to the Forest Stewardship Program and for Chapter 13-210 relating to the Natural Area Partnership Program.

In response to Member Kokubun's question regarding the revenues for the payment provision for commercial timber production, Mr. Nelson Ayers, Staff Forester for DOFAW stated that the revenues will go back into the Special Fund so that the monies can be recycled for other projects.

Unanimously approved as submitted (Kokubun/Matsumoto).

ITEM D-16 CONSERVATION DISTRICT USE PERMIT APPLICATION (HA-2893) FOR THE CONSTRUCTION OF A SINGLE FAMILY RESIDENCE AND RELATED IMPROVEMENTS AT PAPAIKOU, SOUTH HILO, HAWAII, TMK: (3) 2-7-08: 03

Mr. Uchida said Item D-16 is a Conservation District Use Application for a single family residence for Mr. Kent Lucien in Papaikou, South Hilo. The parcel is 15.6 acres in size and is in the Resource Subzone. The applicant is proposing to construct a one-story residence

consisting of 3 bedrooms, a garage and covered lanai. Staff's recommendation is that the Board approve the application for a single family residence at Papaihou, South Hilo subject to 18 standard conditions.

Mr. James Leonard representing the applicant stated that Mr. Lucien's intent is to use it as a private single family residence. The Lucien family is moving over as part of the C. Brewer move to the Big Island and would like to develop their house on the property that they purchased.

Unanimously approved as submitted (Kokubun/Kennison).

**ITEM D-19 CONSERVATION DISTRICT USE PERMIT APPLICATION (HA-2894)
FOR THE CONSTRUCTION OF A SINGLE FAMILY RESIDENCE AND
ASSOCIATED IMPROVEMENTS AT PIHA HOMESTEADS, NORTH
HILO, HAWAII, TMK: (3) 3-2-04: 39**

Mr. Uchida said Item D-19 is a request for a Conservation District Use Application and the applicants are Mr. and Mrs. Peter Vandertuin. The applicants are proposing to construct a single family residence in North Hilo, Hawaii that consist of 3 bedrooms, 1-1/2 baths and approximately 1,700 square feet of living area. He said the application was sent around for comments and there were some concerns regarding the potential runoff into the adjacent streams. Staff's recommendation is that the Board approve the application for a single family residence subject to 18 standard conditions.

Member Kokubun suggested amending condition 15 because neither the DOH or the County of Hawaii, Department of Water have any criteria for water catchment systems.

Member Inouye referred to exhibit 9 and questioned how 3 floors could be built with a height restriction of 25 feet. She felt that it would be inappropriate to approve this item because the exhibits do not depict what's actually going to be constructed. Chairperson Wilson concurred with Member Inouye and asked staff to be more careful in the future so that the exhibits are accurate when they are submitted to the Board.

Mr. Brian Nishimura representing the applicants said he needs to go back to the applicants because the drawings in the staff submittal do not comply with the 25 feet height limit. He said he had already advised the applicants of the guidelines that the department has regarding single family dwellings and the applicants understand that they are required to submit plans for approval to the Chairperson before they will be allowed to build. He preferred that the Board take action on this item rather than deferring it.

Mr. Uchida reminded the Board of the 180-day expiration date and suggested a condition to have the applicant conform to the height limit of 25 feet with a maximum living area of 1,700 square feet.

A motion was made to amend staff recommendation as follows:

9. "... the permit declarations set forth in the permit application. The final construction plans shall reflect the fact that the structure cannot exceed the maximum height limit of 25 feet and maximum living area, approved in this application, of 1,700 square feet. Three (3) of the sets will be... "
15. [Potable water supply and] sanitation facilities shall have the approval of the Department of Health and [the Department of Water of] the County of Hawaii;

Unanimously approved as amended (Kokubun/Kennison).

ITEM D-3 REQUEST TO ISSUE VARIOUS REVOCABLE PERMITS TO PARKER RANCH, INC. ON VARIOUS PARCELS BEING PASTURED RESULTING FROM PREVIOUS EXPIRED LEASES AND REVOCABLE PERMITS, WAIMEA AND KOHALA, HAWAII, TMKS: 3RD/5-6-01: 01 & 35; 5-7-01: 04, 09, 10 & 15; 5-8-02: 03, 05 & 06; 6-2-01: 05 & 11

Mr. Uchida presented that the staff submittal recommending that the Board approve the issuance of various Revocable Permits to Parker Ranch, Inc. subject to standard conditions.

Unanimously approved as submitted (Kokubun/Kennison).

ITEM D-17 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, KALUAKOI, MOLOKAI

Mr. Uchida said this is a request to set aside Hale O Lono Harbor and access road by Executive Order to DOBOR and authorize an immediate right of entry for site control purposes. He said this matter was brought to the Board several times in the past and deferred to allow Land Division staff to work it out with DOBOR. He gave the Board some history on this item and stated that DOBOR's position is that the lands are unencumbered and is the responsibility of the Land Division. Land Division's position is that if DOBOR was not transferred from the Department of Transportation (DOT) to DLNR the Land Division wouldn't be involved in Hale O Lono Harbor. He said Land Division is proposing to set-aside Hale O Lono Harbor and accompanying access road by Executive Order to DOBOR and an immediate right of entry for site control purposes.

Mr. Howard Gehring, Administrator of DOBOR provided his account of what had transpired and his rationale of why he believed the lands were unencumbered subject to Section 171-53,

HRS. He stated that he did not disagree with Land Division's recommendation but pointed out to the Board that like Land Division, they did not have personnel or funding to take care of the Harbor.

Unanimously approved as submitted (Kennison/Matsumoto).

ITEM J-2 RESUBMITTAL: ISSUANCE OF REVOCABLE PERMIT TO BRAUN MANAGEMENT COMPANY FOR THE USE OF GOVERNMENT LANDS SITUATED AT THE MAALAEA SMALL BOAT HARBOR, ISLAND OF MAUI, TAX MAP KEY NO.: 3-6-01: 34

Mr. Hino requested that this item be deferred.

Unanimously approved to defer item J-2 (Kennison/Matsumoto).

ITEM D-1 CONSERVATION DISTRICT USE APPLICATION (OA-2886) FOR DEVELOPING THE EXPLORATORY KUOU WELL III INTO A FULL PRODUCTION WELL FACILITY (BETWEEN KANEOHE FOREST RESERVE AND HOOMALUHIA BOTANICAL GARDEN, KANEOHE, OAHU, TMK: (1) 4-5-41: PORTION OF 12)

Mr. Uchida presented the staff submittal recommending that the Board approve the Honolulu Board of Water Supply's Conservation District Use Application for developing the exploratory Kuou Well III into a full production well facility subject to standard conditions.

Unanimously approved as submitted (Inouye/Kennison).

ITEM D-4 REQUEST FOR AUTHORIZATION TO ACQUIRE 14.436 ACRES OF LAND THROUGH PUBLIC BENEFIT TRANSFER OF SURPLUS FEDERAL PROPERTY FOR EDUCATION USES, BARBERS POINT ELEMENTARY SCHOOL LOCATED AT NAVAL AIR STATION, BARBERS POINT, OAHU, HAWAII, TMK: (1) 9-1-013: 003; AND SUBSEQUENT SET ASIDE OF THE LAND TO THE DEPARTMENT OF EDUCATION FOR CONTROL AND MANAGEMENT PURPOSES

Mr. Uchida presented the staff submittal recommending that the Board approve and authorize the acquisition of 14.436 acres through the Federal public benefit transfer program by quitclaim deed and authorize the Chairperson to execute the application, authorize the hiring of consultants to complete the acquisition and upon completion of the acquisition, recommend to the Governor the issuance of a Governor's Executive Order setting aside the subject land for educational purposes subject to standard conditions.

Unanimously approved as submitted (Inouye/Kennison).

ITEM D-5 DIRECT LEASE TO GET HAWAIIAN TELEPHONE CO. FOR RADIO-TELEPHONE RELAY SITE WITH ROAD AND POLE LINE EASEMENT PURPOSES AND RIGHT-OF-ENTRY AT WAIAKEA, HAWAII, TMK: (3) 2-1-13-PORION OF 144

Mr. Uchida presented the staff submittal recommending that the Board authorize a direct lease and right-of-entry to GTE Hawaiian Telephone Co. subject to standard conditions.

Unanimously approved as submitted (Kokubun/Kennison).

ITEM D-6 SET ASIDE TO THE DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT, HUNTER EDUCATION PROGRAM FOR THE KAMUELA HUNTER EDUCATION FACILITY AND A CONSTRUCTION RIGHT-OF-ENTRY AT WAIMEA, HAWAII, TMK: (3) 6-5-4-15

Mr. Uchida presented the staff submittal recommending that the Board authorize the set aside to the Division of Conservation and Resource Enforcement for the Hunter Education Program and authorize the construction right-of-entry subject to standard conditions.

Unanimously approved as submitted (Kokubun/Kennison).

ITEM D-7 SELL STATE LAND TO THE COUNTY OF HAWAII FOR ROAD PURPOSES AT SOUTH HILO, HAWAII, TMK: (3) 2-7-11-ROAD REMNANTS

Mr. Uchida presented the staff submittal recommending that the Board authorize the direct sale of State lands to the County of Hawaii subject to standard conditions.

Unanimously approved as submitted (Kokubun/Matsumoto).

ITEM D-9 TIME EXTENSION REQUEST - CONSERVATION DISTRICT USE PERMIT HA-2607 FOR THE "LUTKENHOUSE" REFORESTATION AND PLANT MAINTENANCE PROJECT, ONOMEA, SOUTH HILO, HAWAII, TMK: 2-7-10: PORTION OF 1

Mr. Uchida presented the staff submittal recommending that the Board approve an extension of 2 years to complete the approved Reforestation and Planting Project subject to standard

conditions.

Unanimously approved as submitted (Kokubun/Matsumoto).

ITEM D-10 TIME EXTENSION REQUEST - CONSERVATION DISTRICT USE PERMIT OA-2755A FOR THE CONSTRUCTION OF A NEW REPLACEMENT 8-INCH WATER TRANSMISSION PIPELINE FROM THE PALOLO WATER TUNNEL TO THE PALOLO CHLORINATOR, PALOLO, OAHU, TMK: 3-4-22: PORTION OF 1

Mr. Uchida presented the staff submittal recommending that the Board approve an extension of 2 years to initiate the approved construction of a new pipeline between the Palolo Water Tunnel and the Palolo Chlorinator subject to standard conditions.

Unanimously approved as submitted (Inouye/Kokubun).

ITEM D-12 APPROVAL FOR AWARD OF CONSTRUCTION CONTRACT - JOB NO. 40-HB-9, WAILOA SMALL BOAT HARBOR, LAUNCHING RAMP REPLACEMENT, HILO, HAWAII

Mr. Uchida presented the staff submittal recommending that the Board award the construction contract for Job No. 40-HB-9, Wailoa Small Boat Harbor Launching Ramp Replacement to Sea Engineering, Inc. for their low bid of \$307,953.00, and authorize the Chairperson to sign the necessary documents to implement the project.

Unanimously approved as submitted (Kokubun/Kennison).

ITEM D-13 REQUEST TO AMEND GENERAL LEASE NO. S-5261 TO INCLUDE ATTORNMENT PROVISION, SAND ISLAND INDUSTRIAL PARKS, AND ISLAND, HONOLULU, OAHU, TMK: 1-5-41: 328

Mr. Uchida presented the staff submittal recommending that the Board amend General Lease No. S-5261 to include attornment provisions and the exact wording would be that of the Department of AG's.

The Board amended staff recommendation to have staff request that the AG's office include, "the state is protected from any liability or obligation to pay off any mortgage existing on the master lease should the master lease be terminated and the subleases attorn to the lessor.", when they prepare the Attornment language.

Unanimously approved as amended (Inouye/Kennison).

ITEM D-14 FORFEITURE OF GENERAL LEASE NO. S-4884, LOUISE MAU AI AND VELMA FOSTER, MAUNALAHA HOMESITES, OPU, MAKIKI, HONOLULU, OAHU

Mr. Uchida requested that this item be withdrawn because the applicant has come forward and paid their delinquency amount.

Unanimously approved to withdraw Item D-14 (Kokubun/Matsumoto).

ITEM D-15 FORFEITURE OF GENERAL LEASE NO. S-5311, FRANK CUELHO, JR., LESSEE, TMK: (2) 5-7-05: 26, PUKOO, MOLOKAI

Mr. Uchida presented the staff submittal recommending that the Board approve the forfeiture of General Lease No. S-5311.

Unanimously approved as submitted (Kennison/Inouye).

ITEM K-1 OFFICE SPACE LEASE, HONOLULU INTERNATIONAL AIRPORT, OAHU (FEDERAL AVIATION AGENCY, UNITED STATES OF AMERICA) TMK: 1-1-03-55P

Mr. Peter Garcia, Property Management Officer for DOT presented the DOT's submittal recommending that the Board authorize DOT to enter into a new office space lease with the United States of America, acting on behalf of the Federal Aviation Administration.

Unanimously approved as submitted (Inouye/Kennison).

ITEM K-2 REPORT ON REVOCABLE PERMITS RENEWED BY THE DEPARTMENT OF TRANSPORTATION FOR CONSISTENT USES

No Board action required on this agenda item.

ITEM K-3 CONSENT TO ASSIGNMENT OF PERPETUAL NON-EXCLUSIVE EASEMENT, HONOULIULI, EWA, OAHU (CIRI LAND DEVELOPMENT COMPANY) TMK: 9-1-14

Mr. Garcia presented DOT's submittal recommending that the Board consent to the assignment of the perpetual non-exclusive easement.

Unanimously approved as submitted (Inouye/Kennison).

ITEM K-4 ISSUANCE OF REVOCABLE PERMITS, PIER 20, HONOLULU HARBOR, OAHU (HAWAIIAN TUNA CO., INC.) TMK: 1-5-39-7P

Mr. Garcia presented the DOT's submittal recommending that the Board authorize the Director of Transportation to issue a revocable permit to the applicant.

Unanimously approved as submitted (Inouye/Kennison).

ITEM K-5 ISSUANCE OF REVOCABLE PERMIT, PIER 19, HONOLULU HARBOR, OAHU (JTB HAWAII, INC.) TMK: 1-5-39-6P

Mr. Garcia presented the DOT's submittal recommending that the Board approve the issuance of this revocable permit.

Unanimously approved as submitted (Inouye/Kennison).

There being no further business, Chairperson Wilson adjourned the meeting at 5:37 p.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,



Kimberly C. Keliioomalu

Approved for submittal:



MICHAEL D. WILSON

Chairperson

Board of Land and Natural Resources

