

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

DATE: FRIDAY, SEPTEMBER 10, 1999
TIME: 9:00 A.M.
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HAWAII

Chairperson Timothy Johns called the meeting of the Board of Land and Natural Resources to order at 9:20 a.m. The following were in attendance:

MEMBERS:

Mr. Timothy Johns
Ms. Lynn McCrory
Mr. Russell Kokubun

Mr. William Kennison
Ms. Kathryn Inouye

STAFF:

Mr. Dean Uchida, Land Division
Mr. Sam Lemmo, Land Division

Mr. Howard Gehring, Division of Boating
and Ocean Recreation

OTHERS:

Ms. Josephine, Chang, Department of the
Attorney General
Mr. Avery Youn, D-1
Mr. Norman Caris, D-1
Mr. David Campbell, D-18
Mr. Neal Imada, D-7
Ms. Laulani Teale, D-14
Mr. Steven Helela, D-14
Mr. Lloyd Jones, D-9

Mr. Peter Garcia, Department of
Transportation
Mr. Ben Matsubara, D-1
Mr. Louis Santiago, D-13
Mr. Norman Thomas, D-18
Ms. Sandra Pfund, D-11 & D-12
Mr. Kealoha Kuhea, D-14
Mr. Pericles Manthos, D-14
Mr. Bill Alderman, K-8

ITEM A-1: APPROVAL OF JULY 23, 1999 MINUTES

Deferred – lack of quorum.

ITEM D-1: TIME EXTENSION REQUEST FOR CONSERVATION DISTRICT USE PERMIT NO. KA-2589 TO CONSTRUCT THE CARIS SINGLE FAMILY RESIDENCE AND RELATED IMPROVEMENTS AT ALIOMANU ESTATES SUBDIVISION, KAWAIHAU, KAUAI, TMK: 4-9-05: 27, LOT 12

Mr. Dean Uchida, Administrator of the Land Division, presented the staff submittal recommending that the Board deny the request for a time extension to the completion date for the single family residence since the Board imposed completion deadline expired 2-1/2 months prior to the submission of the request; and that the Board affirm condition 18 of Conservation District Use Permit No. KA-2589, which effectively nullifies the permit for failure to meet condition 7. of the permit as amended.

The Applicant, Mr. Norman Caris; Architect, Mr. Avery Young; and Attorney, Mr. Ben Matsubara were all present and testified against staff recommendation.

The Board deleted the staff recommendation and replaced it with the following:

- A. That the Board of Land and Natural Resources approve a 3 year extension to the January 22, 1999 completion deadline.
- B. That the staff review and research whether the applicant made a verbal request for the extension during discussions with staff in Honolulu and Kauai sometime during December of 1998 and January of 1999. If so, then the request was made timely and the extension was processed accordingly.

Unanimously approved as amended (McCrary/Kennison).

ITEM D-13: RESUBMITTAL: AMENDMENT OF PREVIOUS BOARD ACTION AND CONSENT TO ASSIGNMENT OF LEASE, GENERAL LEASE (GL) NO. S-5001, RUS SHO DEN, INC., A HAWAII CORPORATION, AS SELLER, TO PUBTIME, INC., A HAWAII CORPORATION, AS BUYER; CONSENT TO PURCHASE MONEY MORTGAGE IN CONNECTION WITH SALE, WAIAKEA, SOUTH HILO, HAWAII, TMK: 3RD/2-2-32: 10

Mr. Uchida requested that this item be withdrawn based on Rus Sho Den, Inc. filing for bankruptcy.

Mr. Santiago, Owner of Pubtime, Inc., was present at the meeting and was surprised to learn of the bankruptcy filing by the lessee. The lessee did not inform him of their intentions to file for bankruptcy protection. He asked that he be provided with a letter explaining the Board's action.

Unanimously approved to withdraw (Kokubun/Kennison).

ITEM D-18: CONSENT TO ASSIGN GL NO. S-3756, MR. & MRS. NORMAN THOMAS, ASSIGNOR, TO MR. & MRS. DAVID CAMPBELL; EXTENSION OF LEASE TERM AND CONSENT TO MORTGAGE, WAIMANALO, OAHU, TMK: (1) 4-1-10: 34

Mr. Uchida briefed the Board and recommended that the Board consent to the assignment of GL No. S-3756 from Mr. & Mrs. Thomas to Mr. & Mrs. Campbell; authorize the extension of GL No. S-3756; consent to the mortgage between Mr. & Mrs. Campbell and Countrywide Home Loans, Inc.; and reimposition of the liability and fire insurance, performance bond and conservation plan provision requirements by the new Lessee, Mr. & Mrs. Campbell.

Mr. Campbell and Mr. Thomas were both present at the meeting.

Unanimously approved as submitted (Inouye/Kennison).

ITEM D-7: ISSUANCE OF QUITCLAIM DEED TO THE CITY & COUNTY OF HONOLULU FOR A PORTION OF GOVERNMENT ROAD KNOWN AS KAMAKEE STREET, HONOLULU, OAHU, TMKs: (1) 2-3-1 AND 5: ROAD

Mr. Uchida presented the staff submittal recommending that the Board authorize the issuance of a quitclaim deed to the City & County of Honolulu for a portion of government road known as Kamakee Street, subject to conditions.

Mr. Neal Imada, Engineering Manager of Hawaii Community Development Authority was present to answer questions.

Unanimously approved as submitted (Inouye/McCrory).

ITEM D-11: QUITCLAIM BY HAWAII COMMUNITY DEVELOPMENT CORPORATION OF HAWAII (HCDCH) TO BLNR FOR KAPOLEI MIDDLE SCHOOL LANDS HONOULIULI, OAHU, TMK: (1) 9-1-16: 82

ITEM D-12: SET ASIDE TO THE DEPARTMENT OF EDUCATION FOR KAPOLEI MIDDLE SCHOOL AND A MANAGEMENT RIGHT-OF-ENTRY AT HONOULIULI, OAHU, TMK: (1) 9-1-16: 82

Mr. Uchida requested that Items D-11 and D-12 be taken together.

Member Inouye recused herself from these 2 items.

Mr. Uchida said these items involve the Kapolei Middle School lands. Staff's recommendation for Item D-11 is that the Board accept quitclaim by HCDCH, subject to conditions; and Item D-12 is that the Board approve of and recommend to the Governor the issuance of an executive order setting

aside the subject land to the Department of Education, subject to terms and conditions.

Ms. Sandra Pfund, Project Coordinator for HCDCH was present to answer any questions.

Unanimously approved as submitted (Kennison/Kokubun).

ITEM D-14: RECOMMENDATION ON THE STANDING OF THREE (3) PETITIONERS REGARDING THEIR REQUEST TO BE PARTIES IN A CONTESTED CASE ON CONSERVATION DISTRICT USE APPLICATION (CDUA) NO. OA-1405A FOR THE RETENTION OF THE H-3 FREEWAY CONSTRUCTION ACCESS ROAD, HALAWA VALLEY, OAHU

Mr. Uchida said Item D-14 is a recommendation on the standing on 3 petitioners regarding a request for a contested case hearing. On August 13, 1999, the Board took action on this matter with 5 stipulations: 1) The Board found that, based on the information provided, there is a basis to hold a contested case hearing; 2) The 3 petitioners and the Department of Transportation (DOT) immediately begin mediation, which shall be completed within 60 days of the Board's decision; 3) A report on the mediation shall be submitted, after the mediation has been completed, within 90 days of the Board's decision; 4) Within 30 days of the Board's decision, staff is to present to the Board an analysis and recommendation on the standing of the 3 petitioners in the contested case hearing; and 5) Within 30 days, the petitioners and DOT shall present a status report on the mediation process to the Board. Mr. Uchida stated that staff is unable to make a recommendation on the standing issue. Staff's recommendation is that the Board defer action on this matter, until the 3 petitioners submit additional information regarding their application to be a party in the contested case hearing. If the petitioners do not provide the additional information in 60 days of the Board's decision, the Board will consider information in the original petition and the lack of additional information, to determine who has standing to be a party in a contested case hearing.

Deputy Attorney General (AG) Josephine Chang advised the Board that they would need to be in a Chapter 91 setting to make a determination on standing.

Ms. Laulani Teale, Petitioner, said that at the last meeting, an agreement was made to begin mediation in good faith based on the commitment from the Board that they would have a determination on standing in 30 days. She felt that it was unfair to ask them to provide additional information and to wait longer since there was that firm commitment.

The Board recessed at 10:35 a.m. The meeting was reconvened at 10:55 a.m.

Mr. Kealoha Kuhea testified in regards to the Halawa Valley condemnation case. He was informed that the matter in front of the Board is not relating to that, but relating to access.

Mr. Steven Helela, Petitioner, testified against staff recommendation to defer the determination of standing. He felt that staff had made a 180 degree turn in their recommendation. In the initial recommendation, staff found that the petitioners did have standing, and now they are coming in with

completely different language. He felt that they have gone the full route in proving their connection with the valley and has shown good faith in agreeing to go into mediation.

Chairperson Johns stated that he shares the frustration in the Board not being able to make the decision on standing. He said he also wanted the standing decision made today but the AG is very clear that the Board is without the authority to make that decision. He explained to the Petitioners, the difference between a Chapter 91 and Chapter 92 setting.

Mr. Pericles Manthos, Administrator for DOT Highways Division, gave a report/update on the mediation. He said they have had 2 meetings that went very well. They decided to do co-mediation with 2 mediators, one of them a standard western mediator and the other will be a mediator that is aware of cultural practices. The standard western mediator has already been selected and the cultural practices mediator will be selected within the next week. He said they feel that they are in good communication on this issue and the mediation is productive. They have decided to go forward with mediation regardless of the Board's decision.

The Board amended the staff recommendation by deleting recommendation B and replacing it with the following:

- B. The Board will hold a Chapter 91 Contested Case hearing to address the questions of standing on October 21, 1999.
- C. Based on the revised timeframe for the determination of standing, the deadlines established by the Board in its decision of August 13, 1999 are all extended an additional 45 days.

Unanimously approved as amended (Inouye/McCrory).

ITEM D-9: AMENDMENT TO PRIOR BOARD ACTION APPROVING THE SALE OF TWENTY-SIX LEASES AT PUBLIC AUCTION FOR INTENSIVE AGRICULTURE PURPOSES ON THE ISLAND OF HAWAII, VARIOUS LOCATIONS AND TAX MAP KEYS

Mr. Uchida presented the staff submittal recommending that the Board amend its prior Board action of January 16, 1998 under agenda item D-28 by adding 2 lease conditions (1. A. Full utilization of land; and B. Boundary fences) to the 5 subject leases.

Mr. Lloyd Jones, Vice-President of Hawaii Forest Industry Association testified in favor of staff's recommendation.

Unanimously approved as submitted (Kokubun/Kennison).

ITEM D-19: CDUA NO. OA-2929B FOR THE KUHIO BEACH IMPROVEMENTS AT WAIKIKI, OAHU

Mr. Uchida briefed the Board and suggested the following amendments to the staff report:

- 1) On page 23, delete entire 2nd paragraph that reads: [The process of extracting and delivering sand in Waikiki will not be easy and will require specialized expertise, creativity and technology. In addition, the consultant has not investigated sand quantities or quality in the near shore reef area nor within the basins, a task that should have been completed given the large budget for this project. So, in effect, it is currently not known if this is a viable sand source. Staff feels that these sources should be probed and mapped prior to our considering a dredging contract. These tasks could easily be accomplished with minimal expenditure.] Statements made in this paragraph were in error. Staff has subsequently found out that the work had been done and documented in a study done in 1991.
- 2) On page 28, 1st paragraph, delete entire 3rd sentence that reads: [While the Corps has offered to begin assisting the Department with these types of projects in the future, they would not be able to do so on this project due to the lack of a formal agreement with the Department.] Staff has subsequently found that there is an existing agreement with the Corps of Engineer and the Division of Boating and Ocean Recreation (DOBOR) on a Memorandum-of-Understanding.
- 3) On page 28, staff recommendation no. 1, delete [value engineering] from the 4th line; page 29, continuation of staff recommendation no. 1, delete [value added engineering] from the 1st line; and page 29, staff recommendation no. 3, delete [value engineering] from the 3rd line. Staff wanted to conduct a study and may have used the wrong terminology in calling it "value engineering".
- 4) On page 29, staff recommendation no. 5, delete entirely. Staff feels that recommendation no. 5 is already captured in staff recommendation no. 3.

Mr. Uchida stated that staff supports the concept and the conceptual plan put forward of stabilizing the beach, of improving circulation and improving the entire beach process in the Kuhio Beach area. Staff is requesting that before the project is moved forward on the design, an independent study be done of the modeling and some of the technical conclusions reached by the consultant. Staff is recommending that the project be moved forward, but to proceed with caution and to do it right.

Member McCrory was concerned that the timeframe of 4 months, as stated in staff recommendation no. 1, would not be enough time to obtain an independent study and produce a report. She suggested adding an additional 2 months. Mr. Uchida stated, if they are unable to do it within 4 months, they would report back to the Board to explain where they are, what they anticipate the timing to be, and ask that the timeframe be extended.

Mr. Howard Gehring, Acting Administrator of DOBOR and Applicant for this item, gave some background information about the project and commented on the staff report. His comments and suggested revisions of the staff submittal are as follows:

- 1) On page 20 and 21. Many of the concerns that are posed on these pages are already covered in the detail of other studies that were done.
- 2) On page 28, revise staff recommendation no. 1 as follows:
 - A) Replace [design] with Kuhio Beach Improvement Project from the 5th line. There has been no design.
 - B) Delete [qualified] from the 6th line. The term “qualified” can be eliminated because it will be made in the assessment on the scope of work on awarding the contract.
 - C) Replace [analysis] with validation on the 6th line. The analysis has been done and we are looking for qualified people to validate the findings of the work that has been done in the past. Staff should come up with alternatives for consideration and what the potential cost savings are.
 - D) Delete [(b) alternate geometries and construction details that would result in a potentially more effective solution and cost savings,] from lines 7-9. There has been no construction details.
- 3) On page 29, revise staff recommendation 3. to read: “...results of the [value] engineering validation study;”. DOBOR will work with Land Division to find acceptable wording if it ends up being complicated.

Member Inouye commented on the term “validation”. She said it sounds like the existing design is to be validated when the objective is to access the current proposed design and at the same time look at some alternative that could potentially result in a more effective solution and cost savings. She said she shares Mr. Gehrings frustration in feeling that this project is being over analyzed but because Waikiki is such a key resource she would prefer that the analysis be done.

Member McCrory was not comfortable with the term “validation” as well. She stated that Waikiki is so important to run the risk of having an unsuccessful project.

Chairperson Johns clarified that many of the concerns that were raised in the staff submittal were comments that were reflective of concerns raised at the July 8, 1999 Public Hearing. He recalled that the concerns were not so much about the project itself but whether it’s being done in the most effective and economical way.

Member Inouye suggested that staff recommendation 1.(b) be revised to read: “alternatives [alternative geometric and construction details] that would result in a potentially more effective solution and cost savings.”. She said it’s difficult to come up with construction details if there is no specific design. Staff agreed.

Mr. Uchida suggested amending page 29, staff recommendation no. 2, as follows: “That the Board give the Coastal Lands Program oversight of the near shore sand investigation, and pilot beach nourishment project, including oversight of the contractor selection process;” This is to allow staff to move forward on the demonstration project, while continuing to work on the engineering analysis.

The Board amended staff recommendation and approved the concept of improvements subject to the following:

1. That the Division of Boating and Ocean Recreation work closely with the Land Division, Coastal Lands Program and Engineering Branch to develop an acceptable scope of work and solicit fee proposals from qualified firms to conduct a [value engineering] study; i.e. a study of the proposed design to elicit qualified engineering analysis of (a) its potential effectiveness, (b) alternatives[alternate geometry's and construction details] that would result in a potentially more effective solution and cost savings, [and](c) evaluation of the project or alternatives relative to the whole Waikiki littoral cell, and (d) that no design work, except for the design of the small-scale sand pumping effort, begins until the [value added engineering] study is completed, the results of which will be presented to the Board within four (4) months of the date of the Board's approval of this project;
2. That the Board give the Coastal Lands Program oversight of the near shore sand investigation, and pilot beach nourishment project, including oversight of the contractor selection process;
3. That the Board reserves the right to adjust the contract design specifications and budget based on the results of the [value engineering] study;
4. That this approval is subject to all standard conditions pursuant to Section 13-5-42 of the Hawaii Administrative Rules[; and
5. That the Board may impose additional special conditions as necessary, when it considers the results of the value added study].

Unanimously approved as amended (Inouye/McCrory).

ITEM J-1.: REQUEST THAT THE BOARD OF LAND AND NATURAL RESOURCES ADOPT PROPOSED AMENDMENTS TO TITLE 13, CHAPTER 231, HAWAII ADMINISTRATIVE RULES REGARDING CATEGORIES OF BERTHS; PRIORITY OF ALLOCATION AT LAHAINA SMALL BOAT HARBOR, MAUI

Mr. Gehring briefed the Board and recommended that the Board adopt the proposed amendments to Title 13, Chapter 231, Hawaii Administrative Rules.

Member Kennison commented that there had been nothing but positive comments at the public hearing, and that DOBOR was commended, at the public hearing, on a job well done.

Unanimously approved as submitted (Kennison/Kokubun).

**ITEM K-8: BAGGAGE CAROUSEL ADVERTISING CONCESSION STATEWIDE
(ADDED) AIRPORTS**

Unanimously approved to amend the agenda by adding Item K-8 (Kokubun/Kennison).

Mr. Peter Garcia, Property Management Officer for the Department of Transportation (DOT) briefed the Board and recommended that the Board approve the concession lease to CarroSELL Inc., subject to legal approval.

Mr. Bill Alderman, Managing Partner of CarroSELL Inc., testified in favor of staff's recommendation.

Unanimously approved as submitted (Inouye/McCrory).

**ITEM K-1: LEASE, HILO INTERNATIONAL AIRPORT, ISLAND OF HAWAII
(FEDERAL AVIATION ADMINISTRATION) TMK: (3)-2-1-12-12P**

Mr. Garcia briefed the Board and recommended that the Board approve the lease to the Federal Aviation Administration.

Unanimously approved as submitted (Kokubun/Kennison).

**ITEM K-2: ISSUANCE OF REVOCABLE PERMIT, KAHULUI AIRPORT, MAUI
(PARSONS-UXB JOINT VENTURE)**

Mr. Garcia briefed the Board and recommended that the Board approve the issuance of a revocable permit to Parsons-UXB Joint Venture.

Unanimously approved as submitted (Kennison/Kokubun).

**ITEM K-3: AUTHORIZATION FOR DOT TO ACQUIRE PRIVATELY OWNED,
REGISTERED LANDS FOR THE EXPANSION OF KALAELOA BARBERS
POINT HARBOR, HONOULIULI, EWA, OAHU AND SUBSEQUENT SET
ASIDE BY GOVERNOR'S EXECUTIVE ORDER TO DOT'S HARBORS
DIVISION, TMK: (1)-9-1-14**

Mr. Garcia briefed the Board and recommended that the Board authorize the acquisition of Parcels I and II by DOT, for the public purpose of addition to the Barbers Point Deep-Draft Harbor, and the issuance of a Governor's Executive Order canceling Governor's Executive Order No. 3383 and the issuance of a Governor's Executive Order which would incorporate the seaside of the former Lot 3156, Parcels I and II, and the unregistered submerged lands comprising Barbers Point channel to DOT, Harbors Division, for Commercial Maritime, Marine, and Associated Purposes.

Unanimously approved as submitted (Inouye/McCrory).

ITEM K-4: FIRST AMENDMENT TO HARBOR LEASE NO. H-98-2, NEAR PIER 32, HONOLULU HARBOR (AALA PRODUCE INC.) TMK: 1-5-35-12

Mr. Garcia briefed the Board and recommended that the Board approve the First Amendment to Harbor Lease No. H-98-2 to Aala Produce, Inc., dba Aala Ship Service, subject to terms and conditions.

Unanimously approved as submitted (Inouye/McCrory).

ITEM K-5: ISSUANCE OF REVOCABLE PERMIT, KAHALUI HARBOR, MAUI (VALLEY ISLES MOTORS, LTD.) TMK: (2)-3-7-08-6P

Mr. Garcia briefed the Board and recommended that the Board authorize the Director of Transportation to issue a revocable permit to Valley Isles Motors, Ltd., subject to terms and conditions.

Unanimously approved as submitted (Kennison/Kokubun).

ITEM K-6: REPORT ON REVOCABLE PERMITS RENEWED BY DOT FOR CONSISTENT USES

No action required by the Board.

ITEM K-7: SALE OF LEASE BY PUBLIC AUCTION AND ISSUANCE OF A CONSTRUCTION RIGHT-OF-ENTRY AGREEMENT, KAWAIHAE HARBOR, ISLAND OF HAWAII, TMK: (3)-6-1-03-25P AND -26P

Mr. Garcia briefed the Board and recommended that the Board approve the issuance of this lease and issuance of a construction right-of-entry agreement, subject to terms and conditions.

Unanimously approved as submitted (Kokubun/Kennison).

ITEM D-2: RESCIND PRIOR BOARD ACTION TO AMEND GL NO. S-4612 ISSUED TO DEL MONTE FRESH PRODUCE (HAWAII), INC. CHARACTER OF USE PROVISION AT EWA, OAHU, TMKS: (1) 9-4-12: 1, 2, AND 3

Mr. Uchida briefed the Board and recommended that the Board rescind Land Board approval of

February 6, 1996, Item D-7, and such other terms and conditions as may be prescribed by the Chairperson to protect the State's interest.

Unanimously approved as submitted (Inouye/McCrory).

ITEM D-3: EXTENSION OF LEASE TERM AND CONSENT TO MORTGAGE, GL NO. S-4942, MR. FRANK S. NONAKA, LESSEE, HANAPEPE, KAUAI, TMK: 1-9-2: 11

Mr. Uchida briefed the Board and recommended that the Board authorize the extension of GL No. S-4942, and consent to the mortgage between Mr. Frank S. Nonaka, and Central Pacific Bank, and subject, to if the mortgage is not deemed necessary by the Department of the AG to grant the extension, the lessee shall provide any other documentation that they may deem appropriate to grant the extension.

Unanimously approved as submitted (McCrory/Inouye).

ITEM D-4: FORFEITURE OF REVOCABLE PERMIT NO. S-6725, CITY PRODUCE, PERMITTEE, HONOLULU, OAHU, TMK: (1) 1-5-7: PORTION OF 14

Mr. Uchida briefed the Board recommending that the Board authorize the cancellation of revocable permit No. S-6725, subject to conditions.

Unanimously approved as submitted (Inouye/McCrory).

ITEM D-5: ISSUANCE OF IMMEDIATE RIGHT-OF-ENTRY AND REVOCABLE PERMIT TO THE COUNTY OF MAUI, KULA, MAKAWAO, MAUI, TMK: (2) 2-3-37: POR. 19 AND 20

Mr. Uchida briefed the Board and recommended that the Board authorize the issuance of a revocable permit and issue an immediate right-of-entry, to the County of Maui, subject to standard conditions.

Unanimously approved as submitted (Kennison/Kokubun).

ITEM D-6: REQUEST TO AMEND PREVIOUS BOARD ACTION INVOLVING THE ISSUANCE OF A REVOCABLE PERMIT TO C&C RADIO CORP., WAIOHULI-KEOKEA, KULA, MAKAWAO, MAUI, TMK: 2-2-04: 89

Mr. Uchida briefed the Board and recommended that the Board amend their previous action of March 8, 1996 by authorizing the issuance of a revocable permit to Pacific Radio Group, Inc., subject to conditions.

Unanimously approved as submitted (Kennison/Inouye).

ITEM D-8: SALE OF ABANDONED DITCH AS REMNANT TO MS. JEANETTE LEE WONG, AS TRUSTEE OF THAT CERTAIN SELF-TRUSTED TRUST DATED JUNE 9, 1986, KANEOHE, KOOLAUPOKO, OAHU, TMK: 4-5-43: 03, 44

Mr. Uchida briefed the Board and recommended that the Board authorize the sale of the subject remnant, subject to 5 conditions.

Unanimously approved as submitted (Inouye/Kennison).

ITEM D-10: CERTIFICATION OF ELECTION AND APPOINTMENT OF SOIL AND WATER CONSERVATION DISTRICT DIRECTORS (MOLOKAI-LANAI, HAMAKUA, WINDWARD OAHU)

Mr. Uchida briefed the Board and recommended that the Board certify the elections of Ms. Tina Tamanaha, Ms. Valerie Mendez, and Mr. Thomas Young, to serve as directors of their respective Soil and Water Conservation Districts.

Unanimously approved as submitted (Kennison/Kokubun).

ITEM D-15: LAND LICENSE AT PUBLIC AUCTION AND ISSUANCE OF REVOCABLE PERMIT TO M. SONOMURA CONTRACTING, CO., INC., WAIAKEA, SOUTH HILO, HAWAII, TMK: 3RD/2-1-13: POR. OF 11

Mr. Uchida briefed the Board and recommended that the Board authorize the sale of a land license at public auction and authorize the issuance of a revocable permit to M. Sonomura Contracting Co., Inc., as an interim basis, subject to conditions.

Unanimously approved as submitted (Kokubun/Kennison).

ITEM D-16: RESUBMITTAL: AMENDMENT TO PREVIOUS BOARD ACTION AND CONSENT TO ASSIGNMENT OF LEASE, GL NO. S-4311, INDUSTRIAL STEEL CORPORATION, A HAWAII CORPORATION, AS ASSIGNOR, TO MR. KENNETH ANTONIO, AS ASSIGNEE; EXTENSION OF LEASE AND CONSENT TO MORTGAGE TO BANK OF HAWAII, WAIAKEA, SOUTH HILO, HAWAII, TMK: 3RD/2-2-58: 27 & 28

Mr. Uchida amended the staff report on page 2, remarks section, 2nd line, GL No. [S-5001], should

be GL No. S-4311. Similarly on page 3, number 4, 2nd line, GL No. [S-5001], should read GL No. S-4311. Staff's recommendation is that the Board amend its previous forfeiture action and consent to an assignment of GL No. S-4311 from Industrial Steel Corporation to Mr. Kenneth Antonio; authorize the extension of GL No. S-4311; and consent to the mortgage between the 2 parties, subject to conditions.

Unanimously approved as submitted (Kokubun/Kennison).

**ITEM D-17: RESCIND PRIOR BOARD ACTION FOR CONSENT TO ASSIGNMENT OF
GL NO. S-4912 AT MAUNALAHA, OAHU, TMK: (1) 2-5-24: 29**

Mr. Uchida briefed the Board and recommended that the Board rescind prior Board action of April 13, 1995.

Unanimously approved as submitted (Inouye/McCrory).

There being no further business, Chairperson Johns adjourned the meeting at 1:31 p.m.

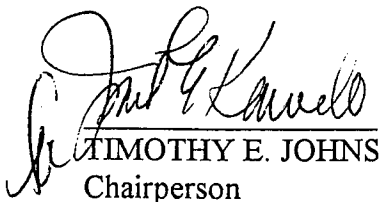
Tapes of the meeting and all written testimony submitted at the meeting are filed in the Chairperson's Office and are available for review. Certain items on the agenda were taken out of sequence to accommodate applicants or interested parties present.

Respectfully submitted,



Kimberly C. Keliihoomalu

Approval for submittal:



TIMOTHY E. JOHNS

Chairperson
Board of Land and Natural Resources

