

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

**DATE:** FRIDAY, AUGUST 25, 2000  
**TIME:** 9:00 A.M.  
**PLACE:** ILWU BUILDING  
896 LOWER MAIN STREET  
WAILUKU, MAUI, HI 96793

Chairperson Timothy Johns called the meeting of the Board of Land and Natural Resources to order at 9:05 a.m. The following were in attendance:

**MEMBERS:**

Mr. Timothy Johns	Mr. William Kennison
Mr. Colbert Matsumoto	Ms. Lynn McCrory
Ms. Kathryn Inouye	Mr. Russell Kokubun

**STAFF:**

Mr. Dean Uchida, Land Division  
Mr. Phil Ohta, State Parks

**DEPUTY ATTORNEY GENERAL:** Ms. Dawn Chang

**OTHERS:** Mr. Vince Bagoyo, D-15

Chairperson Johns asked for a motion to amend the agenda to add Item D-15.

**BOARD MOTION:** To amend the agenda. (Matsumoto/Kennison)

**BOARD ACTION:** Unanimously approved.

**ITEM E-1 PERMISSION TO AWARD CONCESSION AGREEMENT FOR THE OPERATION OF THE FOOD AND BEVERAGE FACILITY AND BEACH SERVICES CONCESSION, HAPUNA BEACH STATE RECREATION AREA, HAWAII**

**PRESENTATION OF SUBMITTAL:** Mr. Phil Ohta

**STAFF'S RECOMMENDATION:**

That the Board grant permission to award the Concession Agreement for the Food and Beverage Facility and Beach Services Concession at Hapuna Beach State Recreation Area to the apparent high bidder, S.M.C.A., Inc., subject to the final terms and conditions by the Chairperson and the approval by the Attorney General. Further, that the Board grant

approval to extend the current agreement with Volume Services, Inc. on a month-to-month basis, during the transition to the new concessionaire.

**QUESTIONS/DISCUSSIONS:**

Board Member Colbert Matsumoto inquired whether the Division has been monitoring the gross receipts from the vendor in order to find out if this has been a profitable operation and if an audit had been done. Chairperson Johns asked whether the vendor has done anything else with the state. Phil Ohta said that he would follow up and check on the questions.

**BOARD MOTION:** To approve staff's recommendation.

**BOARD ACTION:** Unanimously approved. (Kokubun/Matsumoto)

**ADDED**

**ITEM D-15**

**REQUEST TO AMEND PREVIOUS BOARD ACTION OF JULY 14, 2000, AGENDA ITEM D-32, INVOLVING ISSUANCE OF A REVOCABLE PERMIT TO MRF-LANAI L.P. AND CASTLE & COOKE, INC., TAX MAP KEY: 4-9-03: SEAWARD OF PARCEL 10, KAOHAI, LANAI**

**PRESENTATION OF SUBMITTAL:** Mr. Dean Uchida

**STAFF'S RECOMMENDATION:**

That the Board amend their previous action of July 14, 2000, Agenda Item D-32, by changing the interim revocable permit holder from MRF-lanai, L.P. and Castle & Cooke, Inc. to Castle & Cooke Lanai Properties, L.L.C., subject to the same terms and conditions established on July 14, 2000, under Agenda Item D-32.

**TESTIMONIES:** None. Mr. Vince Bagoyo was present, representing Castle & Cooke Lanai Properties, L.L.C. but did not present any testimony.

**BOARD MOTION:** To approve staff's recommendation.

**BOARD ACTION:** Unanimously approved. (Matsumoto/Kennison)

**ITEM D-1**

**GRANT OF PERPETUAL, NON-EXCLUSIVE EASEMENT TO KEITH SCOTT AND BONNIE MAY DOUGLAS FOR ACCESS AND UTILITY PURPOSES, TAX MAP KEY: (2) 2-9-011: POR. 008, KAILUA, MAKAWAO, MAUI**

**PRESENTATION OF SUBMITTAL:** Mr. Dean Uchida

**STAFF'S RECOMMENDATION:**

That the Board, subject to the applicant fulfilling all of the Applicant Requirements listed on the submittal, authorizes the issuance of a perpetual easement to Keith Scott and Bonnie May Douglas covering the subject area, for access and utility purposes under the

terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

1. The standard terms and conditions of the most current perpetual, non-exclusive easement form, as may be amended from time to time;
2. Review and approval by the Department of the Attorney General; and
3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

**BOARD MOTION:** To approve staff's recommendation. (Kennison/Kokubun)

**BOARD ACTION:** Unanimously approved.

**ITEM D-2: REQUEST TO SET ASIDE BY EXECUTIVE ORDER AND ISSUANCE OF A QUITCLAIM DEED FOR GOVERNMENT LANDS AND CONSTRUCTION RIGHT-OF-ENTRY TO THE DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, PEAHI HUI PARTITION LOTS, PEAHI, MAKAWAO, MAUI, TMKs: 2-8-06: 01 and 2-8-04**

**PRESENTATION OF SUBMITTAL:** Mr. Dean Uchida

**STAFF'S RECOMMENDATION:**

That the Board, subject to applicant fulfilling the Applicant Requirements stated in the submittal:

- A. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands and authorize a construction right of entry to the Department of Transportation, Highways Division, under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:
  1. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
  2. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session following the date of the setting aside;
  3. Review and approval of the Department of the Attorney General; and
  4. Such other terms and conditions as may be prescribed by the chairperson to best serve the interests of the State.
- B. Authorize the issuance of a quitclaim deed for Mihi road to the Department of Transportation, highways Division, under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

1. The standard terms and conditions of the most current quitclaim deed document form, as may be amended from time to time;
2. Review and approval the Department of Attorney General; and
3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State; and
4. That the applicant acknowledges that the subject property shall be conveyed in its present condition.

**TESTIMONIES:** None.

**BOARD MOTION:** To approve staff's recommendation. (Matsumoto/Kokubun)

**BOARD ACTION:** Unanimously approved.

**ITEM D-3**      **CONSENT TO ASSIGN HOMESTEAD LEASE NO. 56, LOUISE E. KANEAKUA, ASSIGNOR, TO LOUISE E. KANEAKUA, ELMA LEILANI KANEAKUA, AND HELENE KUULEIMAMO KAHAUNAELE, ASSIGNEES, KAPAA, KAUI, TAX MAP KEY 4-5-9: 13**

**PRESENTATION OF SUBMITTAL:** Mr. Dean Uchida

**STAFF'S RECOMMENDATION:**

That the Board consent to the assignment of Homestead Lease No. 56 from Louise E. Kaneakua, Assignor, to Louise E. Kaneakua, widow, Elma Leilani Kaneakua, single, and Helene Kuuleimamo Kahunaele, single, as joint tenants, Assignees, subject to the following:

1. The standard terms and conditions of the most current consent form, as may be amended from time to time.
2. Review and approval by the Department of the Attorney General.
3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

**TESTIMONIES:** None.

**BOARD MOTION:** To approve staff's recommendation. (McCrary/Kennison)

**BOARD ACTION:** Unanimously approved.

**ITEM D-4 ISSUANCE OF TERM, NON-EXCLUSIVE EASEMENT TO GLENN & HARRIET MASUNAGA, FOR INGRESS AND EGRESS PURPOSES, MAKIKI, HONOLULU, OAHU, TAX MAP KEY: 2-4-32: PORTION 01**

**PRESENTATION OF SUBMITTAL:** Mr. Dean Uchida

**STAFF'S RECOMMENDATION:**

Authorize the issuance of a non-exclusive term easement for ingress and egress purposes under the terms and conditions cited in the submittal, which are by this reference incorporated herein and further subject to the following:

- A. The standards terms and conditions of the most current grant of easement form, as may be amended from time to time;
- B. Should future use of the subject parcel (Tax map Key: 2-4-32:01) by the State necessitate a relocation of the easement in question, such relocation shall be accomplished by the applicants at their own cost and expense;
- C. Review and approval by the Department of the Attorney General; and
- D. Such other conditions as may be prescribed by the Chairperson, which are in the best interest of the State.

**TESTIMONIES:** None.

**BOARD MOTION:** To approve staff's recommendation. (McCrorry/Kennison)

**BOARD ACTION:** Unanimously approved.

**ITEM D-5 PERMISSION TO ENTER MEMORANDUM OF UNDERSTANDING WITH THE DEPARTMENT OF HEALTH REGARDING THE REGULATORY OVERSIGHT OF GEOTHERMAL WELL DRILLING**

**PRESENTATION OF SUBMITTAL:** Mr. Dean Uchida

**STAFF'S RECOMMENDATION:**

That the Board of Land and Natural Resources authorize the Chairperson to execute the Memorandum of Understanding with the Department of Health regarding the regulatory oversight of all geothermal well drilling, and sign the necessary documents pertaining to the agreement.

**QUESTIONS/DISCUSSIONS:**

Chairperson Johns questioned staff on the need for a MOU. He asked staff to look into this and get back to him later.

Board Member Russell Kokubun suggested that it might be a good idea for staff to inform the County of Hawaii of this MOU since they have oversight over the geothermal research permit and they may be able to incorporate the information to their permit.

**TESTIMONIES:** None.

**BOARD MOTION:** To approve staff's recommendation.

**BOARD ACTION:** Unanimously approved. (Kokubun/Matsumoto)

**ITEM D-6 AUTHORIZATION TO ENTER INTO A FEASIBILITY COST SHARING AGREEMENT BETWEEN THE US DEPARTMENT OF ARMY REGARDING THE ALA WAI WATERSHED FEASIBILITY STUDY**

**PRESENTATION OF SUBMITTAL:** Mr. Dean Uchida

**STAFF RECOMMENDATION:**

That the Board of Land and Natural Resources authorize the Chairperson to sign the Feasibility Cost Sharing Agreement for the Ala Wai Watershed Feasibility Study and other necessary documents pertaining to the study, subject to the Deputy Attorney General's approval as to form and Governor's release of funds.

**QUESTIONS/DISCUSSIONS:**

Board Member Kathy Inouye pointed out that the "PSP" (Project Study Plan), which was referred to in the draft agreement, was not included with the submittal.

**TESTIMONIES:** None.

**BOARD MOTION:** To defer until resubmitted with a copy of the PSP. Inouye/McCrory)

**BOARD ACTION:** Unanimously deferred.

**ITEM D-7 ISSUANCE OF REVOCABLE PERMIT TO WILLIAM V. BRILHANTE, WAIAKEA, SOUTH HILO, HAWAII, TAX MAP KEY:3<sup>rd</sup>/2-4-03:27**

**PRESENTATION OF SUBMITTAL:** Mr. Dean Uchida

**STAFF'S RECOMMENDATION:**

That the Board authorize the issuance of a revocable permit to William V. Brillhante covering the subject area for pasture purposes under the terms and conditions cited in the submittal, which are by this reference incorporated herein and further subject to the following:

1. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
2. That the Board declare that this project probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment under the authority of Chapter 343, HRS, Chapter 11-200 HAR. The declaration of exemption will be based

on exemption Class #1 on the exemption list for Division of Land Management, Department of Land and Natural Resources dated April 28, 1986 that states:

“Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing.”

3. Review and approval by the Department of the Attorney General; and
4. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

**TESTIMONIES:** None.

**BOARD MOTION:** To approve staff's recommendation. (Kokubun/McCrory)

**BOARD ACTION:** Unanimously approved.

**ITEM D-8**

**AMEND PRIOR BOARD ACTION OF APRIL 9, 1999, ITEM D-15, CONSENT TO THE ISSUANCE OF A LICENSE TO THE COUNTY OF HAWAII, DEPARTMENT OF PUBLIC WORKS FOR SEWER EASEMENTS AT KEALAKEHE, NORTH KONA, HAWAII, TAX MAP KEY: 3<sup>RD</sup>/7-04-21:PORTION OF 15**

**PRESENTATION OF SUBMITTAL:** Mr. Dean Uchida

**STAFF'S RECOMMENDATION:**

That the Board amend its actions of April 9, 1999, Agenda Item D-15, Consent to the Department of Hawaiian Home Land Request for the issuance of a License to the County of Hawaii, Department of Public Works for a Sewer Line Easement:

1. Adding Easement 31-C of Lot 23 of File Plan 2128 for sewer line purposes over parcel 15 of tax map Key: 3<sup>rd</sup>/7-4-21;
2. Obtain written concurrence from the Housing and Community Development Corporation of Hawaii (HCDCH), master developer of the Villages of Laiopua; and
3. Such other terms and conditions as may be imposed by the Chairperson to best serve the interest of the State.

**TESTIMONIES:** None.

**BOARD MOTION:** To approve staff's recommendation. (Kokubun/Matsumoto)

**BOARD ACTION:** Unanimously approved.

**ITEM D-9**      **CONSENT TO ASSIGN GENERAL LEASE NO. S-3594, ELTON F. KAKU AND CINDY M. KAKU, ASSIGNOR, TO ELTON F. KAKU, ASSIGNEE, WAIAKEA, SOUTH HILO, HAWAI, TAX MAP KEY: 3<sup>RD</sup>/2-2-50:83**

**PRESENTATION OF SUBMITTAL:** Mr. Dean Uchida

**STAFF'S RECOMMENDATION:**

That the Board consent to the assignment of general Lease No. S-3594 from Elton F. Kaku and Cindy M. Kaku, as Assignor, to Elton F. Kaku, as Assignee, subject to the following:

1. The standard terms and conditions of the most current consent to assignment form, as may be amended from time to time;
2. Review and approval by the Department of the Attorney General; and
3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

**TESTIMONIES:** None.

**BOARD MOTION:** To approve staff's recommendation.

**BOARD ACTION:** Unanimously approved. (Kokubun/Matsumoto)

**ITEM D-10**      **CONVEYANCE BY QUITCLAIM TO CITY AND COUNTY OF HONOLULU, PORTION OF LOT 25-A OF HAUULA HOMESTEADS, ADJACENT TO KUKUNA ROAD, HAUULA, KOOLAULO, OAHU, TAX MAP KEY: 5-4-01:PORTION OF 27**

**PRESENTATION OF SUBMITTAL:** Mr. Dean Uchida

**STAFF'S RECOMMENDATION:**

That the Board, subject to the applicant fulfilling all of the applicant requirements listed in the submittal:

- a. The standard terms and conditions of the most current quitclaim form, as may be amended from time to time;
- b. Review and approval by the Department of the Attorney General; and
- c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

**ITEM D-11**      **FORFEITURE OF GENERAL LEASE NO. S-3780, NAPUANANI FARMS LESSEE, WAIMANALO, KOOLAUPOKO, OAHU, TAX MAP KEY: 4-1-26:19**

**PRESENTATION OF SUBMITTAL:** Mr. Dean Uchida



Mr. Uchida requested that this item be deferred until the next Oahu meeting because the lessee had contacted him and informed him that he could not attend this meeting and he was hoping to get the performance bond in a couple of weeks.

**TESTIMONIES:** None.

**BOARD MOTION:** To defer until the next Oahu meeting. (Inouye/Kokubun)

**BOARD ACTION:** Unanimously deferred.

**ITEM D-12 TIME EXTENSION REQUEST FOR CONSERVATION DISTRICT USE PERMIT (CDUA) KA-2769 FOR A SINGLE FAMILY RESIDENCE**

**PRESENTATION OF SUBMITTAL:** Mr. Dean Uchida

**STAFF'S RECOMMENDATION:**

That the Board of Land and Natural Resources approve an extension of two (2) years to complete project construction, subject to the following conditions:

1. That condition 14 of CDUA KA-2769 is amended to provide that the completion deadline for construction of the SFR is August 11, 2002;
2. That there will be no ground disturbance to the land until the required archaeological inventory survey is completed, reviewed, and accepted by the Historic Preservation Division. Notification of such acceptance will be provided to the Permittee by this Department; and
3. That all other conditions imposed by the Board under CDUA KA-2769, as amended, shall remain in effect.

**QUESTIONS/DISCUSSIONS:**

There were some concerns among the board members about the number of extensions requested, the environmental impact, the lack of the original CDUA enclosed with the submittal, and the inability to ask the applicant questions due to his absence at the meeting. The Board members also expressed concerns about speculation.

**TESTIMONIES:** None.

**BOARD MOTION:** To amend the staff recommendation for an extension of three months, instead of three years, and have staff provide the Board with an analysis or condition/policy that is used to determine the timeframe, whether an extension should be granted, and whether there is speculation in part of the applicant.

**BOARD ACTION:** Unanimously approved as amended. (McCrary/Inouye)

**ITEM D-13: TIME EXTENSION REQUEST FOR CONSERVATION DISTRICT USE PERMIT (CDUA) KA-2870 FOR A SINGLE FAMILY RESIDENCE**

**PRESENTATION OF SUBMITTAL:** Mr. Dean Uchida

**STAFF'S RECOMMENDATION**

That the Board of Land and Natural Resources approve an extension of two (2) years to initiate the approved SFR, and an extension of two (2) years to complete construction, subject to the following conditions:

1. That condition 12 of CDUA KA-2870 is amended to provide that the Permittee has until September 29, 2002 to initiate construction of the SFR and driveway and a construction completion deadline of September 29, 2004; and
2. That all other conditions imposed by the Board under CDUA KA-2870, as amended, shall remain in effect.

**QUESTIONS/DISCUSSIONS:**

There were some concerns among the board members about the number of extensions requested (third request), the environmental impact, the lack of the original CDUA enclosed with the submittal, and the inability to ask the applicant questions due to his absence at the meeting. The Board members also expressed concerns about speculation.

**TESTIMONIES:** None.

**BOARD MOTION:** To amend the staff recommendation for an extension of three months, instead of three years, and have staff provide the Board with an analysis or condition/policy that is used to determine the timeframe, whether an extension should be granted, and whether there is speculation in part of the applicant

**BOARD ACTION:** Unanimously approved as amended. (McCrary/Inouye)

**ITEM K-1 LEASE, LIHUE AIRPORT, KAUAI (FEDERAL AVIATION ADMINISTRATION),  
TMK: (4)-3-5-01: PORTION OF 8**

**PRESENTATION OF SUBMITTAL:** Mr. Peter Garcia of the Department of Transportation

**DEPARTMENT OF TRANSPORTATION'S REMARKS:**

The Federal Aviation Administration is requesting a replacement lease for their present Remote Transmitter Site (RT) which needs to be relocated due to the Ahukini Road realignment project. They are also requesting under the same lease a new storage/receiving facility. The Department of Transportation in the public interest, has no objection to giving the FAA a new lease.

**QUESTIONS/DISCUSSIONS:**

Land Board Member Lynn McCrary requested that the Department of Transportation use the same format as the Department of Land and Natural Resources' submittals.

**TESTIMONIES:** None.

**BOARD MOTION:** To approve the issuance of a new lease. (McCrorry/Kennision)

**BOARD ACTION:** Unanimously approved.

**ITEM K-2**

**CONSENT TO TWO ASSIGNMENTS OF THE UNDIVIDED FIFTY PERCENT (50%) INTEREST IN HARBOR LEASES OF NON-EXCLUSIVE SUBSURFACE PIPELINE EASEMENTS NOS. H-89-11 AND H-96-1, SITUATED AT KALAELOA BARBERS POINT HARBOR, HONOULIULI, EWA, OAHU**

**PRESENTATION OF SUBMITTAL:** Mr. Peter Garcia of the Department of Transportation

**DEPT. OF TRANSPORTATION'S RECOMMENDATION:**

That the Board consent to the assignment of the undivided 50% interest of the leases of non-exclusive easements subject to the terms and conditions outlined in the submittal and incorporated herein by reference and such terms and conditions as may be prescribed by the Director of Transportation.

**TESTIMONIES:** None.

**BOARD MOTION:** To approve the Dept. of Transportation's recommendation. (Inouye/McCrory)

**BOARD ACTION:** Unanimously approved.

**ITEM K-3**

**EXTENSION OF LEASE DOT-A-89-6, HONOLULU INTERNATIONAL AIRPORT, OAHU (GENERAL SERVICES ADMINISTRATION, UNITED STATES OF AMERICA), TMK: (1)-1-1-03-66**

**PRESENTATION OF SUBMITTAL:** Mr. Peter Garcia of the Department of Transportation

**DEPT. OF TRANSPORTATION'S REMARKS:**

The United States of America through its General Services Administration (GSA) has held Space No. 336-318 at Honolulu International Airport under lease since May 12, 1989. Supplemental Agreement No. 8 will extend the end date of the lease from August 31, 2000 to August 31, 2001. There will be no change in square footage or rent. The GSA is presently in negotiation with the Department of Transportation, Airports Division to acquire additional space. Once the negotiations are complete, a new lease will be issued to include the existing space and the new space.

**TESTIMONIES:** None.

**BOARD MOTION:** To approve the extension of the lease. (McCrorry/Matsumoto)

**BOARD ACTION:** Unanimously approved.

**ITEM K-4: REPORT ON REVOCABLE PERMITS ISSUED OR RENEWED BY THE DEPARTMENT OF TRANSPORTATION FOR CONSISTENT USES**

**PRESENTATION OF REPORT:** Mr. Peter Garcia of the Department of Transportation

**QUESTIONS/DISCUSSIONS:**

The Board members had questions regarding non-profit policies and ceded land issues. The Chair requested Mr. Garcia to check into and inform them of the Department of Transportation's non-profit policies.

**NO BOARD ACTION.**

**ITEM K-5 AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DISPOSE OF HIGHWAY PARCELS 7-A-2 AND 4-B, FAP NO. BF-037-1 (1), LOWER KULA ROAD, KULA, MAKAWAO, MAUI (GTE HAWAIIAN TELEPHONE COMPANY, INC.), TMK: (1)-2-2-02-PORION 23**

**PRESENTATION OF SUBMITTAL:** Mr. Peter Garcia of the Department of Transportation

**DEPT. OF TRANSPORTATION'S RECOMMENDATION:**

That the Board authorize the Department of Transportation to dispose of Parcel 4-B on a direct basis in accordance with Section 171-95, Hawaii Revised Statutes, subject to the following terms and conditions:

1. Standard reservation in favor of the State of Hawaii.
2. Consolidation requirement to the abutting property.
3. Execution and recordation of Access Easement "A" to Kaonoulu Ranch (1,728 square feet).

**BOARD MOTION:** To approve the Dept. of Transportation's recommendation. (Kennison/Inouye)

**BOARD ACTION:** Unanimously approved.

**ITEM K-6 CONSENT TO ASSIGNMENT OF HARBOR LEASE NO. H-89-14, PIER 6, BARBERS POINT HARBOR, OAHU (BRIGGS PACIFIC INDUSTRIES, INC./BRIGGS PACIFIC INDUSTRIES, LLC), TMK: (1)-9-1-14-8P**

**PRESENTATION OF SUBMITTAL:** Mr. Peter Garcia of the Department of Transportation

**DEPT. OF TRANSPORTATION'S RECOMMENDATION:**

That the board consent to the assignment of the lease subject to the terms and conditions outlined in the submittal and incorporated herein by reference and such terms and conditions as may be prescribed by the Director of Transportation.

**TESTIMONIES:** None.

**BOARD MOTION:** To approve the recommendation. (Inouye/Matsumoto)

**BOARD ACTION:** Unanimously approved.

**ITEM D-14 BRIEFING REGARDING ONGOING NEGOTIATIONS WITH TICOR TITLE INSURANCE COMPANY/LANPAR FOR THE [WAIKOLOA HOTEL'S] USE OF STATE CEDED LANDS. STATUS UPDATE ON NAPEAHI V. JOHNS, CIVIL NO. 85-1523 (U.S. DISTRICT COURT).**

**BOARD MOTION:** That the board go into executive session, pursuant to section 92-5(a)(4), Hawaii Revised Statutes, in order to consult with its attorney. (Kokubun/Matsumoto)


**BOARD ACTION:** Unanimously approved.

The Board went into executive session at 10:05 a.m.

The Board went back into the meeting and there being no further business, the Chairperson adjourned the meeting at 10:35 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,



Janis F. Uwaine

Approved for submittal:



TIMOTHY E. JOHNS

Chairperson  
Board of Land and Natural Resources

