

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

DATE: FRIDAY, OCTOBER 13, 2000
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. Kathryn Inouye

Mr. William Kennison
Mr. Russell Kokubun

STAFF:

Mr. Dean Uchida, Land Division
Mr. Howard Gehring, Division of Boating
and Ocean Recreation

Mr. Jeff Walters, Division of Aquatic Resources
Mr. Sam Lemmo, Land Division
Mr. Dan Quinn, Division of State Parks

OTHERS:

Mr. Edsel Yamada, Department of the Attorney General
Mr. Brian Minaai, Department of Transportation (DOT)
Mr. Peter Garcia, DOT
Mr. Martin Luna, D-22 & 24
Mr. Don Clegg, D-8
Ms. Donna Stovall, D-18
Ms. Sunny Greer, D-3 & 17
Mr. George Downing, D-25
Mr. Eric Masutomi, D-25

Mr. Steven Lim, D-15
Mr. Erik Wong, D-20
Mr. Jim Niermann, D-18
Mr. C. Scott Wo, D-7
Mr. Brian Ishii, D-25
Mr. Rick Egged, D-25
Mr. Jim Gusukuma, D-25

ITEM A-1: APPROVAL OF THE AUGUST 11, 2000 MINUTES

Deferred. No quorum.

ITEM D-15: AMEND PREVIOUS BOARD ACTION - DIRECT SALE OF PERPETUAL, NON-EXCLUSIVE EASEMENT TO MS. HEIDI GALKE, SUCCESSOR TRUSTEE OF THE JOHN AND JOSEPHINE SELAK 1981 REVOCABLE TRUST, FOR ACCESS AND UTILITY PURPOSES, PAOO, NORTH KOHALA, HAWAII, TMK: 3RD/5-7-01: POR. 21

Mr. Dean Uchida, Administrator of the Land Division, briefed the Board and recommended that the Board amend its prior action of September 12, 1997, by changing all reference to the applicant and authorize the sale of the subject easement to Aloha Properties, LLC, subject to standard conditions.

Mr. Steven Lim, representing Aloha Properties, LLC, was present to answer questions.

Unanimously approved as submitted (Kokubun/Kennison).

ITEM D-22: CONSENT TO ASSIGN PERPETUAL, NON-EXCLUSIVE DRAINAGE EASEMENT [L.O.D. NO. S-27491], KAMAOLE, WAILUKU, MAUI, TMK: (2) 3-9-004: POR. 001 AND 061

Mr. Uchida briefed the Board and recommended that the Board consent to assignment of L.O.D. No. S-27491, from Maui Kamaole Enterprises I and Maui Kamaole Enterprises II, to The Association of Apartment Owners of Maui Kamaole, subject to standard conditions.

Mr. Martin Luna, representing Maui Kamaole Enterprises, was present to answer questions.

Unanimously approved as submitted (Kennison/Kokubun).

ITEM D-24: REQUEST TO CANCEL GRANT OF TERM EASEMENT NO. S-4439 AND ISSUE GRANT OF PERPETUAL, NON-EXCLUSIVE EASEMENT TO THE ASSOCIATION OF APARTMENT OWNERS OF MAUI KAMAOLE, INC., FOR ACCESS AND UTILITY PURPOSES, KAMAOLE, WAILUKU, MAUI, TMK: (2) 3-9-004: 061

Mr. Uchida briefed the Board and recommended that the Board cancel Grant of Easement No. S-4439, and authorize the issuance of a perpetual non-exclusive easement to The Association of Apartment Owners of Maui Kamaole, Inc., subject to standard conditions.

Mr. Luna was present to answer questions.

Unanimously approved as submitted (Kennison/Kokubun).

ITEM K-1: ISSUANCE OF AN IN-BOND (DUTY-FREE) CONCESSION AT HONOLULU INTERNATIONAL AIRPORT, OAHU, KAHULUI

AIRPORT, MAUI, HILO AND KONA INTERNATIONAL AIRPORTS,
ISLAND OF HAWAII, AND LIHUE AIRPORT, KAUAI, TMKS: (1)-1-1-
03P, (2)-3-8-01-19P, (3)-2-1-12-9P, (3)-7-3-43-1P, (4)-3-5-01-8P

**ITEM K-2: ISSUANCE OF A RETAIL CONCESSION AT HONOLULU
INTERNATIONAL AIRPORT, OAHU, TMK: (1)-1-1-03-1P**

**ITEM K-3: ISSUANCE OF A FLORIST CONCESSION, HONOLULU
INTERNATIONAL AIRPORT, OAHU, TMK: (1)-1-1-03-1P**

Mr. Brian Minaai, Deputy Director for DOT, and Mr. Peter Garcia, Property Management Officer for DOT, were both present to answer questions regarding these items.

Items K-1, K-2, and K-3, were unanimously approved as submitted (Inouye/Kennison).

**ITEM K-4: ISSUANCE OF REVOCABLE PERMIT, NEAR PIER 23, HONOLULU
HARBOR, OAHU (BEN LUM CONSTRUCTION, LTD.) TMK: (1)-5-35-
7P**

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

Unanimously approved as submitted (Inouye/Kennison).

**ITEM K-5: FIRST AMENDMENT TO REVOCABLE PERMIT NO. H-00-2200, PIER
19, HONOLULU HARBOR, OAHU (ROY SHIELDS) TMK: (1)-1-5-39-63P**

Mr. Garcia briefed the Board and recommended that the Board authorize the amendment of Revocable Permit No. H-00-2200 to include a total of 1,200 square feet at a total rental of \$840.00 per month.

Unanimously approved as submitted (Inouye/Kennison).

**ITEM K-6: FIRST AMENDMENT TO REVOCABLE PERMIT NO. H-99-2177, NEAR
PIER 29, HONOLULU HARBOR, OAHU (KERR PACIFIC
CORPORATION) TMK: (1)-1-5-38-2P**

Mr. Garcia briefed the Board and recommended that the Board authorize the amendment of Revocable Permit No. H-99-2177 to include a total of 8,000 square feet at a total rental of \$1,920.00 per month.

Unanimously approved as submitted (Inouye/Kennison).

ITEM K-7: REPORT ON REVOCABLE PERMITS ISSUED OR RENEWED BY DOT, AIRPORTS DIVISION, FOR CONSISTENT USES, SEPTEMBER, 2000

ITEM K-8: REPORT ON REVOCABLE PERMITS ISSUED OR RENEWED BY DOT, HARBORS DIVISION, FOR CONSISTENT USES, SEPTEMBER, 2000

ITEM K-9: REPORT ON REVOCABLE PERMITS ISSUED OR RENEWED BY DOT, HARBORS, DIVISION, FOR CONSISTENT USES, OCTOBER, 2000

Mr. Garcia indicated that Items K-7, K-8, and K-9, were reports on revocable permits that were renewed by DOT for consistent uses and need not be acted upon.

No action.

ITEM D-20: AMEND PRIOR BOARD ACTION OF JULY 22, 1994, ITEM NO. F-3, DIRECT SALE TO MS. BEATRICE NEILSON OF PERPETUAL, NON-EXCLUSIVE WATERLINE EASEMENTS AT MAKAWAO, MAUI; TMK: 2-4-13: POR. 78

Mr. Uchida briefed the Board and recommended that the Board amend their prior Board action of July 22, 1994, by changing the name of the applicant to reflect the successor trustee agreement, change the purpose to broaden it for general easement purposes, and add a requirement that the easement shall run with the land, subject to review and approval by the Department of the Attorney General.

Mr. Erik Wong, representing the Applicant, was present to answer questions.

Unanimously approved as submitted (Kennison/Kokubun).

ITEM D-8: GRANT OF TERM, NON-EXCLUSIVE EASEMENT TO MRS. BETTY ASHLEY FOR AFTER-THE-FACT SEAWALL PURPOSES, EAST HONOLULU, OAHU, TMK: (1) 3-6-02: SEAWARD OF PARCEL 05

Mr. Uchida briefed the Board and recommended that the Board impose a \$500.00 fine for the unauthorized use of state land, authorize the issuance of a 55-year term, non-exclusive easement for the encroachment area, and authorize the Department to accept a deposit in the amount of \$60,000.00 from the Applicant.

Mr. Don Clegg, representing the Applicant, agreed to the conditions as recommended by staff.

Unanimously approved as submitted (Inouye/Kennison).

ITEM D-18: CONSERVATION DISTRICT USE PERMIT APPLICATION NO. OA-2996 FOR THE PROPOSED SUBDIVISION OF A WAIPIO PARCEL, WAIPIO, OAHU, TMK: 9-5-04: 01

Mr. Uchida amended page 1 of the staff report by changing the Subzone to read: "Protective and Resource". Staff's recommendation is that the Board approve the subdivision of the parcel into two legal lots of record, and allow for the conveyance of the property to the U.S. Fish and Wildlife Services, subject to 10 conditions.

Mr. Jim Niermann, R.M. Towill Corporation, was present to answer questions.

Ms. Donna Stovall, Refuge Manager for the U.S. Fish and Wildlife Services' Oahu Forest National Wildlife Refuge, described what they intend to protect, what their management activities are going to be, and addressed the public access and hunting issues that were raised in the context of the environmental assessment.

Unanimously approved as amended (Inouye/Kokubun).

ITEM D-7: GRANT OF TERM, NON-EXCLUSIVE EASEMENT FOR AN AFTER-THE-FACT SEAWALL AND A GENERAL LEASE TO MR. C. SCOTT WO AND MRS. NANCY T. WO FOR AN AFTER-THE FACT PRIVATE RESIDENTIAL NON-COMMERCIAL PIER, LOT 29, WAILUPE PENINSULA, HONOLULU, OAHU, TMK: (1) 3-6-01: SEAWARD OF PARCEL 29

Mr. Uchida briefed the Board and recommended that the Board impose a \$500.00 fine for illegal encroachment, issue a non-exclusive easement for the seawall, issue a general lease for the pier, and authorize the Department to accept a deposit in the amount of \$20,850.00 from the Applicant.

Mr. C. Scott Wo agreed to the conditions as recommended by staff.

Unanimously approved as submitted (Inouye/Kennison).

ITEM B-1: REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF HEALTH

Mr. Jeff Walters, Co-Manager of the Division of Aquatic Resources' Hawaiian Island Humpback Whale National Marine Sanctuary, briefed the Board and recommended that the Board authorize the Chairperson to negotiate, and subject to necessary approvals, execute an Agreement with the Department of Health to conduct a water quality monitoring program for the Hawaiian Island Humpback Whale National Marine Sanctuary.

Unanimously approved as submitted (Kennison/Kokubun).

ITEM D-17: RESUBMITTAL: CANCELLATION OF GENERAL LEASE NO. S-4329, WAI AHOLE IRRIGATION COMPANY, LTD., SET ASIDE TO THE DEPARTMENT OF AGRICULTURE FOR THE CAPTURE, COLLECTION AND TRANSPORTATION OF WATER AND USES INCIDENTAL THERETO, INCLUDING WITHOUT LIMITATION, THE USE OF THE EXISTING CAMP SITE IN WAI AHOLE VALLEY AND THE AQUEDUCT SYSTEM IN KAHANA VALLEY AND A MANAGEMENT RIGHT-OF-ENTRY, WAI AHOLE AND KAHANA, OAHU, TMKs: (1) 4-8-13: PORTIONS 1 & 19 AND 5-2-1: PORTION 1

Mr. Uchida briefed the Board and recommended that the Board consent to the cancellation of General Lease No. S-4329, approve and recommend to the Governor issuance of an executive order setting aside the lands to the Department of Agriculture, and authorize the issuance of a management right-of-entry to the Department of Agriculture, subject to standard conditions.

Unanimously approved as submitted (Inouye/Kennison).

ITEM D-3: AMENDMENT TO CANCELLATION OF SIX AND ISSUANCE OF THREE KAHANA STATE PARK REVOCABLE PERMITS, OAHU, TMK: 5-2-03

Mr. Uchida briefed the Board and recommended that the Board amend approval of June 23, 2000, by: a) Issuance of a new revocable permit to Ms. Kuuipo Malepe and Mr. Moses Kahala replacing Revocable Permit No. S-6265, to Mrs. Kapeka & Mr. Hiram Kahala, which will be cancelled; b) Issuance of a new revocable permit to Mr. Troy Wallace and Ms. Lena Puanani Soliven replacing Revocable Permit No. S-6487, to Ms. Dannielle Von Hiram & Ms. Puanani Martinez, which will be cancelled; c) Allow two residences on each of the two new revocable permits; and other terms and conditions as may be prescribed by the Chairperson.

Unanimously approved as submitted (Inouye/Kennison).

ITEM D-5: APPROVAL FOR AWARD OF CONSTRUCTION CONTRACT - JOB NO. 40-OB-E, FLOATING DOCKS F & G IMPROVEMENTS, ALA WAI BOAT HARBOR, OAHU, HAWAII

Mr. Uchida briefed the Board and recommended that the Board authorize the Chairperson to proceed with awarding the contract for Job No. 40-OB-E, Floating Docks F & G Improvements, Ala Wai Boat Harbor, Oahu, Hawaii, to Hawaiian Dredging Construction Company for the negotiated low bid of \$989,175.00 and sign the necessary documents to implement the project, subject to the Governor's release of additional funds.

Unanimously approved as submitted (Inouye/Kennison).

ITEM D-25: RESULTS OF AN INDEPENDENT STUDY OF THE PROPOSED KUHIO BEACH IMPROVEMENTS

Mr. Sam Lemmo, Staff Planner, and Head of the Coastal Lands Program for the Land Division, presented the staff submittal. He explained that the Board, in approving the project on September 10, 1999, had asked staff to go back and look for some alternatives. Staff obtained a second opinion on the proposed project and believes that the alternative design proposed by Olsen Associates, Inc. is the more optimal of the two. Olsen Associates, Inc., who has had substantial experience in designing and building projects of this nature had raised valid questions and concerns regarding the original project design. Mr. Lemmo noted that in both designs the sheltered swimming area would be reduced, however, this would result from any type of efforts to open up the crib walls. Staff believes that the Independent Evaluation provides the Department with a more efficient, reliable, aesthetically pleasing, and cost effective alternative than was originally proposed, and that the project changes are not significant enough to require additional Chapter 343, HRS review. Staff's recommendation is that the Board direct the Department to implement the recommendations of the Independent Evaluation Study of the Proposed Kuhio Beach Improvements: 1) Direct the Department to develop plans and specifications based on the Olsen Engineering, Inc. rocky headland concept (T-head groin design); and, 2) Authorize the Department to make contract modifications as needed to complete the project design phase, subject to Board review.

Mr. Howard Gehring, Acting Administrator of the Division of Boating and Ocean Recreation, and Applicant of this project, recommended that the Board consider in the staff's recommendation that the community be given the opportunity to see the alternative design.

Mr. Brian Ishii, representing Edward K. Noda & Associates, Inc., distributed written testimony that described concerns from an engineering standpoint based on the staff report. He indicated that they are not interested in the contract if the Board decides to implement the alternative design. He recommended that a revised environmental assessment be prepared for the new design so the public has an opportunity to comment. In response to a question raised by the Board, Mr. Ishii indicated that they have not implemented any projects of this type in Hawaii.

Mr. George Downing, Vice President of Save Our Surf, distributed written testimony in opposition to the staff's recommendation. He believed there were major changes that have taken place in the new recommended project by Olsen Associates, Inc., and requested that a public hearing be afforded.

Mr. Rick Egged, President of the Waikiki Improvement Association, testified in support of staff's recommendation. He felt that the alternative design would have less environmental impact, be more aesthetically pleasing, and would do the job.

Mr. Eric Masutomi of Outrigger Enterprises, and Chairman of the Business and Improvements Committee for the Waikiki Improvement Association, commended the Board in stepping back and taking another look at the design. He didn't feel that the design modification is such that

would require a new environmental assessment, however, if the Board felt that the new design presents a direction that would require a new one, they will pursue it.

Mr. Jim Gusukuma, Private Citizen, didn't think that the general public understood that in both designs the swimming area in the 2 cells would be reduced. He felt that the plans would be of major concern to the general public and need to be brought to their attention.

A motion was made to move into executive session to consult with legal counsel regarding some of the issues raised.

Unanimously approved to move into executive session (Kokubun/Kennison).

Member Inouye made a motion, based on statements expressed by members of the audience, to amend staff's recommendation by adding a condition no. 3 to read as follows:

3. That the revised design be presented to the public for comments at a public informational meeting or public hearing.

Unanimously approved as amended (Inouye/Kennison).

ITEM E-1: APPROVAL OF GRANTS-IN-AID (FRIENDS OF IOLANI PLACE)

Mr. Dan Quinn, Assistant Administrator for the Division of State Parks, briefed the Board and recommended that the Board authorize the Chairperson and another member of the Board to enter into a contract for the two Grant-in-Aid proposals to the Friends of Iolani Palace, subject to meeting applicable State Grant-in-Aid procedural requirements, funding restrictions and allotment approvals.

Unanimously approved as submitted (Inouye/Kennison).

ITEM E-2: APPROVAL OF GRANTS-IN-AID (HAWAII NATURE CENTER)

Mr. Quinn briefed the Board and recommended that the Board authorize the Chairperson and another member of the Board to enter into a contract for one Grant-in-Aid proposals to the Hawaii Nature Center, subject to meeting applicable State Grant-in-Aid procedural requirements, funding restrictions and allotment approvals.

Unanimously approved as submitted (Inouye/Kennison).

ITEM D-6: ACCEPTANCE OF FEDERAL EXCESS LAND, SAME BEING A PORTION OF THE FORT RUGER MILITARY RESERVATION KNOWN AS THE CANNON CLUB SITE LOCATED AT KAPAHULU, HONOLULU, OAHU, AND THE PURCHASE OF THE IMPROVEMENTS

**THEREON, AND SET ASIDE TO THE STATE PARKS DIVISION, TMK:
3-1-42: 11**

Mr. Uchida briefed the Board and recommended that the Board accept the conveyance, from General Services Administration to the State of Hawaii, authorize the purchase of the improvements, and approve of and recommend to the Governor the issuance of an executive order setting aside the Cannon Club Site, and authorize the issuance of a management right-of-entry to the State Parks Division covering the Cannon Club Site. He amended recommendation C. by deleting "Master Plan".

The Board approved staff's amended recommendation to read:

C. "...to the Department of Land and Natural Resources, State Parks Division of addition to the Diamond Head State Monument [Master Plan], subject to...

Unanimously approved as amended (Inouye/Kennison).

ITEM D-1: CONSENT TO ASSIGN LEASE OF NON-EXCLUSIVE EASEMENT S-5210, MR. EDWARD J. MORGAN, SUCCESSOR TRUSTEE OF THE THELMA J. MORGAN TRUST DATED NOVEMBER 8, 1989, ASSIGNOR, TO MR. EDWARD J. MORGAN, ASSIGNOR, KALUANUI, OAHU, TMK: (1) 5-3-10: SEAWARD OF 17

Mr. Uchida briefed the Board and recommended that the Board consent to the assignment of lease, subject to standard conditions.

Unanimously approved as submitted (Inouye/Kennison).

ITEM D-2: GRANT OF PERPETUAL NON-EXCLUSIVE EASEMENT, AND ISSUANCE OF IMMEDIATE CONSTRUCTION RIGHT OF ENTRY TO COUNTY OF KAUAI, DEPARTMENT OF WATER, AFFECTING A PORTION OF STATE-OWNED LAND, POR. OF WAILUA, KAWAIHAU, KAUAI, TMK: 4-1-9: POR. 5

Mr. Uchida briefed the Board and recommended that the Board issue a perpetual non-exclusive easement to the County of Kauai, Department of Water covering the subject area for drainage facility purposes, and authorize the issuance of an immediate right-of-entry, subject to standard conditions.

Unanimously approved as submitted (Kennison/Kokubun).

ITEM D-4: CANCELLATION OF GOVERNOR'S EXECUTIVE ORDER NO. 2210 AND SET ASIDE TO DEPARTMENT OF AGRICULTURE FOR

AGRICULTURE-RELATED PURPOSES AND A MANAGEMENT RIGHT OF ENTRY, HALAWA, OAHU, TMK: (1) 9-9-10: PORTION 34

Mr. Uchida briefed the Board and recommended that the Board cancel Governor's executive order, set-aside to the Department of Agriculture, and authorize the issuance of a management right-of-entry, subject to standard conditions.

Unanimously approved as submitted (Inouye/Kennison).

ITEM D-9: TERMINATION OF REVOCABLE PERMIT NO. S-3555, MR. HIDEKI OKUMURA, CONSENT TO DEPARTMENT OF AGRICULTURE REQUEST TO ENTER INTO A REVOCABLE PERMIT WITH THE ESTATE OF HARRY M. OKUMURA, DECEASED, AT WAIMANALO, OAHU, TMK: (1) 4-1-25: PORTION 36

Mr. Uchida briefed the Board and recommended that the Board terminate Revocable Permit No. S-3555, and consent to the Department of Agriculture request to enter into a revocable permit, subject to standard conditions.

Unanimously approved as submitted (Inouye/Kokubun).

ITEM D-10: REQUEST TO EXTEND LEASE CONTRACT NO. DA-94-626-ENG-117, SUPPLEMENTAL AGREEMENT NO. 7 BETWEEN THE SECRETARY OF THE AIR FORCE ON BEHALF OF THE DEPARTMENT OF EDUCATION AT HICKAM AIR FORCE BASE, OAHU, TMK: (1) 9-9-1: PORTION 13

Mr. Uchida briefed the Board and recommended that the Board authorize the extension, subject to standard conditions.

Unanimously approved as submitted (Inouye/Kokubun).

ITEM D-11: REQUEST TO EXTEND LEASE CONTRACT NO. DA-94-612-ENG-191, SUPPLEMENTAL AGREEMENT NO. 6 BETWEEN THE SECRETARY OF THE AIR FORCE ON BEHALF OF THE DEPARTMENT OF EDUCATION AT HICKAM AIR FORCE BASE, OAHU, TMK: (1) 1-1-2: 5

Mr. Uchida briefed the Board and recommended that the Board approve the extension, subject to standard conditions.

Unanimously approved as submitted (Inouye/Kokubun).

ITEM D-12: ISSUANCE OF DEED TO CITY AND COUNTY OF HONOLULU FOR ROADWAY AND ROAD WIDENING PURPOSES AT KALIHI-KAI, OAHU, TMK: (1) 1-2-26: PORTION 32

Mr. Uchida briefed the Board and recommended that the Board authorize the issuance of a deed to the City and County of Honolulu, subject to standard conditions.

Unanimously approved as submitted (Inouye/Kennison).

ITEM D-13: SET ASIDE TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES FOR REPAIR AND MAINTENANCE BASEYARD PURPOSES AND A MANAGEMENT RIGHT-OF-ENTRY, KAPAHULU, OAHU, TMK: (1) 3-1-42: 32 AND PORTION OF 19

Mr. Uchida briefed the Board and recommended that the Board authorize the issuance of an executive order, and a management right-of-entry, to the Department of Accounting and General Services, subject to standard conditions.

Unanimously approved as submitted (Inouye/Kennison).

ITEM D-14: ADDITIONAL EXTENSION OF THE 180-DAY PROCESSING PERIOD- CONSERVATION DISTRICT USE APPLICATION NO. OA-1405 TO CHANGE A CONDITION FOR RETENTION OF THE H-3 FREEWAY CONSTRUCTION ACCESS ROAD, HALAWA VALLEY, OAHU

Mr. Uchida briefed the Board and recommended that the Board approve this additional extension, through the entire administrative hearing and contested case process and for 90 days after the findings of fact and conclusions of law decision and order is finalized.

Unanimously approved as submitted (Inouye/Kennison).

ITEM D-16: SET ASIDE TO CITY AND COUNTY OF HONOLULU FOR THE PARK AND RECREATIONAL PURPOSES AND A MANAGEMENT RIGHT-OF-ENTRY, WAIMANALO, OAHU, TMK: (1) 9-8-13: 2

Mr. Uchida briefed the Board and recommended that the Board approve of and recommend to the Governor issuance of an executive order, and authorize the issuance of a management right-of-entry, to the City and County of Honolulu, subject to standard conditions.

Unanimously approved as submitted (Inouye/Kennison).

ITEM D-19: AMEND PRIOR BOARD ACTION FOR ISSUANCE OF QUITCLAIM DEED TO THE CITY AND COUNTY OF HONOLULU FOR A PORTION OF GOVERNMENT ROAD KNOWN AS KAMAKEE STREET, HONOLULU, OAHU, TMKs: (1) 2-3-1: ROAD AND 2-3-5: ROAD

Mr. Uchida briefed the Board and recommended that the Board amend Land Board approval of September 10, 1999 by, quitclaim deed to include roadway Parcels A, B and C.

Unanimously approved as submitted (Inouye/Kennison).

ITEM D-21: AMEND PRIOR BOARD ACTION OF OCTOBER 22, 1999, AGENDA ITEM D-19, DIRECT SALE OF PERPETUAL, NON-EXCLUSIVE EASEMENTS, TO THE NOHONA PARTNERS, INC., FOR ACCESS AND UTILITY PURPOSES, AND A CONSTRUCTION AND MAINTENANCE RIGHT-OF-ENTRY OVER, AND ACROSS THE JUDD TRAIL, AT KAUMALUMALU AND PAHOEHOE 1ST, NORTH KONA, HAWAII, TMK: (3) 7-7-04: PORTION OF 02 AND (3) 7-7-08: PORTION OF 27

Mr. Uchida briefed the Board and recommended that the Board amend its prior action of October 22, 1999, subject to standard conditions.

Unanimously approved as submitted (Kokubun/Kennison).

ITEM D-23: EXTENSION OF PROCESSING PERIOD - CONSERVATION DISTRICT USE APPLICATION NO. OA-2979 FOR THE POUHALA MARSH HABITAT RESTORATION PROJECT, PEARL HARBOR, OAHU

Based on the Waiahole Supreme Court Decision, Chairperson Johns recused himself from this matter until further clarification from the Attorney General's Office. There being no quorum, this item was withdrawn.

Withdrawn (Inouye/Kokubun).

ITEM D-26: FORFEITURE OF REVOCABLE PERMIT NO. S-7093, TO MR. BLAINE G. KAHALEWAI, SR. & MS. ORRIN M. KAHALEWAI, PERMITTEES, WAIMANALO, KOOLAUPOKO, OAHU, TMK: 4-1-08: 46 PORTION

Mr. Uchida briefed the Board and recommended that the Board cancel Revocable Permit No. S-7093, subject to standard conditions.

Unanimously approved as submitted (Inouye/Kokubun).

There being no further business, Chairperson Johns adjourned the meeting at 11:50 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,



Kimberly C. Keliioomalu

Approval for submittal:


TIMOTHY E. JOHNS

Chairperson

Board of Land and Natural Resources

