

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

**DATE:** FRIDAY, FEBRUARY 23, 2001  
**TIME:** 9:00 A.M.  
**PLACE:** KALANIMOKU BUILDING  
LAND BOARD CONFERENCE ROOM 132  
1151 PUNCHBOWL STREET  
HONOLULU, HAWAII

Chairperson Gilbert Coloma-Agaran called the meeting of the Board of Land and Natural Resources to order at 9:15 a.m. The following were in attendance:

**MEMBERS:**

Mr. Gilbert Coloma-Agaran  
Mr. Colbert Matsumoto  
Ms. Kathryn Inouye

Mr. William Kennison  
Ms. Lynn McCrory  
Dr. Fred Holschuh

**STAFF:**

Mr. Dan Quinn, Division of State Parks  
Dr. Kimberly Lowe, Division of Aquatic Resources  
Mr. Dean Uchida, Land Division

Ms. Sherrie Samuels, Division of State Parks  
Mr. Michael Nelson, Division of Aquatic Resources  
Mr. Nelson Ayers, Division of Forestry and Wildlife

**OTHERS:**

Ms. Linden Joesting, Department of the  
Attorney General  
Mr. Sidney Fuke, E-1  
Mr. Steven Lim, D-10, D-1  
Mr. Leslie Milnes, D-11  
Mr. Godwin Esaki, D-11  
Mr. John Lezak, D-6  
Mr. Alvin Maeda, D-7  
Mr. Joe Phillips, D-7  
Mr. Jerry Iwata, D-3

Mr. Peter Garcia, Department of  
Transportation  
Mr. Liko Martin, B-1, D-11  
Mrs. Mary Carroll, D-10  
Mr. Robert Ferreira, D-11  
Mr. Leopold Durant, Jr., D-11  
Mr. William Paty, D-4  
Mr. Roy Yanagihara, D-7  
Mr. Craig Kagawa, D-7

**ITEM A-1: APPROVAL OF THE JANUARY 26, 2001 MINUTES**

Member Inouye recused herself. She was not present at this meeting.

**Unanimously approved as submitted (McCroory/Kennison).**

**ITEM E-1: RESUBMITTAL – APPROVAL OF MANINIOWALI EQUITY COMPANY, (MEC) LLC PROPOSAL FOR IMPROVEMENTS TO THE MANINIOWALI-KUKIO SECTION OF KEKAHA KAI STATE PARK, KONA, HAWAII**

Mr. Dan Quinn, Acting Administrator for the Division of State Parks, briefed the Board and recommended that the Board: A) Approve the joint use of the mauka section of the proposed Kua Bay access road, as either a primary access or as a secondary/emergency access route for the MEC development.; B) Approve, in principle, the issuance of an access easement in favor of MEC over the proposed Kua Bay access road, with the understanding that the final alignment will be determined during the road design phase with adjustments for topography and archaeological sites.; C) Approve the MEC proposal to expend the sum of \$2.5 million for planning and improvements for the Maniniowali-Kukio Section of the Kekaha Kai State Park, Kona, Hawaii, in satisfaction of the obligation incurred at the time of the land exchange with the State of Hawaii, subject to the following conditions: 1. That MEC spend up to \$150,000.00 of the \$2.5 million obligation for the detailed planning and environmental impact statement for the Maniniowali-Kukio Section of the Kekaha Kai State Park, including, but not necessarily limited to, portions of Awakee and all of those areas fronting the MEC property.; 2. That MEC pay for the cost of intersection improvements at the Queen Kaahumanu Highway. The cost will not be credited against the MEC \$2.5 million obligation.; and 3. That MEC pay for any allowed improvements within the State Park that would link and/or service the MEC development, including the cost of the road between the Queen Kaahumanu Highway and the entry to the MEC project. Such costs shall not be credited against the MEC \$2.5 million obligation.

Mr. Quinn mentioned concerns raised in a letter dated December 13, 2000 from Mr. Christopher Yuen, former Hawaii Board Member and Kekaha Kai State Task Force Member, requesting that the \$2.5 million not be dedicated to the intersection. He also made a point of clarification, that MEC's understanding, which differs from the specifics of the staff's recommendation, is that in the event the intersection is to be used solely by the State Parks, that MEC would consider that the cost of the improvements could come out of the \$2.5 million. If MEC is going to jointly use it with the State, MEC would cover the cost of the improvements outside of the \$2.5 million. In addition, MEC's understanding is that the stretch of road between the proposed access point, and the highway, would be on a cost-sharing basis.

Mr. Sidney Fuke, Planning Consultant representing MEC, explained several options being considered for access to the project. One option was to seek joint access with the adjoining landowner on the north, which is the Kukio 1 Development project, another is to seek joint use with the State Parks, and if neither of these options are available then the existing access that is presently allowed will be considered. If they are successful in working something out with Kukio 1, the existing access would

be terminated. If discussion with Kukio 1 falls through, then MEC would definitely be in a position to make an unequivocal commitment, subject to the Board's approval, to a shared access with the State Parks, and terminate the existing access. He explained the dilemma from MEC's standpoint, that it's difficult to do a specific design on the property not knowing where the accesses are going to be.

Member Holschuh was concerned that there was no commitment by MEC to do the joint access, that if MEC plans to go through Kukio 1, the State may have to build the intersection. Member McCrory had the same concern, that if MEC does acquire joint access from Kukio 1 and the cost is shared, the State would have to put in the entire roadway and there won't be much left of the \$2.5 million to do the park improvements. She also felt that if the Board allows the access, this will give MEC another bargaining tool when dealing with Kukio 1.

Mr. Fuke sensed the Board's concern about creating a false expectation on the part of the public that if the access is granted then the State will have to put in all these improvements. He requested that this matter be deferred, during which time they would have a greater direction from the adjoining property owner.

Member McCrory asked that staff meet with the task force and the developer to discuss, the terms of the \$2.5 million commitment, some of the options that may be possible for joint access, and consideration of the integrated wastewater system.

Member Inouye recused herself from voting on this matter.

The Board deferred this item for 2-months.

**Deferred (Holschuh/Matsumoto).**

**ITEM B-1: REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH THE NATIONAL MARINE FISHERIES SERVICE, FISHERIES STATISTICS AND ECONOMICS DIVISION, FOR COOPERATIVE STUDIES UNDER THE MAIN HAWAIIAN ISLANDS MARINE RESOURCES INVESTIGATION**

Dr. Kimberly Lowe, RCUH Main Hawaiian Islands - Marine Resources Investigation Project Manager for the Division of Aquatic Resources, briefed the Board and recommended that the Board authorize the Chairperson to negotiate and execute, the subject Cooperative Agreement with the National Marine Fisheries Service for Fiscal Year 2001-2002 (April 1, 2001 - March 31, 2002).

Mr. Michael Nelson, RCUH Shoreline Fishing Survey Manager for the Division of Aquatic Resources, gave some background information of the project.

Mr. Liko Martin, Kanaka Maoli and Konohiki, testified about the jurisdictional issue of the waters within the Territorial Kingdom of Hawaii, and asked that he be informed of any future meetings with respect to this issue.

Dr. Lowe pointed out that one of the critical elements in doing the shoreline survey is getting to know the people that live along the shoreline, and getting in touch with the people that took care of the place over the years. She expressed her appreciation in Mr. Martin attending this meeting, and indicated that they would like to be in touch with him.

**Unanimously approved as submitted (Kennison/McCrory).**

**ITEM D-10: CONSERVATION DISTRICT USE APPLICATION (CDUA) NO. HA-3002 FOR THE CONSTRUCTION OF A SINGLE FAMILY RESIDENCE AT KAALAIKI AND HOKUKANO, KAU, COUNTY OF HAWAII, TMK: 3<sup>RD</sup>/9-5-16: 36**

Mr. Dean Uchida, Administrator of the Land Division, briefed the Board and recommended that the Board approve CDUA No. HA-3002 for the construction of a single-family residence, subject to 22 conditions.

Mr. Steven Lim, representing the Applicants, explained the architectural design of the residence and the reason why it was split up. He clarified that they will try to meet the concern about bringing it all into 1 structurally connected home, while still trying to maintain the architectural design that his client is trying to accomplish. Mr. Lim agreed to work with constraints given by the staff. He also agreed to a condition that the applicant would continue to allow access through the property for traditional and customary Native Hawaiian rights.

The Board amended the staff recommendation to include the following:

23. Access will not be denied for people accessing the property who are involved in traditional and customary practices.

**Unanimously approved as amended (Holschuh/Inouye).**

**ITEM D-1: CONSENT (AFTER-THE-FACT) TO ASSIGNMENT OF GRANT OF EASEMENT (LOD S-27,654), FROM KITAHARA REALTY (HAWAII) INC., ASSIGNOR, TO MR. DOUGLAS R. SPENCER, ASSIGNEE, AND SUBSEQUENT ASSIGNMENT OF SAME TO MR. JESSE E. SPENCER AND MRS. JOYCE RAE SPENCER, ASSIGNEE, AND CONSENT TO SUBSEQUENT ASSIGNMENT TO KILOHANA MAUKA ASSOCIATION, INC., ASSIGNEE, KAMAOLE, WAILUKU, MAUI, TMK: 2<sup>ND</sup>/3-9-004: PORs. 140 AND 141**

Mr. Uchida briefed the Board and recommended that the Board consent (after-the-fact) to the assignments of Grant of Easement (LOD S-27-654), and consent to the proposed assignment from Mr. and Mrs. Jesse Spencer, to Kilohana Mauka Association, Inc., subject to standard conditions.

There was some discussion about written testimony received from neighbors of the proposed project, objecting to the approval of the various assignments because of: 1) the title being sold and transferred to a third party beyond Kilohana Mauka Association, Inc. that is not named in the staff report; and 2) the need for an Environmental Assessment based upon Chapter 343, Hawaii Revised Statute. Mr. Lim, representing Kilohana Mauka Association, Inc., indicated that the current property owner of the subject property at the present time is Mr. and Mrs. Spencer. The proposed transfer of the property would be to the developer, and the easement would be conveyed to Kilohana Mauka Association, Inc., through the subdivision association. Staff clarified that the easement was issued several years ago. Compliance with Chapter 343 occurred at the time of the initial conveyance. Mr. Lim indicated that the applicant would consent to restrictions on the use of the easement. Member Inouye suggested that the assignment run concurrently with the transfer of ownership.

Member Kennison made a motion to amend staff's recommendation to include the following:

- d. That the subject grant of easement be restricted to access and utility purposes for TMK: 3-9-04: 78.
- e. That the easement run concurrent with the transfer of TMK: 3-9-04: 78.

**Unanimously approved as amended (Kennison/Matsumoto).**

**ITEM D-11: ISSUANCE OF REVOCABLE PERMITS TO MR. GODWIN M. ESAKI; MS. LARA BUTLER DBA KEAPANA HORSEMANSHIP; GE FARMS, INC.; MR. LESLIE P. MILNES; MR. RODOLFO N. AND MRS. AURORA BUNAO; MR. ELESTHER CALIPJO; MR. MICHAEL J. FERNANDES; MR. WILLIAM J. AND MRS. ALISON J. SANCHEZ; SAIVA SIDDHANTA CHURCH; MR. MANUEL H. ANDRADE, SR.; MR. KENNETH BRAY; MR. ROBERT H. FERREIRA, AND MR. GERALD M. SANCHEZ; POR. OF WAILUA, LIHUE, AND WAILUA, KAWAIHAU, KAUAI, TMKs: 3-9-1: POR. 2; 3-9-2: 1 & 20; AND 4-2-1: 3, AND ISSUANCE OF IMMEDIATE RIGHTS OF ENTRY; AND**

**SET ASIDE OF VARIOUS STATE LANDS TO THE DLNR DIVISION OF AQUATIC RESOURCES, FRESHWATER FISHERIES DEVELOPMENT, FOR FRESHWATER FISHERIES DEVELOPMENT, WAILUA, LIHUE, KAUAI, TMK: 3-9-2: 9 & POR. 20; TO THE COUNTY OF KAUAI FOR RECREATIONAL PURPOSES, WAILUA, LIHUE, KAUAI, TMK: 3-9-2: POR. 20; TO THE DLNR DIVISION OF FORESTRY AND WILDLIFE FOR ADDITION TO EXECUTIVE ORDER NO. 3804, ADDITION TO LIHUE-KOLOA FOREST RESERVE, WAILUA, LIHUE, KAUAI, TMK: 3-9-1: POR. 2; AND TO THE DLNR DIVISION OF STATE PARKS FOR ADDITION TO EXECUTIVE ORDER NO. 2423, WAILUA, LIHUE, KAUAI, TMK: 3-9-2: POR. 20**

Mr. Uchida briefed the Board and recommended that the Board issue the revocable permits to the 13 private entities, issue a set aside to the 4 government agencies, and grant an immediate rights-of-entry to the parties, subject to standard conditions. He indicated that the issue before the Board is limited to the 6,500 acre parcel, and that the water issue will be brought back to the Board in the future.

Mr. Leslie Milnes, Mr. Robert Ferreira, and Mr. Godwin Esaki, represented the Kalepa Koalition, comprised of 13 Kauai farmers, ranchers and horsemen who have applied individually for permits. Mr. Milnes presented written and oral testimony on behalf of the Koalition that raised concerns on the lease rent and initial investment, hunting, and open process.

There were some concerns raised by the Board about fencing. Mr. Milnes indicated that at their last meeting held on February 21, 2001, the Koalition discussed collectively fencing all the areas that they considered being common element, once that is done collectively and the cost shared, then continue to fence off the individual permits. Mr. Ferreira indicated that the gullies would be fenced from cattle.

Mr. Leopold Durant, Jr., Kanaka Maoli and Konohiki representing the vested interests of the Nation State of the Kingdom of Hawaii, submitted written testimony in opposition to the issuance of the permits. He instructed the Board to direct its agent(s) and agencies to suspend any further initiatives to enter into lease agreements with any and all parties until they have formally consulted with and received approval from the Konohiki in representation of the national interest of the Kanaka Maoli.

Mr. Martin testified in support of Mr. Durants claims, that the Board, and the entities that are approaching to assume the Amfac leases, need to follow the proper protocol. He brought up some issues, and requested that the Board not approve this request, and direct its agent(s) to consult with the Konohiki in the area.

Mr. Milnes was in complete agreement with Mr. Martin regarding gullies in the area that have not been touched by the sugar production over the last 80 years. He referred to staff conditions 7.a., b., and c., that incorporate recommendations by the Historic Preservation, and hoped the Board would realize that these conditions would address the concerns raised by Mr. Martin. He indicated that if they are issued permits and are allowed to go on the land, they will abide by those recommendations.

**Unanimously approved as submitted (McCrory/Inouye).**

**ITEM D-6: CONSENT: 1) ASSIGNMENT OF THAT CERTAIN SUBLEASE DATED MAY 15, 1978, OF GENERAL LEASE (GL) NO. S-4300, MR. JAMES S. ROMIG, TRUSTEE UNDER THAT CERTAIN UNRECORDED REVOCABLE LIVING RUST AGREEMENT DATED AUGUST 15, 1980, MADE BY MR. JAMES S. ROMIG, AS SETTLOR, ASSIGNOR, TO MR. WILLIAM A. MILLER, ASSIGNEE; 2) LEASEHOLD MORTGAGE, SECURITY AGREEMENT, FINANCING STATEMENT AND ASSIGNMENT OF RENTALS FROM MR. WILLIAM A. MILLER, MORTGAGOR, TO MR.**

**JAMES S. ROMIG, TRUSTEE AS AFORESAID, MORTGAGEE; AND 3)  
SECURITY ASSIGNMENT OF PROMISSORY NOTE AND MORTGAGE BY  
MR. JAMES S. ROMIG, TRUSTEE AS AFORESAID, ASSIGNOR, TO BANK  
OF HAWAII, ASSIGNEE**

Mr. Uchida briefed the Board and recommended that the Board consent to the assignment of the sublease from Mr. Romig to Mr. Miller, consent to the leasehold mortgage, security agreement, financing statement and assignment of rentals from Mr. Miller to Mr. Romig, and consent to the security assignment of promissory note and mortgage by Mr. Romig to Bank of Hawaii, subject to conditions.

Mr. John Lezak, Attorney representing Mr. Romig, explained the complexity of this matter and recommended that the Board approve staff's recommendation.

**Unanimously approved as submitted (Holschuh/Kennison).**

**ITEM D-4: APPROVAL IN PRINCIPLE FOR LAND EXCHANGE BETWEEN THE  
STATE OF HAWAII AND THE BOY SCOUTS OF AMERICA, FOR STATE-  
OWNED CAMP PUPUKEA (OAHU), CAMP HONOKAIA (HAWAII), CAMP  
ALAN FAYE (KAUAI), AND PRIVATELY-OWNED PORTIONS OF THE  
MAUI BUSINESS PARK (MAUI) AND THE MILL TOWN CENTER (OAHU)**

Mr. Uchida briefed the Board and recommended that the Board approve in principle the land exchange between the Boy Scouts of America (BSA) and the State of Hawaii, subject to the BSA paying for the appraisal of the properties, and subject to terms and conditions.

Member McCrory was in support of the concept, but preferred that the Kauai parcel not be included because of the master plan in the process for that area.

Mr. William Paty, representing the BSA, testified in support of the staff's recommendation. He indicated that they would like to include Camp Alan Faye, the Kauai parcel, and requested that they be able to do the appraisals, go through the work with the Land Division, and come back to the Board for final approval.

There was some discussion. Member McCrory wanted to approve staff's recommendation by removing the Kauai parcel. She explained that this is 1-fee simple parcel in the middle of leases that expire in 2006, and she preferred allowing the most flexibility possible for the master plan. Mr. Uchida clarified that the BSA lease does not expire until 2022, that this lease would basically go beyond the planning sphere that they are looking at which is 2006 when all the Kokee cabin leases expire. Member Matsumoto added that they would probably have to do the master plan with the existing use in mind. Member Matsumoto made a motion to approve staff's recommendation. He was reluctant to not further explore this, and felt that it does make sense to allow this kind of a disposition for the activities that the BSA are promoting in the area. He wanted to at least look at this further, and perhaps as it progresses, there would be a little bit more clarity as to what is

happening in the master plan. Member McCrory reconsidered her position and allowed the initiation of the land exchange process.

Mr. Uchida suggested, while the appraisal is being done, consulting with the groups that are involved with the master plan to get some input on the proposed land exchange. Mr. Paty indicated that they will participate in the planning as well.

**Unanimously approved as submitted (Matsumoto/Holschuh).**

**ITEM D-7: METHODOLOGY FOR DETERMINING LEASE RENT FOR THE KANEOHE BAY RECREATIONAL PIERS AT KANEOHE BAY, OAHU**

Mr. Uchida briefed the Board and explained the 4 alternative methodologies for calculating the pier lease rents. Staff believes that Methodology 1 provides a fair and accurate value for the leasing of private, non-commercial residential piers. It accurately reflects the use of the submerged lands in conjunction with the adjacent residential fast lands. Staff's recommendation is that the Board adopt alternative Methodology 1 together with 2000-2001 assessed values to determine appropriate lease rental rates for private non-commercial residential piers on Kaneohe Bay, Oahu.

Mr. Alvin Maeda, Chairperson of the Protect Our Shoreline Ohana (POSO), submitted written testimony that clarified some terms used in the staff report. He requested that the Board reduce the percentage from the commercial rate of 50% of fast land, to non-commercial residential rate of 10% of fast land. He also expressed his frustration in still being billed and overcharged under Method 2, which is considered not viable by staff.

Mr. Roy Yanagihara, Legal Advisor and Legislative Consultant for POSO, supported the basic methodology with reservations in the interest of compromise and forging ahead towards a permanent solution. He supported the adoption of the formula, but wanted to see if a compromise could be made between Mr. Maeda's figure of 10%, and the 50% being recommended by the department. He recommended that the rate be set at a level where most people can afford it, and where most people who have piers will participate in the program. He echoed a concern raised by Mr. Maeda, that the essential nature of commercial piers are income producing, the impact on public domain and the environment are greater, and that residential/recreation piers should not be treated the same.

Mr. Joe Phillips, POSO member, agreed with the 10% as suggested by Mr. Maeda. He felt that 50% on the assessed value that is being considered is substantially high.

A resident of Mahalani Circle, Kaneohe, pointed out that whatever is determined to be applied to Kaneohe Bay, should be applied to everybody statewide at the same time.

Mr. Craig Kagawa, POSO member, agreed with Mr. Yanagihara, that most of the members are willing to live with a compromise in the pier lease rent with an adjustment in the percentage.

Member Inouye asked if there was any thought to discontinue the rental payments until the transaction occurs, or some kind of incentive to the existing people who have been paying, that will encourage them to remain compliant. She also inquired about assessing an administrative fine for those who are not paying. Mr. Uchida believed it was discussed when the legislation for the lease was being issued as far as any kind of stay on the rent on an ongoing basis. He asked that they be given time to research what the direction from the Board was in setting up the amnesty program, what was discussed with the coalition, and then bring these matters back to the Board.

Member Inouye made a motion to approve the staff recommendation with the following amendments:

- A. That the Board of Land and Natural Resources adopt alternative Methodology 1 together with 2000-2001 assessed values to determine appropriate lease rental rates for private non-commercial residential piers on Kaneohe Bay, Oahu.
- B. That the Board require staff to review the possible imposition of fines for those piers presently in violation of the law.
- C. That the Board require the staff to provide quarterly progress reports on the issuance of private non-commercial recreational piers at Kaneohe Bay.

**Unanimously approved as amended (Inouye/McCrory).**

**ITEM C-1: REQUEST APPROVAL OF CONTRACT WITH DR. CHRISTIAN GIARDINA TO PARTICIPATE IN THE STATE FOREST STEWARDSHIP PROGRAM**

Mr. Nelson Ayers, Service Forester for the Division of Forestry and Wildlife, briefed the Board and recommended that the Board approve the contract.

There were some concerns raised by the Board. Member Inouye indicated that the last time one of these contracts were approved, she asked for some validation of the work in place, whether it be inspection or photographs. She wanted to be clear that the work be verified before any payment is made to the contractor. Member McCrory was not in favor of approving staff's recommendation. Some of her reasons were that it appeared to be a landscaping project especially when there is a resident on the property, and the fact that the consultant was the same person who reviewed the project. Member Inouye was not sure on how the harvesting requirement of 20,000 board feet per acre, minimum of 2 acres, is helping economic development, and was concerned that the reforestation program is not reaching the kind of people or serving the kind of purpose intended.

Based on the concerns raised, Mr. Ayers requested this item be withdrawn.

**Withdrawn (McCrory/Holschuh).**

**ITEM D-3: CANCELLATION OF GL NO. S-4341, CITY AND COUNTY OF HONOLULU, LESSEE AND SET ASIDE TO CITY AND COUNTY OF HONOLULU FOR SEWAGE TREATMENT PLANT SITE AND ANCILLARY PURPOSES, HONOLULU, OAHU, TMK: 1<sup>ST</sup>/1-5-41: 5**

Mr. Uchida briefed the Board and recommended that the Board cancel GL No. S-4341, approve of and recommend to the Governor issuance of an executive order setting aside the subject lands for sewage treatment plant site and ancillary purposes, subject to standard conditions.

Mr. Jerry Iwata, City and County of Honolulu, Department of Design and Construction, testified in favor of staff's recommendation.

**Unanimously approved as submitted (Inouye/McCrory).**

**ITEM D-2: EXTENSION OF LEASE TERM AND CONSENT TO MORTGAGE, GL NO. S-4531, KAUPU RANCH, LTD., LESSEE, KAUPU, HANA, MAUI, TMK: 1-7-03: 24 AND 27**

Mr. Uchida briefed the Board and recommended that the Board approve the extension of GL No. S-4531, and consent to the mortgage between Kaupo Ranch, Ltd., and Hawaii Production Credit Association, subject to conditions. He noted that there were several written testimonies received opposing the extension.

There was concern raised by several of the Board members in granting a 25-year extension based on a \$16,130.00 mortgage for pasture use.

Member Kennison requested that this item be deferred.

**Deferred (Kennison/Matsumoto).**

**ITEM D-5: ISSUANCE OF REVOCABLE PERMIT TO JAS. W. GLOVER, LTD. (GLOVER), WAIAKEA, SOUTH HILO, HAWAII, TMK: 3<sup>RD</sup>/2-1-12:4**

Mr. Uchida briefed the Board and recommended that the Board authorize the issuance of a revocable permit to Jas. W. Glover, Ltd., subject to standard conditions.

Member McCrory amended the staff recommendation to read as follows:

**MONTHLY RENTAL:**

[To be determined by staff appraiser, subject to review and approval by the Chairperson.] To be the same as the existing rent paid under the expired license.

**Unanimously approved as amended (McCrory/Holschuh).**

**ITEM D-8: GRANT OF TERM, NON-EXCLUSIVE EASEMENT TO MR. LAWRENCE A. LANCE AND MRS. MARY C. LANCE, MARRIED, TO ADDRESS AN ENCROACHMENT, AHUAKEIO, HANA, MAUI, TMK: 2<sup>ND</sup>/1-5-05: POR. 7**

Mr. Uchida briefed the Board and recommended that the Board authorize the sale of a non-exclusive easement, subject to standard conditions.

**Unanimously approved as submitted (Kennison/Matsumoto).**

**ITEM D-9: CONSENT TO SUBLEASE GL NO. S-5468, WAIMANALO TEEN PROJECT, LESSEE, TO CASTLE MEDICAL CENTER, SUBLESSEE, WAIMANALO, OAHU, TMK: 1<sup>ST</sup>/4-1-9:265**

Mr. Uchida requested that this item be withdrawn. The applicant was unable to attend and would like to be present when this item is heard.

**Withdrawn.**

**ITEM K-1: ISSUANCE OF REVOCABLE PERMIT TO NANAKULI NEIGHBORHOOD HOUSING SERVICES INC., NEAR KEEHI LAGOON, HONOLULU, OAHU, TMK: (1)-1-2-23-63P**

Mr. Peter Garcia, Property Management Officer of the Department of Transportation, explained a fax that was received from the Applicant requesting withdrawal of this item because they thought their presence was required at this meeting. The Property Manager of the Department of Transportation advised the Applicant that the presentation of their submittal would proceed. Mr. Garcia clarified that this is a worthwhile program and the Applicant is interested in getting this approved. Staff's recommendation is that the Board approve the issuance of a revocable permit to the Nanakuli Neighborhood Housing Services, Inc.

**Unanimously approved as submitted (Holschuh/Kennison).**

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

**ITEM K-3: REPORT ON REVOCABLE PERMITS ISSUED OR RENEWED BY THE DEPARTMENT OF TRANSPORTATION FOR CONSISTENT USES**

Mr. Garcia indicated that Item's K-2 and K-3 are reports, and does not require action by the Board.

**No action.**

There being no further business, Chairperson Coloma-Agaran adjourned the meeting at 2:37 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. Kelihoomalua*

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Approved for submittal:

  
GILBERT S. COLOMA-AGARAN  
Chairperson  
Board of Land and Natural Resources