

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

DATE: FRIDAY, MAY 11, 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 9:04 a.m. The following were in attendance:

MEMBERS:

Mr. Gilbert Coloma-Agaran	Mr. William Kennison
Mr. Timothy Johns	Ms. Lynn McCrory
Ms. Kathryn Inouye (from 11:00 a.m.)	Dr. Fred Holschuh

STAFF:

Mr. Dean Uchida, Land Division	Mr. Steve Thompson, Division of Boating and Ocean Recreation (DOBOR)
Mr. Harry Yada, Land Division	Mr. Ron Cannarella, DOFAW
Mr. Carl Masaki, Division of Forestry and Wildlife (DOFAW)	Mr. Karl Dalla Rosa, DOFAW
Mr. Bill Devick, Division of Aquatic Resources	Mr. Paul Conry, DOFAW
Mr. Alton Miyasaka, Division of Aquatic Resources	

OTHERS:

Mr. Edsel Yamada, Department of the Attorney General	Mr. Peter Garcia, Department of Transportation
Mr. Dale Sarver, D-19	Mr. John Corbin, D-19
Mr. Greg Mooers, D-7	Mr. Harold Okuhama, D-18
Ms. Laura Okunami, D-18	Mrs. Eleanor Mirikitani, D-1
Mr. Charles Heaukulani, D-11	Mr. Ray Stimac, D-11
Mr. Jerry Iwata, D-2	Mr. Guy Archer, D-3
Mr. Henry Curtis, D-3	Ms. Alice Hall, D-17
Mr. George Hiu, D-16	Ms. Shirley Saffery, D-16
Mr. Paul Lemke, D-6	Mr. John Whalen, D-13

ITEM A-1: APPROVAL OF THE MARCH 23, 2001 MINUTES

Unanimously approved as submitted (McCroory/Kennison).

ITEM D-19: CONSERVATION DISTRICT USE APPLICATION NO. OA-3004 AND REQUEST FOR A LEASE OF STATE MARINE WATERS FOR MARINE ACTIVITIES – SUBMERGED PEARL OYSTER FARM AT THE REEF RUNWAY BORROW PIT, ADJACENT TO THE HONOLULU INTERNATIONAL AIRPORT REEF RUNWAY, KEEHI LAGOON, MOANALUA, HONOLULU, OAHU

Mr. Dean Uchida, Administrator of the Land Division, briefed the Board and recommended, under staff recommendation A, that the Board approve the application by Black Pearls, Inc. subject to 25 conditions; under staff recommendation B, that the Board render findings; and under staff recommendation C, that the Board authorize the direct negotiation of a lease to the applicant, provided that approval for this disposition, including presentation of the negotiated terms and conditions of the lease, shall be obtained at a future Board meeting.

Mr. Steve Thompson, Oahu District Manager for DOBOR, explained the administrative rule change to reconfigure the thrill craft operating area, and understood the agreement to be, should this application be granted the rulemaking process would be initiated. He indicated that it shouldn't take more than a month to draft the rules, however, the issue is dealing with and gathering the community to reach consensus on a set of rules, which may take longer than anticipated.

Member Johns questioned the wording in staff recommendation B. 6., that asks the Board to make a finding that the applicant has complied with applicable federal, state and county statutes, ordinances and rules. The Board decided to delete this finding.

Chairperson Coloma-Agaran was concerned about the construction deadlines in staff recommendation A. 6, in the event DOBOR's time schedule for rule change does not work out. Mr. Uchida suggested amending the condition to read: "Any work or construction to be done on the land shall be initiated within one year of the approval of the change of the DOBOR rules in the area [such use], in accordance with ..."

Mr. Dale Sarver, President of Black Pearls, Inc., presented oral and written testimony, asking for clarification on condition no. A.14. that reads: "The applicant shall allow reasonable use of public access areas within the farm;" He commented on discussions in the staff report that mentions spearfishing, fishing, or snorkeling, and recalled at the public hearing and discussions with interested fishing community representatives regarding activities within the public access area, that the only concern for continuing access was for the collection of ogo (seaweed).

There was some discussion about the applicant's request that access be limited to ogo collection, and the Board's requirement to preserve konohiki fishing rights. The Board decided, because this issue

not only deals with the gathering of ogo or fishing, but also public access, that this issue be dealt with administratively as part of the terms and conditions of the lease.

The Board amended the staff recommendation as follows:

A.6. “Any work or construction to be done on the land shall be initiated within one year of the approval of the change of the DOBOR rules in the area [such use], in accordance with...”

B.6. DELETE

Unanimously approved as amended (Johns/Kennison).

ITEM D-7: CONSERVATION DISTRICT USE APPLICATION FOR THE WOOD SINGLE-FAMILY RESIDENCE AT MAKUU, PUNA, HAWAII, TMK: (3) 1-5-010: 25

Mr. Uchida briefed the Board and recommended, based on staff’s analysis, that the Board approve the single family residence, subject to 21 conditions.

Mr. Greg Mooers, representing the Applicants, explained the architectural design of the residence. He understood the concern about possible abuses of certain dwelling, and indicated that he confirmed with the architect that it’s simply a main living area with a kitchen and 2-bedrooms, each with baths.

Member McCrory did not support the application because of the segmented design of the dwelling. She mentioned the growing concern about houses and structures allowed in the conservation district under single family residence use, and the potential abuse in turning it into a rental facility.

The Board amended the staff recommendation as follows:

17. “...treatment plan to be prepared after consultation with native Hawaiians, such as the Hawaii [Maui] Island Burial Council...”

Approved as amended (Holschuh/Kennison).

**Vote: 4 in favor (Holschuh, Kennison, Johns & Coloma-Agaran)
1 opposed (McCrory).**

ITEM D-18: FORFEITURE OF GENERAL LEASE (GL) NO. S-4308, HILO SHEET METAL, INC., LESSEE, WAIAKEA, SOUTH HILO, HAWAII, TMK: (3) 2-2-058: 002

Mr. Harry Yada, Hawaii District Land Agent for the Land Division, indicated that the lessee has since brought the rental payments, special installment agreement payments, and insurance requirements

current. Letters from the bank have been received, indicating that sufficient money has been wired to establish the performance bond. All of the defaults would be cured, assuming the performance bond is put into place.

Mr. Harold Okuhama, President of Hilo Sheet Metal, Inc., requested that the Board allow him 30-days to post the required performance bond, and assured the Board that he will try his best to not let this happen again.

Ms. Laura Okunami, Secretary of Hilo Sheet Metal, Inc., explained the hardships they've encountered in getting payments, and indicated that they are presently working on a line of credit to allow them some access to money.

The Board allowed the lessee a 30-day extension of time to cure the performance bond requirement and required the lessee to report back to the Board on the progress of obtaining a "line of credit" from City Bank to avoid future default problems. Should the lessee fail to fulfill the performance bond requirement within the 30-day period, the Board authorized cancellation in accordance with the terms and conditions listed.

Unanimously approved as amended (Holschuh/Kennison).

ITEM D-1: SALE OF REMNANT TO MRS. ELEANOR M. MIRIKITANI, KAHAULOA HOUSELOTS, KAHAULOA 1ST, SOUTH KONA, HAWAII, TMK: 3RD/8-2-06: 22

Mr. Yada amended page 1 of the staff submittal, Area section, from 2,686 square feet, to 3,833 square feet. Staff's recommendation is that the Board authorize the sale of remnant, subject to the terms and conditions.

Mrs. Eleanor Mirikitani, was present to answer questions.

Unanimously approved as amended (Holschuh/Johns).

ITEM D-11: ISSUANCE OF DIRECT LEASE TO KONA CHRISTIAN ACADEMY, FORMER HONOKOHAU SCHOOL LOT, NORTH KONA, HAWAII, TMK: 3RD/7-4-06: 01

Mr. Yada amended page 4 of the staff submittal, last paragraph, from a 30 year lease, to a 10 year lease. Staff's recommendation is that the Board authorize the issuance of a direct 10-year lease, subject to terms and conditions.

Mr. Charles Heaukulani, and Mr. Ray Stimac, on behalf of the Kona Christian Academy, were both present to answer questions.

Unanimously approved as amended (Holschuh/Kennison).

ITEM D-2: AMEND PRIOR BOARD ACTION OF FEBRUARY 23, 2001 (AGENDA ITEM D-3), CANCELLATION OF GL NO. S-4341, CITY AND COUNTY OF HONOLULU, LESSEE AND SET ASIDE TO THE CITY AND COUNTY OF HONOLULU FOR SEWAGE TREATMENT PLANT SITE AND ANCILLARY PURPOSES, HONOLULU, OAHU, TMK: (1) 1-5-41: 5

Mr. Yada briefed the Board and recommended that the Board amend prior action by changing the set aside purpose to sewage treatment plant, public health and ancillary purposes.

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

Unanimously approved as submitted (Johns/Holschuh).

ITEM D-3: APPOINTMENT AND SELECTION OF A HEARING OFFICER TO CONDUCT ALL HEARINGS FOR VARIOUS PETITIONS FOR A CONTESTED CASE HEARING (RE: DOCKET NO. 01-04-01, CDUA OA-2801, FOR A 138 KV TRANSMISSION LINE AT WAAHILA RIDGE, HONOLULU, HAWAII)

Mr. Yada briefed the Board and recommended that the Board authorize the appointment of a hearing officer to conduct all hearings relevant to the subject petition for contested case hearing, and that the Board delegate the authority for selection of the hearing officer to the Chairperson.

Mr. Guy Archer, Attorney representing the Outdoor Circle, requested that they be able to see the list of hearing officers, and be able to comment should there be a conflict.

Mr. Henry Curtis, Life of the Land, commented that because of the temporary deadline of February, it might make it easier for the petitioners to see the list of hearing officers ahead of time.

Unanimously approved as submitted (Kennison/McCrory).

ITEM D-17: REQUESTS BY THE DEPARTMENT OF HEALTH, DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, AND THE HAWAII HEALTH SYSTEMS CORPORATION TO 1) CANCEL GOVERNOR'S EXECUTIVE ORDER NOS. 2637 AND 3323, 2) ISSUANCE OF A DIRECT LEASE TO THE HAWAII HEALTH SYSTEMS CORPORATION COVERING THE PREMISES ENCUMBERED BY SAID GOVERNOR'S EXECUTIVE ORDERS, 3) CONSENT TO FINANCING AGREEMENT, 4) UPON SUBDIVISION APPROVAL OF THE SUBJECT PREMISES CONVEY LAND

AND IMPROVEMENTS TO HAWAII HEALTH SYSTEMS CORPORATION, AND 5) RESET ASIDE LAND AND IMPROVEMENTS TO DAGS, KANAUEUE 2ND, NORTH KONA, HAWAII, TMK: 7-9-10: 81

Mr. Yada briefed the Board and recommended that the Board authorize the various actions, subject to terms and conditions.

Ms. Alice Hall, representing Hawaii Health Systems Corporation, was present to answer questions.

Unanimously approved as submitted (Holschuh/Johns).

ITEM D-16: TRANSFER AND ASSUMPTION OF DEMONSTRATION DESALTING PLANT TO HONOLULU BOARD OF WATER SUPPLY (BWS)

Mr. Uchida briefed the Board and recommended that the Board authorize the Chairperson to sign the necessary documents to transfer the desalt plant to BWS, subject to all terms, covenants, conditions and agreements as set forth in the Kapolei Business Park Demonstration Desalting Plant Agreement between the Estate of James Campbell (Estate) and the State of Hawaii, subject to Attorney General's approval.

Motion made at 11:00 a.m. to move into executive session to consult with legal counsel regarding possible litigation exposure (Johns/McCrory). The meeting was reconvened at 11:10 a.m.

Mr. George Hiu, representing the Estate, testified in support of the transfer of the desalting plant to BWS. He believed, regarding the deadline of May 31, 2001 to provide the water commitment to the Estate, that if the transfer is in the works, and things are happening positively, that the Estate could work around that deadline.

Ms. Shirley Saffery, Land Agent for BWS, agreed to allow permission to negotiate, but did not agree to the actual transfer, since they are still in the process of reviewing the agreement.

The Board advised BWS Staff that the Board can authorize the transfer and delegate the Chairperson to work out the terms and conditions, but the Board can't force BWS or the Estate to enter into an agreement, that it will be a voluntary 3-way agreement between the Estate, BWS, and the State.

Unanimously approved as submitted (Johns/Kennison).

ITEM D-5: SALE OF ABANDONED DITCH REMNANT TO MS. LAUREL BALRIDGE, POR. KAPAA HOMESTEADS, 1ST & 3RD SERIES, KAWAIIHAU, KAUAI, TMK: 4-6-8: POR. 39

Mr. Yada amended the staff's recommendation by changing the language in condition no. 4 to read: "Authorize the sale of one-half of the [subject remnant] abandoned ditch right-of-way to Laurel Baldrige...", and add a condition no. 5 to read: "This sale shall not include any portions of the ditch right-of-way that abuts State owned lands."

Unanimously approved as amended (McCory/Kennison).

ITEM D-6: SALE OF ABANDONED DITCH REMNANT TO MR. PAUL D. LEMKE, POR. KAPAA HOMESTEADS, 1ST & 3RD SERIES, KAWAIIHAU, KAUAI, TMK: 4-6-8: POR. 39

Mr. Yada amended the staff's recommendation by changing the language in condition no. 4 to read: "Authorize the sale of one-half of the [subject remnant] abandoned ditch right-of-way to Paul Lemke...", and add a condition no. 5 to read: "This sale shall not include any portions of the ditch right-of-way that abuts State owned lands."

The Board approved the following amendment as suggested by Mr. Lemke, along with the above amendments by Staff :

4. "... Paul Lemke in those areas that abut fee simple property owned by both Laurel Baldrige and Paul Lemke and the full ditch right-of-way in those areas that are sandwiched on both sides by fee simple property owned by Paul Lemke subject to the terms and conditions..."

Unanimously approved as amended (McCory/Kennison).

ITEM D-13: WITHDRAWAL FROM GOVERNOR'S EXECUTIVE ORDER NO. 1296 TO DEPARTMENT OF HEALTH FOR LANAKILA AND KAPAHULU HEALTH CENTER SITES, HONOLULU, OAHU, TMK: (1) 2-7-36: 4

Mr. Yada briefed the Board and recommended that the Board approve of and recommend to the Governor issuance of an executive order withdrawing 26,903 square feet from Governor's Executive Order No. 1296, subject to terms and conditions.

Chairperson Coloma-Agaran noted that written testimony was received from Architects Hawaii Limited, Plan Pacific, Inc., and the City Council, in support of placing a Kapahulu Community Center on the Kapahulu Health Center site.

Mr. John Whalen, representing Plan Pacific, Inc., indicated that he's not taking a position on the withdrawal, but present to give the Board some background information on the Kapahulu Community Plan, in which the City and County of Honolulu retained him to assist the Community Vision Team in preparing. He distributed a copy of the Kapahulu Community Plan, and informed the Board that the site is of vital interest to the community. He pointed out that the City has zoned the property R-5, Residential District which allows for the proposed Kapahulu Community Center as a permitted use.

Member Johns was concerned that the Department of Health, who has held on to the subject parcel for so long, was not present at this meeting. He was also concerned that there has been no response to the staff's most recent notification of its intent to withdraw the subject property from the executive order. He requested that the Chairperson contact the Director of the Department of Health before asking the Governor for the withdrawal.

Unanimously approved as submitted (Johns/Holschuh).

ITEM C-1: REQUEST FOR APPROVAL OF DLNR RADIO SYSTEM MAINTENANCE CONTRACT WITH PACIFIC SERVICE TECHNOLOGIES

Mr. Carl Masaki, Acting Administrator of DOFAW, amended the contractors name from Pacific Service Technologies, to "Pacific Wireless Communications, LLC". Staff's recommendation is that the Board authorize the Chairperson to negotiate and, subject to necessary approvals, execute the radio maintenance contract.

Mr. Ron Cannarella, Resource Evaluation Technical Services Forester for DOFAW, was present to answer questions.

Unanimously approved as submitted (Inouye/McCrory).

ITEM C-2: REQUEST APPROVAL OF CONTRACT WITH HAMAKUA HARDWOODS, INC. TO PARTICIPATE IN THE STATE FOREST STEWARDSHIP PROGRAM

Mr. Masaki briefed the Board and recommended that the Board approve this contract with Hamakua Hardwoods, Inc., and the Department of Land and Natural Resources, Division of Forestry and Wildlife, to participate in the implementation of the State Forest Stewardship Program.

Mr. Karl Dalla Rosa, Cooperative Resource Management Forester for DOFAW, was present to answer questions.

The Board asked staff to work out some acceptable language with the Attorney General's Office for future contracts regarding the State's payback upon harvest.

Unanimously approved as submitted (Holschuh/Inouye).

ITEM C-3: REQUEST APPROVAL OF CONTRACT WITH MS. LINDA BURNHAM PARISH TO PARTICIPATE IN THE STATE FOREST STEWARDSHIP PROGRAM

Mr. Masaki amended the title of the staff submittal by changing the name from Ms. Linda Burnham Parish, to "Ms. Linda Burnham Larish." Staff's recommendation is that the Board approve this contract with Ms. Larish and the Department of Land and Natural Resources, DOFAW, to participate in the implementation of the State Forest Stewardship Program.

Member McCrory was concerned that the Final Environmental Assessment would not be published in the Office of Environmental Quality Control's Environmental Notice, until May 23, 2001.

The Board decided, at the suggestion of the Attorney General, to add language to the contract, that the contract would be null and void, should there be a lawsuit filed pursuant to Chapter 343, prior to the end of the final review period with the Office of Environmental Quality Control. The Board also decided that no funds be released until then.

Unanimously approved as amended (Holschuh/McCrory).

ITEM C-4: REQUEST FOR THE BOARD TO ESTABLISH USE REQUIREMENTS AND FEES FOR THE 2001-2002 HAWAII WILDLIFE CONSERVATION STAMP

Mr. Masaki briefed the Board and recommended that the Board establish the requirement for the use of the Hawaii Wildlife Conservation Stamp to validate the FY02 Hunting License, and set the hunting stamp fee at \$5.00 for resident and non-resident hunters. Hawaii residents who are sixty-five years of age or older, and all persons with Hansen's Disease who are residents of Kalaupapa, Molokai, would not be required to pay the \$5.00 fee to obtain their hunting license validation stamp.

Mr. Paul Conry, Wildlife Program Manager for DOFAW, was present to answer questions.

Unanimously approved as submitted (Johns/Holschuh).

ITEM K-1: ISSUANCE OF REVOCABLE PERMIT TO E NOA CORPORATION, PIER 31 SHED AND ADJACENT PAVED AREA, HONOLULU HARBOR, HONOLULU, IWILEI, OAHU, TMK: 1ST/1-5-36: 1 (PORTION)

Mr. Peter Garcia, Property Management Officer for the Department of Transportation, briefed the Board and recommended that the Board authorize the issuance of a revocable permit to E Noa Corporation, subject to terms and conditions.

Unanimously approved as submitted (Inouye/Kennison).

ITEM K-2: ISSUANCE OF REVOCABLE PERMIT TO MR. DARRELL E. SIU DBA NICKY BBQ & OKAZU, IWILEI, HONOLULU HARBOR, HAWAII, TMK: 1ST/1-5-32:2 (PORTION)

Mr. Garcia amended page 2, Land Title Status, to "non-ceded land", and recommended that the Board approve the issuance of the revocable permit.

Unanimously approved as amended (Inouye/Kennison).

ITEM K-3: ISSUANCE OF A LEASE TO THE FEDERAL AVIATION ADMINISTRATION FOR A VERY HIGH FREQUENCY OMNIDIRECTIONAL RANGE TACTICAL AIR NAVIGATION FACILITY AT LIHUE AIRPORT

Mr. Garcia briefed the Board and recommended that the Board approve the issuance of the lease.

Unanimously approved as submitted (Johns/Holschuh).

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

Mr. Garcia indicated that this is a report, and that no action is required by the Board.

No action.

ITEM D-4: FORFEITURE OF GL NO. S-5043, MS. MABEL MAKANANI, LESSEE OF RECORD, (AND MR. STANFORD LINDSEY AND MS. CLAUDIA J. MAGAGNOLI-TRASK, AS ASSIGNEES OF AN UNCOMPLETED RECORD), LOT 88, KOKEE CAMP SITE LOTS, WAIMEA (KONA), KAUAI, TMK: 1-4-4: 53

Mr. Yada briefed the Board and recommended that the Board authorize the cancellation of GL No. S-5043, subject to terms and conditions.

Unanimously approved as submitted (McCrorry/Kennison).

ITEM D-8: REQUEST FOR EXTENSION ON A NOTICE OF DEFAULT FOR GL NO. S-5261, SAND ISLAND BUSINESS ASSOCIATION, HONOLULU, OAHU, TMK: (1) 1-5-41: VARIOUS

Mr. Yada briefed the Board and recommended that the Board grant a 60-day extension to allow Sand Island Business Association to cure the default, and remedy the Department of Health's Notice of Violation/Order against their sub-tenants.

Unanimously approved as submitted (Inouye/McCrory).

ITEM D-9: SALE OF ABANDONED TRIANGULATION STATION TO MR. THOMAS T. SHIROMA, ET AL, WAIAKEA, SOUTH HILO, HAWAII, TMK: 3RD/2-4-22: 32

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

Unanimously approved as submitted (Holschuh/Johns).

ITEM D-10: RESCIND PRIOR BOARD ACTION OF SEPTEMBER 28, 1984 (AGENDA ITEM F-2), REQUEST FOR EXECUTIVE ORDER TO DEPARTMENT OF TRANSPORTATION AT WAIAKEA, HAWAII, TMK: (1) 2-1-7: PORTION 51

Mr. Yada briefed the Board and recommended that the Board rescind the prior Board action of September 28, 1984, under agenda Item F-2, subject to conditions.

Unanimously approved as submitted (Holschuh/Johns).

ITEM D-12: ISSUANCE OF A DEED TO THE CITY AND COUNTY OF HONOLULU FOR ROUNDING CORNERS PURPOSES, HONOLULU, OAHU, TMK: (1) 2-4-1: PORTION 1

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

Unanimously approved as submitted (Johns/Inouye).

ITEM D-14: CONSENT TO LICENSE BETWEEN STATE OF HAWAII, DEPARTMENT OF LAND AND NATURAL RESOURCES AND UNITED STATES OF AMERICA BY AND THROUGH THE U.S. GEOLOGICAL SURVEY, WATER RESOURCES DIVISION, U.S. DEPARTMENT OF THE INTERIOR, WAILUA, LIHUE, KAUAI, HAWAII, TMK: 3-9-2: POR. 20

Mr. Yada briefed the Board and recommended that the Board consent to the license, subject to terms and conditions.

Unanimously approved as submitted (McCrorry/Kennison).

ITEM D-15: GRANT OF PERPETUAL, NON-EXCLUSIVE EASEMENT AND ISSUANCE OF CONSTRUCTION AND MANAGEMENT RIGHT-OF-ENTRY TO THE BOARD OF WATER SUPPLY FOR WATER PIPELINE PURPOSES AT PUNALUU, OAHU, TMK: (1) 5-3-2 AND -5: SEAWARD OF SOUTH PUNALUU BRIDGE NO. 9 AND NORTH PUNALUU BRIDGE NO. 10

Mr. Yada briefed the Board and recommended that the Board authorize the issuance of a perpetual non-exclusive easement, and issuance of a management right-of-entry, subject to terms and conditions.

Unanimously approved as submitted (Inouye/Kennison).

ITEM D-20: RESUBMITTAL – AFTER-THE-FACT CONSENT TO SUBLEASE GL NO. S-5468, WAIMANALO TEEN PROJECT, LESSEE, TO CASTLE MEDICAL CENTER, SUBLESSEE, WAIMANALO, OAHU, TMK: (1) 4-1-9: 265

Mr. Yada briefed the Board and recommended that the Board revise the annual rent to \$1,270 starting December 1, 1999 to April 30, 2011.

Unanimously approved as submitted (Inouye/McCrory).

ITEM B-1: REQUEST FOR FINAL APPROVAL TO AMEND HAWAII ADMINISTRATIVE RULES, CHAPTER 13-30, MANELE-HULOPOE MARINE LIFE CONSERVATION DISTRICT, LANAI AND CHAPTER 13-53, MANELE HARBOR FISHERIES MANAGEMENT AREA, LANAI

Mr. Bill Devick, Administrator of the Division of Aquatic Resources, briefed the Board and recommended that the Board approve the final amendments to Hawaii Administrative Rules, Chapter 13-30 relating to the Manele-Hulopoe Marine Life Conservation District, Lanai and Chapter 13-53, Manele Harbor Fisheries Management Area.

Unanimously approved as submitted (Kennison/McCrory).

ITEM B-2: REQUEST FOR APPROVAL TO CONDUCT PUBLIC HEARINGS TO AMEND HAWAII ADMINISTRATIVE RULES, CHAPTER 13-34, PUPUKEA MARINE LIFE CONSERVATION DISTRICT, OAHU

Mr. Devick briefed the Board and recommended that the Board approve the request to hold public hearings to amend Hawaii Administrative Rules, Chapter 13-34 relating to the Pupukea Marine Life Conservation District, Oahu.

The Board amended the staff recommendation by adding a condition to read: "That every effort should be made to hold the public hearings simultaneously with DOBOR rules effecting the area."

Unanimously approved as amended (Johns/Kennison).

ITEM B-3: REVISION OF DIVISION OF AQUATIC RESOURCES SCIENTIFIC COLLECTING PERMIT AND PROPOSED REVISION OF ISSUANCE PROCEDURES

Mr. Devick briefed the Board and recommended that the Board approve the revisions of the scientific collecting permit and the procedures for processing them.

Unanimously approved as submitted (Johns/Holschuh).

There being no further business, Chairperson Coloma-Agaran adjourned the meeting at 1:25 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. Kelihoomalu

Approved for submittal:


GILBERT S. COLOMA-AGARAN

Chairperson

Board of Land and Natural Resources

