

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

DATE: FRIDAY, SEPTEMBER 10, 2004  
TIME: 9:00 A.M.  
PLACE: KALANIMOKU BUILDING  
LAND BOARD CONFERENCE ROOM 132  
1151 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813

Chairperson Peter Young called the meeting of the Board of Land and Natural Resources to order at 9:08 a.m. The following were in attendance:

MEMBERS

Mr. Peter Young	Mr. Timothy Johns
Ms. Kathryn Inouye	Mr. Ted Yamamura
Mr. Gerald DeMello (arrived at 9:15 a.m.)	Mr. Ron Agor

STAFF

Ms. Dede Mamiya, Land	Mr. Sam Lemmo, OCCL
Mr. Paul Conry, DOFAW	Mr. John Dooling, DOT

OTHERS

Ms. Pam Matsukawa, Deputy Attorney General	
Ms. Lena Soliven, D-8	Mr. Alan Young, D-5
Mr. R. Hlivak, D-1	Ms. Jacqueline Rayla, C-1
Ms. Teresa Trueman-Madriaga, C-2	Mr. Rodney Funakoshi, K-5
Mr. Douglas Gilman, Jr., K-2	Mr. William Chandler, K-7
Mr. Robert Slenk, K-7	Ms. Carol Wilcox, D-13
Mr. Robert Gentry, D-13	Mr. Jeff Tsuzuki, K-3
Mr. Ryan Akamine, K-4	Ms. Kat Brody, K-4
Mr. Henry Curtis, K-4	

{Note: language for deletion is [bracketed], new/added is underlined}

**Item A-1: Minutes of August 27, 2004**

The Board made the following changes:

Page 2, last sentence,

**“ Payments will be made annually over fifteen years with no prepayment penalty and no interest charged. The \$33 million collected from DHHL will be applied by HCDCH as reimbursement of its infrastructure cost for the project. In lieu of monetary consideration[s] for the transfer of the lands . . .Ms. Mamiya recommended the Board authorize the conveyance of the remaining 523.852 acres at the villages of Laiopua to DHHL . . .”**

Page 4, third line

**“ . . . on the average monthly rent for the previous 24 month period, but never less than the current existing rent;”**

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

**Item D-8: Rescind Prior Board Action of January 11, 2002, Agenda Item D-34, Cancellation of Revocable Permit No. S-7245 to Lena P. Soliven and Troy Wallace, and Issuance of Revocable Permit to Lena Soliven, Kahana Valley State Park, Oahu, TMK: 5-2-02: por. of 01.**

Dede Mamiya, Administrator of the Land Division appeared before the Board and indicted the applicant still owes rent but there is some discrepancies as to the amount due therefore she is recommending the Board defer this item.

Lena Soliven noted her agreement to defer this item.

**Motion to Defer.**

**Unanimously approved to Defer (Inouye/Johns).**

**Item D-5: Consent to Assign Grant of Non-Exclusive Easement No. S-28227, Ann V. Young, Assignor, to Susan R. Graham, Assignee, Wailua-Nui, Hana, Maui, TMK: (2) 1-1-08: por. 05 & 24.**

Ms. Mamiya communicated the applicant is seeking an access easement for a parcel of land she is purchasing. She made it clear the assignor is current in all compliance items under the Grant of Easement. Ms. Mamiya recommended the Board consent to the assignment of Grant of Non-Exclusive Easement No. S-28227.

Alan Young was present.

**Unanimously approved as submitted (Yamamura/Johns).**

**Item D-1: Amendment to Character of Use Under General Lease No. S-3747, U.S.A., by its Corps of Engineers, Waialua, Mokuleia, Oahu, TMK: (1) 6-7-3 and 8-4-2.**

Ms. Mamiya pointed out this action is to amend the existing character of use for the subject lease. At present the Army Corps of Engineers believes there is a question as to who can use the subject site, the Army versus the Navy. To clarify who and what the subject parcel can be used for Ms. Mamiya is suggesting changing the character of use to the use stated at the top of page 2 of staff's submittal. Ms. Mamiya is recommending the Board authorize an amendment to General Lease No. S-3747 by amending the character of use to the Proposed Character of Use.

R. Hlivak of the Department of Accounting and General Services was present to answer any questions.

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

**Item C-1: Request Approval of Contract with Ms. Jacqueline Ralya to Coordinate the Federally Funded Volunteer/Technically Assistance Function of the Urban & Community Forestry Program for the Division of Forestry and Wildlife.**

Paul Conry, Administrator of the Division of Forestry and Wildlife conveyed that Jacqueline Rayla responsibilities under this contract would include assisting the Program Coordinator with drafting and implementation of a new 5-year Urban and Community Forestry Strategic Plan. However her primary task will be to work with the community to search out interested groups, field all new sub-grant proposals, provide technical support to help communities develop projects and proposals for approval by the Kaulunani Council and advise the Council on the technical aspects of project proposals during the quarterly review meetings. Ms. Rayla will also monitor all tree planting projects for the Kaulunani Program. Mr. Conry recommended the Board approve the two-year contract with Ms. Jacqueline Ralya to coordinate the volunteer/technical assistance function of the Urban and Community Forestry Program for the State of Hawaii.

Jacqueline Rayla was present to answer any questions.

**Unanimously approved as submitted (Johns/Agor).**

**Item C-2: Request Approval of Contract with Ms. Teresa Trueman-Madriaga to Coordinate the Federally Funded Urban and Community Forestry Program for the Division of Forestry and Wildlife.**

Mr. Conry communicated his request to approve a contract with Teresa Trueman-Madriaga to coordinate the Urban and Community Forestry Program. Her major responsibilities will be to administer the program and provide primary program assistance to the Chairperson of the Kauluanani Council. She will prepare quarterly Council meeting agendas, work with grantees and prepare grant applications for approval. Upon approval from the Kaulunani Council Ms. Trueman-Madriaga will monitor and request project updates for proper payments and make sure that matching requirements of projects are satisfactory for final payment. Additionally, she will write Federal grant proposals, provide bi-annual reports and provide the necessary data for the National Performance Measures & Accountability System. Mr. Conry recommended the Board approve the two-year contract with Ms. Teresa Trueman-Madriaga to coordinate the Urban and Community Forestry Program for the State of Hawaii.

Teresa Trumen-Madriaga was present.

**Unanimously approved as submitted (Johns/Yamamura).**

**Item C-3: Appointment and Selection of a Hearing Officer to Conduct Hearings for a Contested Case Hearing, and Waiver of Petitioner's Failure to Submit a Written Request for Contest Case Hearing within 10 days.**

Mr. Conry made it known that Mr. Ralph Luciano has requested this item be deferred as he is unable to make today's meeting therefore Mr. Conry recommended the Board defer action on this item.

**Motion to Defer**

**Unanimously approved to defer (Yamamura/DeMello).**

**Item C-4: Request Approval of Contract with Ms. Denise Laitinen to Coordinate the Federally Funded Assistance Function of the Hawaii Firewise Program for the Division of Forestry and Wildlife.**

Mr. Conry conveyed that under the proposed contract with Denise Laitinen she would coordinate, plan and implement the Hawaii Firewise Program. She will provide technical assistance to community leaders, groups and individuals who are interested in protecting their homes from wildfires. This action will be supplemented by workshops and meetings, attending public venues, and providing information about fire behavior and wildfire protection in the wildland urban interface setting. Mr. Conry recommended the Board approve the contract with Ms. Denise Laitinen to coordinate the Hawaii Firewise Program for the State of Hawaii.

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

**Item K-5: Conservation District Use Application (CDUA) No. OA-3184 Regarding Seawall Improvements, Andrew and Susan Tompkins,**

**Trustees ATS 1998 Trust, Portlock, Maunalua, Oahu, Subject Parcel  
TMK: (1) 3-9-026:005.**

Sam Lemmo, Administrator for the Office of Conservation and Coastal Lands indicated the proposed improvements to the seawall include placing a six inch layer of gunite over the existing seawall and buttresses, placing a twenty-four inch width "cap" at the top of the seawall, repair three fallen buttresses located seaward at the north end of the wall and construct an outlet for a new proposed drainpipe. The gunite facing and cap are intended to strengthen the seawall, which appears to have been constructed with insufficient thickness and inadequate footing. Upon review of the application Mr. Lemmo believes the continual utilization of the existing seawall will not affect the public use of Maunalua Bay for recreational activities. He also pointed out the area in the immediate vicinity of the wall is not identified as a sandy beach and therefore repair and the continual use of the wall will not hinder beach processes. Mr. Lemmo went on to say that repairs to the seawall would decrease the potential of adverse impacts such as increased sedimentation and turbidity from soil erosion to off shore waters. In conclusion, Mr. Lemmo recommended the Board approve this application for Seawall repair.

Rodney Funakoshi, Project Manager was available to answer any questions.

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

**Item K-2: Enforcement Case OA-05-09 Regarding Alleged Unauthorized Construction of Shoreline Structure at Kaawa, Oahu, Fronting Subject Parcel TMK: (1) 4-9-008:003, by Mary Lee (Trust) 49-713 Kamehameha Highway, Kaawa Highway, Hawaii 96730.**

Mr. Lemmo pointed out on June 23, 2004 the Department staff conducted a site inspection of the subject parcel and observed an unauthorized shoreline structure located along the shoreline fronting the subject parcel. Upon research of their files staff noted there was no record of authorizing the placement of the structure. The City and County of Honolulu, Planning and Permitting also has no record of any application or permits for shoreline structures or any work within the Shoreline Setback area implying the subject structure may be in violation of county rules as well as State Conservation District rules. Mr. Lemmo disclosed that a November 2003, aerial photograph revealed the structure was not in its present condition during the time of the photograph, implying it was built sometime after November, 2003. Mr. Lemmo recommended the Board find that the alleged violated the provisions of Title 13-5 HAR and Chapter 183C, Hawaii Revised Statutes by failing to obtain the appropriate approvals for the construction of a shoreline structure and is subject to the conditions listed in staff's submittal.

Douglas Gilman Jr whose father is a trustee of the Mary Lee Trust came forward to testify. He told the Board his aunt purchased the property in the forties and as far as he knows the wall has always been there. He provided the Board with a photo of the area from 1967, which showed the existence of the wall. Mr. Gilman informed the Board during the winter season the waves tend to break down the wall so what his father did was to rebuild the wall

(with different size wood) that was previously there. He went on to tell the Board he does not feel the wall will adversely effect the shoreline as the wall has been there for forty years and there is still a beach. He made it known he is currently working with the County to resolve their violations.

The Board questioned whether the shoreline structure existed prior to the 1999 Board's "no tolerance" policy for unauthorized shoreline structures. The Board was in favor of granting the applicant a deferral in order to obtain more information on when the shoreline structure was built.

**Motion to Defer**

**Unanimously approved to defer (Inouye/DeMello).**

**Item K-7: Request to Extend the Process Period to Allow William and Joyce Chandler Sufficient Time to Complete a Land Restoration Plan.**

Mr. Lemmo reminded the Board on January 9, 2004 the Board found the Chandler's to be in violation of three instances regarding Enforcement Case OA-04-11 and was subject to ten terms and conditions. This Board submittal pays particular attention to condition four and five which states that the applicant shall submit a remediation/restoration plan within 30 days of the Board's action. On February 13, 2004, Mr. Chandler submitted a remediation/restoration plan, which was approved. On two other occasions, April 12, 2004 and May 14, 2004, the Chandlers requested and were granted a time extension. Mr. Lemmo noted his concern with information of all aspects not being provided to the Department. Mr. Lemmo recommended the Board deny the request to extend the procession period for an additional 120 days and that the Board approve a thirty (30) day time extension until October 10, 2004.

The Board questioned staff about the remediation plan specifically with regards to a wall that was constructed. Mr. Lemmo indicated the retaining wall constructed by Mr. Chandler was not the wall indicated on the remediation plan, which is to be built between the Urban and Conservation area. Mr. Lemmo feels that the Board granted Mr. Chandler two previous extensions with the intention that he was to remediate the conservation area that was disturbed not continue with the construction of his home.

William Chandler the applicant and Robert Slenk his consultant appeared before the Board to provide testimony. Mr. Chandler assured the Board he has work very hard to fulfill the conditions imposed upon him by the Board. He went on to explain the work that has taken place thus far. Mr. Slenk went on to further explain the necessary preparations that had to take place before the wall noted on the remediation plan is put into place.

The Board noted their concern with Mr. Chandler's timetable to complete the remediation plan and their concern that the rainy season is just around the corner and could cause some problems.

Mr. Chandler told the Board he would need an additional 90-days to complete the approved remediation plan and if the Board saw it fit to grant him an extension he would appear before the Board with monthly progress reports as to what is being done and what has been completed. He made it clear to the Board no other work has taken place on the subject parcel except for the work indicated on the approved remediation plan. He told the Board if he is granted a ninety (90) day time extension and the work is not completed by then he is willing to agree to staff imposing a per day fine until the work is completed.

**The Board amended the Recommendation Section as follows:**

- "1. That the Board of Land and Natural Resources deny the request to extend the processing period an additional 120 days. That the Board approve a [~~thirty (30)~~] ninety (90) day time extension until [~~October 10, 2004]~~ December 10, 2004 for completion of the remediation plan as approved by the Office of Conservation and Coastal Lands. If the remediation plan is not approved and accepted by December 10, 2004 as being complete a fine will be imposed of \$2,000 per day (starting on December 11, 2004) until the work is accepted by the Office of Conservation and Coastal Lands.**
- 2. Immediately within (2) two weeks an intermediate remediation plan must be implemented. The remediation plan must be approved by the Office of Conservation and Coastal Lands and shall be completed within two (2) weeks. If the intermediary plan is not completed within (2) two weeks Mr. Chandler will be fined \$2,000 per day until he completes the intermediate remediation plan."**

Approved as submitted (Inouye/DeMello).  
Members Johns and Agor voted No.

**Item D-13: Briefing of the Board of Land and Natural Resources on Commercial Activity Permitting on Unencumbered Lands.**

Ms. Mamiya pointed out staff has been developing administrative rules relating to unencumbered public lands, primarily the beaches. She indicated public hearings were held on Oahu, Maui, Kauai and Hawaii. The main concern voiced by the public was their ability to give input into the permit process and to be made aware of public meetings. After the public hearings staff looked at the fundamental issues before them. Ms. Mamiya felt in creating these new set of rules for the beach staff identified four alternatives: 1) Where there is a county or State beach park, set aside the beach from the high water mark to the low-low water mark to the respective park agency; 2) Place beaches under the jurisdiction of the Division of Boating and Ocean Recreation (DOBOR); 3) Create a new division or office within the Department; and 4) Place all beaches under the jurisdiction of the counties. Ms. Mamiya made in know they have begun implementing the first alternative by transferring some of the beaches to the County of Maui.

Chairperson Young told the members of the Board another alternative might be to set up a Recreational type of division, which would focus on activities on the beach.

Carol Wilcox came forward to testify in favor of protecting the ocean resources. She feels these new rules are a jurisdictional recommendation as opposed to a policy recommendation. She feels the Department should first work at developing a policy either at the Board level or at the Legislative level. She spoke of the development of the Ocean Resource Management Plan, which believed in a strong policy towards the conservation of our ocean and beaches. The Plan also looked at the compatibility between the land use and the water use. Ms. Wilcox asked that DOBOR not be placed in charge of commercial activity permitting as she feels DOBOR does not possess a conservation belief instead DOBOR looks at commercializing activities. She asked the Board to consider a blanket prohibition against commercial activities of our beaches, but if there is commercial activities in the ocean that transects the beach a permit would be required from the division that owns the land and lastly there should be nexus of water use and land use in which you don't allow activities from a resort to spill onto the beach and any permits would be like a license (not vested and must be renewed on a regular basis).

Robert Gentry, President of the Gold Coast Neighborhood Association testified that he would like to see commercialization on our beaches decreased. He believes the Department should work towards better coordination of enforcement and rule making between other government agencies. Mr. Gentry spoke of a model developed in California and asked that the Department consult with Peter Douglas the Executive Director of the California Coastal Commission to explain their model. He made it known the California model gives authority to the highest level of government in this case the State of Hawaii to conserve, protect and monitor the resources.

**No Action.**

**Item K-3: Enforcement Case OA-04-30 Regarding Alleged Unauthorized Construction of a Shoreline Structure at Kaneohe Bay, Oahu, Fronting Subject Parcel TMK: (1) 4-4-018:080, by Jeff Tsuzuki 44-235 Mikiola Drive, Kaneohe Bay, Hawaii 96744.**

Mr. Lemmo let it be known the construction of the original seawall was thought to have been made before the establishment of the conservation District in 1964. To substantiate this fact an aerial photograph from 1961 was produced which revealed the presence of the pier and the original seawall. Because the pier and seawall were in place before the establishment of the Conservation District rules these structures are considered non-conforming and thus are not considered a violation. However, Mr. Lemmo notes the additional work carried out on the seawall is clearly a violation of state conservation District rules. Mr. Lemmo recommended the Board find the alleged violated the provisions of Title 13-5 Hawaii Administrative Rules and Chapter 183C Hawaii Revised Statutes for failing to obtain the appropriate approvals for the construction of a shoreline structure and is subject to the conditions listed in staff's submittal.



Jeff Tsuzuki the alleged came forward to note his agreement with staff's recommendations.

**The Board amended item B) and C) of the Recommendation Section to read:**

- "B. That the Board of Land and Natural Resources impose a fine of \$2,000 pursuant to Chapter 183C, HRS to be paid within 30 days of the Board's action.**
- C. [~~That upon payment of the fine by the alleged,~~] Within sixty (60) days of the date of the Board's action, the alleged shall apply for an after-the-fact Conservation District Use Application (CDUA0 with the DLNR for continued sue of the seawall;"**

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

- Item M-1: Issuance of Lease by Direct Negotiation, Fresh Island Fish Company, Inc., Pier 38, Honolulu Harbor, Island of Oahu, Tax Map Key No. 1<sup>st</sup>/1-5-42-6 (Portion).**

John Dooling representing the Harbors Division of the Department of Transportation briefed the Board and recommended the Board authorize the disposition of a lease via direct negotiation for the purpose stated in the submittal and the terms and conditions outlined and any such terms as may be prescribed by the Director.

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

- Item M-2: Issuance of Lease by Direct Negotiation to Taketoshi Gibo, DBA Take's Fish Market, Unit 2, Multi-User Building, Domestic Commercial Fishing Village, Pier 38, Honolulu Harbor, Oahu.**

Mr. Dooling briefed the Board and recommended that the Board authorize the issuance of a lease by direct negotiation to the applicant, subject to the terms and conditions outlined in staff's submittal and such terms and conditions as may be prescribed by the Director of Transportation.

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

- Item K-4: Enforcement File No. HA-05-08 Regarding Alleged Unauthorized Land Uses found at the James Clerk Maxwell Telescope (two antennas, weather tower, trash and crates); Subaru Japan National Large telescope (see page pit collar, weather tower, storage container); and Smithsonian Astrophysical Observatory Sub Millimeter Array (construction materials, storage container, concrete pads) at Mauna Kea, Hamakua District, Island of Hawaii, Subject Parcel TMK: (3) 4-4-015:009, by University of Hawaii, c/o Institute for Astronomy (UHIFA), 2680 Woodlawn Drive, Honolulu, Island of Oahu, 96822.**

Member DeMello recused himself.

Mr. Lemmo informed the Board staff conducted a site visit to the Mauna Kea Science Reserve in May 2004 to ensure the various telescopes, observatories and their facilities are in compliance with the permit issued by the Board. Staff noted some unauthorized uses and informed the University of these violations. Since that time the University has worked towards cleaning up the fines. Mr. Lemmo recommended the Board find the landowner in violation of Chapter 183C HRS and Chapter 13-5, HAR and subject them to the conditions listed in staff's submittal.

Ryan Akamine, Associate General Counsel for the University of Hawaii noted his office has sent in a written response to the staff's report and has supplemented that testimony with today's additional testimony. He made it known the University does not believe they should be fined but in the event they are fined he feels they should only be fined for four different violations. He also requested that the administrative cost be for actual costs incurred as oppose to round numbers.

Mr. Lemmo communicated the administrative cost includes travel, hotel accommodations and staff time for this item.

Kat Brody, Assistant Director of Life of the Land spoke of the meaning of Mauna Kea and the formation of the island of Hawaii. She spoke of their sadness towards the desecration of Mauna Kea. Ms. Brady feels the astronomers on Mauna Kea should share the information they've obtained from their research. Lastly, she made it known the fines assessed to the University will probably have no impact on the University as they will view the fines as the cost of doing business in Hawaii. Ms. Brody hopes the Attorney General's Office will assess fines that will be more meaningful and monitor the University's use of Mauna Kea.

Henry Curtis, Executive Director of Life of the Land pointed out the fines imposed on the University works out to be less than \$1.00 per day.

**Approved as submitted by the remaining Board members (Johns/Yamamura).**

**Item K-6: Time Extension Request for Conservation District Use Permit (CDUP) KA-2870 for a Single Family Residence (SFR) Waioli Valley, Hanalei, Kauai, Subject Parcel TMK: (4) 5-5-008:006, by Joseph N. Kobayashi, P.O. Box 589, Kapaa, Hawaii, 96746.**

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

**Item K-1: Enforcement File No. HA-03-49 Regarding Alleged Unauthorized Construction of a Bed and Breakfast Facility, Lanai Additions and Other Improvements, John and Michelle Gamble, c/o The Palms Cliff House, 28-3514 Mamalahoa Highway, P.O. Box 189, Honomu, Hawaii 96728-0189, Subject Parcel (3) 2-8-013:038.**

Mr. Lemmo made it known he is in receipt of a letter from Steven Lim, attorney for the alleged which asked staff to defer this item so he can familiarize himself with this case.

**Motion to Defer**

**Unanimously approved to Defer (Johns/Yamamura).**

**Item D-6: Forfeiture of General Lease No. S-4665, H. Harada Contractor, Inc., Lessee, Waiakea, South Hilo, Hawaii, TMK: (3) 2-2-37:98.**

Ms. Mamiya indicated H. Harada Contractor, Inc., has paid all delinquent monies owed on this lease. Although the payment was made after the cure period there are certain circumstances (having no bond) that if the lease is cancelled today the State would be left without anything.

**The Board amended the Recommendation Section by adding a new paragraph 5 to read as follows:**

**“5. Provided that if the Lessee provides a secured performance bond within 60 days of this Board meeting, this cancellation shall be automatically rescinded (the waiver of performance bond requirement is rescinded).”**

**Unanimously approved as amended (DeMello/Johns).**

**Item D-2: Set Aside to Department of Human Services for He**

**Item D-3: Sale of Remnant Ditch Right-of-Way to Tex Investments, LLC, Kaneohe, Koolaupoko, Oahu, TMK: (1) 4-5-37:57.**

**Item D-4: Consent to Issuance of Revocable Permit for Lands under Governor’s Executive Order No. 1189 to Molokai General Hospital, Pukoo, Molokai, TMK: (2) 5-7-07:16.**

**Item D-7: Consent to Assign Lease of Non-Exclusive Easement S-5210, Edward J. Morgan, Assignor, to Linda M. Rivera, Trustee of The Linda M. Rivera Trust dated July 26, 1995, Assignee, Kaluanui, Oahu, TMK: (1) 5-3-10: sea of 17.**

**Item D-9: Set Aside to the County of Hawaii; Issuance of Immediate Construction and Management Right-of-Entry for Recreational Purposes, Waiakea, South Hilo, Hawaii, TMK: (3) 2-1-13:06 & 144.**

**Item D-10: Issuance of Revocable Permit to Shawn Grace, Por. of Hanapepe, Waimea, Kauai, TMK: (4) 1-8-08:07 & 32.**

**Item D-11: Amend Prior Board Action of December 12, 2003, Item D-38, Regarding the Holdover of Leases for Various Lessees, Kokee**

**Campsite and Puu Ke Pele Park Lots, Waimea, Kauai, TMK: (4) 1-4-03, 1-4-04 and 1-4-02.**

**Item D-12: Issuance of Revocable Permit for Commercial Purposes to Hilo Termite and Pest Control Ltd., Waiakea, South Hilo, Hawaii, TMK: (3) 2-2-50:79.**

**Item L-1: Permission to Hire Consultants for Division of Forestry and Wildlife Special Funds Funded Project.**

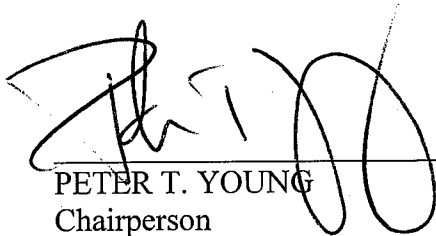
**Unanimously approved as submitted (Johns/Yamamura).**

There being no further business, Chairperson Young adjourned the meeting at 1:30 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,

*Terry Crowell*  
Terry Crowell

Approved for submittal:

  
\_\_\_\_\_  
PETER T. YOUNG  
Chairperson  
Department of Land and Natural Resources