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

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| DATE: | FRIDAY, OCTOBER 13, 2006 |
| TIME: | 9:00 A.M. |
| PLACE: | KALANIMOKU BUILDING<br>LAND BOARD CONFERENCE ROOM 132<br>1151 PUNCHBOWL STREET<br>HONOLULU, HI 96813 |

Chairperson Peter Young called the meeting of the Board of Land and Natural Resources to order at 9:10 a.m. The following were in attendance:

MEMBERS

Mr. Peter Young
Mr. Ron Agor
Mr. Samuel Gon III
Mr. Tim Johns
Mr. Jerry Edlao

STAFF

Ms. Charlene Unoki, Land
Mr. Sam Lemmo, OCCL
Mr. Paul Conry, DOFAW
Mr. Russell Tsuji, Land
Ms. Karen Motosue, State Parks

OTHERS

Mr. Randy Ishikawa, Deputy Attorney General
Mr. Ben Welborn, K-1
Ms. Leona Alatini, D-15
Mr. Randy Vitousek, K-2
Ms. Lisa Ferentinos, K-4
Ms. Mary Paty, E-2
Mr. Brad Pruitt, D-12
Mr. Guillermo Geldermann, D-12
Mr. John Sakaguchi, K-5
Mr. John Carroll, D-15
Ms. Katherine Browning, K-2
Mr. Randy Paty, E-2
Mr. Kirc Belsby, D-4
Dr. Anthony, D-12
Ms. Kimberly Uehara, C-2 and C-3

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

**Item D-16 Reconsideration of Prior board Action of July 14, 2006, Item D-6, and Reinstatement of General Lease s-5705, and Consideration and Decision Making on Allowable uses under General Lease S-5707; All tree Services, Inc., Waimanalo, Koolaupoko, Oahu, TMK: (1) 4-1-10:048 (ADMINISTRATION/Russell)**

Motion was made to go into executive session to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

Motion to go into executive session, unanimously approved (Johns, Gon)

Board went into executive session at 9:10 am

Meeting back in session at 9:23 am

**Item A-1: Minutes of September 22, 2006**

**Unanimously approved as submitted (Edlao, Johns)**

**Item D-15 Forfeiture of General Lease No. S-3856, Hemaloto Alatini and Leona Alatini, husband and wife, Lessee, Waimanalo, Koolaupoko, Oahu, TMK: 4-1-024:023 (ODLO/Cecil).**

Mr. Russell Tsuji, Administrator of the Land Division, stated that this submittal was to bring back to the Board the forfeiture on a lease to the Alatini's. At the last Board Meeting, the Board had approved Staff's recommendation for the forfeiture of the Alatini lease but delay the implementation of the forfeiture until this matter was brought back on October 13th. The Board had asked to lessee to completely clean up the property and also submit a diversified agricultural business plan. Staff has checked the property and found that the property is cleaned and they have also reviewed the business plan and believe it to be consistent with the terms and conditions of the leas. Therefore, Staff asked the Board to reconsider the prior Board action and to reinstate the lease.

Member Johns made a motion to accept Staff's Recommendation, Number 2.
Member Edlao second the motion.
Mr. Tsuji wished to make an amendment
Member Johns withdrew his motion
Member Edlao withdrew the second

Mr. Tsuji wished to amend recommendation 2 to clearly state that the Board is reconsidering their prior Board action of lease forfeiture, that the Board is reinstating the lease and that the agricultural plan submitted by the applicant is satisfactory.

**The Board:**

**Based upon staffs' report and recommendation, the Land Board reconsidered its prior board action of September 8, 2006 and reinstated General Lease No. S-3856 issued to Hemaloto and Leona Alatini, Lessees, Waimanalo, Koolaupoko, Oahu, TMK: 4-1-024:023.**

**Unanimously approved as amended (Johns, Edlao)**

**Item K-2 Time Extension Request for Conservation District Use Application (CDUA) HA-3269 for a Single Family Residence at Pao`o, North Kohala, Hawaii, TMK (3) 5-7-01:5.**

**Unanimously approved as submitted (Johns, Gon)**

**Item K-5: Conservation District Use Application (CDUA) OA-3358 for a State Civil Defense Warning and Communications Device Installation at Moanalua Valley Neighborhood Park, Moanalua, O'ahu, TMK (1) 1-1-12:35.**

Member Johns recused himself.

Mr. Sam Lemmo, Administrator for the Office of Conservation and Coastal Lands (OCCL), stated that this project is for a siren to be installed at Moanalua Valley Neighborhood Park and Staff has no issues with this application. However, there is a request for a modification to one of the conditions. Condition 10 indicates that the applicant will prepare an archeological monitoring plan and submit it to SHPD. The plan should be coordinated from the beginning to the end of the field work and an archeological monitor must be present. Mr. Lemmo believes that this condition was carried over from when they did a similar project in Ha'ena, and may not be applicable for this site. Therefore Staff would like to replace it with their standard condition which states that should historical remains such as artifacts, burials, etc. encountered during construction activities, work shall cease immediately in the vicinity of the find and the find shall be protected from further damage. The contractor shall immediately contact SHPD which assess the significant of the fine and recommends appropriate mitigation measures necessary.

Mr. Lemmo stated that no comment was received from SHPD and OHA has indicated that this type of arrangement is okay with them. Ha'ena had a high probability of finding historical remains which is why they had a different condition. The standard condition in this case is fine and will protect any historical remains if found.

John Sakiguchi, from Wilson Okamoto, the consultants for the Department of Accounting and General Services (DAGS), stated that they have read the Staff report and concur with the conditions. Mr. Lemmo had spoken with them in regards to condition 10 and DAGS indicates that the condition to inform Historic Preservation in the event of any cultural remains is a standard provision for the general conditions of the construction documents; therefore, it is already covered.

**The Board:**

**Amendment to Recommendations:**

**"10. The applicant will prepare an archaeological moitoring plan and submit it to SHPD, coordinate the beginning and end of the field work with SHPD, <u>and should historic remains such as artifacts, burials or concentration of charcoal be encountered during construction activities, work shall cease immediately in the vicinity of the find, and the find shall be protected from further damage. The contractor shall immediately contact the State Historic Preservation Division (692-</u>**

**8015), which will assess the significance of the find and recommend an appropriate mitigation measure, if necessary. [~~Have an archaeological monitor present during all ground-altering activities, and contact SHPD if any significant deposits or skeletal remains are discovered.~~]"**

**Unanimously approved as amended (Gon, Edlao)**

**Item K-4 Conservation District Use Application (CDUA) OA-3351 for a Portion of the Kalihi Valley Nature Park and Active Living Center Located at 3659 Kalihi Street, Kalihi Uka, Oahu, TMK: (1) 1-4-014:001.**

Mr. Lemmo stated this is a State Park property and the applicant is Kokua Kalihi Valley. The property is currently under lease to the applicant from State Parks. It is located at the head of Kalihi Valley and stretches from the center of Kalihi Stream to the top of Kamanaiki Ridge. Access to the area is at the Mauka end of the property, pass the last wooden bridge. Approximately 42 acres of the area is designated urban and 57%, upslope of that is designated conservation. In the conservation area, the applicant is proposing the creation of pedestrian pathways, hiking trails, a nature camp with bunk house, and tent camping areas. Existing structures will be renovated or repaired within their existing footprint, remnant nursery material, such as pipes and planters will be removed, and the existing tea house is beyond repair and will be torn down. Compost and toilet facilities will be installed along with shelter and picnic tables and tent paths.

OCCL received comments from other agencies such as the Department of Forestry and Wildlife, who were concerned with potential rock falls. The applicant had a geologist look at the area, who determined that the risk of a rock fall was low and as long as the structures were located 150 feet away from the bottom of the slope, it shouldn't be a problem. The Ilia Paio critical habitat was also an issue because of the trail building in the higher elevation portion of the area. The applicant indicated that only a triangular portion of the parcel is within the habitat therefore it shouldn't be an impact. Na Hele questioned why there was no mention of multi use of the trails and the applicant responded that they are going to try to include some mountain bike usage, but indicated that equestrian usage would not fit in with this particular project.

Kalihi Neighborhood Board was pleased with this project, as indicated in comments sent to the department. Staff feels that his project provides alternative park space for the public in urban Honolulu and the project fits into the objectives State Parks by creating access to more outdoor activities for individuals to be physically active and a part of nature.

Member Gon commented on recommendation 13 which included a statement on landscaping. It states that endemic and native plant species will be used. He mentioned, based on the background information provided in the submittal, that this particular area was extensively cultivated prior to western contact. Therefore, it might be appropriate

and provide more flexibility for the applicant, to not only include endemic or indigenous plants appropriate for the elevation, but also include Hawaiian cultivation species or appropriate Polynesian introductions.

Lisa Ferentino, project coordinator, expressed her gratitude to the department and individual divisions for their help. She mentioned that the geologist hired was Kevin Gooding and that they had agreed to the condition that he had recommended; that they keep all structures 150 feet away from the steep ridge. She also said that the high bench will not be used for camping and that they agreed to all of the conditions that Staff had put forth.

**Amendment to Recommendations;**

**"13. All new landscaping [~~will~~] shall be endemic, [~~or~~] indigenous <u>or appropriate Polynesian</u> plant species;**
**Unanimously approved as amended (Johns, Edlao)**

**Item K-3 Request for 120-Day Time Extension to the 180-day Processing Period for Conservation District Use Application (CDUA) OA-3266 to process Haseko request to utilize State-owned land for proposed drainage system improvements located in Ewa District, Island of Oahu, Subject Parcels TMKs: (1) 9-1-11:002 and 003.**

Mr. Lemmo stated that this application is a contested case and the hearing will be held in December. Staff believes all interests are served by this extension, therefore, Staff is recommending approval for a 120-day time extension to complete this contested case, which would take it up to March 9, 2007.

**Unanimously approved as submitted (Johns, Gon)**

**Item K-1 Conservation District Use Application (CDUA) KA-3309 for the Proposed Browning Single Family Residence (SFR), Located in Haena District, Island of Kauai, Subject Parcel TMK: (4) 5-9-005:029.**

Mr. Lemmo stated that the land owners and applicants are Kent and Katherine Browning. Project is located on a 30,000 sq. ft. parcel at Haena. They are proposing the construction of a 3,500 square foot, elevated, single family residence; elevated to comply with the flood zone restrictions. An environmental assessment was published, but Staff had 3 concerns.
1. The shoreline certification process not completed
2. There is an existing rock wall and are concerned with it extending into the shoreline set back area
3. They were concerned with the proposed set back of 61 feet which Staff felt was not sufficient for this area.

Mr. Lemmo revealed some background information, in which he said this property is in the Haena Hui partition. He stated that Staff normally encourages the building of a single family residence, however strongly feels that the setback is insufficient. This problem was addressed in a number of correspondences from 2005-2006. The well known facts for this shoreline are that it is subject to erosion, tsunami inundation, flooding, and high surf. Set back was determined through a shoreline analysis. On January 17, 2005, D, K, and A submitted a report in which they calculated 2 erosion rates, one determined by the vegetation line and the other by the toe of the beach. These were calculated based on aerial photos over 52 years. There are problems using the vegetation line for a shoreline reference because it can be easily manipulated and not give a complete picture of the historical shoreline change. Using the erosion rate measure from the toe of the beach, Staff came up with a set back of 106 feet for a 50 year structure lifetime. The calculated erosion rate was 1 foot per year therefore the set back was calculated by multiplying 50 years and the erosion rate of 1 ft/yr, 20% was added for error, 10% for sea level rise, and 40 feet for a buffer zone. They originally had come up with 132 feet set back using a 70 year structure lifetime, but felt that it was a bit extreme. Staff felt that this was a better set back because this area is located in a limited sub-zone, in a high, coastal hazard area. Staff's recommendation would be to allow the building of the single family residence with specific conditions including a building set back of 106 feet.

Randy Vitousek, attorney for the Brownings argued that there are detailed criteria for building a single family residence in the conservation district and one of those criteria are that the home should be in conformance to applicable building and grading code and shoreline set back provisions. Therefore DLNR regulations already adopt the County set back regulations which calls for a 40 foot set back from the vegetation line. The shoreline is defined as the upper reach of the wash of the waves as evidence by the vegetation line, not the toe of the beach. The problem with the beach toe or water line is that it is subject to large seasonal changes in wave energy. Therefore it is better to take both the vegetation line and the toe of the beach into consideration. Elanie Tomaye, who calculated the erosion rate, tracked both the vegetation line and the toe of the beach. The beach toe line showed much more variation while the vegetation line remained mostly stable over the 52 year period of photos. Therefore the vegetation line was used as a better indicator of the erosion rate. She took a 70 year house lifetime, the erosion rate, and buffers to create the 61 foot set back. However, the applicants are okay with a 70 foot set back. In regards to the wall, they won't go 40 ft to the shoreline; rather they will withdraw that request. He also pointed out that if the set back is 100 feet, the house would have to be built up further due to a burm at the certified shoreline.

Member Gon and Member Johns agreed that in this case, the vegetation line looked stable over time therefore the use of vegetation line should be okay. Mr. Lemmo rebutted that the shoreline in this area has been manipulated and that over time it can be made to look stable in the photos.

Katherine Browning, applicant, stated that they had bought this property and had designed their home to the best of their ability, relying on people so that they could get

their dream house. She is confused because they had purposely bought beach front property, but with the 106 foot set back, it would place them on the road.

As an alternative, Mr. Lemmo suggested altering the plans for the house.

**The Board:**

**Amended Staff Recommendation:**

**"18. That the proposed browning SFR will have a [~~106~~] 70 foot setback from the Certified Shoreline to protect and preserve the coastal resources. The setback may be established from the most seaward face of the building's foundation;**

**19. That the proposed dry stack lava rock wall should terminated [~~40~~] 70 feet from the certified Shoreline, and not terminated at the certified Shoreline.**

**The Board also approved a height variance of 5 feet from the Maximum Height Limit (MHL) of twenty-five (25) feet, pursuant to HAR, Section 13-5-41(a), SINGLE FAMILY RESIDENCES; STANDARDS.**

**Unanimously approved as amended (Agor, Johns).**

**Item D-16: Reconsideration of Prior Board Action of July 14, 2006, Item D-6, and Reinstatement of General Lease S-5707, and Consideration and Decision Making on Allowable Uses under General Lease S-5707; All Tree Services, Inc., Waimanalo, Koolaupoko, Oahu, TMK: (1) 4-1-10:048 (ADMINISTRATION/Russell)**

Mr. Tom Staton, Quality Turf Grass, Waimanalo, lives across the street from the property, stated that the Board had made its decision at the July 14th meeting and therefore should let the courts decide.

Attorney General stated that this case has been in litigation and recommended that the Board reconsider its prior action.

**The Board:**

**Upon the advice of counsel, the Land Board: (i) reconsidered its prior board action of July 14, 2006 that had resulted in a lease forfeiture, and instead reinstated General Lease S-5707 to All Tree Services, Inc; (ii) authorized the Department of the Attorney General to work with counsel for All Tree Services, Inc. in drafting the appropriate settlement documents that would provide for, among other things and that the lawsuit would be dismissed with prejudice, with each party bearing their own attorneys' fees and costs; and (iii) authorized the Chairperson to approve and execute the settlement documents on behalf of the Land Board.**

**Approved as submitted (Johns, Agor).**

**Item E-1: Approval to enter a grain-in-aid agreement with various non-profit organizations**

Member Johns recused himself

Ms. Karen Motosue, Assistant Administrator for State Parks, gave some background information and stated that they had received funding from the Legislature this pass session.
The funding is for the following:
Hawaii Nature Center: $5,000 for a CIP project to build an environmental education center at Wailua Reservoir on Kauai.
Hawaii Maoli: Implementing repairs at the Royal Mausoleum; various structures
Hawaii Nature Center: $50,000 grant in aid for operating funds for educational program
Mo'okini/Luakini: $20,000 for operating funds
The Friends of I'olani Palace: $ 600,000 grant in aid, mainly to help them pay for their electricity bill.

**Unanimously approved as submitted (Johns, Agor)**

**Item E-2: Permission to enter into a month to month revocable permit with North Shore Macadamia Nut Co., LLC, at Wailua River State Park, Marina in Commercial Building "A", Bay 1, Kapaa, Kauai.**

The property is 800 square feet and it has been vacant for years. State Parks and the State would both benefit from a minimum guaranteed monthly rent of $500 or 8% of the sales. The applicant will need to get approval from the division on what they will sell. They will be required to have liability and fire insurance, naming the State as additional insured and pay for utilities as well. The permit will also undergo the typical document review by the Attorney General.

**Unanimously approved as submitted (Agor, Johns)**

**Item C-2: Request for the Amendment of the Habitat Conservation Plan for Hawaiian Stilt at Cyanotech Aquaculture Facility, Keahole Point, Hawaii and One-year Extension of the Accompanying Incidental Take License.**

**Item C-3: Request for the Release for Public Review the Draft Programmatic Safe Harbor Agreement Covering Hawaiian Goose, Duck, Moorhen, Coot, and Stilt for Participants of USDA Farm Bill Conservation Programs Accompanying Incidental Take License.**

Paul Conry, Administrator for the Department of Forestry and Wildlife, stated that this is a first for the State. It would be a State wide effort and would provide for the restoration

of endangered water birds. A very significant element of this is that their Federal partner, the Natural Resources Conservation Services, has stepped forward to then become the permit holder.

**Unanimously approved as submitted (Johns, Gon)**

**Item C-1: Request to Make Forest Stewardship Program Changes**

**Member Gon recused himself.**

Mr. Conry stated that this is a request to make some changes to bring the program up to date. Also, there are some amendments to the proposal.
The first amendment is to the 1st item on page 2 under 1a, which is to increase the cost share rates to more closely match other landowner assistant program rates and inflation changes. They are requesting to add a new hold down/cost share rates are consistent with provisions of HRS section 195F-6.

They would also like to amend the recommendation section as provided in a handout and is reflected below in the Board's decision.

**The Board:**

**Amendment to the Purpose of Request**

**"1. Revised FSP Handbook (Exhibit I, page 22). The suggested changes are:**
**a. Increased hold down or cost share rates to more closely match numerous other landowner assistance program rates and inflation increases. <u>The new hold down/cost share rates are consistent with provisions of HRS Sec 195F-6</u>"**

**Amend the following recommendations:**

**1. Recommendation 1)**

**"1. Approve the Revised Forest Stewardship Handbook <u>and authorize the Chairperson to approve future minor edits to the Handbook."</u>**

**2. Recommendation 3)**

**"3. [~~Allow flexibility (<30 years) in length of some of the FSP contracts~~] <u>Amend the Board action of May 24, 2002 to allow contract terms ranging from 10-30 years for applicants whose proposals do not include a commercial timber production component.</u>**

**Unanimously approved as amended (Johns, Agor)**

**Item D-4:** **Collection of Deposit Regarding Shoreline Certification Application Located in Kailua, Oahu, TMK: (1) 4-3-4:76 (ODLO/Barry)**

**Unanimously approved as submitted (Edlao, Gon)**

**Item D-9:** **Amend General Lease No. 5748 for Private Noncommercial Pier Purposes and Grant of Term Non-exclusive Easement bearing General Lease No. 5833 for Boat Ramp Purposes, Stanley K. Kaneshiro, and Hilda K. Kaneshiro, Tenants, Kaneohe, Koolaupoko, Oahu, TMK: (1) 4-6-23:50 seaward (ODLO/Barry)**

**Mr. Tsuji stated that there was an error in the Staff submittal and are recommending it to be amended to delete the $500 fine.**

**The Board:**

**The Land Board accepted staff's recommendation to amend the Recommendation Section of the Submittal by deleting the $500 fine for an encroachment.**

**Amendment to Recommendation section**

**"[~~B. Impose a $500 fine for illegal encroachment, under section 171-6(12).~~]"**

**Unanimously approved as amended (Agor, Gon).**

**Item D-14:** **Forfeiture of General Lease No. S-5848, David S. DeLuz, Sr., Trustee of the David S. DeLuz Trust, Lessee, Waiakea, South Hilo, Hawaii, TMK: (3) 2-2-37:63 (HDLO/Gordon)**

Staff wished to withdraw this item.

**Unanimously approved as withdrawn (Gon, Edlao)**

**D-11:** **Cancellation of Revocable Permit Nos. S-7092 and S-5279, Charles S. Ota, Permittee, Waiohuli-Keokea, Kula, Makawao, Maui, tax Map Keys: (2) 2-2-4:1, 2, 29, 66 and 75.**

**Unanimously approved as submitted (Edlao, Agor)**

**D-12:** **RESUBMITTAL – Amend Prior Board Action of June 9, 2005 (Item D-17), Issuance of Direct Lease to Windward Retreat Center for Religious, Social (Community), and Charitable Eleemosynary Purposes, Kaaawa, Koolauloa, Oahu, TMK: (1) 5-1-14:por. 47 and 5-1-11:por. 55 (ADMINISTRATION/Charlene)**

Ms. Charlene Unoki, Assistant Administrator for the Land Division, stated that this is a resubmittal to make some changes as suggested by the Attorney General. The community has concerns about the applicant. They would like to know what the applicant is planning to do, would like to have more community meetings with the respective boards, and basically they would just like to have more time. However, the applicant is saying that they have done some of these things and have addressed some of the concerns into the new lease.

Brad Pruitt, from the Windward Retreat Center, stated that on June 9, 2005, the Board approved a 35 year lease to the applicant for a property in Kaaawa. At that time, the Board had set a ceiling $6,000 annually for the lease rent, but was also working on a policy for what a nominal land rent meant, so, they asked the applicant to come back before the Board when that definition was determined. The applicant was promised that they could move forward once that was complete. They are no ready to do so and the $6,000 annually seemed reasonable to them, but if the Board would like to reaffirm the previous Land Board action in 1995, which set the rent at a nominal rent, this would assist them greatly. The applicant is aware that they will never have the support of Mr. Anthony nor Mr. Geldermann despite trying for 10 years. They have gotten support, twice from the Kaaawa Community Association and the Koolauloa Neighborhood Board has recommended support of this project twice. They are currently trying to schedule a community forum as a part of the DPP planning process and have always shaped this project with the community in mind.

Dr. Anthony would like to oppose the submittal and stated the applicant had never, in the last 10 years, have a conversation with him about this project. For the last 3 years, the community has been trying to get the applicant to provide for them their 990s that are supposed to be filed with the internal revenue service. He states that this is an organization with no track record for running retreats nor is there any evidence of the funds to develop this project. There is no need for another retreat center. There is already one in existence, 6 houses down the road which more than adequately addresses the needs of people wanting to hold retreats on the Windward coast. Also The United Methodist Church has land in which they have asked permission to build a multi-use retreat center.

Mr. Geldermann, who lives next door to this property, also is greatly opposed to this project. He states that Mr. Pruitt is a volunteer of the church and is doing this only so that he may build a caretakers cottage on the property and live there as the caretaker. Community ahs never been kept informed about this project; the only meeting they were informed of was the Koolauloa Neighborhood Board Meeting in which the applicant was turned down and told to go back to the Kaaawa Community Association and get their approval first. They went back to the Community Association in February where it was approved and there was no opposition because the community knew nothing about it. Numerous community members were not informed about this Board Meeting as well and therefore are asking for this action to be deferred.

In response to the comments made, Mr. Pruitt stated that in 2001 the Kaaawa Community Association unanimously voted to support the project. They asked for the applicant to represent the project as they got closer to the lease date and they did so in August 2005. At that time, the Community Association set up a subcommittee of immediate neighbors to discuss the project and concerns. Mr. Gelderman chaired that committee so he must understand what has been happening. Also at one of the Community Association meetings, Dr. Anthony and Mr. Geldermann both testified against the project.

Member Johns and Edlao were concerned with the fact that the community seemed to be in the dark about this project. Therefore, Member Johns made a motion to accept Staff's report, but to add a recommendation B in which the applicant will get a statement of position from both the Kaaawa Community Association and the Koolauloa Neighborhood Board. It will then be placed on the next agenda as a report for the Board's further consideration.

**The Board:**

**Approved As Amended. The Land Board added the following condition B to the recommendation section of staffs' Submittal:**

**"B. Staff shall write a letter to the Applicant requesting that it obtain official position statements from the Kaaawa Community Association and the Koolauloa Neighborhood Board on whether they support, or do not support the issuance of a direct lease to the Applicant; and within sixty (60) days of October 13, 2006, staff shall report back to the Land Board with the status and results of the Applicant's efforts to obtain the official position statements from the aforesaid two (2) organizations."**

**Unanimously approved as amended (Johns, Edlao)**

**D-1:** **Grant of Perpetual, Non-Exclusive Easement to the State of Hawaii, Department of Transportation for Drainage Purposes, Waialae, Honolulu, Oahu, TMK: 3-5-22:01 seaward (ODLO/Al).**

**D-2:** **Issuance of Direct Lease to Stevan M. Bailey for Private Noncommercial Pier Purposes, Kaneohe, Koolaupoko, Oahu, TMK: (1) 4-7-30:18 seaward (ODLO/Barry)**

**D-3:** **Consent to Renewal of Revocable Permit No. 10 for Lands under Governor's Executive Order No. 1598 to Elizabeth Martinez dba Olomana Gardens, Waimanalo, Koolaupoko, Oahu, TMK: (1) 4-1-10:Portion of 69 (ODLO/Steve)**

**D-5:** **Request to Write-Off Uncollectible Accounts on Oahu and Kauai (ADMINISTRATION/Charlene)**

**D-6:** **Cancellation of Governor's Executive Order No. 2249 and Reset Aside to the Department of Accounting and General Services for Addition to the Hamakua Civic Center, Honokaa, Hamakua, Hawaii, TMK: (3) 4-5-006:071 (HDLO/Harry)**

**D-7:** **Amend Prior Board Action of September 8, 2006 (Item D-2), Forfeiture of General Lease No. S-3960, Hitoshi Miyabara, Hatsue Miyabara, and Mark Kakimoto, Lessees, Hanapepe, Kauai, TMK: (4) 1-9-2:1 and 20 (KDLO/Tommy)**

**D-8:** **Amend Prior Board Action of January 12, 1973 (Agenda Item F-8) Request for Grant of Easement to County of Hawaii (COH) for Water Pipeline Purposes at Kalukalu, South Kona, Hawaii, TMK: (3) 8-1-02:Por.38 (HDLO/Harry)**

**D-10:** **Authorization to Execute Leases for Private Noncommercial Pier Purposes issued after June 30, 2006; Wailupe and Kaneohe, Oahu; TMK: (1) 3-6-1:34, 4-4-18:74, 4-4-37:35, 4-5-58:37, 4-7-10:40, 4-7-30:15 seaward (ODLO/Barry)**

**D-13:** **Request to Extend the Cure Period for the Notice of Default on General Lease No. S-5874, Melodie R. Aduja and Peter Aquino Aduja, Lessees, Kahaluu, Koolaupoko, Oahu, TMK: 4-7-20:35 seaward (ODLO/Al)**

**F-1:** **Request for Approval to Amend/Extend a DLNR/RCUH Agreement (Contract No. 52850) to Provide $432,353.00 for the Period of July 1, 2007 Through June 30, 2008 for a Division of Aquatic Resources' Aquatic Invasive species Project.**

**F-2:** **Request for Final Approval to Amend Hawaii Administrative Rules, Chapter 13-64, Kokee Public Fishing Area, Kauai.**

**H-1:** **Approval to Proceed with the Single Audit of the Department's Federal Aid Programs.**

**L-1:** **Approval for Award of Construction Contract – Job No. 500-B-K54-C, Steam Mouth Maintenance at Various Locations, Kauai, Hawaii.**

**Unanimously approved as submitted (Johns, Edlao).**

There being no further business, Chairperson Young adjourned the meeting at 12:00 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,

Lauren E. Yasaka

Lauren Yasaka

Approved for submittal:

PETER T. YOUNG
Chairperson
Department of Land and Natural Resources