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

DATE:	FRIDAY, MARCH 10, 2006
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 9:10 a.m. The following were in attendance:

MEMBERS

Mr. Peter Young
Mr. Ted Yamamura (arrived at 9:30 a.m.)
Mr. Ron Agor
Mr. Tim Johns
Mr. Gerald DeMello
Ms. Taryn Schuman

STAFF

Mr. Sam Lemmo, OCCL
Mr. Steve Molman, Land
Mr. Paul Conry, DOFAW
Mr. Russell Tsuji, Land
Mr. Dan Quinn, Parks

OTHER

Ms. Julie China, Deputy Attorney General
Mr. Bill Bow, K-3
Mr. Tom Staton, D-6
Mr. Fred Humphrey, D-6
Mr. Steve Nimz, D-6
Mr. David Fell, D-6
Ms. Annette Yee, D-6
Mr. Mike Sakamoto, K-4
Mr. Dan Brookins, K-4
Mr. Greg Longnecker, K-1
Ms. Toni Magnaula, J-1
Mr. Patrick Oka, D-6
Mr. Lester Toyama, D-6
Mr. Alan Takemoto, D-6
Mr. Lloyd Ching, D-6
Mr. David Thompson, D-6
Mr. Curtis Hong, E-1
Mr. Charlie Wilson, K-4
Mr. Brian Ho, K-1
Mr. Peter Starn, J-1
Ms. Barbara Lorrichio, E-2

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

Item A-1: Minutes of February 24, 2006 briefing.

Deferred due to lack of quorum

Item A-2: Minutes of February 24, 2006

Member Johns recused himself.

Unanimously approved as submitted by the remaining Board members (Agor/DeMello).

Item K-3: Conservation District Use Application (CDUA) LA-3257 for Manele Small Boat Harbor Ferry System Improvements, located at Manele Bay, Lanai, TMK:(2) 4-9-017:006.

Sam Lemmo, Administrator of the Office of Conservation and Coastal Lands (OCCL) indicated the proposed project is located at the Manele Bay Small Boat Harbor and the surrounding land uses include Hulopoe Beach Park and the Manele Bay Hotel and golf course. The proposed 6.5 million dollar project is being funded 20% by the State and 80% by the Federal Government. The purpose of the project is to replace existing facilities located within the area of the Small Boat Harbor. Mr. Lemmo went on to disclose that the project will also include an additional comfort station, an administrative office, pave access roads and parking areas, comply with American Disabilities Act (ADA), repair or install water mains and fire hydrants, install a sewage pump station, install a vessel sewage pump out facility, telephone and electrical utilities as well as street lights, install a fuel line, conduct boardwalk improvements, include multi-use parking, landscaping and a mini park. The proposed project was sent out for public comments and one of the issues that arose was that the Office of Hawaiian Affairs (OHA) and the State Historic Preservation Division (SHPD) wanted to see a monitoring plan in place before construction begins. Mr. Lemmo recommended the Board approve Conservation District Use Application LA-3257 for Manele Small Boat Harbor Ferry System Improvements subject to the nineteen conditions listed in staff's submittal.

Unanimously approved as submitted (Johns/DeMello).

Item D-6: Resubmittal for Forfeiture of General Lease No. S-5707, All Tree Services, Inc., Lessee, Waimanalo, Koolaupoko, Oahu, TMK; (1) 4-1-010:048.

Russell Tsuji, Administrator of the Land Division summarized staff's submittal by stating that the lease is restricted to intensive agriculture and it appears that the tenant has been using a part of the premises as a baseyard. Mr. Tsuji recommended the Board authorize the cancellation of General Lease No. S-5707, authorize the retention of all sums heretofore paid or pledged under General Lease No S-4298, terminated the lease and all rights of Lessee and all obligations of the Lessor effective March 10, 2006 and authorize the Department of the Attorney General, the Department of Land and Natural Resources

or their agents to collect all monies due the State of Hawaii under General Lease No. S-5707 and to pursue all other rights and remedies as appropriate.

Kaui Watson, attorney for All Tree Service, Inc., appeared before the Board and together with Dave Kendrick and Terry Rodriguez conducted a power pointed presentation showing the subject site and their operation. Through this presentation, Mr. Watson addressed what he believed to be the main issue which is the use of the property. Mr. Kendrick the individual responsible for putting together the master plan for the subject site started off the presentation by giving some background into his work. Mr. Kendrick made it known he started out by doing tree propagation which is a tree recycling effort. He began by air layering trees at schools, churches and yards and taking those branches and selling it to nurseries. As far as he knows, Mr. Kendrick is the only commercial landscape plant nursery that works organically. He noted through his operation he uses mulch to control the weeds which in turn uses less water. He went on to show the various plants grown on the property as well as how he rotates the areas for planting on the subject parcel. Mr. Kendrick acknowledged that there has been a problem with trucks on the subject property and let it be known he was working with Mr. Rodriguez to use the mulch from his tree trimming business on site and this mulch was being brought in by those trucks. To elevate staff's concerns with the number of trucks on the property, Mr. Kendrick is proposing to construct a greenhouse on a portion of the existing parking lot.

Terry Rodriguez, owner of All Tree Services, Inc., announced when he first started work on the subject property he was under the impression that All Tree Services, Inc., would be dealing in agriculture intensive work but at the same time he would be using trucks from his tree trimming business on the subject property. He did not know use of those trucks would become an issue and raise the concern that he was using the parcel as a baseyard. Mr. Rodriguez has corrected that problem by leasing another property in which he would store his vehicles at. Mr. Rodriguez disclosed when he submitted his application to bid on the subject property he indicated his intention to operate the tree trimming business and the nursery on the parcel. He also indicated he met with staff from DLNR to let them know of his plans at which time staff told him as long as he was conducting agriculture work on the property he would be okay. Later on, upon hearing concerns from the department, Mr. Rodriguez modified his plans by deleting two parking lots and a warehouse as well as constructing a warehouse on a portion of one of the parking lots. He also disclosed to the Board the reason he constructed a parking lot at the nursery was to provide safe access for his customers visiting the nursery (instead of walking in the mud). Also due to the complaints about using the subject parcel as a baseyard, Mr. Rodriguez has sold his roll off company about a month ago. Mr. Rodrigues confirmed upon acquiring the lease for the property he brought in containers to haul out large trees being removed that could not be chipped. Further slides went to show the amount of money Mr. Rodriguez has already spent on the property. In closing Mr. Watson noted in his application to the department, Mr. Rodriguez indicated that his plan was to integrate his business, All Tree Service, Inc. (which is a tree trimming business) with the nursery business.

Steve Molman, Land Agent with the Land Division let it be known that after conferring with Mr. Watson he was told they need five vehicles for the nursery business. At the time the lease was being executed Mr. Steven Lau of the Land Division warned Mr. Rodriguez not to relocate his vehicles from All Roll Offs to the leased state site. Mr. Rodriguez made it clear that trucks might come onto the property to dump mulch but the trucks will not be stored on the subject property.

Patrick Oka, owner of a nursery business in Waimanalo for over fifty years testified before the Board. Being a landscaper, Mr. Oka has done a lot of tree trimming and considers that part of the nursery business. He spoke of a tree being planted in the nursery then being placed somewhere else as part of landscaping. After a while the tree will have grown and trimming will be needed and thus is the cycle of the nursery business. He spoke of projects he has taken on from design to installation to trimming of trees. He feels tree trimming should not be separate from the nursery business.

Tom Staton, who holds a degree in botany and owner of Quality Turfgrass provided the Board with photos taken between November 2004 through February 2005 which shows various vehicles at the subject property. He pointed out his business and home is located directly across the street from the subject property. Mr. Staton feels that what is going on at All Tree Services, Inc., is harmful to his business and his well being as well as threatens public safety, the environment and the future of agriculture in Waimanalo. Addressing the photo's given to the Board, Mr. Staton notes that it shows a pattern of continuous disregard of zoning and lease regulations prohibiting baseyards use on the subject property. He also included citations issued to All Tree Service on the property. In closing, Mr. Staton asked the Board to follow staff's recommendation by canceling the lease and giving the lessee a deadline to vacate the premises.

Lester Toyama, a consultant hired by Mr. Rodriguez to act as his general manager came forward to provide testimony. Mr. Toyama made it known it is their intention to grow trees and other types of plants on the property. He pointed out the size of the parking lot is due to the fact that they need to bring in equipment as they plan to replant sixty year old trees they've removed from other properties. He also noted All Tree Services does not use pesticides and about ninety eight percent of the material they use comes back to the nursery. Mr. Toyama asked the Board to reconsider the cancellation of All Tree Services lease as have they have addressed the baseyard issue by obtaining another property to park their equipment.

Fred Humphrey, a resident of Waimanalo and owner of Island Growers Supplies appeared before the Board to provide testimony. He communicated that his business has allowed him to visit every landscape and tree nursery in the state as well as several in California and Oregon. He disclosed what he sees at All Tree is not like any tree farm he has ever visited as All Tree has a place to park trucks and has an office on site. Also the equipment at the site is not consistent with any tree farm he has visited and there seems to be no intent to be profitable by growing trees. Mr. Humphrey asked the Board to take this property and others like it and return it to real farmers.

Alan Takemoto, Executive Director of the Hawaii Farm Bureau Federation which is a non-profit organization that represents approximately 1,600 farm families testified. Mr. Takemoto communicated in early February of 2006 a group of farmers along with DOA toured Waimanalo and went through the illegal activities occurring there and found that the subject parcel had seven trucks and tree trimming equipment stored on the parcel, storage of construction material as well as seen hauling of debris from various construction sites to the subject parcel. Mr. Takemoto acknowledges that All Tree Services has submitted a business plan to engage in agricultural activity yet they continue to use the land for other activities that circumvent the true intent of keeping the lands in agricultural production.

Steve Nimz, a resident of Waimanalo spoke of his concern with what the general use of the property is versus the initial plan submitted by All Tree Service, Inc. and how they have gone about. Mr. Nimz feels that more commercial activities are taking lands out of agriculture use.

Lloyd Ching, a nursery operator, landscaper and general contractor spoke of his concern with the action proposed by staff. He was concerned that someone who has a tree trimming business as well as a landscaping business would not be allowed to do tree trimming on their parcel. He feels DLNR should go after people not doing any agriculture work on the land and those individuals buying ag lands in Waimanalo for 800,000 thereby bring up the tax rate. He is concerned if All Tree Service loses its lease it might prevent him from accepting tree trimming jobs.

David Fell, who has a nursery operation on the Big Island and a DLNR lessee in Waimanalo provided testimony before the Board. He asked the Board to go by the intent of the lease which is diversified agriculture/intensive agriculture. Mr. Fell disclosed he was a bidder for the subject property and believes that he was out bid because he believes Mr. Rodriguez had a different agenda from the beginning. He pointed out the return from the tree operation versus the capital input could not return enough profit from the existing operation. Mr. Fell told the Board we should keep the land accessible to people who are truly going to farm the land.

David Thompson, a resident of Waimanalo testified before the Board. Mr. Thompson conveyed to the Board that he belongs to a group called Malama Waimanalo who works to clean up the abandoned vehicles and junk left along side the road. Mr. Thompson spoke of a vehicle All Tree abandoned on the side of the road which came from their former site. He spoke of other things he has seen dumped on the side of the road awaiting the City to pick up.

Annette Yee a Waimanalo lessee for forty years told the Board they should get back to the intent and definition of the lease. She pointed out Mr. Rodriguez has done a lot to correct the wrong doings on the property and feels this was done due to the threat of his lease being cancelled.

Chairperson Young, asked Mr. Rodriguez what kind of assurance he could provide that the subject property will be used for agriculture and not a baseyard. Mr. Watson told the Board the "proof is in the pudding" and invited them to visit the subject site to take a tour and see what has been done at the property. Mr. Watson asked the Board to give Mr. Rodriguez the opportunity to prove himself as he has spent a significant amount of money and has not seen a return on his investment. He pointed out his client is proposing to construct a greenhouse over a part of the parking lot.

The Board deferred action on this item for one month and instructed the lessee to return with concrete evidence that his baseyard is operating out of the Kapolei location and to transfer the lease premises into a place that is conducive to intensive agriculture.

Motion to defer
Unanimously approved to defer (Schuman/DeMello).

Item E-1: Request Approval for Mutual Cancellation of the Mobile Food Concession Agreement SP-0048 at Nuuanu Pali State Wayside (Pali), Oahu, with Curtis Hong, dba Paradise Shrimp & Burger (Hong).

Dan Quinn, Administrator of State Parks indicated the fixed rent for the Mobile Food Concession Agreement is $7,200.00 per month. He went on to state that the concessionaire was able to pay the rent during the summer months but due to inclement weather he has not been able to make the rent. Mr. Quinn communicated that the community has raised concerns regarding commercial vendors at the Pali Lookout. Mr. Quinn recommended the Board authorize the mutual cancellation of SP-00048 concession Agreement and delegate the authority to the Chairperson to execute all relevant documents on behalf of the Board, approve using the Concession Agreement security deposit of $14,550.00 toward the amount due and allow a 90 day period to repay the balance and approve such other terms and conditions as may be prescribed by the Chairperson.

Curtis Hong, the concessionaire was present.

Unanimously approved as submitted (Johns/Schuman).

Item K-4: Conservation District Use Application (CDUA) OA-3261 for the Installation of a Prefabricated Comfort Station, located at Kawai Nui Model Airplane Park, Kailua, island of Oahu, TMK: (1) 4-2-016: portion of 001.

Mr. Lemmo noted the project site is located at the existing Model Airplane Park on reclaimed wetlands on the northwestern border of Kawai Nui Marsh over a former county landfill. Staff has reviewed the project and Mr. Lemmo is recommending the Board approve the City and County of Honolulu, Department of Design and Construction's

request to construct and install a prefabricated comfort station at the Kauai Nui Model Airplane Park subject to the terms and conditions listed in staff's submittal.

Unanimously approved as submitted (Johns/Yamamura).

Item K-2: Enforcement File No. HA-06-40 Regarding Alleged Unauthorized Land Uses found at the Mauna Loa Observatory, located at Mauna Loa, Hamakua District, Hawaii, TMK: (3) 4-4-016:009 and (3) 4-4-016:011.

Motion to Withdraw
Unanimously approved to withdraw (Johns/Yamamura).

Item D-4: After-the-Fact Grant of Perpetual, Non-Exclusive Easement and Issuance of a Management Right-of-Entry to Hawaiian Electric Company, Inc. for Access and Utility Purposes, Former Fort Shafter Military Reservation, Kahauiki, Honolulu, Oahu, TMK: (1) 1-1-08:13 portion.

Member Johns recused himself

Unanimously approved as submitted by the remaining Board members (Yamamura/Demello).

Item K-1: Conservation District Enforcement File No. OA-05-50 Regarding Unauthorized Structure and Unauthorized Construction of Improvements located at Palolo Hillside, Oahu, (1) 3-3-034:001.

Mr. Lemmo indicated the subject parcel is located on the east hillside of Palolo Valley and that residential use surrounds the parcel. In February 2005, OCCL received a complaint regarding on going construction on the Palolo hillside. A site visit was conducted which revealed that improvements had been made to the unauthorized existing structures. Mr. Lemmo confirmed through aerial photographs that the structure existed prior to the landowner purchasing the property. Mr. Lemmo conveyed that a Conservation District Use Permit was issued for the subject site but it was for twelve picnic shelters and storage shed. Mr. Lemmo believes the previous owner built the structure without department approval and the current landowner is performing major improvements on this structure. Mr. Lemmo recommended the Board find the landowner in violation of Chapter 183C and Chapter 13-5, Hawaii Administrative Rules and is subject to the conditions listed in staff's submittal.

Brian Ho, attorney for the applicant appeared before the Board. Mr. Ho disclosed that Mr. Longnecker purchased the property in 2003 at which time the twelve picnic shelters and storage shed were built per the Conservation District Use Permit (CDUP) obtained by the previous owner. He noted the structure in question and shown in staff's submittal is the storage shed. Mr. Ho took offense at staff's claim that the structure is unauthorized

as the CDUP allowed for the storage shed. Mr. Ho acknowledged his client's brother made changes to the structure and assumed he obtained all necessary approvals. Mr. Ho would like the administrative penalties to be mitigated down to $500 as the violation was not willful on the landowner's part. As far as the geo-technical survey, Mr. Ho feels it is unnecessary at this point as the work involved on this structure did not impact the foundation or any of the structural components of the building. Mr. Ho stated the improvements were to the interior (changing interior configuration), not structural improvements. Mr. Ho indicated if appropriate when Mr. Longnecker applies for the After The Fact Conservation District Use Application (CDUA) that would be the time if necessary to incorporate the geo-technical evaluation study as one of the requirements. Lastly, Mr. Ho does not feel it is appropriate for the landowner to indemnify the State.

Greg Longnecer, the landowner acknowledged ignorance is no excuse but he inherited the problem when he bought the property. He let it be known when he acquired the property the structure was filled with the prior owner's belongings and his insurance company made him remove those contents. He feels things have become a mess which was not his intention. He always meant to do what is right. Mr. Longnecker let it be known his intention was to make the structure more sound without changing the footings.

The Board amended the following Recommendations

1. **Recommendation 1)**

   "1. The landowner violated the provisions of Chapter 183c, Hawaii Revised Statutes (HRS), and Chapter 13-5, Hawaii Administrative Rules (HAR), in one instance by failing to obtain the appropriate approval for unauthorized improvements within the Conservation District. The alleged is fined a total of [~~$2,000.00~~] <u>$500.00</u> for one Conservation District violation;"

2. **Recommendation 3)**

   "3. The landowner shall pay all fines (total [~~$2500.00~~] <u>$1000.00</u>) within ninety (90) days of the date of the Board's action;"

3. **Recommendation 4)**

   "4. [~~The landowner shall at his own expense submit a geo-technical evaluation study by a licensed geo-technical engineer to evaluate the structural integrity of the unauthorized structure and the potential for rockfall on the subject parcel to the Department within six months of the Board's action;~~] <u>The landowner shall submit an After-The-Fact Conservation District Use Application including a geo-technical evaluation within six (6) months of the Department's determination. If it is not filed within that time period the structure shall be removed within sixty (60) days thereafter;</u>

4. **Delete Recommendation 6)**

"[~~6. Upon review of the geo-technical evaluation by the Department, the Department shall determine if the structure should be removed, reinforced an/or whether an After the Fact (ATF) conservation District Use Application (CDUA) may be filed for the unauthorized structure;~~]

5. **Delete Recommendation 7)**

"[~~7. The landowner shall adhere to the Department's recommendation to either remove, reinforce or file an ATF CDUA within six months of the Department's determination;~~]

6. **Renumber Recommendation 8), 9) and 10).**

Unanimously approved as amended (Johns/Yamamura).

Item J-1: Request for a Contested Case Hearing, Waiver of Requirement of Oral Request for Contested Case Hearing, and Delegation of Authority to Appoint and Select a Hearings Officer to Conduct Contested Case Hearing. Docket No. BORCCH-06-02.

Richard Rice, Administrator of the Division of Boating and Ocean Recreation (DOBOR) recommended the Board waive the Petitioners' failure to make an oral request for a Contested Case Hearing by the close of the Board meeting at which the matter was scheduled for disposition, authorize the appointment of a Hearings Officer for BORCCH-06-02 and let the Hearing Officer conduct all hearings relevant to the subject petition and delegate the authority for selection of the Hearing Officer to the Chairperson.

Chairperson Young notified those present that Alan Cambra, President of the Association of Apartment Owners of the Ilikai Apartment Building sent a letter requesting a deferral. Chairperson Young went on to say that Mr. Cambra misunderstood today's Board action as the start of the hearing and he is okay with the item moving forward as is, should there be any changes, Mr. Cambra would like a deferral.

Peter Starn, Legal Counsel for Hilton testified that he believes that it is inappropriate for the Board to waive the oral request for a contested case as the Ilikai has been represented by legal counsel throughout the entire permitting process and had the opportunity to be fully advised. Mr. Starn announced that the Hilton has been in the permitting process for the Waikikian project for five years and has been before the City Council after public hearings and all of the issues raised by Mr. Cambra in his letter were raised at those meetings and after hearing from Mr. Cambra the City Council authorized the SMA and PD-R permits with a number of conditions including the widening of Dewey Lane. Mr. Starn believes the permitting process has happened and the Ilikai has been heard. Should the Board waive the oral request for a contested case hearing by the Ilikai, Mr. Starn

indicated it would allow for the delay of the project which could exceed a year. Mr. Starn noted that in Mr. Cambra's written request for a CCH he brings up issues relating to traffic and the signalized intersection which are issues that are not before the Board but instead the Department of Transportation and the Department of Permit and Planning, Traffic Review Branch. If those issues are taken out what remains is nothing for the hearings officer to review. Should the Board allow a CCH to proceed, Mr. Starn asked that the scope of the CCH be clearly limited to what was before the Board on January 27, 2005 as item J-2 and make it clear it does not involve the signalized intersection and the traffic management plan.
Toni Magnaula, the Association Manager for the Ilikai confirmed that Chairperson Young spoke with Mr. Cambra. Ms. Magnula stated that the Ilikai would like to have the CCH and should that not be the Board's decision then they would like this item deferred.

The Board made it clear that if there is a Contested Case Hearing the scope of the hearing is strictly limited to the Joint Use Agreement, Item J-2 and also that the hearings officer will expedite this matter as quickly as possible.

Unanimously approved as submitted (Johns/Schuman).

Item D-5: Resubmittal – Forfeiture of General Lease No. S-4899, Ronald Lopes, Lessee, Maunalaha Homesites, Opu, Makiki, Oahu, TMK: (1) 2-5-24:32.

Mr. Tsuji reminded the Board this item was previously before them due to the lessee's failure to post the required liability insurance. At that meeting the lessee stated he was working with an insurance company to get some insurance and at this point this is still the case.

Mr. Molman communicated he has been in contact with the insurance company and they've indicated the liability insurance will be approximately $800.00 per year. Mr. Lopez acknowledged he is okay with the premium amount.

The Board allowed the lessee sixty (60) days to acquire liability insurance.

Unanimously approved as amended (Johns/DeMello).

Item E-2: Request to Waive the Untimeliness of Requests for a Contested Case Hearing and to Consider Appointment and Selection of Hearing Officer to Conduct all Hearings for One (1) Contested Case Hearing Regarding Board Action of February 10, 2006 – Auctioning of Leases Waimea Canyon/Kokee.

Dan Quinn notified the Board the department received ten request for a contested case hearing (CCH) regarding the disposition of leases in Waimea Canyon/Kokee. Mr. Quinn noted they were not contesting the Board's decision to auction the leases but the perceived property rights for the ownership of the cabins as the meeting agenda did not

list the fact that the revised recommendation did not provide for compensation to the lessees ownership of the structures. Mr. Quinn recommended the Board waive the timeline and accept the requests for a Contested Case Hearing which were submitted after the deadline and that the Board deny all requests for a Contested Case Hearing.

Barbara Lorrichio interpreted what she understood to be staff's decision and wanted affirmation that this was correct. Ms. Lorrichio believes what Mr. Quinn is saying is that there will be no contested case hearing and there will be no compensation for improvements to the property if you don't succeed at the action. Ms. Lorrichio asked the Board how soon the auction would be to which Chairperson Young noted that the department is moving forward to get an appraisal to start the auction process.

Mr. Quinn noted that staff is targeting early September as the date for the auction process.

Unanimously approved as submitted (Agor/Johns).

Item M-1: **Issuance of Revocable Permit for Ian's Auto Body and Paint, Inc. for Inconsistent Use, Honolulu International Airport.**

Item M-2: **Issuance of Lease for Office Space U.S. Department of Agriculture Honolulu International Airport.**

Unanimously approved as submitted (Johns/DeMello).

Item C-1: **Acceptance of Hearing Officer's Report on Public Hearing for two additions and one removal of Forest Reserve lands on Oahu; and Approval and Recommendation to Governor for the issuance of Executive Order: 1) Addition of 910 acres to Ewa Forest Reserve, Manana, Ewa District, Oahu; 2) Addition of 2.457 acres to the Waimanalo Forest Reserve and for the Mount Olomana State Monument, Kailua, Koolaupoko District, Oahu; and 3) Removal of approximately 3,000 square feet from Honolulu Watershed Forest Reserve, Honolulu, Honolulu District, Oahu.**

Unanimously approved as submitted (Johns/Schuman).

Item L-1: **Approval for Award of Construction Contract: Job No. J00C305A – Poli Poli Check Station ADA Barrier Removal, Job No. J00C306A – Kanaha Pond Kiosk Parking ADA Barrier Removal, Job No. J00CG00A – DLNR Annex – Maui ADA Barrier Removal Maui, Hawaii.**

Item L-2: **Approval for Award of Construction Contract – Job No. J00C302A Maui Baseyard Office ADA Barrier Removal Kahului, Maui, Hawaii.**

Item L-3: **Approval for Award of Construction Contract – Job No. F00CF46B, Individual Wastewater System Improvements Kokee State Park, Waimea, Kauai, Hawaii.**

Item L-4: **Approval for Award of Construction Contract – Job No. F00CF59A Individual Wastewater System Improvements at Puaa Kaa State Wayside Hana, Maui, Hawaii.**

Item L-5: **Approval for Award of Construction Contract – Job No. F00CF32A Individual Wastewater System Improvements at Iao Valley State Monument Wailuku, Maui, Hawaii.**

Item L-6: **Approval for Award of Construction Contract – Job No. F00CF60A Individual Wastewater System Improvements at Palaau State Park, Molokai, Hawaii.**

Unanimously approved as submitted (Johns/Schuman).

Item D-3: **Consent to Assign General Lease No. S-5670, Tropical Ponds Hawaii, LLC, Assignor, to Big Island Farmers Market, LLC, Assignee, Hualua, North Kohala, Hawaii, TMK: (3) 5-5-07:05.**

Item D-7: **Consent to Renewal of Revocable Permit No. 12 for Lands under Governor's Executive Order No. 1598 to Kenneth and Esther Ohta; Waimanalo, Koolaupoko, Oahu, TMK: (1) 4-1-25:36 (Portion).**

Unanimously approved as submitted (Johns/DeMello).

Item D-1: **Rescind Prior Board Action of March 25, 1986, Agenda Item F-4, Direct Sale of Easement to Hawaii Electric Light Company, Inc. (HELCO) for Utility Purposes; Kalapana, Puna, Hawaii, TMK: (3) 1-2-03:portion of 12.**

Item D-2: **Rescind Prior Board Action of April 12, 1985, Agenda Item F-5, Direct Sale of Easements to Hawaii Electric Light Company, inc. (HELCO) and Hawaiian Telephone Company (now known as Hawaiian Telcom, Inc.) for Utility Purposes; Kalapana, Puna, Hawaii, TMKs: (3) 1-2-03:05, 06, 12 & (3) 1-2-04:38.**

Member Johns recused himself.

Unanimously approved as submitted by the remaining Board members (DeMello/Agor).

There being no further business, Chairperson Young adjourned the meeting at 12:24 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.

Respectfully submitted,

Terry Crowell

Terry Crowell

Approved for submittal:

PETER T. YOUNG
Chairperson
Department of Land and Natural Resources