

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

DATE: FRIDAY, JANUARY 11, 2008
TIME: 9:00 A.M.
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HI 96813

Chairperson Laura Thielen called the meeting of the Board of Land and Natural Resources to order at 9:05 a.m. The following were in attendance:

MEMBERS

Ms. Laura Thielen
Mr. Tim Johns
Mr. Jerry Edlao

Mr. Ron Agor
Ms. Taryn Schuman
Dr. Sam Gon

STAFF

Mr. Morris Atta, LD
Mr. Sam Lemmo, OCCL
Mr. Paul Conry, DOFAW
Mr. Chris Buddenhagen, DOFAW

Mr. Dolan Eversole, OCCL
Mr. Dan Quinn, SP
Mr. Ian Hirokawa, LD

OTHERS

Ms. Linda Chow, AG's Office
Mr. Alfredo Lee, Item D-1, D-8
Mr. Jeff McCall, Item D-8
Mr. Tim Lui-Kwan, Item K-2
Mr. Ivan Lui-Kwan, Item D-3
Mr. Leslie Milnes, Item D-1
Mr. Godwin Esaki, Item D-1
Mr. Grant Arnold, Item D-1
Mr. Gene Awakuni, Item D-14
Ms. Ann Shiigi, DOT/Airports, Item M-1

Mr. David Cross, D-13
Mr. Chris Manfredi, Item D-8
Mr. Michael Gahimba, Item D-8
Mr. Jeffrey Berg, Item D-12
Mr. Eric Knudsen, Item D-1
Mr. Jerry Ornellas, Item D-1
Mr. Milton Ching, Item D-1
Mr. Vernon Char, Item D-17
Mr. Steve Bess, Item D-5

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

Item A-1 Amend Minutes of September 14, 2007, Item D-13.

Unanimously approved as submitted. (Agor, Schuman)

Item A-2 Minutes of November 16, 2007.

Item A-3 Minutes of December 14, 2007.

Withdrawn. (Agor, Schuman) Not ready for this meeting.

Item D-13 Re-submittal – Enforcement of Violation of Unencumbered Public Lands, Unauthorized Landscaping and Removal of Sand and Plants on State Land by David and Maureen Cross, Kailua, Koolaupoko, Oahu: TMK: (1) 4-3-017:033 seaward.

Morris Atta, Acting Administrator for Land Division, reminded the Board that this submittal was presented at the last meeting. He conveyed the background and that this was moved up because Mr. Cross was on the mainland.

David Cross thanked the Board for the opportunity to testify and for deferring. He briefed the Board on the property history and situation with DLNR. Dolan Eversole (of OCCL) requested he remove the sod and sprinklers and Mr. Cross followed through. He presented photo exhibits and pointed out where the sprinklers were on his property. There was a complaint of a plastic board which Mr. Cross never placed and he would have taken it out if he knew.

Discussion of sprinkler spraying on unencumbered lands and appearance of landscaped private property.

Dolan Eversole of Office of Conservation & Coastal Lands apologized for coming in late. He reiterated background and noted that Mr. Cross did comply with original requests to remove the landscaping. Staff received reports that sprinklers continue to run pointed at the makai direction on State land. Mr. Eversole discussed photos and noted that they were supplied by an anonymous complainant through e-mail. He didn't recall discussing the plastic edging.

Member Johns queried whether the sprinkler and plastic edging is the first or the second violation.

Mr. Atta referred to the rule stating dune grading and that is how the first violation is worded. The rule may encompass all the violations. The area was to be restored to the condition it was.

Mr. Eversole stated after looking at aerial photos and speaking to Mr. Cross it appears the area was landscaped by a previous owner. Staff may need to look at adjoining properties

to find the original state of the area. He noted landscaping on Kailua dunes is a big problem. Staff will work with Mr. Cross to find the natural state of the dune. He suggested planting naupaka.

Member Johns inquired that staff is proposing a fine of \$500 per violation. Is the Office of Attorney General comfortable that the Aug. 6 notice is sufficient for the fine which the Board will impose for manipulating a shoreline with sprinkler and plastic edging on State property?

Ms. Linda Chow, Deputy Attorney General, replied her office was not asked to advise the Dept. on the fine.

Member Johns added landscaping could still occur after the initial remediation.

Ms. Chow acknowledged it could.

Discussion on the proposed time allowed for restoration of the area.

Chair Thielen stated the request under the recommendation is to cease watering State land, assist with re-vegetation of native species like naupaka and eliminate the plastic edging on the State portion as dune restoration (under number 4).

Discussion on whether to leave land bare or not and whether to fine if staff doesn't come to a determination soon to be fair.

Mr. Eversole responded that he understands what the concerns are and is prepared to sit down with Mr. Cross to discuss the options. He suggested 45 days upon the acceptance of a restoration plan.

Member Johns made a motion to amend number 1 to change the fine from a \$1000 to \$500 because the violation was the continued plastic edging to add the timing for the dune restoration as discussed. Member Edlao second

Chair Thielen explained to Mr. Cross that he has the right to ask for a contested case hearing and if he desires he must request it prior to the end of the meeting today with the follow up of a written petition within 10 days.

Mr. Cross replied he might ask for a contested case hearing.

The Board:

Amendment to staff recommendation:

The Board reduced the civil fine to \$500 by eliminating the fine for HAR 13-221-28 and correcting the total fine, including administrative costs to be \$3,000. The Board also amended Item no. 5 of the recommendation to apply

“within forty-five days of the determination of the restoration plan by OCCL” rather than “within forty-five days of the date of this action.’ Similarly, Item no. 6 was amended to conform to that change by directing an inspection to occur “within forty-five days of the determination of the restoration plan by OCCL.” Otherwise, the Land Board approved staff’s recommendation as submitted.

Unanimously approved as amended. (Johns, Edlao)

Item D-8 Withdrawal from Governor’s Proclamation, dated October 17, 1930; Set Aside to the Agribusiness Development Corporation for Irrigation Water Sources; and Issuance of a Right-of-Entry Permit to Agribusiness Development Corporation, Kau, Hawaii, Tax Map Keys: (3) 9-5-05:portion of 03; 9-6-06:portion 9 and 10; 9-7-01:por. 01.

Morris Atta of Land Division informed the Board on submittal background.

Alfredo Lee, executive director of ADC (Agribusiness Development Corporation), described what the farmers have and the importance of having a water system.

Mr. Atta explained some parts of the system are under DOFAW and that there is a need to transfer over to ADC.

Discussion on whether third party tenants would agree to a right-of-entry whom ADC may need to work with to facilitate.

Paul Conry, administrator for DOFAW, informed the Board that the pipelines and tunnels will be turned over and not the land under them. He questioned whether the title is correct and he cited an example.

Mr. Atta and Mr. Lee acknowledged only the tunnels and pipelines would be transferred.

John Cross, land manager for the Edmund C. Olson Trust and formerly vice-president of real estate for C. Brewer and Co., testified that there are 5 major land owners in Ka’u. These owners have met with ADC for 2 years trying to figure out a better arrangement than a 30 day revocable permit for water sources. These owners will lease the assets (the tunnels and pipes) from ADC and manage the sites through the coop. There are 8 regional water sources. He introduced the managers of each region. Mr. Cross noted this will benefit those who don’t have revocable permits and he concurs with staff’s recommendation.

Chris Manfredi, landowner and manager, expressed the desire to expand leased areas and to promote agriculture. There is a need for diversified agriculture.

Discussion on history.

Jeff McCall a flower farmer suggested installing more pipes.

Michelle Gahimba, ranch owner, requested more help with water. She suggested specifying on the survey what the owners need to do.

Chair Thielen recommended permittees work with Mr. Lee and staff on the survey that needs to be done.

The Board:

Amendment to staff's submittal:

The Board noted that the date in condition 6, line 3 of the submittal should be October 17, 1930 and not October 17, 1039, and made the appropriate correction. Otherwise, the Land Board approved staff's recommendations as submitted.

Unanimously approved as amended. (Johns, Gon)

Item K-2 After the Fact Conservation District Use Application (CDUA) MA-3439 for the Wailuku Country Estates Water Storage Tank w/Associated Improvements and Subdivision of Land

Sam Lemmo, administrator for Office of Conservation and Coastal Lands (OCCL), reported on background. It's a water storage tank built without the Board's approval. CDUA and EA were approved and finalized. Staff approves recommendations with conditions.

Tim Lui-Kwan, representing CGM LLC, explained what happened and that this was to be part of the County of Maui water system. There was a mistake on County's part in indicating that this area was zoned agriculture when it was actually conservation zoned. The violations have been resolved and the company agrees to the conditions.

Unanimously approved as submitted. (Edlao, Johns)

Item K-1 Third Time Extension Request to Extend the Processing Period for an Additional 90-days for Conservation District Use Application (CDUA) HA-3405 to Develop a Sustainable Commercial Koa Timber Forestry Operation in South Hilo, Hawaii

Taryn Schuman recused herself.

Sam Lemmo of OCCL spoke on background. He alluded that staff may have to look closer to see what the progress is. Applicant is allowed extensions.

Unanimously approved as submitted. (Johns, Edlao)

Item D-12 Consent to Assign General Lease No. S-5353, Fredda A. Stroup, Trustee, Assignor, Jeffrey John Berg & Angela Marie Runyan, Trustees, Assignee, Waimanalo, Koolaupoko, Oahu, Tax Map key: (1) 4-1-008:076.

Morris Atta representing Land Division gave background and staff has no objections.

Jeffrey Berg here to answer questions.

Unanimously approved as submitted. (Schuman, Gon)

Item D-2 Consent to Assign General lease No. 3163, G.J. Liloa Willard, Assignor, to Robert Emmett Hamilton and Susan Weinert Hamilton, Trustees under The Hamilton Joint Revocable Trust, Assignee, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-1-07:29.

Morris Atta of Land Division informed the Board on background and staff recommends approval.

Unanimously approved as submitted. (Edlao, Gon)

Item D-3 Acquisition of Private Lands and Set-Aside to Division of Forestry and Wildlife (DOFAW) for addition to the Upper Waiakea Forest Reserve at Waiakea, South Hilo, Hawaii, Tax Map key: (3) 2-4-008:003.

Morris Atta, acting administrator for Land Division, described submittal background and introduced Ian Hirokawa, legacy lands staff who is working with the seller.

Mr. Hirokawa presented background. Mr. Ivan Lui-Kwan has agreed to take the ownership interests of the current non-profit entity owners to become a part owner of the parcel with the Carlsmith Ball LLP. The non-profit owners are unwilling to agree to the State's hazardous materials indemnification language in its warranty deed form. Mr. Lui-Kwan has agreed to take on that responsibility. Mr. Lui-Kwan and Carlsmith Ball LLP would then convey the entire parcel to the State subject to the State's hazardous materials indemnification language in the warranty deed. The seller is also requesting a change in language in Exhibit B, page 2. The Office of the Attorney General has accepted the change.

Ivan Lui-Kwan, property owner, acknowledged the hard work of Paul Conry and Sheryl Mann of DOFAW, Russell Tsuji and Ian Hirokawa of Land Division.

Unanimously approved as submitted. (Johns, Gon)

Item D-1 Issuance of Revocable Permit to Green Energy Team LLC, Wailua, Lihue, Kauai, Tax Map Key: (4) 3-9-02: 20.

Morris Atta representing Land Division reminded the Board this was submitted at a prior Board meeting. Issues were raised where ADC and other parties were instructed to meet and come back to the Board to present their positions. The submittal contains follow-up reports from ADC and other parties. There were 3 meetings held in December. The compromise being sought is close to 1000 acres and not 2100 acres. The trees will not be albizia, but there is an obligation to harvest existing albizia trees on Kauai and use those as part of the process. In compromise, the permittees are willing to give up a portion of their lands and adjust the RP with reduced acreage.

Member Agor inquired if the description of these RPs will be coming from Land Division.

Mr. Atta replied it depends on the timing because Land Division is anticipating submitting a proposal to the Board either at the upcoming or following meeting for the actual transfer of the lands to ADC. If that is the case, ADC will be taking more of a primary role in those permit lease issues otherwise Land Division will be handling them.

Alfredo Lee of Agribusiness Development Corp. (ADC) commended Mr. Atta's summarization. Mr. Lee thanked everyone for their participation at the 3 meetings. ADC is happy they can bring about a solution.

Discussion on Butler and Ching letters. Laura Butler is not participating. Mr. Ching made a proposal that needs more work.

Mr. Atta clarified this is not the approval of the RP. It is an agreement in principle to proceed.

Eric Knudsen representing Green Energy Team thanked everyone. He reiterated Mr. Atta's earlier submittal description and Green Energy is ready to move forward. He noted that his company agrees to maintain the roads.

Mr. Atta reported that the Kalepa Master Plan was intended as an internal planning tool for the Department and was never adopted by anyone because the conclusion of this Master Plan required substantial capital investment for it to work. This plan fell to the wayside. The Master Plan was meant to study what agricultural use and activities would be appropriate or desired after the transfer of Kalepa lands from plantation to the State. Department of Agriculture abandoned this plan because of the substantial capital investment needed to implement it. ADC will decide on how they will use it.

Leslie Milnes, interim chair of Kalepa Koalition, asked the Board to adopt their requirements that they had agreed to in their letter to Alfredo Lee on pages 1 and 2.

Kalepa Koalition concerned over page 2, Item 6F and would like to keep 25% as a requirement for cost share.

Chair Thielen stated staff's recommendation is to support the agreement in principle with the understanding that the parties need to go back for further discussion.

Jerry Ornellas of East Kauai Water Users Cooperative agrees in principle with the arrangements. Their concern is these lands are transferred to ADC ASAP.

Godwin Esaki a Kalepa lessee gave his history of the lands and his movement because of banana bungy virus. He noted a month-to-month program makes it difficult for a farmer to operate.

Milton Ching a Kalepa Koalition member was opposed, but since then he proposed to give up his entire unit M which is approximately 212 acres for Mr. Reese's unit which is 90 acres. Member Agor has his letter.

Grant Arnold representing Office of Hawaiian Affairs (OHA) is frustrated by the changes of locations, size and trees. He urged the Board not to exempt this from an environmental review process because OHA feels the lands are segmented unfairly. OHA recommends the applicant go to an EA or do an EIS. It should be considered agriculture in nature and OHA asked to allow enough time for the leaseholders to review this in one organized project instead of piecemeal in order evaluate.

Chair Thielen clarified that the Board asked for the change of the trees and for the compromise of the lands.

Member Agor stated there are conditions that the Green Energy and Kalepa Koalition needs to finalize. He asked Green Energy to agree to the 25%.

Mr. Knudsen agreed. It is fair and reasonable.

Member Gon inquired what the alternative species is.

Mr. Knudsen replied eucalyptus Europhilia and other trees that DOFAW is working with Green Energy on to ensure the highest quality crop and least invasive.

Paul Conry of Division of Forestry and Wildlife (DOFAW) stated staff is providing information on trees that have gone through the risk assessment.

Member Gon asked the Board to consider that these are the first of potential conflicts of Green Energy type issues expand in the State. It will be important to those future issues to maximize, but need to consider the downsides.

Mr. Knudsen referred to the vision of 2050 plan.

Member Agor moved to approve staff's recommendation. Member Schuman second.

Member Johns asked the understanding is that the co-existence plan that will be brought back to the Board will be generally consistent with the Jan. 3 letter from Kalepa Koalition.

Mr. Knudsen responded if there are conflicts then Green Energy would have a binding arbitration, a third party decides.

Member Johns added and then it comes back to the Board it will have full evaluation of the compliance to chapter 343.

Mr. Atta replied that is the intent.

Chair Thielen queried if that is the understanding of Kalepa Koalition that what will come back to the Board will be consistent with the January 3rd letter with the understanding if the parties come to a disagreement to that final decision there will be binding arbitration. She commended the parties involved.

Unanimously approved as submitted. (Agor, Schuman)

Item D-17 Amend Prior Board Action of November 16, 2007, Item D-1, Annual Renewal of Revocable Permits Statewide

Morris Atta of Land Division reminded the Board of this prior Board action. Staff recommended amending prior Board action and approving submittal. RP holder is in compliance with the current terms and tax clearance was received. The RP holder is now Mt. Wilson FM Inc. changed from Mauna Kea Broadcasting Inc.

Vernon Char, attorney for the applicant, explained the merger where two entities became one. He reiterated their compliance and noted the accusations previously made are false. The applicant accepts monthly rent of \$8,250 and will continue providing public service.

Discussion of deferred maintenance where items were removed and \$109,000 paid towards tower maintenance.

Unanimously approved as submitted. (Schuman, Johns)

Item D-16 Amend prior Board action of February 24, 2006 (Agenda Item D-7), by rescinding authorization to allow the Chair to negotiate a Memorandum of Agreement concerning Waimea Valley, Waimea, Wailua, Oahu.

Morris Atta representing Land Division addressed the Board on the submittal background. He reported that when that purchase went through there was an

authorization for the Chair to enter into an MOU with OHA. Since then the need for that agreement has become moot. This rescinds that authority.

Kaiwi Nui of OHA is here to answer any questions.

Unanimously approved as submitted. (Johns, Gon)

Item D-14 Waiver of Restriction - Land Office Deed No. S-28594, University of Hawaii, Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-016:120, por. 127 & 129.

Morris Atta for Land Division described background.

Gene Awakuni, chancellor of U.H. West Oahu, reviewed the action memo from staff to the Board. He noted the construction timeline has been in limbo for 20 years. It's hoped his campus will have a contractor by this May 2008 and completion in early 2010. His staff has a design advisory committee who will plan protection of the campus parameters and will include pedestrian and bike pathways. Mr. Awakuni noted that the original agreement with Campbell Estate and the State was with the understanding that this whole 500 acre parcel was to be sold to build the campus on the mauka land. The cost of the mauka land infrastructure was prohibitive at the time. The alternative was to sell some of the land with the agreement of the Legislature that the campus will retain ownership both on the makai and mauka side. In regards to receiving the revenues, the first closing will occur when the entitlement process is completed sometime in October/November. It will be 150 acres for \$50 million dollars. The campus will get the second \$50 million dollars the following year. Mr. Awakuni went on to described what their building schedule is.

Discussion regarding special fund.

Linda Chow, Deputy Attorney General, pointed out that exhibit C; page 4 has the requirement in the law regarding the use of proceeds of the U.H. West Oahu special fund.

Member Johns inquired of State property on the town side.

Mr. Atta responded that staff is discussing with U.H. West Oahu on taking over that property to incorporate it as part of their plans. In exchange, staff was discussing entering into some kind of Memorandum of Agreement whereby they would develop the property and hold back 5 to 10 acres for DLNR revenue generation. Once U.H. West Oahu has entitlement and has built the property out.

Member Johns asked is it part of the zoning request.

Mr. Awakuni replied not at this time. Mr. Atta indicated U.H. West Oahu wants to do some kind of joint venture. He explained what the plan is at various sites.

Unanimously approved as submitted. (Schuman, Gon)

Item D-5 Approval of the University of Hawaii, College of Tropical Agriculture and Human Resources Long-Range Plan for the Kamuela Agricultural Experiment Station, Lalamilo, Waimea, South Kohala, Hawaii, Tax Map Key: (3) 6-6-03:6.

Member Johns recused himself.

Morris Atta representing Land Division stated this is a follow-up of previous actions by the Board and staff seeks Board's approval.

Steve Bess of Kanu O Ka Aina is here to answer any questions.

Unanimously approved as submitted. (Gon, Edlao)

Item C-1 Request for Approval to Enter into Fifteen Contracts to Implement the Hawaii Invasive Species Council Research and Technology Grant Program Projects

Member Tim Johns recused himself.

Paul Conry, administrator for DOFAW, informed the Board about the request and recommended approval. Staff is excited to reinstitute this. He recognized Chris Buddenhagen for working this entire process and asked OHA for comments.

OHA representative replied they have no comments.

Unanimously approved as submitted. (Gon, Schuman)

Item D-4 Forfeiture of General Lease No. S-4450, Samuel Juichi Lono, Lessee, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-4-49:03.

Item D-18 Report on Kaaawa Community Association and the Koolauloa Neighborhood Board Position Statements of Lease to Windward Retreat Center for Religious, Social (Community), and Charitable Eleemosynary Purposes, Kaaawa, Koolauloa, Oahu, Tax Map Keys (1) 5-1-14: por. 47 and 5-1-11: por. 55.

Morris Atta of Land Division asked to withdraw Items D-4 and D-18.

Withdrawn. (Johns, Gon)

Item D-11 Affirm the Encroachment Area; Grant of Term, Non-Exclusive Easement to Garrett Frank Saikley Trust for Revetment Purposes, Kuliouou, Honolulu, Oahu, Tax Map Key: (1) 3-8-1:1 portion.

Morris Atta requested for a deferral.

Deferred. (Johns, Edlao)

Applicant is currently out-of-state and requested the opportunity to present testimony on the matter in person before the Board. The Board agreed to defer the matter.

Item D-9 Grant of Perpetual, Non-Exclusive Easement to Peter and Debra Hepner for Access and Utility Purposes, Makawao, Maui, Tax Map Key: (2) 2-3-002: 001 por.

Morris Atta representing Land Division communicated staff's submittal background. He asked for the deputy attorney general's opinion.

Linda Chow, Deputy Attorney General, concerned with the condition that states if the property is for commercial purposes that the Board may adjust the amount of the easement consideration to be paid to the State. She questioned whether or not one could change the appraisal because it is based on fair market value at the time and she doesn't think it justifies an increase in fair market should the property be used for commercial purposes. What is the basis for that?

Member Johns suggested the owners come in with an application and deal with the easement at that time.

Ms. Chow stated that was the recommendation.

Mr. Atta explained there is an existing easement over the area because when it was reconfigured it fell short of the property line and the owners are asking the right to use the existing easement over State owned property.

Discussion whether there is commercial and personal residence on same property. Wording of commercial is hypothetical and causes confusion.

Ms. Chow suggested changing the character of use to be residential.

Mr. Atta was reminded he did not check with staff if the concurrence of the Post Office was obtained prior to this matter.

Chair Thielen suggested approving this subject to the concurrence of the Post Office.

Member Gon moved to approve as amended. Member Johns second.

The Board:

Amendment to staff's recommendation:

Unanimously approved as amended. (Gon, Johns)

In response to comments from the Deputy Attorney General, the Board agreed to limit the purpose of the easement to "residential access and utility purposes only" and imposed an additional condition that the applicant must obtain consent of the existing tenant of the property over which the easement currently exists (the Post Office), prior to granting of the non-exclusive easement. Otherwise, the Land Board approved staff's recommendations as submitted.

Item D-15 Set Aside to the City and County of Honolulu, Board of Water Supply for the Purpose of a Water Tank Reservoir Site, East Kapolei, Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-18: Por. 3

Morris Atta of Land Division mentioned a representative of DHHL was here to answer questions. He reported on background and that staff has no objections.

Unanimously approved as submitted. (Schuman, Gon)

Item D-10 Amend prior Board action of December 14, 2006, under agenda item D-10: *Acquisition of Government Lands and Set Aside to (1) Department of Transportation for Manifested Cargo and Passenger Operations, and (2) Department of Business, Economic Development and Tourism, Foreign-Trade Zone Division for Foreign Commerce, Portion of Kaakaukukui, Honolulu, Oahu, Tax Map Keys: (1) 2-1-15: Por. 09, 19, 15, 21, 25, 26, 27, 28, 29, 30, 31, 32, 33, 36, 37, 38, 39, 42 & 46 by amending the stated public purpose for the Department of Transportation subject lands such that it reads "for maritime or maritime related purposes."*

Morris Atta of Land Division noted correcting the submittal to be 2007 and not 2006.

The Board:

Unanimously approved as amended. (Johns, Gon)

The Board noted that the date of the prior Board action being amended should be December 14, 2007 and not December 14, 2006, and made the appropriate correction. Otherwise, the Land Board approved staff's recommendations as submitted.

Item D-6 Termination of Revocable Permit No. S-7164 to HKK, LLC; Issuance of Revocable Permit to IWF KKH, LLC., Lanihau 1st, North Kona, Hawaii, Tax Map Key: (3) 7-5-06:22

Item D-7 **Consent to Mortgage, General Lease No. S-5143, Levi H. Kaupu, Lessee, Milolii-Hoopuloa, South Kona, Hawaii, Tax Map: (3) 8-9-14:29.**

Morris Atta from Land Division declared no changes.

Unanimously approved as submitted. (Johns, Gon)

Item E-1 **Request from the Big Island Body Surfing Association and the Honolulu Body Surfing Club for Use of a Portion of the Hapuna Beach State Recreation Area for a Body Surfing Contest**

Dan Quinn, administrator for Division of State Parks, informed the Board on the request.

Member Johns suggested modifying the amount in the liability policy.

Mr. Quinn replied he will follow-up regarding whether the State is self insured with the Chair's approval.

Ms. Chow clarified recommendations of insurance should be taken up with Risk Management.

Unanimously approved as submitted. (Johns, Edlao)

Item E-2 **Request to Enter into a Revocable Permit for the Operation of a Beverage Vending Machine Concession, Waianapanapa State Park, Maui**

Dan Quinn of State Parks reported on request.

Unanimously approved as submitted. (Edlao, Johns)

Item M-1 **Issuance of Fixed Base Facility Lease Universal Enterprises, Inc. dba Air Service Hawaii, Kona International Airport at Keahole**

Ann Shiigi representing DOT/Aiports described submittal background and staff recommends approving.

Unanimously approved as submitted. (Johns, Gon)

There being no further business, Chairperson Laura Thielen adjourned the meeting at 11:45 am. 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,



Adaline Cummings
Board of Land & Natural Resources
Secretary

Approved for submittal:



LAURA H. THIELEN
Chairperson
Department of Land and Natural Resources