BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of

OFFICE OF STATE PLANNING,
STATE OF HAWAII

To Amend the Agricultural Land Use District Boundary into the Conservation Land Use District for Approximately 456 Acres at Olomana, Kailua and Waimanalo Ahupuaa, Koolaupoko, Island of Oahu, State of Hawaii, Tax Map Key Numbers: 4-1-08: por. 13; 4-1-10: por. 74 and por. 93; and 4-2-06: por. 2

DOCKET NO. BR93-690
ORDER ADOPTING HEARING OFFICER'S PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION AND ORDER

ORDER ADOPTING HEARING OFFICER’S PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION AND ORDER
BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of

OFFICE OF STATE PLANNING,
STATE OF HAWAII

To Amend the Agricultural Land
Use District Boundary into the
Conservation Land Use District
for Approximately 456 Acres at
Olomana, Kailua and Waimanalo
Ahupuaa, Koolaupoko, Island of
Oahu, State of Hawaii, Tax Map
Key Numbers: 4-1-08: por. 13;
4-1-10: por. 74 and por. 93; and
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ORDER ADOPTING HEARING
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ORDER ADOPTING HEARING OFFICER’S PROPOSED FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND DECISION AND ORDER

On March 10, 1994, the duly appointed Hearing Officer,
Benjamin M. Matsubara, Esq., conducted a hearing on the
Petition for Land Use District Boundary Amendment, filed on
October 7, 1993, and as amended on January 18, 1994 and
February 3, 1994 (hereinafter collectively referred to as "Petition").

On March 31, 1994, Petitioner Office of State Planning
filed its Proposed Findings of Fact, Conclusions of Law, and
Decision and Order.

On April 26, 1994, the Hearing Officer issued his
Proposed Findings of Fact, Conclusions of Law, and Decision and Order. On May 3, 1994, the Hearing Officer issued a memorandum
to all parties in regards to amendments to the Proposed
Findings of Fact, Conclusions of Law, and Decision and Order. No exceptions to the Hearing Officer’s Proposed Findings of Fact, Conclusions of Law, and Decision and Order, as amended, were filed by the parties.

On June 16, 1994, at its meeting at Lanai City, Lanai, this Commission heard oral arguments on the Hearing Officer’s Proposed Findings of Fact, Conclusions of Law, and Decision and Order, as amended, from the Hearing Officer. Also present was Rick Eichor, Esq., Deputy Attorney General and Mary Lou Kobayashi representing the Office of State Planning. In a letter dated June 14, 1994, the Planning Department of the City and County of Honolulu, stated that it would not be present for the proceedings in Lanai City, Lanai, and further stated its support of the Hearing Officer’s Proposed Findings of Fact, Conclusions of Law, and Decision and Order, as amended.

This Commission, upon consideration of the Hearing Officer’s Proposed Findings of Fact, Conclusions of Law, and Decision and Order, as amended, the arguments of the Hearing Officer, the record and files herein, and good cause existing and upon motion duly passed by this Commission,

HEREBY ORDERS that this Commission shall hereby adopt the Hearing Officer’s Proposed Findings of Fact, Conclusions of Law, and Decision and Order, as amended, as its own Findings of Fact, Conclusions of Law, and Decision and Order.
Done at Honolulu, Hawaii, this 28th day of June 1994, per motion on June 16, 1994.

LAND USE COMMISSION
STATE OF HAWAII

By JOANN N. MATTSON
Chairperson and Commissioner

By TRUDY K. SENDA
Vice Chairperson and Commissioner

By ALLEN K. HOE
Commissioner

By (absent)
LLOYD F. KAWAKAMI
Commissioner

By (absent)
EUSEBIO LAPEÑA, JR.
Commissioner

By RENTON L. K. NIP
Commissioner

Filed and effective on June 28, 1994

Certified by:

Executive Officer

By ELTON WADA
Commissioner

By DELMOND J. H. WON
Commissioner
BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of ) DOCKET NO. BR93-690
OFFICE OF STATE PLANNING, ) CERTIFICATE OF SERVICE
STATE OF HAWAII )

To Amend the Agricultural Land )
Use District Boundary into the )
Conservation Land Use District )
for Approximately 456 Acres at )
Olomana, Kailua and Waimanalo )
Ahupuaa, Koolaupoko, Island of )
Oahu, State of Hawaii, Tax Map )
Key Numbers: 4-1-08: por. 13; )
4-1-10: por. 74 and por. 93; and )
4-2-06: por. 2 )

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Order Adopting
Hearing Officer’s Proposed Findings of Fact, Conclusions of
Law, and Decision and Order was served upon the following by
either hand delivery or depositing the same in the U. S. Postal
Service by certified mail:

HAROLD S. MASUMOTO, Director
Office of State Planning
P. O. Box 3540
Honolulu, Hawaii 96811-3540

RICK J. EICHOR, ESQ., Attorney for Petitioner
Department of the Attorney General
State of Hawaii
425 Queen Street
Honolulu, Hawaii 96813

ROBIN FOSTER, Chief Planning Officer
Planning Department
CERT.
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

DATED: Honolulu, Hawaii, this 28th day of June 1994.

ESTHER UEDA
Executive Officer