BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI‘I

In the Matter of the Petition of

MOANA CORPORATION

To Amend the Agricultural Land Use District Boundary into the Urban Land Use District for Approximately 457.54 Acres of Land Situated at Poipu, Island of Kauai, State of Hawai‘i, TMK: 2-8-14: 05, 07, 08, por. 19, 20, 21, 26-36; 2-8-15: 77; 2-8-29: 1-94

DOCKET NO. A76-418

ORDER DENYING THE OFFICE OF STATE PLANNING'S MOTION TO PROPOSE MODIFICATIONS, DELETIONS, AND/OR ADDITIONAL CONDITIONS TO THE CONDITIONS IMPOSED BY THE LAND USE COMMISSION

ORDER DENYING THE OFFICE OF STATE PLANNING'S MOTION TO PROPOSE MODIFICATIONS, DELETIONS, AND/OR ADDITIONAL CONDITIONS TO THE CONDITIONS IMPOSED BY THE LAND USE COMMISSION

This is to certify that this is a true and correct copy of the document on file in the office of the State Land Use Commission, Honolulu, Hawaii.

OCT 16 1995 by ____________________________
Date Executive Officer
ORDER DENYING THE OFFICE OF STATE PLANNING’S MOTION TO PROPOSE MODIFICATIONS, DELETIONS, AND/OR ADDITIONAL CONDITIONS TO THE CONDITIONS IMPOSED BY THE LAND USE COMMISSION

On September 26, 1995, the Office of State Planning filed its Motion To Propose Modifications, Deletions, And/Or Additional Conditions To The Conditions Imposed By The Land Use Commission ("Motion").

Said Motion requested the Land Use Commission ("Commission") to modify Condition No. 7, relating to historic, archeological, and biological resources on the petition area. Further, the Motion recommended that the Commission add conditions relating to erosion control, school facilities, wastewater treatment, traffic impacts, civil defense, agricultural activities, drainage improvements, solid waste management, golf course development, water supply, stream buffer and channelization, and water supply.

On October 3, 1995, First Hawaiian Bank, a Hawai‘i corporation, as Trustee of the Eric A. Knudsen Trust, and
Hawaiian Trust Company, Limited, as Trustee of the Augustus F. Knudsen Trust (collectively "Knudsen Trust") filed Movant's Memorandum In Opposition To The Office of State Planning's Motion To Propose Modifications, Deletions And/Or Additional Conditions To The Conditions Imposed By The Land Use Commission (Filed on September 26, 1995).

Also on October 3, 1995, Sports Shinko (Kauai) Co., Ltd. filed Sports Shinko's Memorandum In Opposition To County Of Kauai's Motion For Modification Of Conditions And The Office Of State Planning's Motion To Propose Modifications, Deletions, And/Or Additional Conditions To The Conditions Imposed By The Land Use Commission.


The Commission, having considered the arguments of the Office of State Planning and the other parties on the Motion, and having considered the records and files in this proceeding, and good cause appearing therefrom;

NOW HEREBY ORDERS that the Motion filed by the Office of State Planning is DENIED.
DOCKET NO. A76-418 - MOANA CORPORATION

Done at Honolulu, Hawaii, this 16th day of October 1995, per motion on October 3, 1995.

LAND USE COMMISSION
STATE OF HAWAI'I

By Allen K. Hoe
ALLEN K. HOE
Chairperson and Commissioner

By Trudy K. Senda
TRUDY K. SENDA
Vice Chairperson and Commissioner

By Rupert K. Chun
RUPEST K. CHUN
Commissioner

By (absent)
M. CASEY JARMAN
Commissioner

By Lloyd F. Kawakami
LLOYD F. KAWAKAMI
Commissioner

By Merle A. K. Kelai
MERLE A. K. KELAI
Commissioner

By (absent)
Eusebio Lapenia, Jr.
Commissioner

By Joann N. Mattson
JOANN N. MATTSON
Commissioner

By Elton Wada
ELTON WADA
Commissioner

Filed and effective on October 16, 1995

Certified by:

Executive Officer
BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In the Matter of the Petition of

MOANA CORPORATION

DOCKET NO. A76-418

CERTIFICATE OF SERVICE

To Amend the Agricultural Land Use District Boundary into the Urban Land Use District for Approximately 457.54 Acres of Land Situated at Poipu, Island of Kauai, State of Hawaii, TMK: 2-8-14: 05, 07, 08, por. 19, 20, 21, 26-36; 2-8-15: 77; 2-8-29: 1-94

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Order Denying the Office of State Planning's Motion to Propose Modifications, Deletions, and/or Additional Conditions to the Conditions Imposed by the Land Use Commission was served upon the following by either hand delivery or depositing the same in the U.S. Postal Service by certified mail:

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HARTWELL H.K. BLAKE, ESQ.
County Attorney
CERT.
Office of the County Attorney
County of Kauai
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Lihue, Hawaii 96766

D. SCOTT MACKINNON, ESQ., Attorney for Sports Shinko McCorriston Miho Miller Mukai
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CERT.
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CERT.
TERESA TICO, ESQ., Attorney for Intervenor
Attorney at Law
P. O. Box 449
Kilauea, Hawaii 96754

CERT.
KAUAI ELECTRIC COMPANY, LIMITED
4392 Waialo Road
Eleele, Hawaii 96705

DATED: Honolulu, Hawaii, this 16th day of October 1995.

ESTHER UEDA
Executive Officer