

LAND USE COMMISSION

Minutes of Meeting

Kamakahonu Ballrooms
King Kamehameha's Kona Beach Hotel
75-5660 Palani Road
Kailua-Kona, Hawaii

April 30, 1998

COMMISSIONERS PRESENT: Rupert K. Chun
P. Roy Catalani
Merle A.K. Kelai
JoAnn Mattson
Isaac Fiesta, Jr.
Peter Yukimura
Lawrence N.C. Ing

*approved
5/14/98*

COMMISSIONERS ABSENT: Herbert Kaopua, Sr.
M. Casey Jarman

STAFF PRESENT: Esther Ueda, Executive Officer
Jon Itomura, Deputy Attorney General
Leo Asuncion, Jr., Staff Planner
Darlene Kinoshita, Chief Clerk

Michelle Kauth, Court Reporter

Chairman Chun called the meeting to order.

CONTINUED HEARING

A94-705 - COUNTY OF HAWAII, PLANNING DEPARTMENT

Presiding Officer Chun announced that this matter before the Commission is a continuation of the hearing which was previously held on March 19, 1998.

Appearances

Patricia O'Toole, Esq., Deputy Corporation Counsel, County of Hawaii

Virginia Goldstein, Director, Planning Dept., County of Hawaii

Norman Hayashi, Planning Dept., County of Hawaii

Ann Ogata-Deal, Esq., Deputy Attorney General, Office of Planning

Abe Mitsuda, Land Use Division, Office of Planning

Benjamin Kudo, Esq., Attorney for Intervenor, Queen
Liliuokalani Trust

Eric Maehara, Esq., Attorney for Intervenor, Hawaiian
Development Corporation

Steven Lim, Esq., Attorney for Intervenor, Kam Investments

Judith Graham, for Intervenor, E Mau Na Ala Hele

Debra Chang, for Intervenor, E Mau Na Ala Hele

PUBLIC WITNESS

1. Isabel Mediros

EXHIBITS

1. County's Exhibit No. 27 through 29 were admitted into evidence by the Land Use Commission.

2. E Mau Na Ala Hele's Exhibit Nos. 46 through 52 were admitted into evidence by the Land Use Commission.

3. Kam Investment's Amended Exhibit No. 1, Amended Exhibit No. 2, Exhibit No. 3 through 5 were admitted by the Land Use Commission.

INTERVENOR - E MAU NA ALA HELE'S WITNESSES

1. Patricia Tummons
2. Keith Wallis
3. Joe Castelli

A lunch recess was taken at 12:00 p.m. to reconvene at 1:00 p.m.

- 1:00 p.m. -

INTERVENOR - E MAU NA ALA HELE'S WITNESSES (Continued)

4. Nancy Pisicchio
5. Judith Graham

COUNTY'S WITNESS

1. Virginia Goldstein

Commissioner Catalani moved to go into executive session to consult with our Deputy Attorney General regarding LUC's responsibilities concerning traditional and cultural resources that may or may not be present and whether these responsibilities may be delegated to the County. The motion was seconded by Commissioner Mattson and unanimously approved by voice votes.

The Commission requested memos at the parties option, regarding whether the Commission can delegate to the County its responsibilities to determine whether archaeological sites are present on the property and whether a proposed reclassification will have an impact upon archaeological, cultural, or historical resources. The memos are due by May 22, 1998.

Chairperson Chun instructed all parties of the post-hearing procedures. Proposed findings from the parties are due by May 22, 1998 and the parties have until May 29, 1998 in which to respond.

The meeting was adjourned at 3:30 p.m.