

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Hanalei District Court House
Hanalei, Kauai

August 24, 1984 - 10:00 a.m.

Approved
11/1/84

COMMISSIONERS PRESENT: William Yuen, Chairman
Teofilo Tacbian, Vice Chairman
Richard Choy
Winona Rubin
Toru Suzuki
Robert Tamaye
Frederick Whittemore

COMMISSIONERS ABSENT: Lawrence Chun
Everett Cuskaden

STAFF PRESENT: Gordan Furutani, Executive Officer
Dora Horikawa, Chief Clerk

James Lavielle, Court Reporter

ACTION

A82-530 - AMFAC PROPERTY DEVELOPMENT CORPORATION

Chairman Yuen announced that the first item on the agenda this morning concerned a discussion of an alternative system for the disposal of the Lihue Sugar Mill waste water and an amendment of condition 4c of the Decision and Order.

All of the persons who appeared today, having been duly sworn in, testified and were examined as set forth in the transcript.

Appearances

Edward Sarita, Vice President, Amfac Property Development

Max Graham, County Attorney's Office, representing the
Kauai Planning Department

Annette Chock, Deputy Attorney General, representing the
the Dept. of Planning & Economic Development

PETITIONER

Robert Inouye - Factory Superintendent, Lihue Plantation

- Oral testimony-----6 to 7
- Cross examination by Mr. Graham-----7 to 15
- Cross examination by Ms. Chock-----15 to 17
- Examination by Commissioner Rubin-----18 to 20

Edward Sarita

- Examination by Vice Chairman Tacbian-----20 to 23
- Examination by Chairman Yuen-----23 to 24

Both the County and the State submitted that they did not see the necessity to amend the condition as requested by the petitioner. They were primarily concerned with the elimination of the odor and mosquito problems and whether the present proposal will accomplish this.

Ms. Chock introduced a letter from the Department of Health addressing their concerns over the same problems, and asked that the letter be admitted as DPED's exhibit 1. It was subsequently admitted into the record.

Chairman Yuen summed up the follow-up procedures for the request by petitioner as follows:

1. An analysis by the petitioner of the effect of the proposal on storm water.
2. An analysis by the petitioner as to the necessity of amending the condition.
3. County's analysis of the proposal.

All the parties were advised that the Commission will ultimately have to rule on whether the conditions have been satisfied, and the sooner the foregoing analyses are filed, the sooner the Commission will be able to rule on this.

HEARING

A83-553 - PRINCEVILLE DEVELOPMENT CORPORATION
A83-557 - PRINCEVILLE DEVELOPMENT CORPORATION

The Chairman announced that the Commission, on its own motion, has reopened the hearing on the subject petitions to receive into evidence information on Consolidated Oil and Gas, Inc.'s sale of Princeville Development Corporation and the effect of this sale on the proposed project, including any change in the financial condition of the petitioner.

Appearances

Walton Hong, attorney representing the petitioner

Max Graham, County Attorney's Office, representing the
Kauai Planning Department

Annette Chock, Deputy Attorney General, representing the
Dept. of Planning & Economic Development

Beryl Blaich) - representing the intervenors
Susan Wilson)

Exhibits

Intervenor's exhibit 18 was identified and moved into evidence.

Petitioner's exhibit 38 was admitted into evidence.

PETITIONER

Michael Hannon - Vice President, Princeville Development Corp.

Direct examination by Mr. Hong-----38 to 63

Cross examination by Mr. Graham-----63 to 80

A lunch recess was called from 12:30 to 1:30 p.m.

1:30 p.m.

Michael Hannon (cont.)

Cross examination by Ms. Chock-----81 to 84

Cross examination by Ms. Wilson-----84 to 102

Examination by Commissioner Whittemore-----103 to 106

Michael Hannon (cont.)

Examination by Chairman Yuen-----106 to 109

At the conclusion of the hearing, Chairman Yuen announced post hearing requirements and procedures.

The hearing was closed at 2:40 p.m. and upon the consensus of all parties, the Commission and parties went on a field trip to view the subject lands.