STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Ekolu Room
Royal Waikoloa Hotel
Waikoloa, Hawaii

October 27, 1988

COMMISSIONERS PRESENT: Lawrence Chun, Vice-Chairman
Allen K. Hoe
Toru Suzuki
Robert Tamaye
Allen Kajioka

COMMISSIONERS ABSENT: Renton L.K. Nip, Chairman
Sharon R. Himeno
Frederick P. Whittemore
Teofilo Phil Tacbian

STAFF PRESENT: Esther Ueda, Executive Officer
Randall Young, Esq, Deputy Attorney
General
Raymond Young, Staff Planner
Darlene Kinoshita, Chief Clerk
Jean Marie McManus, Court Reporter

Vice-Chairman Chun called the meeting to order.

ACTION

A88-630 - PALACE DEVELOPMENT CORPORATION AND HAWAII KA'U AINA

Vice-Chairman Chun announced that the Commission would take action in the matter of the petition by Palace Development Corporation and Hawaii Ka'u Aina to consider acceptance of Petitioner's Environmental Impact Statement to reclassify approximately 2,344 acres of land currently in the Conservation District into the Urban District and approximately 900 acres of land currently in the Agricultural District into the Urban District at Kahuku, Ka'u, Hawaii for a self-contained resort, residential support community, and a regional airport.

Appearances

R. Ben Tsukazaki, Esq., Attorney for Petitioner
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Albert Lono Lyman, Director, Planning Department,
County of Hawaii

Virginia Goldstein, Planning Department, County of
Hawaii

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

Jean Nishida, Land Use Division, Office of State
Planning

Commissioner Kajioka moved to go into executive
session to discuss legal matters with our Deputy Attorney
General regarding Petitioner's environmental impact statement.
The motion was seconded by Commissioner Suzuki and unanimously
carried by voice votes.

After hearing arguments from Mr. Tsukazaki, Mr. Lyman,
and Ms. Ogata-Deal, questions were asked by the Commissioners.

Vice-Chairman Chun allowed public witnesses to testify
in regards to Petitioner's environmental impact statement.

PUBLIC WITNESSES

1. Gilbert Kahele

2. Glen M. Winterbottom

Copy of County of Hawaii's Ordinance No. 88-118 and
Mr. Winterbottom's Statement of Case and Revised Petition for
Declaratory Ruling was admitted into evidence by LUC.

Commissioner Hoe moved to accept Petitioner's
Environmental Impact Statement with noted concerns and
reservations by the Commission. The motion was seconded by
Commissioner Tamaye and unanimously carried by voice votes and
the petition was accepted for filing as of October 27, 1988.

CONTINUED HEARING

A88-621 - KAHALA CAPITAL CORPORATION (Awake'e)

Vice-Chairman Chun announced that the present matter
before the Commission is a continuation of the hearing which
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Appearances

Sandra Pechter Schutte, Esq., Attorney for Petitioner
Glenn Hara, Esq., Attorney for Petitioner
Virginia Goldstein, Planning Department, County of Hawaii
Ann Ogata-Deal, Esq., Deputy Attorney General, Office of State Planning
Abe Mitsuda, Land Use Division, Office of State Planning
Jean Nishida, Land Use Division, Office of State Planning
Christopher Yuen, Esq., Attorney for Intervenors

The letter dated October 4, 1988 from Mark Van Pernis was admitted into evidence by the Land Use Commission.

PUBLIC WITNESS

1. William S. Kawahara
2. Larry Moses

A lunch recess was taken at 12:20 p.m. to reconvene at 1:45 p.m.

- 1:51 p.m. -

EXHIBITS

1. Petitioner's Exhibit Nos. 70 through 72 were admitted into evidence by the Land Use Commission.
P ETITIONER'S W ITNESSES

1. Paul Rosendahl
2. Winona Char
3. Thomas F. Nance

M ISCELLANEOUS

1. ADOPTION OF DECISION AND ORDERS

The Decision and Order for the following docket was adopted:
A88-620 KOHALA JOINT VENTURE

The adoption of the decision and order for SP88-369 AINAKO RESORT ASSOCIATES AND GROVE FARM PROPERTIES, INC. was deferred until a later date.

2. ADOPTION OF MINUTES

The minutes for the following meeting dates were approved as circulated: October 12, 1988 and October 13, 1988.

The meeting was adjourned at 4:39 p.m.