

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Ekolu Room  
Royal Waikoloan Hotel  
Waikoloa, Hawaii

October 28, 1988

approved  
11/17/88

COMMISSIONERS PRESENT: Renton L.K. Nip, Chairman  
Lawrence Chun, Vice-Chairman  
Allen K. Hoe  
Toru Suzuki (Portion of Proceeding)  
Robert Tamaye  
Allen Kajioka

COMMISSIONERS ABSENT: Sharon R. Himeno  
Frederick P. Whittemore  
Teofilo Phil Tacbian

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

Chairman Nip called the meeting to order.

CONTINUED HEARING

A83-554 - FARMS OF KAPUA

It was announced by Chairman Nip that this is a continuation of the October 14, 1987 and April 26, 1988 reopened hearing on Docket No. A83-554/Farms of Kapua to receive additional evidence from the parties pursuant to an Order from the Third Circuit Court remanding this matter to the Land Use Commission to provide substantially greater archaeological reconnaissance survey of the "mauka" areas; to provide more evidence regarding the implementation of the 1983 Hawaii Senate Resolution No. 65 "Requesting Further Action on the Designation of a State Natural Recreational and Historic Park at Kapua, Honomalino, Okoe, Kaulanamauna, and Manuka

Districts in South Kona and Ka'u, Island of Hawaii,"; and to provide evidence on the impact that the requested classification change will have on the implementation of S.R. No. 65.

Appearances

Jan Sullivan, Esq., Attorney for Petitioner

Roy Takeyama, Esq., Attorney for Petitioner

Fred Gianini, Esq., Deputy Corporation Counsel, County of Hawaii

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

Abe Mitsuda, Land Use Division, Office of State Planning

Paul Lucas, Esq., Esq., Attorney for Intervenor

Livia Wang, Esq., Attorney for Intervenor

Commissioner Tamaye did not participate in this proceeding due to a previously declared conflict of interest.

It was announced by Chairman Nip that since the last hearing, the Commission had received a letter dated October 17, 1988 from James Ireijo, Esq., withdrawing as attorney for Pa'a Pono Milolii, Inc.; a Notice of Appearance filed October 21, 1988 by Paul N. Lucas, Esq., of the Native Hawaiian Legal Corporation; a motion to continue hearing filed October 21, 1988 by Paul N. Lucas, Esq.; a stipulation to continue hearing from the parties; and a motion seeking clarification of the scope and procedures to be utilized for the continued hearing filed by the County of Hawaii, Planning Department.

Commissioner Hoe moved to grant the continuance of the hearing. The motion was seconded by Commissioner Kajioka and carried unanimously by voice votes.

The motion to seek clarification of the scope and procedures to be utilized for the continued hearing was withdrawn by Albert Lono Lyman, Director, Planning Department, County of Hawaii.

A lunch recess was taken at 11:30 a.m. to reconvene at 1:00 p.m.

- 1:10 p.m. -

CONTINUED HEARING

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

Today's proceeding was a continuation of the hearing which was adjourned yesterday at 4:39 p.m.

Commissioner Suzuki was absent from the proceeding at this time.

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

PETITIONER'S WITNESSES

1. Richard E. Green, PH.d

2. Dennis T. Shiu

The meeting was adjourned at 2:46 p.m.