

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Lahaina Civic Center
1840 Honoapiilani Highway
Lahaina, Maui

Approved
4-16-85

November 27, 1984 - 10:00 a.m.

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

COMMISSIONERS ABSENT: Lawrence Chun
Everett Cuskaden
Winona Rubin

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

Benjamin Matsubara, Special Counsel

Jean McManus, Court Reporter

ACTION

A84-569 - DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

In the matter of the petition by the Department of Planning and Economic Development to reclassify approximately 5.063 acres of land from the Rural District into the Urban District at Kaluaaha, Molokai, a hearing had been conducted by Hearing Officer Benjamin Matsubara on September 11, 1984.

Appearances

Annette Chock - Deputy Attorney General, representing petitioner

Marie Hustace - Representing self

Ms. Colleen Suyama, Planner, indicated that the County was waiving its right to participate in the proceedings this morning.

The location of the property under petition was pointed out by Executive Officer Furutani on the USGS and Tax Maps.

Mr. Matsubara reported that based on a review of the petition and evidence adduced at the hearing, the County of Maui had recommended approval of the petition. It was also the Hearing Officer's recommendation that the petition be granted.

Closing Arguments

By Mrs. Hustace-----14 to 17

Examination by Commissioner Choy-----17 to 18

Examination by Vice Chairman Tacbian-----18 to 19

Examination by Chairman Yuen-----19 to 21

By Ms. Chock-----21 to 22

Examination by Chairman Yuen-----22 to 23

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

Vice Chairman Tacbian moved to approve the Hearing Officer's recommendation to reclassify 5.063 acres of land at Kaluaaha, Molokai from the Rural to the Urban District. It was seconded by Commissioner Whittemore and the motion was carried with the following votes:

Ayes: Commissioners Suzuki, Choy, Tamaye, Whittemore, Tacbian, Chairman Yuen

The Hearing Officer was directed to prepare the Commission's Decision and Order.

HEARING

A84-577 - HAWAIIAN AIRLINES, INC.

Pursuant to a notice published in the Maui News and the Honolulu Advertiser on October 19, 1984, and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the petition by Hawaiian Airlines, Inc. to reclassify approximately 50 acres of land from the Agricultural District into the Urban District at Mahinahina and Kahana, Lahaina, Maui for an airstrip.

It was announced that the Commission was in receipt of approximately 31 requests to appear as public witnesses, and two requests for intervention--one from Mid Pacific Airlines, and another from Abraham Ahia, et al, represented by the Native Hawaiian Legal Corporation.

Appearances

William McCorriston) - Co-counsel, representing the
Bruce Lamon) petitioner

Fred Rohlfing - Deputy Corporation Counsel, representing
the Maui Planning Department

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

Alexander Marrack - Attorney representing Intervenor
Mid Pacific Airlines

Mary Ann Magnier - Attorney representing Intervenors
Abraham Ahia, et al

The Ex. Officer oriented the Commission to the area under
petition and pointed out various surrounding landmarks.

Intervention Requests

Mid Pacific Airlines

Mr. Marrack elaborated on the reasons Mid Pacific was
interested in participating as an intervenor.

Abraham Ahia, et al

It was submitted by Ms. Magnier that a group of native
Hawaiians who own a 9% undivided interest in Kahana Valley were
concerned with the implications the airport development will
have on the value of the valley.

Upon motion by Vice Chairman Tacbian, seconded by Commis-
sioner Choy, both Mid Pacific Airlines and Abraham Ahia, et al
were permitted to intervene in these proceedings, by unanimous
vote.

Chairman Yuen polled all of the parties with respect to
their positions relative to his participation in these proceed-
ings, in view of the fact that his law firm had previously repre-
sented Hawaiian Airlines and Royal Hawaiian Air Service. All
of the parties responded that they had no objections to his
participation.

Exhibits

Petitioner's exhibits 1 through 12 were moved into evidence.

County's exhibit 1 through 7 were admitted into the record.

DPED's exhibit 1 was admitted into the record.

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

Public Witnesses

Byron S. Walters - President, West Maui Taxpayers Association

Oral testimony-----13 to 21

Cross examination by Mr. McCorriston-----21 to 26

Examination by Chairman Yuen-----27 to 28

Marsha Sailer - West Maui Resident

Oral testimony-----28 to 30

Cross examination by Mr. McCorriston-----30

Examination by Commissioner Choy-----31

George Apo - Maui Resident

Oral testimony-----32 to 34

Mac Lowson - Maui Resident

Oral testimony-----34 to 41

Cross examination by Mr. McCorriston-----41 to 42

Cross examination by Mr. Marrack-----42 to 44

Examination by Commissioner Whittemore-----44 to 45

William Kennison - ILWU Local 142, Maui Division

Oral testimony-----45 to 47

Latricia Kamaia - ILWU

Oral testimony-----48 to 49

Lee Radner - West Maui Resident

Oral testimony-----50 to 53

Cross examination by Mr. McCorriston-----53 to 54

Ron Dela Cruz - Kahana Resident

Oral testimony-----56 to 57

Robert Haws - President, Royal Hawaiian Air Service

Oral testimony-----68 to 66

Cross examination by Ms. Chock-----66

Cross examination by Mr. Marrack-----67 to 68

Examination by Vice Chairman Tacbian-----69

Examination by Commissioner Choy-----69 to 70

Pat Quigley - Resident Manager of Kahana Sunset Condominium

Oral testimony-----70 to 74

Dyke Kondo - Retired Senior Citizen

Oral testimony-----75 to 79

Kay Miyaki - Lahaina Resident

Oral testimony-----79 to 80

Roger Haley - Kahului Resident

Oral testimony-----81 to 86

Edwin Nelson - Mahinahina Resident

Oral testimony-----86 to 89

Charles Ross - Lahaina Resident

Oral testimony-----89 to 94

Examination by Vice Chairman Tacbian-----95

Examination by Commissioner Choy-----95

Josephine Barca - Waitress of Kapalua Hotel

Oral testimony-----95 to 96

Examination by Vice Chairman Tacbian-----97 to 98

PETITIONER

Tatsumi Imada - Norman Saito Engineering

Direct examination by Mr. McCorrison-----98 to 107

Exhibit

Petitioner's blow-up of the site plan was marked as exhibit 13 and entered into the record. Petitioner was directed to submit 3 copies of the blow-up map for the Commission's records.

Cross examination by Mr. Rohlfing-----107 to 108

Cross examination by Ms. Chock-----108 to 112

Cross examination by Mr. Marrack-----112 to 113

Examination by Commissioner Whittemore-----114 to 115

Examination by Vice Chairman Tacbian-----115 to 116

Examination by Chairman Yuen-----116 to 118

Redirect examination by Mr. McCorrison-----118

Reexamination by Chairman Yuen-----118 to 120

Richard Cameron - Corporate Land Manager, Maui Land & Pineapple Co.

Direct examination by Mr. McCorrison-----121 to 124

Cross examination by Ms. Chock-----124 to 129

Cross examination by Mr. Marrack-----129 to 131

Examination by Commissioner Whittemore-----131 to 133

Examination by Vice Chairman Tacbian-----133 to 134

Examination by Commissioner Choy-----134 to 135

Examination by Chairman Yuen-----135 to 138

The hearing was recessed at 4:46 p.m., to be resumed tomorrow at 8:30 a.m.