STATE OF HAWAII
LAND USE COMMISSION

Approved
SEP 5 1979

Minutes of Meeting

Conference Rooms A & B
New State Building
Honolulu, Hawaii

May 3, 1979 - 9:30 a.m.

COMMISSIONERS PRESENT: Charles Duke, Chairman
Shinichi Nakagawa, Vice Chairman
James Carras
Shinsei Miyasato
Mitsuo Oura
George Pascua
Carol Whitesell
Edward Yanai

STAFF PRESENT: Gordan Furutani, Executive Officer
Daniel Yasui, Planner
Allan Kawada, Deputy Attorney General
Dora Horikawa, Chief Clerk

Ray Russell, Court Reporter

LETTER FROM COMMISSIONER CARRAS

The meeting was called to order by Chairman Duke. Congratulations were extended to Commissioner Carras upon his appointment as Deputy Director of the Department of Transportation, effective May 1, 1979. Commissioner Carras read a letter addressed to the Land Use Commission, dated May 2, 1979, outlining the agreement regarding his impending resignation from the Commission, and also his declaration of ineligibility to participate in the petition by the Department of Planning & Economic Development, Docket A78-449, due to conflict arising out of his new position with the State. He was therefore excused by the Chairman from further participation in the subject petition.

CONTINUATION OF HEARING - XI

A78-449 - DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

WAIANAE LAND USE CONCERNS COMMITTEE ET AL (cont.)

Donald Gately - Honolulu Harbor Master, Department of Transportation

Direct examination by Mr. Schweigert----------1071 to 1075

Donald Gately (cont.)

Cross examination by Miss Chock----------1075 to 1079

Cross examination by Mr. Moseley----------1080

Redirect examination by Mr. Schweigert----------1080 to 1082

DonaldStiger - Area Manager, Hawaiian Marine Lines

Direct examination by Mr. Schweigert----------1082 to 1085

Cross examination by Miss Chock----------1085 to 1086

Cross examination by Mr. Moseley----------1086 to 1089

Redirect examination by Mr. Schweigert----------1089 to 1092

Examination by Commissioner Whitesell----------1093 to 1095

Aki Sinoto - Dept. of Anthropology at Mishop Museum

Direct examination by Mr. Schweigert----------1096 to 1109

Cross examination by Miss Chock----------1110 to 1115

Redirect examination by Mr. Schweigert----------1115 to 1121

Recross examination by Miss Chock----------1121 to 1124

Examination by Vice Chairman Nakagawa----------1124 to 1125

Examination by Commissioner Whitesell----------1125 to 1127

Johnny Torres (recalled)

Direct examination by Mr. Schweigert----------1127 to 1128

Addition to Exhibit

An additional 1,031 signatures to the petition previously admitted into evidence as Intervenors' Exhibit 4 were submitted by Mr. Torres and entered into evidence, again over the objections of the petitioner, DPED.

The meeting was in recess from 11:53 a.m. to 1:30 p.m.

1:30 p.m.

Exhibits

County's Exhibits 5, 6, 7 and 8 were admitted into evidence.

Exhibits (cont.)

Intervenors' Exhibits 5 through 15 were admitted into evidence.

Rebuttal Witnesses

DEPARTMENT OF GENERAL PLANNING

Alexander Bolton

Direct examination by Mr. Moseley----------1139 to 1154

Cross examination by Miss Chock----------1154 to 1157

Charles Swanson

Direct examination by Mr. Moseley----------1158 to 1173

Cross examination by Miss Chock----------1173

Cross examination by Mr. Schweigert----------1174 to 1184

Redirect examination by Mr. Moseley----------1184 to 1194

Closing Arguments

Miss Chock for Petitioner----------1196

Mr. Moseley for Dept. of General Planning--------1196 to 1201

Mr. Schweigert for Intervenors----------1202 to 1210

Closing of Hearing

Vice Chairman Nakagawa moved, seconded by Commissioner Oura, to close the hearing on Docket A78-449. The motion was unanimously carried.

Chairman Duke instructed all parties present to submit proposed findings of fact and conclusions of law 30 days after the transcripts become available. He further directed that all parties will have 15 days in which to respond to each other's proposed findings.

It was announced that, as previously agreed upon, the Commission will utilize the proposed decision and order procedure for this petition since less than 8 Commissioners participated in the total proceedings.

The meeting was adjourned at 4:55 p.m.