

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Kailua United Methodist Church
Kailua, Hawaii

May 5, 1977 - 9:00 a.m.

Approved
AUG 16 1977

COMMISSIONERS PRESENT: Eddie Tangen, Chairman
Stanley Sakahashi, Vice Chairman
James Carras
Charles Duke
Colette Machado
Shinsei Miyasato
Mitsuo Oura
Carol Whitesell
Edward Yanai

STAFF PRESENT: Gordan Furutani, Executive Officer
Daniel Yasui, Planner
Michael Marsh, Deputy Attorney General
Dora Horikawa, Clerk Reporter

Ray Russell, Court Reporter

CONTINUED HEARING

A76-420 - DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT
(Kawainui Marsh)

The meeting was called to order by Chairman Tangen who noted that the petitioner had completed its case during yesterday's proceedings.

DEPARTMENT OF GENERAL PLANNING

DPG's Exhibits J and K and W were admitted into evidence.

Ramon Duran, Deputy Chief Planning Officer, DPG

Direct examination by Miss Howell-----179 to 184
Cross examination by Mr. Lee-----184 to 191
Cross examination by Mr. Kupchak-----191 to 197
Cross examination by Mr. Higa-----197 to 210
Redirect examination by Miss Howell-----210 to 211
Recross examination by Mr. Lee-----211 to 212

Ramon Duran (cont.)

Recross examination by Mr. Kupchak-----212 to 213

Examination by Commissioner Whitesell-----214

George Iwamoto, Engineer, Division of Sewers, Dept. of Public Works

Direct examination by Miss Howell-----215 to 218

Cross examination by Mr. Lee-----218 to 222

Examination by Chairman Tangen-----222 to 225
re Mr. Lee's line of questioning

Cross examination by Mr. Kupchak-----225 to 228

Fred Chan, Planning Engineer, Refuse Division, DPW

Direct examination by Miss Howell-----230 to 231

Cross examination by Mr. Lee-----232

All those testifying today who were not previously sworn in were administered the oath by the Chairman.

AD HOC COMMITTEE FOR KAWAINUI MARSH

Opening statement by Mr. Kupchak-----234 to 237

Ann Morgan, Youth Educational Chairman for Outdoor Circle

Direct examination by Mr. Kupchak-----238 to 240

A 20-minute audio-visual slide show, marked Ad Hoc's Exhibit 3 and 40, depicting the scenic value of Kawainui Marsh was presented.

The meeting was recessed for lunch from 11:35 a.m. to 1:05 p.m.

1:05 p.m.

DPG's Exhibits L through V were admitted into evidence.

Mr. Higa moved to object to the admission of Ad Hoc's Exhibit 3 on the basis that it was totally irrelevant to the instant case before the Commission. Mr. Kupchak countered that the slides interpreted Kawainui's scenic and historic values and therefore were relevant. Chairman Tangen observed that the slides, although interesting and well done, did not address itself totally to the petition. Mr. Kupchak offered to delete all matters which did not pertain to Kawainui, but requested retention of the slides dealing with the scenic aspects of Kawainui in the record. Chairman Tangen ruled that the Commission consider only those slides dealing with

the subject parcel.

AD HOC COMMITTEE FOR KAWAINUI MARSH (cont.)

Dorothy Hargraves, Outdoor Circle

Direct examination by Mr. Kupchak-----249 to 251
Cross examination by Mr. Lee-----251 to 253
Cross examination by Mr. Higa-----253
Redirect examination by Mr. Kupchak-----254

Reverend Edward Kealanahele

Read from prepared testimony-----255 to 265
Direct examination by Mr. Kupchak-----265 to 268

Exhibits

All of those documents within Ad Hoc's Exhibits marked 3 to 41 inclusive which had not been admitted previously were admitted into evidence, with the exception of Exhibit 26 on which Mr. Higa reserved his objections. Mr. Kupchak withdrew Ad Hoc's Exhibit 2 with reservations to resubmit it a later time if Mr. Higa should also resubmit an exhibit.

Robert Shallenberger, Biologist

Direct examination by Mr. Kupchak-----269 to 288
Examination by Chairman Tangen-----289 to 290
Cross examination by Mr. Lee-----290 to 295
Cross examination by Mr. Higa-----295 to 300
Redirect examination by Mr. Kupchak-----300
Examination by Vice Chairman Sakahashi-----301 to 304
Examination by Chairman Tangen-----304

Faith E. Evans, State Representative, State Legislature

Read from prepared testimony-----305 to 309
Examination by Commissioner Whitesell-----310

Robert Barrel, State Director, National Park Service

Direct examination by Mr. Kupchak-----310 to 320

Chairman Tangen announced that since it appeared the hearing could not be concluded today, it will be continued to a later date at which time the Ad Hoc Committee for Kawainui will present an additional witness, followed by a presentation by Intervenor Harold K. L. Castle et al.

Mr. Kupchak suggested that it might be appropriate for the Commission to tour the site and that he would be glad to provide the necessary means for this. Chairman Tangen agreed that it may be possible to make some kind of arrangements in this respect.

The meeting recessed at 3:40 p.m.