

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Conference Room 322  
New State Building  
Honolulu, Hawaii

*Approved*  
*Sept. 8, 1977*

May 17, 1977 - 9:00 a.m.

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

COMMISSIONER ABSENT: Edward Yanai

STAFF PRESENT: Gordan Furutani, Executive Officer  
Michael Marsh, Deputy Attorney General  
Dora Horikawa, Clerk Reporter  
  
Cassie Uyekubo, Court Reporter

HEARING

A76-424 - FOSTER PETROLEUM CORPORATION

Pursuant to a notice published in the Honolulu Star Bulletin on April 12, 1977, and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the petition by Foster Petroleum Corporation to amend the land use district boundaries for approximately 7 acres of land presently in the Agricultural District into the Urban District at Maili, Lualualei, Waianae, Oahu, for residential purposes, Docket A76-424.

APPEARANCES

Warren Higa, appearing on behalf of Morio Omori, Attorney for the petitioner

Jane Howell, Deputy Corporation Counsel, representing Department of General Planning

Gilbert Lee, Deputy Attorney General, representing the Department of Planning & Economic Development

All of those testifying today were duly sworn in by Chairman Tangen.

All of those persons who appeared as public witnesses or who were called as witnesses by the parties today, having been duly sworn in, testified and were examined as set forth in the transcript on the pages noted.

PUBLIC WITNESSES

Milton Warne - Secretary of the Hawaii Farm Bureau Federation

Read from prepared testimony----- 4 to 6  
Cross examination by Mr. Higa----- 6 to 7  
Cross examination by Mr. Lee----- 7 to 8  
Examination by Commissioner Whitesell----- 8 to 9  
Examination by Commissioner Oura----- 9  
Examination by Commissioner Duke----- 9 to 10

Ernest Adaniya - Hog farmer

Mr. Adaniya was called as a witness by the Commission and testified relative to the location of the surrounding poultry farms, piggeries, vegetable farms, dairy, and other uses adjacent to the subject parcel.

Cross examination by Mr. Higa----- 20

PETITIONER

Petitioner's Exhibits 1 through 10 were admitted into evidence.

Petitioner's presentation was prefaced by a statement from Mr. Higa regarding the background of Foster Petroleum's interest in the property and the circumstances leading to the request for the reclassification.

George Houghtailing - Planning Consultant for petitioner

Read from prepared statement----- 26 to 38  
Cross examination by Miss Howell----- 38 to 43  
Cross examination by Mr. Lee----- 43 to 66  
Examination by Commissioner Whitesell----- 67 to 69  
Examination by Vice Chairman Sakahashi----- 69 to 71

George Houghtailing (cont.)

Examination by Mr. Marsh----- 75

Dr. Marvin Miura - President, Environmental Impact Study Corp.

Direct examination by Mr. Higa----- 76 to 90

Cross examination by Miss Howell----- 90 to 95

The meeting was recessed from 11:49 a.m. to 1:50 p.m.

1:50 p.m.

Commissioner Machado was not present during the afternoon session.

Dr. Marvin Miura (cont.)

Cross examination by Mr. Lee----- 100 to 107

Examination by Vice Chairman Sakahashi----- 107 to 108

Examination by Commissioner Whitesell----- 110 to 112

Examination by Mr. Marsh----- 112 to 115

George Houghtailing (recalled)

Cross examination by Mr. Lee----- 117 to 118

DPED Witnesses

The following five farmers called as witnesses by DPED were taken out of order since they were anxious to return to their farms:

Shoichi Kiyabu - Poultry Farmer

Direct examination by Mr. Lee-----120 to 128

Cross examination by Mr. Higa-----128 to 129

Examination by Commissioner Whitesell-----129

Examination by Commissioner Duke-----130 to 131

James Inafuku - Poultry Farmer

Direct examination by Mr. Lee-----132 to 137

Cross examination by Mr. Higa-----137 to 139

Examination by Commissioner Duke-----141

James Inafuku (cont.)

Redirect examination by Mr. Lee-----142  
Recross examination by Mr. Higa-----142  
Reexamination by Commissioner Duke-----142 to 143  
Recross examination by Mr. Higa-----143

Richard Medeiros - Farmer & President of Medeiros Co., Inc.

Direct examination by Mr. Lee-----144 to 145  
Examination by Chairman Tangen and Commissioner Duke - 145 to 149

Randy Kamiya - Kamiya Dairy

Direct examination by Mr. Lee-----149 to 151  
Cross examination by Mr. Higa-----151 to 154  
Examination by Commissioner Duke-----154 to 156

Dennis Tojo - Student, Tropical Agriculture, University of Hawaii

Direct examination by Mr. Lee-----156 to 158  
Cross examination by Mr. Higa-----158

DEPARTMENT OF GENERAL PLANNING

Robert R. Way - Chief Planning Officer, Department of General  
Planning

Direct examination by Miss Howell----- 159  
Summary of prepared testimony----- 160 to 162  
Cross examination by Mr. Higa----- 162 to 169  
Cross examination by Mr. Lee----- 169 to 171  
Examination by Commissioner Whitesell----- 171 to 173

George Hiu - Civil Engineer, Board of Water Supply

Direct examination by Miss Howell----- 174 to 178  
Cross examination by Mr. Higa----- 179  
Cross examination by Mr. Lee----- 180 to 181

George Hiu (cont.)

Examination by Commissioner Whitesell----- 182 to 184  
Examination by Chairman Tangen----- 185  
Reexamination by Commissioner Whitesell----- 185 to 187  
Examination by Commissioner Duke----- 187 to 188  
Mr. Way's testimony was admitted into evidence.

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

Exhibits

DPED's Exhibits 1 through 8 and written testimony of Mr. Tatsuo Fujimoto were admitted into evidence.

Tsutomu Kubota - Acting Chief, Sanitation Branch, Dept. of Health

Direct examination by Mr. Lee-----189 to 191  
Examination by Commissioner Duke-----191 to 193  
Examination by Mr. Marsh-----194 to 195  
Examination by Vice Chairman Sakahashi-----195 to 196  
Redirect examination by Mr. Lee-----196 to 197

Harold Kurihara - Development Administrator, Hawaii Housing Authority

Direct examination by Mr. Lee-----197 to 204  
Cross examination by Mr. Higa-----204 to 208  
Examination by Commissioner Whitesell-----208 to 209

James Kirchhofer - Dept. of Agriculture

Examination by Commissioner Whitesell-----211

At the conclusion of the hearing, Chairman Tangen apprised petitioner and parties of the deadlines for filing the proposed findings and conclusions and responses thereto.

The hearing was adjourned at 4:47 p.m.