

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Senate Conference Room No. 5  
2nd Floor, State Capitol  
Honolulu, Hawaii

June 6, 1977 - 9:00 a.m.

*Approved*  
*October 13, 1977*

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

COMMISSIONER ABSENT: Stanley Sakahashi, Vice Chairman

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

ACTION

A76-423 - WINDWARD PARTNERS

Chairman Tangen announced that the Commission will go into executive session to discuss the legal aspects of a proposal he will present to the Commission concerning the petition by Windward Partners with the Deputy Attorney General, following which the Commission will proceed with a discussion of the issues at hand at a public meeting prior to taking action on the petition.

The Chair elaborated that this proposal will be one that will seek to balance agriculture with multiple use of the property that will be beneficial, not only to the people of Waikane, but to the majority of the island population. It was further submitted that the key element to the proposal will be the strengthening of public regulation over agricultural lands through imposition of conditions by the Commission, should it elect to approve a portion of the subject lands for urban and residential uses. Moreover, if the Commission were to deny the petition in its entirety, it will not be possible to impose any kind of condition on the uses of the lands.

A brief description was given of the conditions proposed to be incorporated in the Declaration and Trust Agreement to be entered into by the landowners and the Commission, which conditions will be recorded with the Bureau of Conveyances.

Commissioner Duke moved that the Commission go into executive session, which was seconded by Commissioner Oura and unanimously carried by voice vote.

The Commission retired into executive session at 9:43 a.m. and the meeting reconvened at 11:55 a.m.

\*\*\*\*\*

11:55 a.m.

The Chairman announced that the Commission had completed the executive session with its legal counsel, and since the Commission is considering modification of the petition which is of a significant nature and which had not been addressed at the hearing, the Commission was referring the proposed Declaration and Trust Agreement to its legal counsel for review and opinion. In order to afford all parties an opportunity to comment on whatever modification the Commission may decide upon, the LUC will provide all of the parties with a draft of the proposed modification within approximately 2 weeks. At that time, the Commission will set a date for all parties to file written briefs on the proposed conditions, and schedule a further meeting for the continuation of the action on Docket A76-423, Windward Partners.

Commissioner Duke moved to continue the action on A76-423 on the basis of the reasons as presented by the Chairman. The motion was seconded by Commissioner Carras and the Commissioners were polled as follows:

Ayes: Commissioners Yanai, Carras, Machado, Whitesell,  
Duke, Oura, Miyasato, Chairman Tangen

The motion was carried, and the meeting was adjourned at 12:05 p.m.