

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Rib Room
Kona Hilton Hotel
Kailua, Kona

Approved
12/13/83

October 27, 1983 - 10:30 a.m.

COMMISSIONERS PRESENT: William Yuen, Chairman
Richard Choy, Vice Chairman
Lawrence Chun
Shinsei Miyasato
Winona Rubin
Teofilo Tacbian
Frederick Whittemore
Everett Cuskaden (11:10 a.m.)

COMMISSIONER ABSENT: Robert Tamaye

STAFF PRESENT: Gordan Furutani, Executive Officer
Carolee Aoki, Deputy Attorney General
Dora Horikawa, Chief Clerk

Sami Lynch, Court Reporter

HEARING (cont.)

A83-554 - FARMS OF KAPUA

Chairman Yuen announced that this was a continuation of the hearing which had commenced yesterday on the request by Farms of Kapua, and petitioner's witness Francis Oda was under cross examination at the time the hearing was recessed.

Francis Oda (recalled)

Cross examination by Miss Lenell-----5 to 25
Examination by Commissioner Rubin-----25 to 30
Examination by Vice Chairman Choy-----31 to 32
Examination by Commissioner Chun-----32 to 33
Reexamination by Commissioner Rubin-----33 to 34
Examination by Chairman Yuen-----34 to 37
Examination by Commissioner Whittemore-----37 to 38

Chairman Yuen administered the oath to the people who had made requests to appear as public witnesses today, and called on them to make their presentations as follows:

Public Witnesses

Ron Graybill - Kealakekua Resident

Oral testimony-----39 to 40

Cross examination by Mr. Takeyama-----40 to 41

Examination by Commissioner Cuskaden-----42 to 43

Examination by Chairman Yuen-----43 to 44

Alan Tyler - Representing the Kona Conservation Group

Oral testimony-----44 to 51

Cross examination by Mr. Fuke-----51 to 54

Cross examination by Miss Chock-----54

Examination by Commissioner Tacbian-----54 to 56

Examination by Vice Chairman Choy-----56 to 57

Examination by Commissioner Chun-----57 to 58

Annie Aku - Kona REsident

Oral testimony-----59 to 60

Cross examination by Mr. Fuke-----61 to 62

Cross examination by Miss Chock-----62 to 63

Warren Matsumoto - Heavy Equipment Operator

Oral testimony-----64

Cross examination by Miss Chock-----65

Cross examination by Mr. Warshauer-----65 to 67

Examination by Chairman Yuen-----67

Melvin M. Miranda - Former Manager of Hualalai Ranch

Oral testimony-----67 to 69

Melvin M. Miranda (cont.)

Cross examination by Mr. Takeyama-----69 to 70

Cross examination by Mr. Fuke-----71 to 73

Cross examination by Mr. Warshauer-----74 to 80

Examination by Commissioner Tacbian-----80 to 81

The Commission was in recess from 12:30 p.m. to 1:45 p.m.

1:45 p.m.

Charles Young - Kau Resident

Oral testimony-----82

Charles Aipio - Kona Resident

Oral testimony-----84 to 85

Cross examination Miss Lenell-----85 to 87

Examination by Commissioner Whittemore-----87

Yoshitaka Takashiba - Captain Cook Resident

Oral testimony-----87 to 88

Frank Belcher - Kau Resident

Oral testimony-----89 to 91

Cross examination by Mr. Warshauer-----91 to 97

Kaipo Akaka - Aquaculturist, Queen Liliuokalani Children's
Center

Oral testimony-----97 to 99

Cross examination by Mr. Takeyama-----99 to 105

Cross examination by Mr. Fuke-----105 to 108

Cross examination by Miss Chock-----108 to 109

Cross examination by Mr. Warshauer-----109 to 114

Kaipo Akaka (cont.)

Examination by Commissioner Tachian-----114 to 115

Examination by Commissioner Chun-----115 to 116

Examination by Commissioner Cusakden-----116 to 120

Examination by Chairman Yuen-----120 to 121

Chairman Yuen called on Mr. Takeyama, petitioner's counsel, to call his next witness.

PETITIONER (cont.)

John Mink - Hydrologist

Direct examination by Mr. Takeyama-----122 to 135

Cross examination by Mr. Fuke-----135 to 140

Cross examination by Miss Chock-----141 to 144

Cross examination by Mr. Warshauer-----144

At this time, since Mr. Warshauer made reference to Intervenor's exhibit during the cross examination of Mr. Mink, Intervenor's exhibits A-1, A-2 and A-3, entitled Median Rainfall, Water Resources of the Kona Area and Summary of the Island of Hawaii respectively were admitted into evidence and the Chairman instructed counsel that the Commission be served with the requisite number of the entire document from which these had been excerpted.

Miss Lenell objected to the requirement that 15 copies of the entire document be filed and requested that this be waived. Chairman Yuen responded that he will rule on this request after he has had an opportunity to examine the entire document.

The Chairman also advised that he was holding in abeyance his ruling on the admissibility of Intervenor's remaining exhibits until such time as they were relabeled and the necessary copies filed with the Commission.

John Mink (cont.)

Cross examination by Mr. Warshauer-----151 to 180

Examination by Commissioner Rubin-----180 to 181

Examination by Commissioner Cuskaden-----181 to 183

Examination by Chairman Yuen-----183 to 184

The Chairman announced that the Commission will adjourn the hearing and reconvene on a date set by the Commission.

A83-551 - OCEANIC PROPERTIES, INC. - To Reopen the Hearing

It was moved by Vice Chairman Choy, seconded by Commissioner Cuskaden to reopen the hearing on Docket A83-551, Oceanic Properties, Inc., to receive additional testimony from the petitioner regarding additional developments concerning the proposal for a high technology park. The motion was unanimously carried.

The meeting was adjourned at 4:45 p.m.