

Exhibit 43

STATE OF HAWAII
LAND USE COMMISSION

1:00 P.M. Meeting

July 18, 1969

Kona, Hawaii

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LAND USE COMMISSION

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CHAIRMAN CHOY:

We have today for action a petition by Mr. Smart and (inaudible) for a boundary revision. After the first portion of the meeting is concluded, then we'll go into our 5-year boundary review, covering all of the island of Hawaii.

At this point, I would like to call on those who will testify for the case regards Mr. Smart and . . . (inaudible) . . . be sworn in. Would you please rise and raise your right hand? All those who are not attorneys. Do you swear that the testimony you are about to give to the Land Use Commission is the truth, the whole truth, and nothing but the truth, so help you God?

RESPONSE:

I do.

CHAIRMAN CHOY:

Thank you. We have for today action SP69-62, Richard Smart, development of concrete batching plant and manufacture of concrete at Waikoloa.

MR. DURAN:

(The July 18, 1969 memorandum to the Land Use Commission from the staff re: SP69-62 - Richard Smart (Saddle Road), was read verbatim to a point where Chairman Choy requested Mr. Duran to stop.)

CHAIRMAN CHOY:

We have all previously heard the details of this matter. If you would just go into the staff recommendation.

MR. DURAN:

Yes. (Comments are inaudible due to the echo resulting from the use

MR. DURAN (Cont'd.)

of a microphone by the speaker.)

CHAIRMAN CHOY:

Now, would the petitioner like to make a statement in regard to . . .

MR. SMART:

No, I have nothing to say at this time. Thank you.

CHAIRMAN CHOY:

Thank you, Mr. Smart. Is there anyone from the County government who would like to speak for or against this action? Are there any private citizens who would like to speak for or against? If not, the chair will entertain a motion.

COMMISSIONER:

Mr. Chairman, I move that we accept the staff recommendations.

COMMISSIONER NAPIER:

I second it.

CHAIRMAN CHOY:

Question. Mr. Duran, will you poll the Commissioners?

MR. DURAN:

Commissioner Nishimura.

COMM. NISHIMURA:

Aye.

MR. DURAN:

Napier.

COMM. NAPIER:

Aye.

MR. DURAN:

Choy.

CHAIRMAN CHOY:

Aye.

MR. DURAN:

Kido.

COMM. KIDO:

Aye.

MR. DURAN:

Mark.

COMM. MARK:

Aye.

MR. DURAN:

Yamamura.

COMM. YAMAMURA:

Aye.

MR. DURAN:

Wung.

COMM. WUNG:

Aye.

MR. DURAN:

Inaba.

COMM. INABA:

Aye.

MR. DURAN:

Motion is carried, Mr. Chairman.

CHAIRMAN CHOY:

Thank you, Mr. Duran. We now proceed into action A68-208, Kid McCoy
petition.

MR. DURAN:

Mr. Chairman, it is my understanding earlier that this matter was to be . . . that the petition was to . . . (inaudible) . . . on the matter, but I believe I now understand that they wish to proceed with the hearing.

MR. McCOY:

I don't want to take up your time on this but I would like to explain this. The reason is, we got a letter from the Mayor's office . . . (inaudible) . . . our petition has just not been able to be reviewed by the County. (Additional comment inaudible due to echo from microphone.)

CHAIRMAN CHOY:

Mr. Duran, are they asking for an extension?

MR. DURAN:

An extension on the deadline until they can work out differences with the County or until the County can evaluate their request and report back to the Commission. So it's the consensus of the Commission to continue the action period until we do receive some word from the County Planning Commission. That then is the prerogative of the Commission.

CHAIRMAN CHOY:

How much time have we got left?

MR. DURAN:

Do you have any idea how long the County may require to act on this?

MR. McCOY:

About 3 months.

MR. DURAN:

Do you think they'll be able to come back with a report?

MR. McCOY:

I certainly hope so. They said in their letter it would be worked

MR. McCOY (Cont'd.)

out as rapidly as possible and . . .

MR. DURAN:

Do you think 6 months or 3 months or . . . ?

MR. McCOY:

I'd have to ask the County.

MR. DURAN:

How about a 90 day extension? Ninety days, Mr. Chairman?

CHAIRMAN CHOY:

A request for 90 days extension is being requested. Do the Commissioners have any questions?

MR. McCOY:

If we can work it out sooner, . . . (inaudible) . . . ?

MR. DURAN:

That's the maximum.

CHAIRMAN CHOY:

We'll proceed on the basis that they have an extension of 90 days.

MR. McCOY:

Thank you.

CHAIRMAN CHOY:

All those who wish to testify today in regard to the overall island-wide 5 year boundary review, we have a testimony form that we'd like for you to fill in. If you haven't done so, would you please raise your hand? Also, have all of you been able to get up and see the maps and the posters which show the boundary changes as recommended by the Land Use Commission? Has everybody seen the maps? Is there anybody who hasn't seen them? Would

CHAIRMAN CHOY (Cont'd.)

you raise your hand?

We'll take a 5 minute break and allow you people to go up and see the particular parcels of land that you're interested in.

May I have your attention please? Before we start with the testimony before the Land Use Commission, I'd like to call on our Executive Officer, but prior to calling on Mr. Duran, I think for the convenience of the people present, I'd like to introduce those at the head table. On my extreme left is Mr. Kido, Land Commissioner, Mr. Nishimura, Kauai Commissioner, Mr. Goro Inaba, Kona Commissioner, our very brand new Commissioner from Maui, Tanji Yamamura, on my right is Mr. Wung from Hilo, Mr. Alex Napier, Oahu Commissioner, Mr. Shelley Mark, Oahu Commissioner, and also head of the Department of Land . . . I mean of the Economic Development and our secretary, Dora Horikawa. Also present in the audience is the consultants, Eckbo, Dean, Austin and Williams. They were hired by the State of Hawaii by your Land Use Commission to study . . . to work on the 5 year boundary review. Will you rise? Howard Altman and Don Austin. Do you have anybody else?

RESPONSE:

No.

CHAIRMAN CHOY:

So I think this will . . . Pardon.

COMMISSIONER:

Introduce yourself.

CHAIRMAN CHOY:

Oh. And I'm Wilbert Choy, vice chairman, acting in lieu of our chairman who couldn't be here, Mr. Burns from Honolulu.

CHAIRMAN CHOY (Cont'd.)

Now, Rom, are you ready?

MR. DURAN:

Mr. Chairman and Commissioners, . . . (inaudible due to echo of microphone) . . . was amended, public hearings were conducted through each town of the State on the rules of the practice and procedures in the Land Use Commission district regulations as well as the district boundaries for each of the (inaudible). Hearings were held in Kauai, April 11, 1969, and in Hawaii, April 25, 1969, and also we had meetings in Hilo on the 26th . . . (inaudible) . . . and Kalapana, 296 acres . . . (inaudible) . . . rural district must change to urban district. And near the town of Pauoa are 290 acres. Another significant proposal of these maps is the designation of the shoreline presently in the agricultural district but not in agricultural use, into the conservation district. The recognition of the shoreline as a natural resource is . . . (inaudible) . . . that both the conservation and this waterfront property should be (inaudible) together. Wide use of this first priority resource can be effected toward the long range public interest in adopting this proposal.

Today, Mr. Chairman, I've also received comments from several people and in your packet is a section devoted to comments that we've received in the past week and as late as yesterday dealing with protests on some of these proposed district boundaries. We've also received 5 year general development schedules . . . 5 year time performance schedules with regard to areas being considered for urban designation today and also I have received some protests today on construction schedules. They will all be put into the record now.

CHAIRMAN CHOY:

Thank you, Mr. Duran. We'll now proceed into the portion, adoption

CHAIRMAN CHOY (Cont'd.)

of Land Use District Boundaries of the island of Hawaii. At this time, I would like to have all of those that wish to testify rise and be sworn in. Would you please raise your right hand? All those that . . . those that are attorneys need not. Do you swear that the testimony you are about to give to your Land Use Commission is the truth, the whole truth and nothing but the truth, so help you God?

RESPONSE:

I do.

CHAIRMAN CHOY:

Thank you. I'd like to lay a few guidelines. Since there are so many of you who wish to testify, I would like to limit you to 10 minutes. In the event you cannot complete your testimony, after everybody has had a chance to testify, you may ask to give further testimony. In this manner, I believe we will give everybody a chance to speak. I would like to call at this time Mr. James Green.

MR. GREEN:

Mr. Chairman. I have here with me a letter that I submitted to your Executive Officer yesterday . . . (inaudible) . . . (A tremendous amount of static continually exists on this tape and it's next to impossible to make out any sentence structure in trying to listen past this distraction.) (Several sentences were inaudible.) . . . and they have advised me that they have in turn responsible resort people that can get going. Thank you very much for your time.

CHAIRMAN CHOY:

I'd like to call on Mr. Howard J. Marsh, Keauhou, Puna.

MR. MARSH:

Mr. Chairman and gentlemen of the Commission. My name is Howard J.

MR. MARSH (Cont'd.)

Marsh. I am here as the general manager of . . . (inaudible) . . . just developed. If I understand correctly, the map there is . . . (inaudible) . . . (Comments were again many times inaudible due to static continually present on the tape and the noise from traffic outside, plus the fact that the microphone produces an echo sound blurring the speaker's words.) I would like to challenge the basis of the consultants' projections and also their (inaudible) of their own criteria. The population prediction of 11% increase over the next 10 years for the island of Hawaii strikes me as being most incredible as that . . . (inaudible) . . . national standards for population increase as to think that the great state of Hawaii is not going to keep up with the national average is . . . (inaudible) . . . Because we're utilizing land for its best use in accordance with the general welfare, we concur 100%. What we're supposed to do is take the land that is now designated agriculture and have it designated as urban for utilization as living accommodations for those people who now need living accommodations and those who are yet to come without taking out prime agricultural land . . . (inaudible) (inaudible) . . . designated 500 acres in urban and have received zoning for resort development. This calls for approximately 7 resort hotels with a total room capacity of 3,000 units, and 3000 units calls for 3,000 employees and utilizing the rule of (inaudible), we'll have 6 to 1 in terms of . . . (inaudible) . . . which in and of itself is 50% more than the total estimate for the entire island of Hawaii, if I understand the consultants correctly.

The (inaudible) course we propose to the Commission is where are these people going to live if they don't live within the areas that are to be developed within a master plan or urban designation. . . . (inaudible) . . .

MR. MARSH (Cont'd.)

let me speak now not directly to our project but on the concept of incremental zoning. I speak not as an expert. I'm a lawyer by profession and training and a land developer by choice. The biggest problem that faces this great nation of ours in the next third of a century is to provide for the more than one hundred million increase in population that will come before the year 2,000. This is the greatest challenge that faces us and I want to be a part of that challenge; that's why I chose this activity. If (inaudible), I am now speaking somewhat as a prophet, I trust I will not get . . (inaudible) . . seems to me not to be in accord with the times and does not exercise the greatest (inaudible) I think to be brought to bear on the program. I say that . . (inaudible) . . I already disqualified myself; I don't speak as an expert. I speak, I believe, with some common sense; when you study the concept of incremental zoning, it is a sure (inaudible) by the year 2,000.

Back to our project. We are moving ahead. We already . . (inaudible) . . A sewage treatment plant is designed to carry . . (inaudible) . . All of our utilities are going in. . . (inaudible) . . the population for which we're building. This population will either have to go within a planned community in our project or catch as catch can throughout the . . (inaudible) . . Kona area. We feel these are undesirable results. We, therefore, petition the Commission to give favorable consideration to our request that we be given urban designation for the land that is now designated. We request urban designation for all the land makai of Kua-kini Highway which . . (inaudible) . . and, we therefore submit to you that our petition meets the (inaudible) of your department and meets all the criteria and we, therefore, request your favorable consideration.

MR. MARSH (Cont'd.)

Thank you very much.

CHAIRMAN CHOY:

Thank you, Mr. Marsh. You have a choice of filing a petition, and if you will do it promptly . . .

MR. MARSH:

I just wanted to make my record as to how I . . . (inaudible) . . . I'd like the chance to clarify my response and I believe . . . (inaudible) . . .

CHAIRMAN CHOY:

Mr. Campbell Stevenson.

MR. STEVENSON:

My name is (inaudible) Stevenson, vice president of First Hawaiian Bank (inaudible) and . . . (inaudible) . . . Presently, we have a small subdivision going in . . . a small industrial subdivision . . . and out of that we found a situation which we didn't recognize but which (inaudible) has. We have opened up 17 lots. We're extending them 17 to . . . (inaudible) . . . As a matter of fact, we're quite proud of it . . . we opened the first increment this afternoon and we're ready to . . . (inaudible) . . . (inaudible) . . . we will have a light industrial subdivision. Hopefully, it will be planted and landscaped and it will not be heavy in its vacancies. I imagine that out of this subdivision we ascertain . . . (inaudible) . . . a very substantial need for industrial property to back up the development on this side of the island, particularly in the community of Kailua-Kona. We received 55 applicants. There are 17 lots. Yesterday, gentlemen, I provided you with an outline of what's transpired and . . . (inaudible) . . . What we do and (inaudible) heavy industrial property in this area. (Some comments inaudible.) On the other

MR. STEVENSON (Cont'd.)

side of my property . . . better yet, within our property, we have litigated about 30 acres to the quarry . . . (inaudible) . . . (inaudible) . . . and the quarry site would be an ideal location for a heavy industrial subdivision. We have the applicants . . . there are some of them in this room that . . . I say this with . . . (inaudible) . . . because I had hoped that the land use designation . . . (inaudible) . . . (A few sentences totally inaudible.) If you have any questions, I'd like to answer them.

CHAIRMAN CHOY:

Do the Commissioners have any questions of the petitioner? Have you a plan for this industrial development?

MR. STEVENSON:

We have a plan . . . (inaudible) . . . which we have followed. The first (inaudible) going in on this property is a (inaudible) residential development . . . (inaudible) . . . They plan to build a shopping center. (Additional comments inaudible).

COMMISSIONER:

Mr. Stevenson, did you deliver plans to the buyer after our first hearing?

MR. STEVENSON:

He submitted plans . . . (inaudible) . . . some months ago . . . it's been 3, 6 or 8 months ago . . . (inaudible) . . . The plan that was submitted is here . . . (inaudible) . . .

CHAIRMAN CHOY:

I'd like to have Mr. Bell bring the proposed plan up for us. We shouldn't give more than 10 minutes, but I think it's a . . . the surprise to the Commission is . . . (inaudible) . . . for industrial area.

MR. STEVENSON:

(Some comments inaudible.) . . (inaudible) . . so called light industrial park . . (inaudible) . .

CHAIRMAN CHOY:

Mr. Bell, you may give us a very brief introduction.

MR. BELL:

I'd be happy to, Mr. Choy. The upper drawing shows the existing land uses; the lower drawing shows our long range plan which was originally prepared about 10 years ago but we have sort of followed it. On both drawings on colored paper, we have tried to duplicate the development that Mr. Stevenson has been talking about. The light industrial subdivision which is opening this afternoon at 4 o'clock is shown right at this location. The gray area next to it is the second increment which is undesignated at the present time. The red areas here are the commercial shopping facility which is indicated. The darker red here is the post office and bank site which we are happy to (inaudible) on your map is the (inaudible) additional urban zoning. The orange here is multi-family housing. The yellow here is the location next to the new (inaudible) school which also you're apt to see shown on your new boundary map for urban zoning. This project can go ahead and this project can go ahead. The area that we are particularly concerned about is shown here in purple with the access road and the quarry site and the heavy industrial subdivision backs up against the county dump, based on the application.

CHAIRMAN CHOY:

I'd like to ask our consultants if all of this data was in your hands when you made your recommendation.

MR. ALTMAN:

Do I get sworn in first?

CHAIRMAN CHOY:

Rom, will you swear him in?

MR. DURAN:

Do you solemnly swear the testimony you are about to give is the truth, the whole truth and nothing but the truth, so help you God?

MR. ALTMAN:

I do.

The consultants' recommendation was to zone the area makai of the road in urban. This is the entire area here. But if you'll recall, the Commission felt that they should first see a detailed plan of this area before adding any additional urban zoning. Our feeling was that everything makai should be zoned urban.

CHAIRMAN CHOY:

Mr. (inaudible), does that answer your question? Can you come in promptly with a condition . . . a plan showing the development of not only the lower area but of that industrial area?

MR. BELL:

As I have indicated to you, the construction drawings are under preparation in the bay area. The construction drawings . . . (inaudible) . . . dedicated land for it.

CHAIRMAN CHOY:

Any other questions?

COMMISSIONER:

I don't believe that we've got any plans like were shown today, Mr. Chairman.

MR. BELL:

Mr. (inaudible), exactly the same drawing was presented to the Commission on April 25th. I made the presentation. Also . . .

COMMISSIONER:

I wasn't here.

CHAIRMAN CHOY:

Any other questions?

COMMISSIONER:

I'm sorry, Mr. Bell. I wasn't aware of that.

MR. BELL:

Oh, I know.

CHAIRMAN CHOY:

We'll lay this on the table for a while. Thank you. Is there a Roy K. Nakamoto or (inaudible) Anderson?

MR. NAKAMOTO:

My name is Roy Nakamoto and I'm an attorney and I represent . . (inaudible) . . I spoke before the Commission down in Hilo, so I won't take much time of the Commission. I will just ask that the petition criteria . . (inaudible) . . (Ensuing several comments were inaudible due to intensive static.)

No on the other one, I represent (inaudible) Yamada . . (inaudible) . . (Again, this speaker's comments were almost totally inaudible. Only a few words out of each sentence were distinguishable, making the sentence structure impossible to decipher.)

CHAIRMAN CHOY:

Are there any questions by any of the Commissioners? Thank you.

MR. NAKAMOTO:

Thank you very much.

CHAIRMAN CHOY:

Mr. Louis P. (inaudible).

MR. TERRY: (?)

Mr. Chairman and Commissioners, my name is Louis P. Terry (?); I represent the (inaudible) Corporation in connection with the (inaudible) Corporation as developer of this area. At this point we are negotiating with . . (inaudible) . . for the hotel operators in connection with the development of this land. If we get an urban (inaudible) and get our zoning, we anticipate that the area here which is the complex of 3 hotels which will (inaudible) about 1,500 rooms will be built in a 3 year period. . . (inaudible) . . the area is made up of golf courses and residential areas and further down on the hill, additional resort areas which accommodate about an additional 1,000 rooms. And it is anticipated that the entire complex would be . . (inaudible) . . We note that with your present boundaries, it would be difficult to tell from the . . (inaudible) . . . here is your present boundary. . . (inaudible) . . and across the top but now down in here. This lower left hand area is the heart of the complex. This is the area in which . . . which should be developed first and then gone on around to the other portions. We feel that because of the fact that we now have a development in the harbor here that it is very natural and logical to urbanize this area so that the resort area can be zoned there close to the harbor and get the pressure off the Kailua area . . (inaudible) . .

I thank you.

CHAIRMAN CHOY:

Thank you. Any questions?

COMMISSIONER:

Isn't this area already urbanized?

MR. DURAN:

This is the . . (inaudible) . . You'll recall everything makai of the highway was zoned urban with the exception of the conservational strip along the shoreline and in this case, because of evidence that we had available at the time, there seemed to be an indication that there were a number of resort sites in this general area. And with what limited information we had, the conservation line came across here and excluded that area and the pond. So what they've indicated here is, I guess, some more detailed maps of these historic sites which is something that wasn't available at the time. So at the present time, as was indicated, this area in here is urban and down here. At least, that's what you reflected on our proposed maps, so that they could proceed with this area but not here at the present time.

CHAIRMAN CHOY:

Mr. Terry, what kind of artifacts are in that area?

MR. TERRY:

There is a very fine slide here and there are some old buildings and so on which are in good condition. I don't know that they are particularly important. The slide is very important. But I think that you will see in this overlay that we have prepared, and we've done this in connection with the Bishop Museum, we planned our development to leave out the area which there would be any building. The . . (inaudible) . . artifacts were in good condition and we should have some means of preservation. And I think that I should add in connection with that, in our negotiations with the land owners that areas of this sort . . (inaudible) . . so that we're . . . both the land owner and the developer are asked to try and preserve these things, if for no other reason than it provides an additional tourist attraction to the site of the resort area itself.

CHAIRMAN CHOY:

Any questions from the Commissioners?

MR. DURAN:

Mr. Chairman, we have a letter from Mr. Greenwell . . . James Greenwell and who also testified earlier that this is something that could be worked out at a later date with us and resolve this question of where these significant sites are and how they would be treated and also, I note that this information hasn't been available to us before, but they do indicate a park site. I am wondering if the intent here is to dedicate this for public purposes.

CHAIRMAN CHOY:

Mr. Terry, can you answer that question?

MR. TERRY:

Well, I can't speak for the land owner, but as far as the developer is concerned, we're certainly willing to dedicate the adjoining land and any area that should be set aside.

COMMISSIONER:

Thank you.

CHAIRMAN CHOY:

. . (inaudible) . . from the table. Mr. (inaudible).

MR. (?):

Mr. Chairman and members of the Commission. I would like to . . (inaudible) . . I know what I'm talking about, and I don't think I have anything to add at this time to answer your questions.

CHAIRMAN CHOY:

Thank you. Mr. Davis.

MR. DAVIS:

My name is Paul Davis and I'm one of the owners of the (inaudible)

MR. DAVIS (Cont'd.)

Ranch, together with (inaudible) who is part owner and my brother's family who is going to . . (inaudible) . . We have no additional requests to make. All of us would like to express our appreciation for the . . (inaudible) . . in a thorough and careful manner . . (inaudible) . . I consider this (inaudible) an important one. It's working in helping the overall plan. As a matter of fact, outsiders come into the Islands here to . . (inaudible) . . We know that this is kind of an historic spot in this great historic State of Hawaii, and we appreciate the fact that . . (inaudible) . . And we hope that you'll follow our development with interest and we hope that all of the results will be very worthy of the lot itself.

CHAIRMAN CHOY:

I'm sure that the Land Use Commission wishes you people well. Mr. Guido (inaudible).

GUIDO:

Gentlemen of the Commission, my name is Guido (inaudible), employee of (inaudible) Land Corporation. I have with me today a copy of a letter that . . (inaudible) . . dated July 17th and signed by . . (inaudible) . . I would like to take this opportunity just to read this letter to you today. "Gentlemen: We are appearing before you today to comment on your review of the boundaries . . (inaudible) . . These comments following our request made at (inaudible) April 20th, 1969. First, we understand that the urban zone will now cover . . (inaudible) . . makai of (inaudible) Road. Continued development, according to our (inaudible) requires . . (inaudible) . . a hotel and a golf course, within this newly developed land. Construction of the final complex will begin in mid-1970. Active

GUIDO (Cont'd.)

planning of hotels and the golf course will be underway early next year.

Secondly, we understand that an amendment to Part II, paragraph 2, 14, (inaudible), Rules and Regulations now excludes golf courses as permitted uses in agricultural districts. We are presently preparing plans for a golf course at Mapuna . . (inaudible) (inaudible due to traffic outside of building) . . Since you are not recommending that this area be rezoned at this time, we will be petitioning the Commission for a special permit to allow the golf course development to proceed. This will be undertaken within the next several months. In addition, area for residential home use adjacent to the golf course will be planned. The plan will require a petition to your Commission for a change to urban zoning at some later date. Both petitions -- one for the special permit for the golf course and another for eventual rezoning -- could be (inaudible) by rezoning this property now to the urban classification.

Third, pursuant to your request by letter of July 11, 1969, we are resubmitting our schedules as outlined to you on April 25, 1969. This schedule is part of our letter of April 24, 1969, and . . (inaudible) . . First, (inaudible) hotel scheduled to begin construction in the Fall of next year and will be completed in 1971. Concurrently, the 18 hole golf course . . (inaudible) . . Second, a . . (inaudible) . . of apartment development will begin between Mauna Kea Beach and Mapuna Beach. The first increment of this project is scheduled for completion in 1971 along with the Mapuna Beach Hotel. Subsequent . . (inaudible) . . will follow.

Third, the second condominium apartment . . (inaudible) . . area north of Mapuna Beach Hotel. Construction of this project should begin in early 1970.

GUIDO (Cont'd.)

Four, rental housing for residents of the area will begin soon after the construction of the Mapuna Beach Hotel. Mr. Chairman, I should add here that before that date of the start of the Mapuna Beach Hotel is . . . (inaudible) . . . completion scheduled in 1971. Housing as a central part of the hotel operation would be phased in . . . (inaudible) . . .

CHAIRMAN CHOY:

Pardon me. You're speaking of all the areas that have already gotten urban zoning.

GUIDO:

Yes.

MR. DURAN:

This is their performance schedule for the next 5 years.

CHAIRMAN CHOY:

But these are the areas that they have gotten . . .

MR. DURAN:

No. This is the area that we're rezoning, part of which is being zoned and the other part that's existing but vacant.

CHAIRMAN CHOY:

That area on the left of that highway triangled with . . . we zoned about 2 years ago, wasn't it?

MR. DURAN:

We've asked them for a timetable on the development of that area, too.

CHAIRMAN CHOY:

Thank you. Go ahead.

GUIDO:

Well, fifth then, is the development of homesites which are being

GUIDO (Cont'd.)

planned for the area mauka of the Mauna Kea Beach golf course. Site improvements for this project . . (inaudible) . . Finally, the hotel and golf course at Waikui Beach will be in the (inaudible) stage of planning by early next year.

This schedule is subject to adjustments and (inaudible) change. . . (inaudible) . . We appreciate the opportunity . . (inaudible) . .

Mr. Chairman, I'd be happy to answer any questions if you have them; otherwise, that's my presentation.

CHAIRMAN CHOY:

Any questions from the Commissioners? I believe that the Commission left the area above the road from urban zoning because the highway will be coming down in that particular area. And I would suggest that before you file further petitions that you check with the State Highway Division and try to find out what their alignments are.

GUIDO:

Mr. Chairman, we contact the State Highway Division periodically and we're working closely together as possible on this matter.

CHAIRMAN CHOY:

Well, the alignment is not settled yet so at this point the Commission feels it's not justified in urbanized area.

Any other questions? Alright, thank you.

Mr. Jamesville(?). (inaudible) Roofing?

MR. BISHOP:

My name is Fred Bishop. I'm with the Realty Investment Company representing (inaudible) Land and Development Company. . . (inaudible) . . we petitioned for to change the zone boundary and . . (inaudible) . .

MR. BISHOP (Cont'd.)

You'll notice from the projected . . . from the recommendations of the staff and the planners that the . . . none of the changes except in the conservation zone have been accepted by the staff. I would ask that the area that is designated as (inaudible) crater for . . . (inaudible) . . . known as Green Lake be set aside for the time being. I can't really understand why this area was put into conservation because at that area in Hilo, there was indeed a good deal of misunderstanding about volcanic activity in (inaudible) and I got to thinking that maybe the planners, not being very familiar with the area and where the volcanic (inaudible) took place. After the meeting in April, we asked our planners, Belt Collins, to consult with (inaudible) McDonald to see if everyone was aware . . . (inaudible) . . . the foremost expert on volcanic activity and a letter was written to this Commission at that time.

So our request today is just to basically allow conservation zones as set forth by the staff except in the area of (inaudible) and this be set aside for the time being. We asked Dr. McDonald to come today to explain or to answer any questions on chances of volcanic activity in (inaudible) and . . . (inaudible) . . . further land for buildings or any development. He is here in the audience. If you'd like to hear from him or if you have any questions, I'm sure that he'd be very happy to answer them.

CHAIRMAN CHOY:

Any questions for Mr. Bishop? Mr. Bishop, what area are you asking for at the present?

MR. BISHOP:

Well, it appears at the present time that as far as our request is

MR. BISHOP (Cont'd.)

concerned, we're not going to be granted the request, because we asked for a complete . . . (inaudible) . . . 500 acres. What I'm asking is that in the areas that are changing as far as the zone boundaries are concerned . . . (inaudible) . . . we would like to have set aside at the present time is the redesignation from agriculture to conservation of the area known as Green Lake (?) because looking at the map, it appears that the designated boundaries of that conservation zone go into areas that are already in some type of agriculture, and I don't really think that the planners understand or are aware of just exactly what type of property Green Lake is.

CHAIRMAN CHOY:

Are you asking for urban zoning or ag zoning?

MR. BISHOP:

We're asking for urban zoning on the whole thing. We'd very much like to get it, but it does not appear that we're going to get it. I mean, I think it's a fact of life. But what I'm arguing about here is that I don't think that Green Lake should be taken out of agriculture and put into conservation.

CHAIRMAN CHOY:

Any other questions?

COMMISSIONER:

Can we have Rom point out this area?

CHAIRMAN CHOY:

Rom, would you like to point out the area requested . . . (inaudible) the plantation?

MR. DURAN:

(Comments totally inaudible; fantastic amount of static on this entire tape.)

CHAIRMAN CHOY:

It's been requested for urban?

MR. DURAN:

Urban . . (inaudible) . . and the Commission placed the . . (inaudible) . . in conservation. . . (inaudible) . . requesting that that not be zoned conservation at this time because there's land development . . (inaudible) . . although they would like to have their 5,500 acres in urban.

MR. BISHOP:

There's approximately 400 acres in and around Green Lake. We would like to have this . . (inaudible) . . zoning and take it away from that conservation.

COMMISSIONER:

Can we have a comment from the consultants? I think this is their

. . .

CHAIRMAN CHOY:

Since you have a valuable man like Mr. McDonald who is here, I think we should take advantage of it and get your opinion as to the request for that whole portion of 400 acres, if there is any possibility of eruption or . . (inaudible) (inaudible) . . to the map?

MR. DURAN:

Could we interrupt a minute, Mr. Chairman? There's a phone call from Honolulu for William Frances or France. Please call operator 71.

CHAIRMAN CHOY:

Is Mr. Frances here? Mr. Frances?

MR. McDONALD (Cont'd.)

other thinly populated growth?

CHAIRMAN CHOY:

Alright, let's say 10,000 square feet lots with a house on it.

COMMISSIONER:

Or high rise or . . .

MR. McDONALD:

No. I would not. Not high rise and that sort of thing. I think they . . . (inaudible) . . . like development might be reasonable but there might be considerable (inaudible) in the fact that a large number . . . (inaudible) . . .

COMMISSIONER:

Let me put it this way. Would you build a house on that area?

MR. McDONALD:

Yes sir.

COMMISSIONER:

And live there?

MR. McDONALD:

I would consider it a reasonable risk.

CHAIRMAN CHOY:

Thank you. Any other questions?

MR. BISHOP:

. . . (inaudible) . . . I say it again that this is the plan as was presented in increments. It does not urbanize the whole area. And what was brought out at that hearing was the urbanization was taking place around the higher ground of (inaudible) for homes and not in the actual (inaudible)

MR. BISHOP (Cont'd.)

area at 55 or 60.

CHAIRMAN CHOY:

Thank you, Mr. Richard (inaudible). I believe Mr. McCoy has . . .
I believe that's all the testimony we're going to have today. I'd like
to call on the Hawaii County Planning Department . . (inaudible) . .

UNIDENTIFIED:

(Comments totally inaudible due to continuous loud static on the
tape.)

CHAIRMAN CHOY:

Any questions? Phillip, this area that . . . this heavy industrial
area. Is that in your County's land?

UNIDENTIFIED:

(Comments again totally inaudible for reasons stated previously.)

CHAIRMAN CHOY:

That purple area.

UNIDENTIFIED:

(Comments again totally inaudible.)

CHAIRMAN CHOY:

Any questions? Is there anybody else here that would like to come
forward and testify? If not, prior to voting on the boundary changes,
we'd like to have a 10 minute recess.

(Recess.)

The meeting of the Land Use Commission will come to order. I have
a request from (inaudible), Chamber of Commerce, who would like to make
a brief statement.

MRS. (?):

(All comments totally inaudible due to continuous static.)

CHAIRMAN CHOY:

Thank you. Rom, why don't you . . (inaudible) . .

MR. DURAN:

(Comments inaudible.)

COMMISSIONER:

(Comments inaudible.)

CHAIRMAN CHOY:

Because she was actually testifying. Any questions?

COMMISSIONER:

Are we going to make a motion?

CHAIRMAN CHOY:

Well, is there any discussion on any of the Hawaii boundary . . .

UNIDENTIFIED:

Point of order, Mr. Chairman. This lady's statements are being placed on record.

MR. DURAN:

Yes, it's in the record, Mr. Chairman.

UNIDENTIFIED:

I would like to so move that it be a part of the record of it's not . . (inaudible) . .

CHAIRMAN CHOY:

We'll clear this up and show it on the record.

UNIDENTIFIED:

Thank you.

CHAIRMAN CHOY:

Is the tape on?

RESPONSE:

Yes.

CHAIRMAN CHOY:

It will be shown on the record. Is there any discussion on the Hawaii boundaries? Commissioners . . . any discussion?

COMMISSIONER:

Mr. Chairman, before we make a motion, could I say a few words?

CHAIRMAN CHOY:

Yes.

COMMISSIONER:

Being that we are going to land on the moon maybe Saturday or Sunday, I think this Commission ought to go on record to put that under conservation.

COMMISSIONER MARK:

Second.

COMMISSIONER:

I got a second from Shelley Mark on that.

CHAIRMAN CHOY:

It has been moved and seconded by the Hawaii State Land Use Commission that the moon be placed . . . zoned in conservation. Poll the Commissioners.

MR. DURAN:

Commissioner Napier.

COMM. NAPIER:

Aye.

MR. DURAN:

Mark.

COMM. MARK:

Aye.

MR. DURAN:

Kido.

COMM. KIDO:

Aye.

MR. DURAN:

Inaba.

COMM. INABA:

Aye.

MR. DURAN:

Wung.

COMM. WUNG:

Aye.

MR. DURAN:

Nishimura.

COMM. NISHIMURA:

No.

MR. DURAN:

Yamamura.

COMM. YAMAMURA:

Aye.

MR. DURAN:

Chairman Choy.

CHAIRMAN CHOY:

Aye.

MR. DURAN:

Motion is passed, Mr. Chairman.

CHAIRMAN CHOY:

We now . . . (inaudible) . . . in charge of the moon.

MR. DURAN:

I'll schedule a field inspection, Mr. Chairman.

COMMISSIONER NISHIMURA:

The reason I say no is that you might find a lot of (inaudible) there.

CHAIRMAN CHOY:

We'll get down to business now. Any discussion on Hawaii boundaries? If not, the chair will entertain a motion.

COMMISSIONER:

Mr. Chairman, I move that the district boundary maps for the County of Hawaii shown on the maps now before this Commission and dated July 18, 1969, be adopted with the rezoning of lands as shown by the revised district (inaudible) maps to be effective concurrently with and subject to the rules and regulations of this Commission, adopted July 8, 1969.

CHAIRMAN CHOY:

Is there a second?

COMMISSIONER:

Second.

CHAIRMAN CHOY:

Any discussion? Are you ready for the question?

COMMISSIONER:

Question.

CHAIRMAN CHOY:

Will you poll the Commissioners?

MR. DURAN:

Mr. Napier.

COMM. NAPIER:

Aye.

MR. DURAN:

Mark.

COMM. MARK:

No.

MR. DURAN:

Kido.

COMM. KIDO:

Aye.

MR. DURAN:

Inaba.

COMM. INABA:

Aye.

MR. DURAN:

Wung.

COMM. WUNG:

Aye.

MR. DURAN:

Nishimura.

COMM. NISHIMURA:

Aye.

MR. DURAN:

Yamamura.

COMM. YAMAMURA:

Aye.

MR. DURAN:

Chairman Choy.

CHAIRMAN CHOY:

Aye.

MR. DURAN:

Motion is carried, Mr. Chairman.

CHAIRMAN CHOY:

Thank you, Mr. Duran. Would those others whose (inaudible) have not been included in the boundary chain, you are privileged to file a petition . . (inaudible) . . Thank you.

Now, do you have anything else?

MR. DURAN:

No.

CHAIRMAN CHOY:

If not, the meeting is adjourned.

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