

January 16, 1976

Honorable Hideto Kono, Director
Department of Planning and
Economic Development
P. O. Box 2359
Honolulu, Hawaii 96804

Dear Mr. Kono:

This relates to petition A75-398 which was initiated by the Land Use Commission to reclassify approximately 230 acres of land in the Kawainui Swamp area at Kailua, Oahu from an Urban to a Conservation District.

Subsequent to the initiation of the petition, new Rules and Regulations have been adopted incorporating the provision of Act 193 which requires that all boundary changes be considered under a quasi-judicial process. Since the quasi-judicial procedure presents a question as to the appropriateness of the Land Use Commission to actively participate as a party, the Land Use Commission at its meeting on January 12, 1976 voted to withdraw its petition A75-398 and further decided to refer the matter to the Land Use Division of the Department of Planning and Economic Development.

Pursuant to the above action, we hereby refer this matter to your Department for consideration and action. A copy of the subject petition A75-398 was previously transmitted to Mr. Tatsuo Fujimoto of the Land Use Division.

Further, we have enclosed a copy of a letter dated January 6, 1976 from Mr. Gilbert Lee, Deputy Attorney General and a letter dated January 9, 1976 from Mrs. Wilmot Seto of the Lani-Kailua Outdoor Circle which were discussed by the Commission prior to its action on January 12, 1976.

Very truly yours,

AH SUNG LEONG
Acting Executive Officer

Encls.

Mailing List

Mr. Brian Nishimoto
Plannning Director
Planning Department
County of Kauai
4280 Rice Street
Lihue, Kauai 96766

Mr. Raymond Suefuji
Planning Director
Planning Department
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Mr. Robert Way
Chief Planning Officer
Department of General Planning
City & County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

Mr. Michael Baldwin Trust, et al
(John C. Baldwin Trust)
(James C. Castle, Jr., Trust)
(James C. McIntosh Trust)
c/o Kaneohe Ranch Co., Ltd.
Castle Junction
Kaneohe, Hawaii 96744

Mr. Morio Omori
Capitol Investment Building
Suite 602
Honolulu, Hawaii 96813

Office of the Managing Director
City & County of Honolulu
City Hall
Honolulu, Hawaii 96813

Kaneohe Ranch Co., Ltd.
Castle Junction
Kaneohe, Hawaii 96744

H C & D Ltd.
811 Middle Street
Honolulu, Hawaii 96819

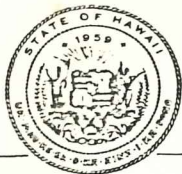
Mr. Christopher Cobb
Chairman & Member
Board of Land & Natural
Resources
State of Hawaii
465 South King Street
Honolulu, Hawaii 96813

Ms. Annie L. A. Akoi
Ms. Annie L. A. Cabrido
P. O. Box 455
Kailua, Hawaii 96734

Mr. Tosh Ishikawa
Planning Director
Planning Department
County of Maui
200 South High Street
Wailuku, Maui 96793

Mr. Richard J. Wong, et al
(Ronald W. M. Wong)
(Annabelle G. W. Wong)
(Randolph W. T. Wong)
(Wesley W. L. Wong)
(Rowina G. Y. Wong)
306 S. Kalaheo Street
Kailua, Hawaii 96734

Mr. Tatsuo Fujimoto, Head
Land Use Division
State of Hawaii
250 South King Street
Honolulu, Hawaii 96813



DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT

LAND USE COMMISSION

Suite 1795, Pacific Trade Center, 190 S. King Street, Honolulu, Hawaii 96813

GEORGE R. ARIYOSHI
Governor
EDDIE TANGEN
Chairman
STANLEY SAKAHASHI
Vice Chairman

January 12, 1976

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AH SUNG LEONG
Acting Executive Officer

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In view of the above action, please be advised that the hearing on docket A75-398 Land Use Commission (Kawainui Swamp), will not be held on January 16, 1976.

Very truly yours,

AH SUNG LEONG
Acting Executive Officer