

LAND USE COMMISSION
MEETING MINUTES
August 24th, 2022 – 9:15 a.m.

Pursuant to Hawai‘i Revised Statutes, HRS § 92 as amended, the Commission conducted its meeting in person and remotely by interactive conference technology, with Commission members, Staff, and Applicants participating simultaneously online. Interested persons were also advised to submit written testimony no later than 24 hours in advance of the meeting to allow for distribution to Commission members prior to the meeting, and to register to testify during the hybrid meeting using instructions circulated on the meeting agenda.

IN PERSON: Airport Conference Center (in Hawaiian Airlines Terminal Building) 400 Rodgers Blvd., 7th Floor, IIT Suite 700, Room #1, Honolulu, HI 96819

VIRTUAL: Zoom Webinar Virtual Meeting. Meeting Link for August 24th, 2022 below:
(https://us02web.zoom.us/webinar/register/WN_iFvvqexJQLmRn7BT2eoirg)

YOUTUBE RECORDING:
(<https://www.youtube.com/watch?v=BC0Ie7z9vYw>)

COMMISSIONERS PRESENT: Dan Giovanni (via Zoom)
(Attending in person, unless Nancy Cabral
indicated otherwise) Lee Ohigashi
Gary Okuda
Dawn N. S. Chang
Kū‘ike Kamakea-‘Ōhelo
Michael Yamane

EXCUSED COMMISSIONERS: George Atta
Melvin Kahele

(9 seated Commissioners as of 05/01/22)

STAFF PRESENT: Daniel Orodener, Executive Officer
(Attending in person Scott Derrickson, Staff Planner
unless indicated otherwise) Riley Hakoda, Staff Planner
Martina Segura, Staff Planner
Ariana Kwan, Chief Clerk
Daniel Morris, Esq. Deputy Attorney General
(via Zoom)

COURT REPORTER: via Naegeli Deposition and Trial
(Attending via ZOOM conference media)

CALL TO ORDER *(YouTube: 00:00:01)*

Chair Giovanni called the meeting to order at 9:15 a.m.

APPROVAL OF THE MINUTES *(YouTube: 00:04:40)*

The first agenda item was the approval of the July 26-27th, 2022, Minutes. There was no written testimony, or members of the public who wished to testify on the approval of the Minutes.

Commissioner Cabral moved to adopt the Minutes, and Lee Ohigashi seconded the motion to adopt the July 26-27th, 2022, Minutes.

The July 26-27th, 2022, Minutes were unanimously approved (7-0).

TENTATIVE MEETING SCHEDULE *(YouTube: 00:06:44)*

Chair Giovanni called for the Executive Officer to provide the Tentative Meeting Schedule.

The Executive Officer provided the following dates:

- September 7th: SP22-414 Yamada & Sons (Hawai‘i)
- September 14th-16th: Hawai‘i Congress of Planning Officials (Kaua‘i)
- September 21st: SP22-414 Yamada & Sons (Hawai‘i)
- October 5th: SP92-380 Pu‘unēnē Quarry (Maui)
- October 6th: A15-798 Waikapū Properties (Maui)
- October 19th: SP92-380 Pu‘unēnē Quarry and A15-798 Waikapū Properties (Maui)
- November 2nd: A02-737 U of N Bencorp (Hawai‘i)
- November 16th: A19-809 Pūlama Lāna‘i (Maui)

STATUS AND PROGRESS REPORT AND ACTION (IF NECESSARY) *(YouTube: 00:09:08)*

A17-804 Hawaiian Memorial Life Plan, LTD. (O‘ahu)

Appearances:

- Curtis Tabata, Esq. (Counsel for Hawaiian Memorial Park)
- Bryan Yee, Esq. (Deputy Attorney General for Office of Planning and Sustainable Development “OPSD”)
- Lorene Maki (OPSD)
- Dina Wong (C&C HNL DPP)
- Franz Kraintz (C&C HNL DPP)
- Grant Yoshimori (Intervenor)

Disclosures (*YouTube: 00:15:55*)

Commissioners Chang and Kamakea-‘Ōhelo made disclosures that were not objected to by the parties. Commissioner Chang and Commissioner Kamakea-‘Ōhelo continued participating in the hearing.

Public Testimony (*YouTube: 00:19:42*)

The Land Use Commission received and posted written testimonies from the following organizations: Hawai‘i Laborers, Hawai‘i Operating Engineers Industry Stabilization Fund, Pacific Resource Partnership, Hawai‘i Regional Council of Carpenters, and Hawai‘i Laborers Union.

Chair Giovanni opened the meeting up for testimony on the Status Report and Action for A17-804 Hawaiian Memorial Life Plan, LTD. (O‘ahu). There were no members of the public that wished to provide public testimony at this given time.

Presentations (*YouTube: 00:21:44*)

The presentations began with Curtis Tabata Esq. (Counsel for Hawaiian Memorial Park) and welcomed questions from the Commissioners.

Commissioners asked questions regarding the current state of the activities relating to the docket (*YouTube: 00:54:31*).

The presentation by the Petitioner was followed by comments from the City and County of Honolulu’s. Chair Giovanni allowed Commissioners to ask the City and County questions and comment on their presentation (*YouTube: 01:26:13*).

The City and County of Honolulu’s comments were followed by OPSD, which had no remarks. Chair Giovanni allowed Commissioners to ask OPSD questions regarding the Status Report(*YouTube: 01:32:23*).

OPSDs responses were followed by comments from Grant Yoshimori, the Intervenor. The Chair allowed Commissioners to ask questions and comment on the Intervenors statements (*YouTube: 01:35:00*).

Public Testimony (*YouTube: 01:52:48*)

Before the Commission went into deliberation, and after all the parties concluded their presentations, Chair Giovanni opened the meeting up for testimony on the Status Report and Action for A17-804 Hawaiian Memorial Life Plan, LTD. (O‘ahu).

The Commission heard testimony from the following people: Laura Hokunani Edmunds Ka`akua representing Hawai‘i Land Trust, Aaron Mahi representing Ko‘olau Foundation, and Mahealani Cypher representing Ko‘olaupoko Hawaiian Civic Club.

Deliberations (*YouTube: 02:28:00*)

Based on what took place at the hearing, Commissioner Okuda Moved that no further action is required at this time, and Commissioner Cabral seconded the Motion.

The Motion to take no further action, passed with seven affirmative votes (7-0).

Adjournment (*YouTube: 02:28:00*)

Due to the next meeting being in a remote location, Chair Giovanni asked for Land Use Commission Staff to arrange for lunch to be provided. To allow the Commission to work through lunch during the September 7th, 2022, meeting at The University of Hawai‘i at Hilo.

There being no further business to attended to, Chair Giovanni adjourned the meeting at 12:01 p.m.