

LAND USE COMMISSION  
MEETING MINUTES  
December 6, 2023 – 9:30 a.m.

Pursuant to Hawai‘i Revised Statutes, HRS § 92 as amended, the Commission conducted its meeting in person. Interested persons submitting written testimony were recommended to submit their written Statements 24 hours in advance of the meeting to allow for distribution to the Commission prior to the meeting

IN PERSON: Leiopapa A Kamehameha, State Office Tower, Room 405  
235 S Beretania Street, Room 405, Honolulu, HI 96813

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

COMMISSIONERS PRESENT:

Dan Giovanni  
Lee Ohigashi  
Gary Okuda  
George Atta  
Melvin Kahele  
Kū‘ike Kamakea-‘Ōhelo  
Michael Yamane  
Brian Lee  
Nancy Carr Smith

STAFF PRESENT:

Daniel Orodener, Executive Officer  
Scott Derrickson, Chief Planner  
Martina Segura, Staff Planner  
Ariana Kwan, Chief Clerk  
Dan Morris, Esq. Deputy Attorney General  
(Via Zoom)

COURT REPORTER:

Naegeli Deposition and Trial  
(Via Zoom Recording)

**CALL TO ORDER** (YouTube: 00:00:12)

Chair Giovanni called the meeting to order at 9:32 a.m.

**APPROVAL OF THE MINUTES** (YouTube: 00:02:35)

The first agenda item was the approval of the November 15<sup>th</sup> and 16<sup>th</sup>, 2023, Minutes. There was no testimony on the approval of the Minutes.

Commissioner Ohigashi moved to adopt the November 15<sup>th</sup> and 16<sup>th</sup>, 2023, Minutes, and Commissioner Atta seconded the motion.

November 15<sup>th</sup> and 16<sup>th</sup>, 2023, Minutes were approved with 9 ayes and 0 nays.

**TENTATIVE MEETING SCHEDULE** (YouTube: 00:03:37)

Chair Giovanni called for Land Use Commission Staff to provide the Tentative Meeting Schedule.

Executive Officer, Dan Orodener provided the following tentative meeting dates, and cautioned the Commissioners not to plan to release the remaining days due to upcoming items:

January 24, 2024: A92-683 Halekua Development (O‘ahu)  
February 7, 2024: A83-549 Kona Vistas LLC (Kona, Hawai‘i Island)  
February 21, 2024: A92-686 AMFAC/HHFDC (Maui)  
February 22, 2024: Proposed Rule Amendments (Virtual)

March 20, 2024: SP09-403 Waimanalo Gulch (O'ahu)

**OPSD SOIL STUDY PRESENTATION** (YouTube: 00:05:55-01:17:07)

The Office of Planning and Sustainable Development (“OPSD”) was given two months’ notice to provide a presentation to the Commission, but declined and did not participate in the meeting.

**Appearances**

*City and County of Honolulu DPP*  
Franz Kraintz

*Office of Planning and Sustainable Development*  
None

**Public Testimony** (YouTube: 00:06:10)

The Land Use Commission received no written testimony, and there were no members of the public who opted to participate.

**Presentation** (YouTube: 00:06:46)

Chief Planner Scott Derrickson and Executive Officer Daniel Orodener presented the OPSD soil study presentation YouTube video available at:

<https://www.youtube.com/watch?v=bRzmRvxsTzY> (YouTube: 00:10:44-00:36:07)

Commissioners asked questions regarding the survey and public outreach, underlying goals, important agriculture lands, Department of Agriculture involvement, solar farms, food/ agriculture production.

**Public Testimony** (YouTube: 01:16:55)

During the Second opportunity for public testimony, there were no members of the public who opted to participate.

**COMMISSIONER TRAINING REFRESHER** (YouTube: 01:17:12-02:39:13)

Chief Planner Scott Derrickson and Executive Officer Daniel Orodener presented an overview of core responsibilities and review of land use policies and guidelines.

Commissioners asked questions regarding procedures within petitions and hearings, State Land Use Law, Supreme Court cases, the Commissions digression, and other applicable statutes. Chair Giovanni asked LUC Staff to schedule a continuation of Commissioner Training to continue the discussion.

**ADJORNMENT** (YouTube: 02:39:14)

There being no further business to attend to, Chair Giovanni adjourned the meeting at 12:21 p.m.