

LAND USE COMMISSION
NOTICE OF LAND USE COMMISSION MEETING
DATE, TIME AND PLACE

April 24, 2008 – 10:30 a.m.

April 25, 2008 – 9:00 a.m.

Leiopapa A Kamehameha
Conference Room 405
235 So. Beretania Street
Honolulu, Hawaii

A G E N D A

I. CALL TO ORDER

II. ADOPTION OF MINUTES

April 10, 2008

III. TENTATIVE MEETING SCHEDULE

IV. EXECUTIVE SESSION

Pursuant to §92-5(a)(2), HRS, to consider personnel issues where consideration of matters affecting privacy will be involved, and pursuant to §92-5(a)(4), to consult with the Commission's attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities regarding personnel issues.

V. ACTION

1. DR08-35 DEPARTMENT OF ENVIRONMENTAL SERVICES, CITY & COUNTY OF HONOLULU (Oahu)

- Petition for Declaratory Orders and Request for Hearing filed on February 15, 2008 by Colleen Hanabusa, relating to Docket No. SP87-362,
- Supplemental Petition for Declaratory Orders and Request for Hearing, filed on February 26, 2008 by Colleen Hanabusa, and
- Second Supplemental Petition for Declaratory Orders, filed on February 26, 2008 by Colleen Hanabusa,

For all pleadings listed, to consider, pursuant to sections 15-15-100 and 15-15-102, HAR:

- a) Whether to deny the Petition as supplemented by the Supplemental Petition and Second Supplemental Petition (hereafter "Petition");
- b) Whether to issue a declaratory order on the matters contained in the Petition;
- c) Whether to set the matter for hearing; or
- d) Whether to refuse to issue a declaratory order.

(over)

V. ACTION (continued)

2. SP87-362 DEPARTMENT OF ENVIRONMENTAL SERVICES, CITY AND COUNTY OF HONOLULU (Oahu)

To consider the Applicant's Motion to Waive Fees and Expenses and to Excuse Applicant From Any Requirement to Reimburse Fees and Expenses.

3. DR08-36 KO`OLINA DEVELOPMENT LLC (Oahu)

Ko`olina Development's petition for declaratory order filed on March 24, 2008.

To consider, pursuant to sections 15-15-100 and 15-15-102, HAR:

- a) Whether to deny the Petition;
- b) Whether to issue a declaratory order on the matters contained in the Petition;
- c) Whether to set the matter for hearing; or
- d) Whether to refuse to issue a declaratory order.

4. A85-595 KUILIMA DEVELOPMENT, CO. (Oahu)

To consider Defend Oahu Coalition's Motion for Issuance of an Order to Show Cause Why the Boundary Classification of Kuilima Development Company Should Not Be Revoked for Failure to Perform Conditions, Representations and Commitment by Kuilima Development Company in Docket No. A85-595 filed on April 1, 2008.

VI. REVIEW OF PROCEDURES FOR DECLARATORY ORDERS AND CRITERIA FOR ACCEPTANCE OF ENVIRONMENTAL IMPACT STATEMENTS

Staff review of procedures for:

- a) Petitions for declaratory orders conducted pursuant to Hawai'i Revised Statutes §91-8, and Hawai'i Administrative Rules §§15-15-98 through 15-15-104; and
- b) Reviewing criteria for acceptance of final drafts of environmental impact statements pursuant to Hawai'i Revised Statutes Chapter 343, Hawai'i Administrative Rules §15-15-50; and Hawai'i Administrative Rules Title 11, Chapter 200.

VII. LEGISLATION

Staff report and appropriate action, including, but not limited to, HB257 HD1 SD1; HB1037 HD1 SD1; HB1950 HD1 SD2; HB2450 HD1 SD2; HB2523; HCR 72; HCR 348; SB546 SD2 HD1; SB2646 SD2 HD2; SB2849 SD1 HD1, SB2997 SD1 HD1; SCR144; SR 76.