

TONY HASHIMOTO

A-65-98

REGISTERED NO.

34756

POSTMARK

HONOLULU, HAWAII
JUN 24 1966

Value \$

Spec. del'y fee \$

Fee \$

Ret. receipt fee \$

Surcharge \$

Rest. del'y fee \$

Postage \$

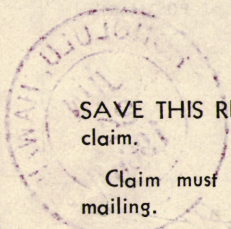


Airmail

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From

Subeg Hawaii - Land & Sea
416 Queen St
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To Meyer M. Verka
Ogata & Verka, Box 433
Wailuku, Hawaii



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REGISTERED NO.

34756

CERTIFIED NO.

INSURED NO.

DATE DELIVERED

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

1

Meyer M. Ueoka

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Naomi Okumura

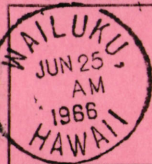
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JUN 25 1966

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PAYMENT OF POSTAGE, \$300

POSTMARK OF
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POST OFFICE, STATE, AND ZIP CODE

HONOLULU, HAWAII

96813

055-10-17548-8

POD Form 3811 Oct. 1965

June 23, 1966

Mr. Meyer M. Ueoka
Ogata and Ueoka
P. O. Box 433
Wailuku, Maui 96793

Dear Mr. Ueoka:

Transmitted herewith are the findings, conclusions and decision of the Land Use Commission in the matter of the petition by Mr. Tony Hashimoto (A65-98).

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

Encl.

cc: Chairman Thompson
Roy Takeyama, Legal Counsel

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM Pony Hashimoto
DATE 1-14-66
PLACE Honolulu
TIME _____

NAMES	YES	NO	ABSTAIN	ABSENT
WUNG, L.				
INABA, G.	✓			
<i>M</i> OTA, C.	✓			
WENKAM, R.	✓			
<i>S</i> BURNS, C.E.S.		✓		
NISHIMURA, S.		✓		
MARK, S.		✓		
FERRY, J.		✓		
THOMPSON, M.		✓		

COMMENTS:

*for approval
about urban area
urban facilities available
there is a need*

NOT carried

LAND USE COMMISSION
STATE OF HAWAII

IN THE MATTER OF THE PETITION)
BY TONY HASHIMOTO, A65-98)

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND DECISION

The above Petition to amend the Land Use District Boundaries from a Rural to an Urban classification having come on for hearing on November 5, 1965, at the Kahului Library Auditorium, Kahului, Maui, and the Land Use Commission having duly considered the evidence now finds and concludes as follows:

FINDINGS OF FACT

1. That the Petition as submitted contains approximately 32 acres of land situated at Kihei, Maui, Hawaii (TMK 3-9-01: 115), all of said lands being in the Rural District; and that the Petitioner, Tony Hashimoto, is the sole owner in fee of the entire parcel.
2. That the Petitioner proposes to subdivide and develop said lands for 10,000 square foot residential lots in order to serve the needs of hotel workers.
3. That roads, water service, electrical service, and telephone service are available in the area.
4. That small farms are not evident in the area, except for a few fruit trees in a lime orchard.

5. That the rocky nature of the land, coupled with the low rainfall in the area renders farm operations extremely difficult. Soils in the area are the Molokai or the Lahaina soil material with grazing as the primary agricultural activity supported by soils of these families.

6. That the site is approximately one mile from the Kihei Post Office and approximately 3/4-mile from the Kihei School. Access to the site is by means of Ohukai Road which extends from the main government road mauka to the subject lands.

7. That the subject lands are bounded by the Kihei Heights Subdivision within the Urban District to the north and by the Makai Heights Subdivision in the Rural District to the east. Lands to the south of the subject lands are presently classified as agricultural and lands to the west are within the Urban District with the exception of two small parcels which are in the Rural District.

8. That the development plan prepared for the County of Maui by the Planning and Traffic Commission of the County of Maui proposes that the lands under consideration be within the Agricultural District.

9. That approximately 3,450 acres in the Kihei area are presently districted as Urban, of which approximately 2,500 acres therein are relatively un-urbanized at present.

10. That lot sales at the adjacent Kihei Heights Subdivision have proceeded quite successfully with most of the lots sold. These lots are for residential purposes.

11. That lot sales at the Makai Heights Subdivision has progressed satisfactorily. These lots are 1/2-acre minimum size and districted for Rural use, as with the subject lands, involving residential or farming activities.

12. Mr. Tin Fook Tom, a landowner in Kihei, and Mr. Ben Miyahira, President of the Maui County Farm Bureau, have indicated their support of the Petition on the basis of the unsuitability of the area for agricultural purposes.

13. The Maui Planning and Traffic Commission has recommended approval of the Petition since the State Land Use Commission has already zoned the Ting Subdivision (Kihei Heights Subdivision) in the Urban District and it would be logical to have the subject parcel in the Urban District also, although both subdivisions are not proposed for urban use in the Maui County General Plan.

CONCLUSIONS OF LAW

1. That the Petitioner has failed to prove that the land is needed for use other than that for which it is classified. While there is evidence that said lands are not suited for agricultural pursuits, the present classification of Rural permits

use of the subject lands for other than agricultural pursuits. Specifically, paragraph 2.16(b) of the State Land Use District Regulations provides as follows:

"Low density residential uses with a minimum lot size of 1/2-acre. There shall be no more than one single family dwelling per 1/2-acre."

2. That sufficient reserve areas for foreseeable urban growth in close proximity to the lands under consideration have already been placed in the Urban District.

3. That other undeveloped lands already districted Urban are better located to the centers of trading and employment facilities and more easily serviced by public agencies than the lands under consideration, thus alleviating any evidence of urban pressure in the area under petition.

4. That conditions and trends of development have not changed materially since the adoption of the present classification (Rural) so as to justify amending the present boundary to permit Urban uses of the lands under consideration. That the extensive vacant lands within the present Urban District reflects the lack of urban pressure in this area.

5. That urbanization of this land under consideration is contrary to the master plan prepared for the County of Maui by the Maui Planning and Traffic Commission and the State General Plan.

DECISION

Based on the evidence presented and the findings of fact and conclusions of law, it is the decision of the Land Use Commission that the Petition be denied and that said lands be retained in the Rural District.

Dated: June 10, 1966, Honolulu, Hawaii.

STATE LAND USE COMMISSION

By Myron Thompson
Myron Thompson

LAND USE COMMISSION
STATE OF HAWAII

IN THE MATTER OF THE PETITION)
BY TONY HASHIMOTO, A65-98)

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND DECISION

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2. That the Petitioner proposes to subdivide and develop said lands for 10,000 square foot residential lots in order to serve the needs of hotel workers.
3. That roads, water service, electrical service, and telephone service are available in the area.
4. That small farms are not evident in the area, except for a few fruit trees in a lime orchard.

5. That the rocky nature of the land, coupled with the low rainfall in the area renders farm operations extremely difficult. Soils in the area are the Molokai or the Lahaina soil material with grazing as the primary agricultural activity supported by soils of these families.

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5. That urbanization of this land under consideration is contrary to the master plan prepared for the County of Maui by the Maui Planning and Traffic Commission and the State General Plan.

DECISION

Based on the evidence presented and the findings of fact and conclusions of law, it is the decision of the Land Use Commission that the Petition be denied and that said lands be retained in the Rural District.

Dated: June 10, 1966, Honolulu, Hawaii.

STATE LAND USE COMMISSION

By Myron Thompson
Myron Thompson

Authentication:

Done in the City and County
of Honolulu, State of Hawaii,
the 10th day of June, 1966.

George S. Moriguchi
George S. Moriguchi
Executive Officer
Land Use Commission

Approved as to form and legality:

Roy Y. Takeyama
Roy Y. Takeyama
Deputy Attorney General

THOMAS S. OGATA
MEYER M. UEOKA

OGATA & UEOKA
ATTORNEYS AT LAW
WAILUKU, MAUI, HAWAII 96793

February 21, 1966

1877
2121 MAIN STREET
Post Office Box 433
Phone: 33-737 or 33-738

RECEIVED

FEB 23 1966

State of Hawaii
LAND USE COMMISSION

Mr. George S. Moriguchi
Executive Officer
Land Use Commission
State of Hawaii
426 Queen Street
Honolulu, Hawaii 96813

Re: Tony Hashimoto, A 65-98

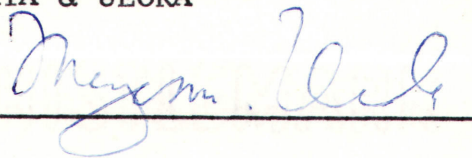
Dear Sir:

We have received your letter dated February 11, 1966, together with the memorandum which was presented by you to the Commission. May we request for a certified copy of the final decision and order of the Land Use Commission so that we may take further proceedings, if necessary.

Very truly yours,

OGATA & UEOKA

By



MMU:lst

Eagle-H
Type-Crase
25% COTTON FIBER

February 11, 1966

Mr. Meyer M. Ueoka
Ogata & Ueoka
P. O. Box 433
Wailuku, Maui 96793

Dear Mr. Ueoka:

The petition by Mr. Tony Hashimoto, A65-98, for an amendment to the Land Use District Boundaries from a Rural District to an Urban District for 32 acres of land at Kihei, Maui, TMK 3-9-01: 115,, was denied by the Land Use Commission at its meeting on January 14, 1966.

Prior to taking action on your petition, the enclosed memorandum was presented to the Commission.

Should you desire any further information, or have any questions, please feel free to contact us.

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

Encl.

cc: Chairman Thompson
Director, Maui Planning Comm.

STATE OF HAWAII
LAND USE COMMISSION

January 14, 1966
Honolulu, Hawaii

MEMORANDUM

TO: LAND USE COMMISSION

FROM: STAFF

SUBJECT: Parker Ranch (A65-89), Puna Sugar Co. (A65-92), Honokaa Sugar Co. (A65-96), Maui Meadows Subdivision (A65-91), Tony Hashimoto (A65-98), Nuuanu Ventures (A65-90)

1. PARKER RANCH (A65-89)

The petition for change from an Agricultural District to a Rural District was heard by the Land Use Commission on November 5, 1965 at Kona, Hawaii. On November 15, 1965, a modified request was received from the petitioners with an amendment which now requested change from an Agricultural District to an Urban District in lieu of a Rural District.

On the basis of the revised petition, and on the basis that land is presently used and has been used for urban purposes, with all community facilities and services available, and on the basis that subject lands presently abut an urban area, the staff modifies its original recommendation from a denial to an approval of the petition.

2. PUNA SUGAR COMPANY (A65-92)

Two parcels of land involving approximately 24,000 square feet and 23,000 square feet in the Mountain View town area on the Island of Hawaii are involved for a change from an Agricultural District to an Urban District. At the public hearing held on this petition, it was the staff's recommendation that the petition be granted since the area is urban in nature and community services and facilities are established and available within the immediate area.

Subsequent to the public hearing, the petitioners have amended their request in order to include the 40-foot road reserve adjacent to the parcels north of the highway. This will increase the total area from 24,000 feet to 30,000 feet for the mauka parcel.

The staff finds no change in its original evaluation and, therefore, maintains its recommendation for approval.

3. HONOKAA SUGAR COMPANY (A65-96)

At a public hearing held on November 5, 1965 at Kailua, Kona, Hawaii, the staff report and presentation by the petitioners were heard. Since that time, the petitioners have requested that the original petition be amended to

include approximately five acres of land to one of the two parcels requested for change from an Agricultural to an Urban District. This involved the Namoku lands immediately adjacent to the Camp 8 Subdivision.

Additional information on the petition has not been received and the staff maintains its original recommendation for approval of the petition, including the amended portion.

4. MAUI MEADOWS SUBDIVISION (A65-91)

A public hearing on this petition was held at the Kahului Library, Kahului, Maui on November 5, 1965. At that time, Mr. George M. Hasegawa, representing the owners, presented his testimony in support of their petition to reclassify approximately 401 acres from an Agricultural District to a Rural District. The Land Use Commission staff presented its recommendation for denial based on the extensive areas presently available for residential development in the Kihei area.

Subsequently, on November 9, 1965, the petitioners submitted the following:

1. That a comparable development by Mr. Walter Zane in Kihei, Maui, had sold nearly 80% of his rural subdivision and this, therefore, points out the demand for such a development.
2. That the petitioners disagreed with the staff's contention that excessive land area has already been zoned. They indicate that Mr. Zane's subdivision has been nearly sold out, and that the remaining 195 acres, located in the Makena area, are two miles from the nearest improved road system, without water available for development.
3. That the engineering plans prepared for the petitioners indicate that such a development is feasible.
4. That the State Farm Bureau and Mr. Erdman of Ulupalakua Ranch have expressed their feelings as to the present zoning of agriculture.

An item that is prominent by its omission from the petitioners' additional testimony is the fact that approximately 2,500 acres, within the present Kihei Urban District, are undeveloped and can be used for the purposes proposed by the petitioners. On the basis of development standards involving four lots per acre and four persons per family, the acreage available for urban development can provide for approximately 40,000 persons. In contrast, a prominent economist in Hawaii has estimated that the population of Maui would increase by approximately 20,000 persons in the next decade. This would indicate that even under the farfetched assumption that the entire population increase for the next decade would occur at Kihei, adequate residential lands are presently available to provide for the entire increase and more.

Notwithstanding the fact that the Land Use Commission has provided for adequate urban expansion in the Kihei area, the petitioners propose to add another 401 acres for rural residential purposes in this same area. The magnitude of their proposal can be clarified by its comparison with the

Kahului Dream City Development. Approximately 500 acres have been developed in the Kahului Dream City area and, in comparison, the petitioners' proposal involves an area approximately 80% of the Kahului Dream City Development. It is also noted that the available residential acreage at Kihei can provide for developments five times the size of the present Kahului Dream City Development. On the basis of these data, it is inconceivable that a petition for more residential lands can be justified upon the argument that this Commission has not provided adequate lands for residential purposes. Also, the argument that the subject lands are unsuitable for agricultural purposes cannot be received as a justification for change when other extensive areas are available for the proposed use.

Both the Maui County General Plan and the State General Plan classify the area within an Agricultural District.

Act 205, SLH 1963, Section 98H-4, stipulates that no change shall be approved unless the petitioner has submitted proof that the area is needed for a use other than that for which the district in which it is situated is classified. Accordingly, the staff finds that it must adhere to its original recommendation for denial of the petition.

5. TONY HASHIMOTO (A65-98)

The public hearing for this petition was held on November 5, 1965, at Kahului, Maui. In addition to the testimony heard at the public hearing, letters in support of the petition have been received. Letters in support of the petition have been received from the petitioner, Mr. Tony Hashimoto, Mr. Tin Fook Tom, a landowner in Kihei, and Mr. Ben Miyahira, President of the Maui County Farm Bureau. All three letters base their support of the petition on the unsuitability of the area for agricultural purposes, and therefore suggest that an urban classification would be more appropriate.

The consensus of the staff is that the unsuitability of lands for agricultural purposes is not a justification for a boundary change in itself. If this alone were to be the criteria for permitting boundary changes, it would open the door to extensive scattered development, in view of the fact that there are any number of acres of land unsuited for agricultural purposes scattered throughout the State. As stipulated in the State Land Use Law, a change in boundary can only be justified by proof of need, which would also involve proof of the unavailability of lands for the proposed use.

There are presently approximately 2,500 acres of vacant urban lands in the Kihei area which would indicate that more adequate land is available.

Therefore, in compliance with Section 98H-4, Act 205, SLH 1963, the staff must maintain its original recommendation for denial of this petition.

6. NUUANU VENTURES (A65-90)

A public hearing was held on a petition filed by Nuuanu Ventures, Inc., on October 29, 1965. The petition involved reclassification of approximately 3.6 acres of land presently in the Conservation District to an Urban District. At that time, the staff recommended that only a 2.5 acre portion be changed to an Urban classification, with the remaining 1.1 acre to be disallowed. It was also recommended that this Commission ask the Department of Land and Natural Resources to resolve a satisfactory landscaping plan and its effectuation by the developer in the area of the high cuts, and to maintain the high cut banks within the Conservation District as unsubdivided lands.

During the public hearing, arguments against the petition were received from the Nuuanu Valley Community Association, the League of Women Voters, and from the ILWU. Subsequently, additional data have been received from the petitioners, supporting their position, and from the Hawaiian Trail and Mountain Club, and the Nuuanu Valley Community Association, opposing the petition. Copies of these data have been distributed to each of the members of this Commission. In addition, a letter dated November 2, 1965, from Commissioner Wenkam to Chairman Thompson, commenting on the public hearing and the staff report was received. These comments and the staff findings therefor are as follows:

1. Commissioner Wenkam indicated that where substantial evidence and technicalities of the law are available, these should be used to bolster and defend the Conservation Districts, and that he was disappointed in the staff report from this standpoint.

Staff Finding: Section 98H-4, Act 205, SLH 1963, specifically provides that amendments in district boundaries may be allowed and sets forth the conditions therefor. This leads the staff to believe that arguments for, as well as against any petition must be evaluated without the preconceived judgment that any petition for change is improper to begin with. The staff's recommendation is a consensus based on the facts available.

2. Commissioner Wenkam indicates that the Executive Officer fails to consider the fact that, on the basis of the temporary boundary, more than 17 lots come under discussion and that actually 31 lots are at stake. He also states that to base the staff report on the compromise redrawing of the Conservation District lines, in favor of the developer, as was done on June 28, 1965, appears indefensible and improper.

Staff Finding: The staff's plotting of the temporary district boundary is based upon Section 2.11 (b) (4) of the State Land Use District Regulations which stipulate that district lines for lands that are not subdivided shall be determined by the use of the scale contained on the map (Land Use District Map). This procedure was again confirmed by the Land Use Commission, during its general discussion on Rules and Regulations held on October 2, 1965, at Lihue, Kauai. The center line of the thick temporary district boundary was used in the staff plotting.

Insofar as "compromise redrawing of the Conservation District lines, in favor of the developer" is concerned, it should be noted that this was an official recorded action of this Commission based on a motion, a second to the motion, and a vote taken on June 25, 1965. Therefore, it is not apparent to the staff how the use of this line set by the Commission is "indefensible and improper".

3. Commissioner Wenkam indicates that a few minutes inspection would have revealed that the developers' engineers must have had full knowledge of the surveyed lines of the Honolulu Watershed Forest Reserve in which the lots are located. He also indicates that the corner stakes of Lots 58 and 60 coincide with the Territorial Survey's pipe monument locating the watershed reserve. And, also, that the engineer's lot stake was driven immediately alongside the Territorial monument which was apparently used as a reference point by the surveyors.

Staff Finding: "A few minutes inspection" by the staff of the pipe purported to be the Territorial Survey monument immediately raised a question in the staff's mind as to how it happened to be there in the first place. It was found to be loose and imbedded in grass and dead leaves, instead of being firmly imbedded into the ground as ordinarily staked by surveyors. There was absolutely no indication that this pipe was a Territorial monument and certainly not one that was used as a reference point by the surveyors. Moreover, survey data from the State Survey office indicate that this survey point would be located 33 feet mauka of the loose pipe.

4. Commissioner Wenkam indicated that the petitioners' engineer had placed a stake "about a month ago" to locate the lots. This is obviously false since, without lot stakes, the developer would have been unable to proceed with his grading on the basis of the grading permit obtained October 6, 1964. He also states "it is also of interest that the lot number on the stake is the old series of lot numbers used in 1963; lot numbers have since been renumbered."

Staff Finding: A verbatim transcript of the taped record of the public hearing has found that Commissioner Wenkam's quote is completely incorrect and, therefore, his allegations are also incorrect.

The reason for Commissioner Wenkam's reference to the change in lot numbers is not apparent. However, it is a known fact to anyone with any experience in subdivision development, that the State Survey Office will request renumbering of lots during their review of survey calculations for one reason or another and that this is common practice.

5. Commissioner Wenkam indicates that "the developers statement at the hearing that 'all cuts were completed when work was ordered stopped' is also false. Adequate site inspection by the staff would have revealed this not to be so. In both of these cases the testimony should be challenged by the Commission and charges for perjury initiated, if warranted."

Staff Finding: Reference to the last sentence of the first paragraph of the staff's report finds that subdivision construction has proceeded to the general grading stage with no other construction started or completed to date. On the matter of "charges for perjury", the staff feels that this does not warrant its comments.

6. Commissioner Wenkam censures the Executive Officer for ignoring "the entire history of the proceedings between the developers and the Honolulu Planning Commission which exists under a cloud of suspicion and accusations of corruption."

Staff Finding: The Executive Officer has no data relating to the existence of a "cloud of suspicion and accusations of corruption." Moreover, he does not feel that this is an item for consideration within his scope of duties.

7. Commissioner Wenkam indicates that the staff is apparently not aware of the importance of forest reserve lands to the Honolulu Watershed Recharge Basin, and cites the expert testimony by the Board of Water Supply concerning another petition for change in boundary from Conservation to Urban in the Manoa Valley area. He also states that by voting denial to the Manoa petition, the Land Use Commission in effect recognized the boundaries of the Honolulu Watershed Forest Reserve, which is the same boundary the petitioner violated in Nuuanu Valley.

Staff Finding: The staff would again inform Commissioner Wenkam that the Board of Water Supply approved the petitioners' construction plans before the petitioner initiated construction. Moreover, the Board of Water Supply has indicated that it does not wish to comment on this matter since the subject lands are not within the watershed. This, of course, would completely negate Commissioner Wenkam's statement that the petitioner violated the watershed reserve in Nuuanu Valley.

8. Commissioner Wenkam indicates that "it is difficult to understand how the staff could recommend withdrawal of land from the Honolulu Watershed in complete opposition to the clear intent of the Legislature of the Territory and the State of Hawaii".

Staff Finding: This statement is unwarranted and incorrect in that the staff is not recommending any "withdrawal of land from the Honolulu Watershed" since the Board of Water Supply has indicated that the subject lands are not within the Honolulu Watershed.

9. Commissioner Wenkam disputes the staff's contention that the petitioners sought approval through "proper channels". He also indicates that the petitioner did not check with the Land Use Commission even when the Nuuanu Community pointed out the encroachment.

Staff Finding: Section 2.35 of the Land Use District Regulations stipulates that the appropriate County Officer or agency charged with the administration of County Zoning Laws shall enforce the use classification districts. On this basis, staff maintains that the petitioner sought approval through the "proper channels".

On or about June 4, 1965, the petitioners learned of the encroachment that was pointed out by the Nuuanu Community. On June 10, 1965, six days hence, the petitioners submitted maps to the Land Use Commission to check out this matter.

10. Commissioner Wenkam contends that the City & County of Honolulu, in issuing preliminary subdivision permits, specifically provides that all applicable City, County and State regulations must be satisfied before final approval is granted.

Staff Finding: The fact of the matter is that final approval was granted by the City and County of Honolulu on July 30, 1964, which would lead any developer to reasonably conclude that even State requirements had been met, since it is stipulated that final approval is only granted thereafter.

11. Commissioner Wenkam indicates that erroneous generalizations plague the staff report, including the strange statement that "land use in the surrounding area is primarily residential". He then indicates that "any study of our Land Use maps will reveal that the majority of lands in upper Nuuanu Valley to be in conservation".

Staff Finding: The staff report indicated that the subject lands are presently in the Conservation District and that land use in the surrounding area is primarily residential. On this basis, the staff finds it inconceivable that anyone should interpret this to mean that even lands in the Conservation District are used primarily for residential purposes and, therefore, the staff would offer no further comment.

12. Commissioner Wenkam contends that further investigation by the staff along the lines he proposes will permit a recommendation based on facts rather than generalizations. Also, that with full understanding of the history of this development, it will be impossible for the staff to conclude that the developers' illegal act was not surreptitious.

Staff Finding: Investigation along the lines of Commissioner Wenkam's comments as indicated in the items above has served to adequately substantiate the purported "generalizations" of the staff. Concerning the history of this development, which would make it impossible for the staff to conclude that the developers' illegal act was not surreptitious, the staff would suggest that Commissioner Wenkam elaborate on the matter for the benefit of the Commission, since this information is not available to the staff from any source in documented form.

13. Commissioner Wenkam contends that the General Plan of the City and County of Honolulu shows the area under contention in the "preservation" zone and that the City Planning Commission of Honolulu is contradicting its own General Plan in recommending approval of this petition.

Staff Finding: A check with the City Planning Department has determined that Resolution 124 of the City Planning Commission sets the zoning of the entire developers' lands as Class A Residential. As reported in the staff report at the public hearing, this is the official zoning of the subject lands. Moreover, the General Plan Map was adopted by Ordinance No. 2443 on May 7, 1964, less than two months before final approval of the petitioners' subdivision. Since tentative approval was granted on October 3, 1963, it is apparent that subdivision plans were nearing completion at the time of the adoption of the General Plan on May 7, 1964.

14. Commissioner Wenkam contends that the developers should have known of the watershed reserve since the Territorial Survey indicated pipe monuments which also marked the location of the Conservation District.

Staff Finding: A check with the State Surveyor indicates that the official forest reserve line runs along the top of the ridge and not as indicated by Commissioner Wenkam.

15. Commissioner Wenkam contends that survey work sheets prepared by Park Engineering showing location of corner of lots 58 and 60 coincide with Forest Reserve pipe monument, proving subdivision was surveyed with full knowledge of the Honolulu Watershed.

Staff Finding: This statement is incorrect in toto as confirmed by the State Surveyor.

Initial investigations conducted by the staff prior to preparation of its original report involved examination of Land Court Maps, Land Court Title documents, State Tax Maps, Tax Assessment records. The data presented in items 1 to 15 above only serve to substantiate official documents examined and used by the staff initially. Therefore, the staff takes strong exception to Commissioner Wenkam's allegations that "inaccuracies and generalizations" plague the staff report.

In their supplementary data submitted after the public hearing date, the Nuuanu Valley Community Association has offered comments in objection of the petition. These comments and the staff findings are enumerated below:

1. The Nuuanu Valley Community Association contends that maps submitted for preliminary approval to the City and County by the petitioner did not comply with the Subdivision Rules and Regulations since the map scale, contour interval and site information were not included. Also that the map did not clearly indicate the Nuuanu Stream. They also make the conjectural observation that "if these had been observed, Nuuanu Ventures would probably not have received preliminary approval of its plans."

Staff Finding: These observations are absolutely conjectural in nature. The fact of the matter is that the City and County did approve the subdivision.

2. The Nuuanu Valley Community Association contends that the developers should not have erred on the matter since the interim boundary had metes and bounds show on all U. S. Geological Survey Maps.

Staff Finding: There is no record on file in the Land Use Commission which establishes the interim boundary by metes and bounds.

3. The Nuuanu Valley Community Association has submitted a photograph showing the pipe marking the interim boundary and the Honolulu Watershed Forest Reserve Boundary. Therefore, they claim that the developers' statement that the line was "broadbrush" is farfetched.

Staff Finding: As indicated in the items above, the staff is satisfied that the pipe submitted is not the pipe marking the Honolulu Watershed Forest Reserve boundary. This is on the basis of data available at the State Survey office. Moreover, Mr. Mitchell, during the testimony at the public hearing, has admitted that this is based entirely upon an assumption on his part.

4. The Nuuanu Valley Community Association contends that the developers are asking their buyers to do what he claims is practically impossible for him to do himself.

Staff Finding: The developers' contention is that it would be practically impossible to restore the area to its original condition. He has made no statement that he expects his buyers to restore the area to its original condition.

5. The Nuuanu Valley Community Association contends that under the law, economic hardship is not to be considered.

Staff Finding: The staff's opinion is that this must be evaluated on the basis of the circumstances involved in each situation. Specifically, the petitioners of the subject lands had received final approval from an agency charged with enforcing the Land Use Law.

6. The Nuuanu Valley Community Association has submitted a plan which it considers a reasonable solution to the problem facing the developer. It also indicates that the developer should be forced to build underground retaining walls so that he can safely restore the bulldozed area to its original state as the law specifies.

Staff Finding: Staff is not aware of any law which specifies that the developer must restore the area to its original state. Upon checking with Mr. Mitchell, he has indicated that he also is not aware of such a law.

Nuuanu Valley Community Association's report and plan are contradictory in that they propose forcing the developer to build underground retaining walls. In the Association's report, its drawings specifically propose that "existing cut slope planted but not filled".

The developers' data submitted in addition to their testimony given at the public hearing have been circulated to each of the Commissioners. These data are in support of the need of the land for urban purposes, their contention that their encroachment has been entirely inadvertent, and other data in support of their petition.

The consensus of the staff is that additional data received and researched on the subject petition, since submittal of its original recommendation, indicate that this recommendation should stand as made.

THOMAS S. OGATA
MEYER M. UEOKA

File

OGATA & UEOKA

ATTORNEYS AT LAW
WAILUKU, MAUI, HAWAII 96793

December 3, 1965

1818
2121 MAIN STREET
Post Office Box 433
Phone: 33-737 or 33-738

RECEIVED

DEC 7 1965

State of Hawaii
LAND USE COMMISSION

Mr. Myron Thompson, Chairman
and Members of the Land
Use Commission
State of Hawaii
Honolulu, Hawaii

Gentlemen:

Enclosed herewith please find letters
from Mr. Tin Fook Tom, Mr. Tony Hashimoto and Mr.
Ben Miyahira, who support the application of Mr.
Tony Hashimoto for rezoning of the land described
in his application from rural to urban. In addition,
we have enclosed herewith two copies of a map which
was prepared by the Land Study Bureau of the University
of Hawaii, which was taken out of Hawaii, its major
island, dated July, 1960.

Very truly yours,

OGATA & UEOKA

By

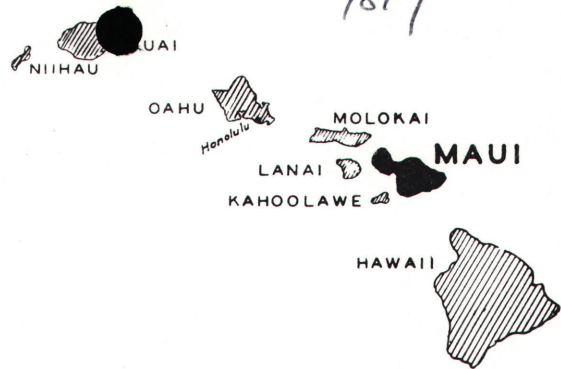
Meyer M. Ueoka

MMU:1st
Encls.

Maui County Farm Bureau

Affiliate of the Hawaii Farm Bureau Federation & the American Farm Bureau

P. O. Box 494
Kahului, Hawaii 96732



December 2, 1965

RECEIVED

DEC 7 1965

State of Hawaii
LAND USE COMMISSION

Myron Thompson, Chairman
Members Land Use Commission
426 Queen St.
Honolulu, Hawaii

Gentlemen:

Re: Petition for Amendment of District Boundaries
from a Rural to Urban Classification
Tony Hashimoto - Kihei, Maui

On behalf of the members of Maui County Farm Bureau, may I present this brief statement for your consideration.

We would support the petition for a change of district boundary of the subject area from rural to urban classification.

We base our written testimony on the following facts:

1. The subject area has not been in use for farming because of its rocky soil condition, the topography and limited pockets of workable land cannot justify the extensive improvements that will be required.
2. This area is surrounded on two sides by residential subdivision making it very difficult for any intensive cultivation. Therefore it is not planned for any agricultural use in the future.
3. Finally the development of irrigation water at that elevation is economically unfeasible. The Kihei area from my own experience, and as well my observation of other farmers who had farmed the area, at its best, is a season operation.

Yours very truly,

A handwritten signature in cursive script that reads "Ben Miyahira".

Ben Miyahira
President

Wailuku, Maui
November 22, 1965

RECEIVED

DEC 7 1965

State of Hawaii
LAND USE COMMISSION

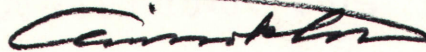
Mr. Myron Thompson, Chairman
and Members of the Land
Use Commission
State of Hawaii
Honolulu, Hawaii

Gentlemen:

The undersigned has been and still is a land owner in Kihei, Maui, Hawaii, for many years last past. I have attempted to raise cattle as well as farm on the land that I own. Cattle raising has not been profitable in that it requires between 20-30 acres for a head of cattle during the year round on my pasture lands. In addition, the land may be grazed for only three or four months of the year following the rainy season. Because of the losses, I have not continued cattle raising because of the dry conditions existing in Kihei. I have also given up farming, except for the planting of some mango trees.

Based on the foregoing, I believe the highest and best use of Tony Hashimoto's undeveloped land is residential.

Very truly yours,



Tin Fook Tom

November 22, 1965

Myron Thompson, Chairman
and Members of the Land
Use Commission
State of Hawaii
Honolulu, Hawaii

RECEIVED

DEC 7 1965

State of Hawaii
LAND USE COMMISSION

Gentlemen:

I have farmed in Kihei for many years, adjacent to the land which is described in the application for rezoning from rural to urban. I am no longer farming in Kihei because of the losses that I have suffered from the 2-4-D Herbicide which has been carried by the tradewinds over this area, and because of the high production cost, clearing of rocks and the dry condition which exists and prevails in this particular area. Except for the farm operation which I have already given up on land in said area there are no other small farms within the vicinity of the land described in the application.

Your favorable action on this application is supported by facts as hereinabove stated.

Very truly yours,

Sony S. Shachimoto

ISLAND OF MAUI

Generalized Classification of Land
According to Suitability for
Intensive Agriculture

(schematic drawing)

- Class A Lands  Well suited
- Class B Lands  Moderately suited
- Class C Lands  Fair to marginally suited
- Class D Lands  Unsited

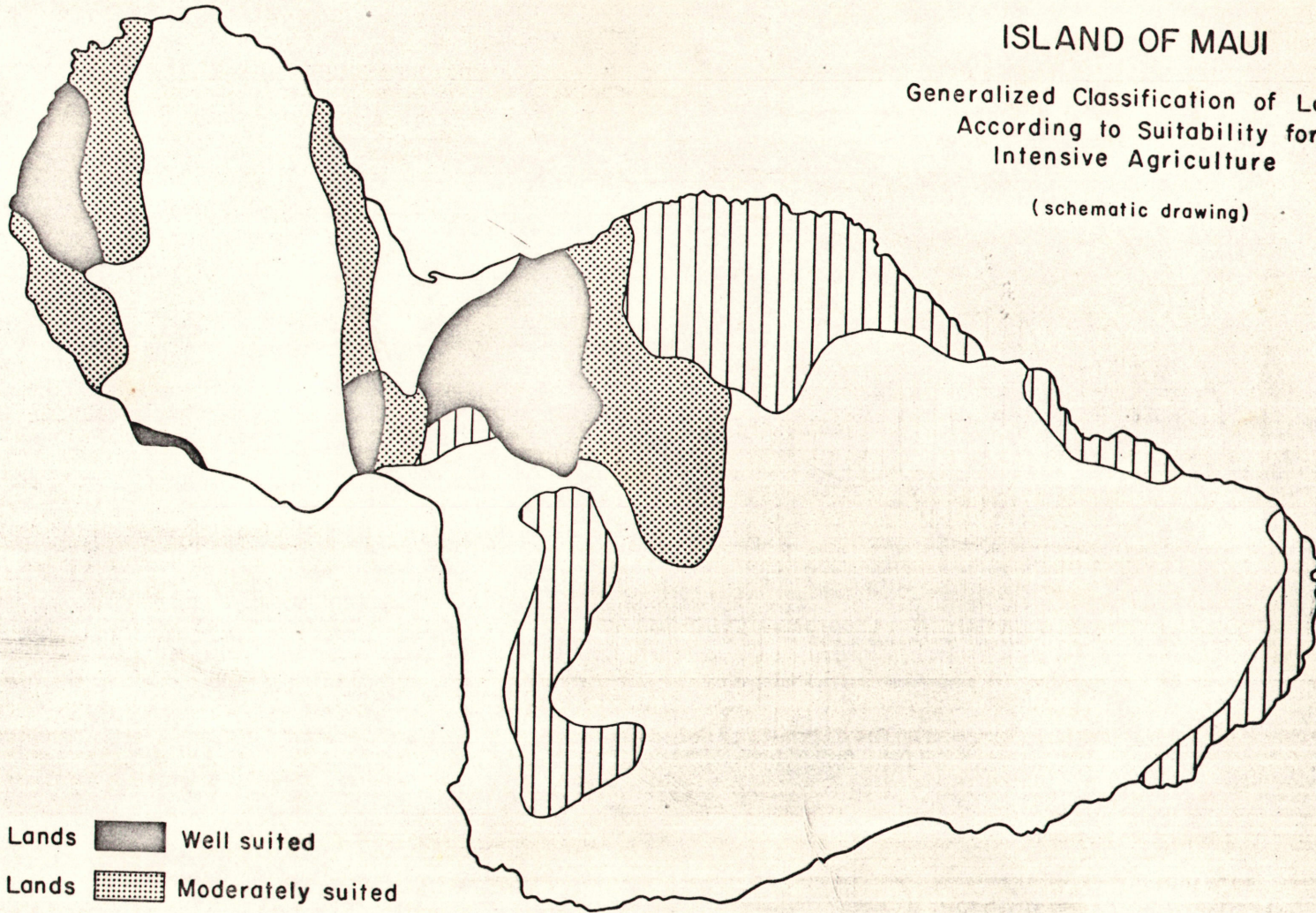


Figure 4

RECEIVED LAND STUDY BUREAU
UNIVERSITY OF HAWAII

DEC 7 1965

State of Hawaii
LAND USE COMMISSION

ISLAND OF MAUI

Generalized Classification of Land
According to Suitability for
Intensive Agriculture

(schematic drawing)

- Class A Lands  Well suited
- Class B Lands  Moderately suited
- Class C Lands  Fair to marginally suited
- Class D Lands  Unsuitable

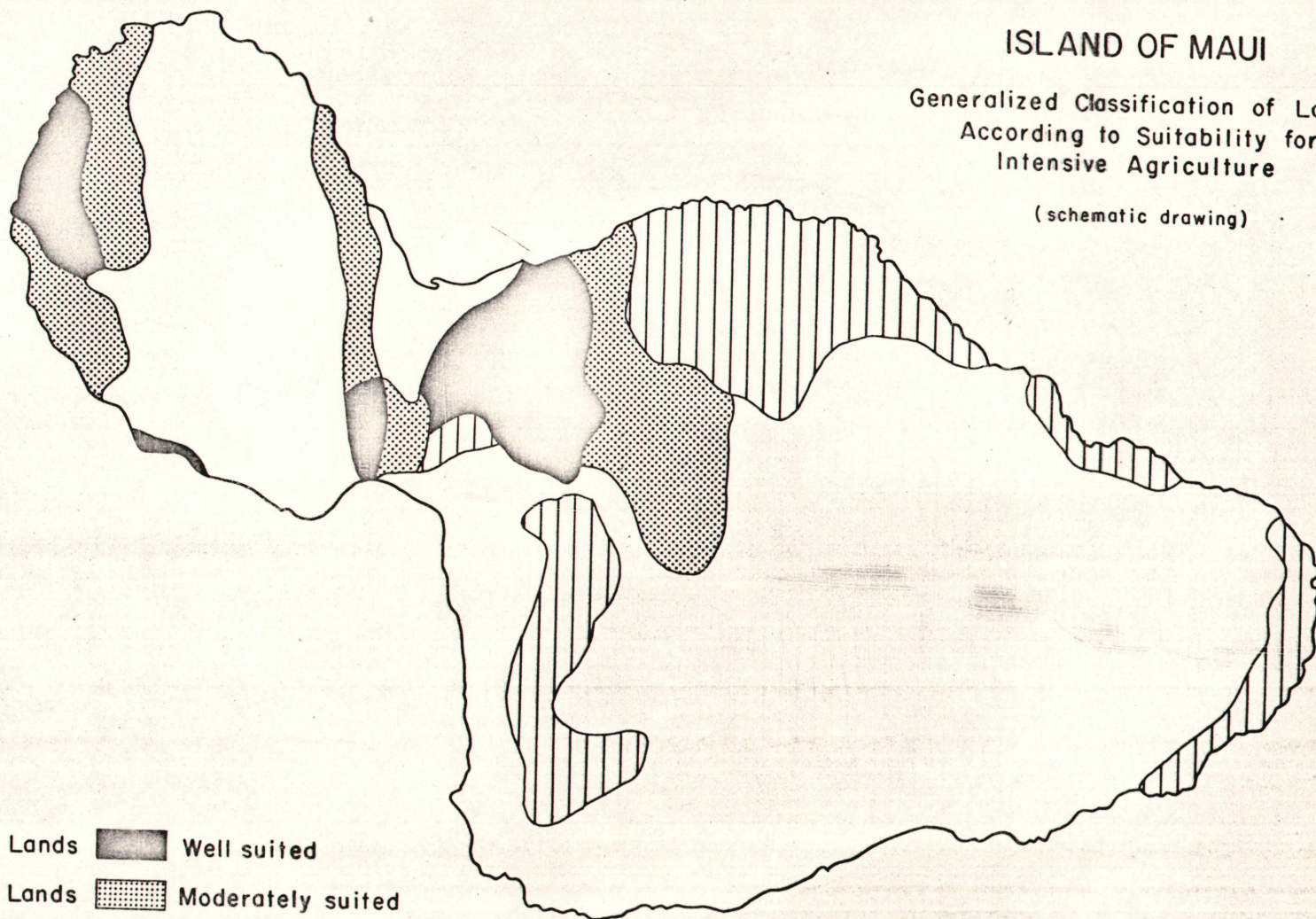


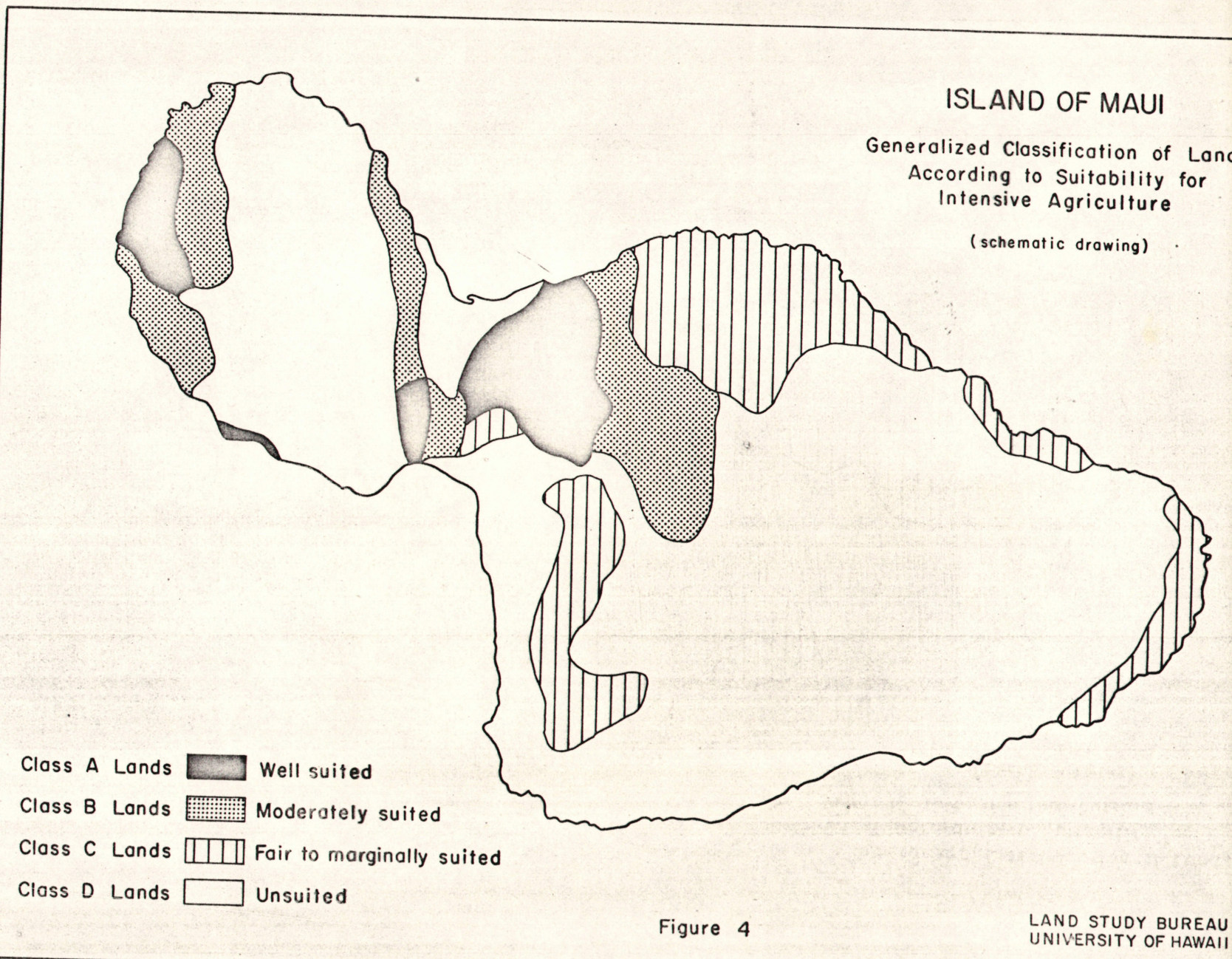
Figure 4

RECEIVED

LAND STUDY BUREAU
UNIVERSITY OF HAWAII

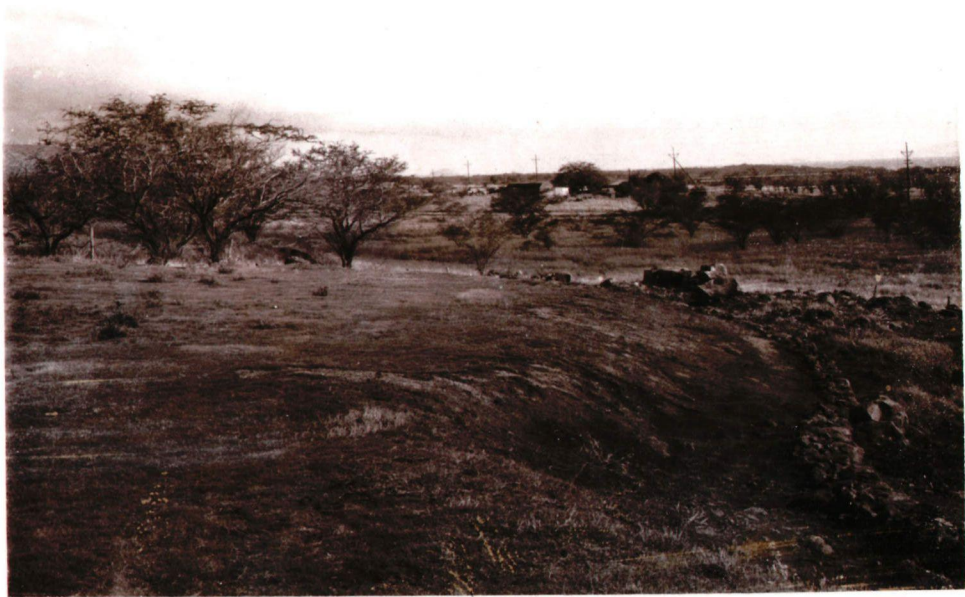
DEC 7 1965

State of Hawaii
LAND USE COMMISSION



STATE OF HAWAII
LAND USE COMMISSION
426 QUEEN STREET
HONOLULU, HAWAII 96813

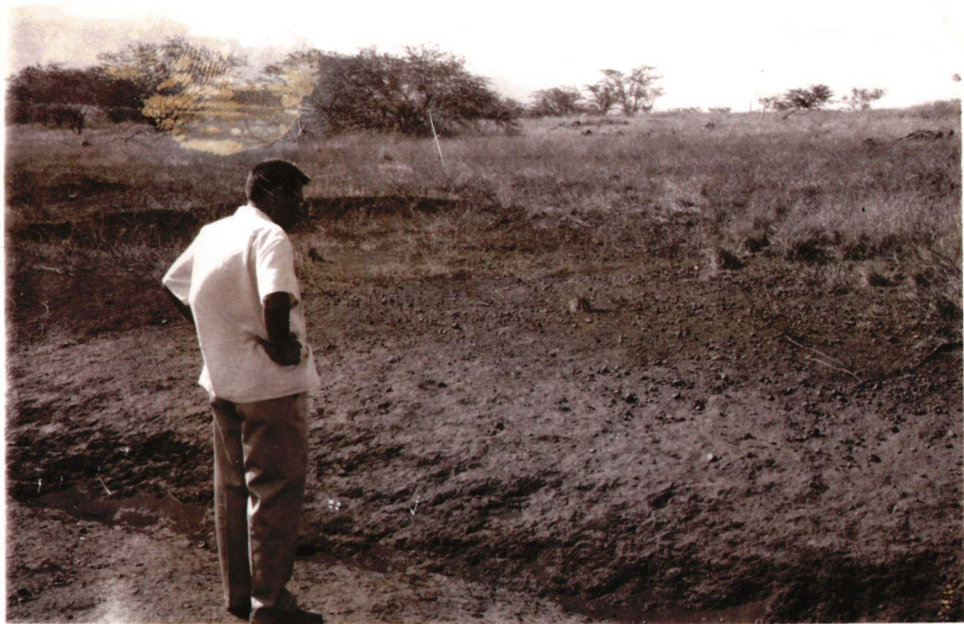
Photographs













STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Kahului Library

Kahului, Maui

11:00 A. M. - November 5, 1965

Commissioners
Present:

Myron B. Thompson, Chairman
Charles S. Ota
Shiro Nishimura
Leslie E. L. Wung

Absent:

C.E.S. Burns, Jr.
Robert G. Wenkam
Jim P. Ferry
Shelley M. Mark
Goro Inaba

Staff
Present:

George Moriguchi, Executive Officer
Roy Takeyama, Legal Counsel
Ah Sung Leong, Draftsman
Dora Horikawa, Stenographer

The meeting was called to order by Chairman Thompson, which was followed by a short prayer. The hearing procedure to be followed was outlined, and persons testifying during this hearing were duly sworn in. Chairman Thompson advised that although a quorum was lacking, under the provisions of the law, the Commission was authorized to conduct a hearing--in fact, the Executive Officer was empowered to conduct a hearing anywhere in the State of Hawaii.

PETITION OF MAUI MEADOWS SUBDIVISION (A65-91) TO AMEND THE RURAL DISTRICT BOUNDARY IN THE KIHEI-MAKENA AREA, TO INCORPORATE 401 ACRES IDENTIFIABLE BY TMK 2-1-08: 1

Mr. George Moriguchi read the staff report on the above petition which recommended denial of the petition because the need for the proposed use had not been substantiated and since there was considerable acreage presently districted in Urban and Rural Districts.

A letter from Mr. Ohata, Maui Planning Director, was also presented by Mr. Moriguchi upon request by Commissioner Ota, in which the Maui Planning and Traffic Commission recommended approval of petition since the land was not required for agricultural use and there was a shortage of rural lands in this area.

Mr. George Hasegawa, representing the petitioner, gave the following testimony. He called on his engineer to display the engineering map of the area under petition. It was pointed out that at the time the petition was submitted to the Commission, the developers had aligned the roads according to the maps which were available to them. However, since that time, petitioners have sent equipment into the area and the present plans being submitted at this hearing were almost complete. Mr. Hasegawa stated that they had taken the risk of going in and setting up actual road realignment suitable for the type of development they had in mind.

In connection with reference to lack of data to substantiate the term "brisk pace" brought out in the staff report, Mr. Hasegawa said that the petitioners would be very happy to submit, within 15 days, sales data to the Commission.

Mr. Hasegawa reported that their negotiations with the Matson Navigation Co. had reached the point where the Matson people were requesting the Tax Department for an approximate valuation of their lands, should access rights be given the petitioners. Mr. Hasegawa was confident that an agreement would be reached within a month or two between the petitioners and the Matson Navigation Co. He added that access to the proposed subdivision, coming through the Matson property, would be aligned with the proposed State highway which has received priority #2 as far as the County of Maui was concerned.

At this time, a sealed envelope from the Maui County Farm Bureau, addressed to the Land Use Commission was presented by Mr. Hasegawa to Chairman Thompson (see letter on file).

Commissioner Wung wondered if the petitioners' plans were dependent upon receiving access rights from the Matson Navigation Co. Mr. Hasegawa stated that although they felt this was the best approach to the property, they had not overlooked the possibility of an alternative secondary route. In fact, a third route was available to them.

Chairman Thompson asked whether funds for priority #2, mentioned earlier, had been appropriated by the Legislature. Mr. Moriguchi replied that under the CIP program, \$99,000 had been included for plans and surveys of these roads, but that these funds had not been requested by the Department of Transportation as yet.

Chairman Thompson read a letter from Mr. Ben Miyahara, president of the Maui County Farm Bureau, supporting petitioners' claim that the subject lands were unsuitable for agricultural purposes. The hearing was closed thereafter.

✓ PETITION OF TONY HASHIMOTO (A65-98) TO AMEND THE URBAN DISTRICT BOUNDARY IN THE KIHAI AREA, TO INCORPORATE 32 ACRES IDENTIFIABLE BY TMK 3-9-01: 115

Staff report, presented by Mr. George Moriguchi, recommended denial of the petition on the basis of staff's evaluation with respect to the need for the land and the usability and adaptability of the land for urban purposes.

A letter from Mr. Ohata, Maui Planning Director, recommended approval of the petition since the Land Use Commission had already zoned the Ting Subdivision in the Urban District.

Mr. Moriguchi advised that less than half of the Makai Heights lots had been sold to date. Mr. Moriguchi clarified, on the map, Mr. Hashimoto's lands in relation to the Maui Meadows petition, in response to Commissioner Wung's request.

Commissioner Ota wondered if the 3,450 acres now in urban, as mentioned in the staff report included the Matson property, to which Mr. Moriguchi replied that this figure included everything shown in red of which the Matson property was a part. Commissioner Ota went on to explain that the County had an interim zoning and that certain portions of these acres were earmarked for resort development, so that when petitioner used the term "houseslots", this did not necessarily mean that all these lands were available for residential purposes. Mr. Moriguchi indicated that the Maui General Plan provided for hotel-apartment areas but that this was only about $\frac{1}{4}$ of the total urban area.

Mr. Meyer Ueoka, attorney for Mr. Hashimoto, opened his testimony by defining "Rural" and "Urban" as provided by law in the establishment of boundaries; rural lands to include areas composed primarily of small farms, mixed with very low density residential lots and activities or uses as characterized by low density residential lots of not more than one-single family dwelling per one-half acre.

As evidence in behalf of the petitioner, Mr. Ueoka produced several snapshots of the subject lands which showed rocks protruding through the grass, indicating the economic impracticability of truck farming in this area. He also submitted that excessive amounts of time and money would be required to level the land for truck farming, since only truck farming could be pursued on $\frac{1}{2}$ acre lots. A farmer would suffer a loss even before he started. These lands were of the lowest type in the County of Maui and in the direct pathway of the tradewinds. In fact, Mr. Hashimoto himself finally moved to Kula to farm. As far as cattle grazing was concerned in this area, it would require 30 to 40 acres per one head of cattle, and this only during certain times of the year since grass did not grow all year round. In addition many new residences were coming up in the adjoining urban area and there would be many complaints from them if the subject lands were used for cattle grazing. Furthermore, this area was immediately adjacent to the proposed highway as appearing on the master plan of the County of Maui, and water, electricity were available. Mr. Ueoka submitted that the best use of this area was for urban purposes since it was adjacent to an existing urban area.

Mr. Ueoka stated that Mr. David Ting wished to testify with respect to the number of houses that have come up in the area and the availability of all the community services.

Mr. Ting testified that his subdivision had been very successful and all of the lots had been sold. The area was not suitable nor economically profitable for farming and it was most desirable to have it urbanized. In reply to Commissioner Nishimura's question, Mr. Ting advised that 30 acres in the Kihei

Subdivision had been subdivided and 16 homes had already been built. Mr. Ting also pointed out that the subject parcel runs parallel with his subdivision and strongly recommended change from agricultural to urban. Chairman Thompson inquired about the length of time the Kihei Subdivision lots had been on the market. Mr. Ting replied that they had been on the market for 2½ years. Hearing was closed thereafter.

DEPARTMENT OF TAXATION RECOMMENDATIONS - MAUI, MOLOKAI

Mr. Moriguchi reported that staff had received, from the Department of Taxation, recommendations concerning possible changes in district boundaries in the Counties of Maui, Hawaii, Kauai and Island of Oahu. Most of the recommended changes involved reclassification of Agricultural Districts into Urban Districts.

Chairman Thompson advised that decisions could not be rendered at this time due to the lack of a quorum, but that a discussion in connection with these recommendations from the Tax Department would be in order.

In reply to Commissioner Ota's question, Chairman Thompson explained that there had been some differences in thinking regarding the land districting in some areas. Therefore, the Commission had requested the Tax Department to submit a list of their recommended classification for those areas which they felt warranted changes. If the Commission concurs with the recommendations of the Tax Department, the Land Use Commission would have to initiate boundary changes, through the usual process of public notices, public hearings, etc.

TMK 2-5-04: portion of 36 - Paia

Mr. James Shaw, representative of the Maui Tax Department, recommended that the subject parcel owned by Alexander and Baldwin be reclassified from an Agricultural District to an Urban District since it was adjacent to Hookipa Park and the highest and best use would be for beach residential. He added that this land was already being taxed under the urban classification. Mr. Moriguchi commented that staff did not concur with this recommendation.

TMK 3-4-23 - Wailuku

Mr. Frank Zane of the Maui Tax Department commented that the subject parcel was assessed as urban lands by the Tax Department and were subdivided into four lots in the past. Therefore, it was their feeling that this was a subdivision and have assessed it accordingly.

Mr. Takeyama agreed that the Tax Department could initiate a boundary change, in reply to Chairman Thompson's question.

Mr. Robert Ohata, Maui County Planning Director, commented that since these were subdivided recorded lots, and since one house is permissible on one lot in an agricultural area, the plantation could conceivably sell them as individual lots. Therefore, he felt that a boundary change should be initiated. However, if the present landowners were against the urban classification, they could ask for a consolidation map and make these into conforming lot sizes.

TMK 3-8-05 - Waikapu

Mr. Moriguchi commented that the Tax Department was arguing that the highest and best projected use for this area was beach residential.

Mr. Frank Zane representing the Maui Tax Department proceeded to point out the area in question on a larger map, showing its relationship to Maalaea Beach and other surrounding areas. He explained that due to scarcity of beach lots in the area, a portion of the agricultural lands were being assessed as beach lots. This was the reason for their request to rezone this area as urban.

TMK 5-3-05 - Kaunakakai, Molokai

Mr. Moriguchi felt that the request for change from agricultural to urban seemed like a logical one.

Mr. Reginald Gage of the Maui Tax Department explained the reasons for the request to change the classification. The subject area involved about $5\frac{1}{2}$ acres, and within that area 1.628 acres were presently under lease to the County, and the balance not in use at the present time. The lands owned by Molokai Ranch are adjacent to Kaunakakai Town and had potential for urban uses. The boundary recommended by the Tax Department follows the "Flood Control Bank".

Mr. Ohata explained that the County of Maui was presently negotiating for a land exchange with the Molokai Ranch involving the subject lands, on the basis of agricultural land for agricultural land, and if the change in land classification were made at this time, it would impose a tremendous hardship on the County of Maui.

Mr. Gage informed that the land exchange would be made on the basis of tax valuation, dollar for dollar, and not on the basis of similarly classified lands as submitted by Mr. Ohata. At present, approximately $1\frac{1}{2}$ acres were being assessed as industrial lands, and the balance as residential lands; therefore, changing the land classification from agricultural to urban would not necessarily increase the valuation.

Since there was no further business, the meeting was adjourned.

STATE OF HAWAII
LAND USE COMMISSION

Kahului Library
Kahului, Maui

10:30 A.M.
November 5, 1965

STAFF REPORT

A65-98 - TONY HASHIMOTO

Background

A petition for change in district designation from its present classification of rural to urban has been submitted by Mr. Tony Hashimoto, the sole owner of 32 acres in the Kihei area on the Island of Maui. The subject lands are bounded by the Kihei Heights Urban Subdivision to the north and by the Makai Heights Subdivision (rural) to the east. Lands to the south of the subject lands are presently classified as agricultural, while lands to the west are entirely within the Urban District.

The site is approximately one mile from the Kihei Post Office and approximately three-quarters of a mile from the Kihei School. Access to the site is by means of Ohukai Road which extends from the main government road mauka to the subject lands.

Soils in the area are the Molokai or Lahaina soil material and are soils of these families that are now so gullied and sheet-eroded that they could not be reclaimed for machine cultivation. These soils are generally covered by kiawe, ilima and pili grass which provide some stabilization. Grazing is the primary agricultural activity supported by soils of these families. Approximately 10 to 15 inches rainfall per year fall in the area.

The owner has submitted that the parcel is immediately adjacent to the Kihei Heights Subdivision which is an area zoned urban and which has all of its lots

sold. The owner also submits that except for a few fruit trees, small farms are not evident and farm operations are extremely difficult, expensive and prohibitive. It is tentatively planned to develop the subject lands into residential lots to serve the needs of the hotel workers.

The Maui P. & T. Comm. recommended approval since the L.U.C. had districted the adjacent subdivision Urban

Analysis

The petitioner's sole basis for justification as to the need for an urban classification is the statement that the adjacent Kihei Heights Subdivision has experienced success in its lot sales. No other data in this regard have been submitted. Moreover, approximately 3,450 acres in the Kihei area are presently districted as urban lands with approximately 2,500 acres therein relatively un-urbanized at present.

The petitioner has based his justification for usability and adaptability of the lands for urban use on the basis of adjacent developments, but has not submitted any data specifically relating to the subject lands itself.

Recommendation

Evaluation of the subject parcel on the basis of the Land Use Commission test in respect to the need for the land and the usability and adaptability of the land for urban purposes based on the data submitted by the petitioner, and based on the urban areas presently districted in this area, leaves the staff with no alternative but to recommend denial of the petition.

Mr. Meyer M. Ueoka
Ogata & Ueoka
P. O. Box 433
Wailuku, Maui 96793

Dear Mr. Ueoka:

The Land Use Commission next meets on November 5, 1965 at 10:30 a.m. in the conference room of the Kahului Library, Kahului, Maui. At that time the petition by Mr. Tony Hashimoto (A65-98) for amendment of the Urban District Boundary in Kihei, Maui will be heard.

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

cc: Chairman Thompson
Planning & Traffic Comm., Maui

JOSEPH S. MEDEIROS, JR., CHAIRMAN
KAZUO KAGE, VICE-CHAIRMAN
G. ALAN FREELAND, MEMBER
WILLIAM HONG, MEMBER
YOSHIKAZU MATSUI, MEMBER
PETER MATSUOKA, MEMBER
MOTOHISA UNEMORI, MEMBER



1748

KOICHI HAMADA, EX-OFFICIO
HIDEO HAYASHI, EX-OFFICIO
JEAN R. LANE, EX-OFFICIO
MASAO SONE, EX-OFFICIO
ROBERT O. OHATA, PLANNING DIRECTOR
WESLEY A. SUPPORT, ADM. ASST.

RECEIVED

SEP 24 1965

PLANNING & TRAFFIC COMMISSION

COUNTY OF MAUI

POST OFFICE BOX 1487

KAHULUI, MAUI, HAWAII 96732

State of Hawaii
LAND USE COMMISSION

September 22, 1965

SEP 24 1965

Mr. George S. Moriguchi
Executive Officer
State Land Use Commission
426 Queen Street
Honolulu, Hawaii 96813

Dear Mr. Moriguchi:

The Maui Planning and Traffic Commission, at its meeting of September 21, 1965, voted unanimously to recommend approval of the petition for amendment of 32 acres owned by Tony Hashimoto, Tax Key 3-9-01:115, from Rural to Urban classification. The Commission feels that because the Land Use Commission has already zoned the Ting Subdivision in the Urban District it would be logical to have the subject parcel in the Urban District also, although both subdivisions are not Urban in our County General Plan.

Yours very truly,

ROBERT O. OHATA
Planning Director

cc Attorney Meyer Ueoka
cc Mr. Charles Ota

State Form B14

STATE OF HAWAII

OFFICIAL
RECEIPT

No. 72

Planning & Econ. Dev.

Department, Bureau or Commission

Sept. 7, 1965

RECEIVED from

Ogata & Yeoka

Fifty and 20/100

DOLLARS

Public Hearing Fee - Land Use Commission

\$ 50.00

Shirley J. Decker
Public Accountant

September 3, 1965

Mr. Robert O. Ohata, Director
Planning & Traffic Commission
County of Maui
P. O. Box 1487
Kahului, Maui

Dear Mr. Ohata:

Pursuant to Section 98H-4, RLH 1955, as amended, and Act 32/SLH 1965, a copy of a petition for amendment to the Land Use District Boundaries, submitted by Mr. Meyer M. Deoka for Mr. Tony Hashimoto, is forwarded to you for your comments and recommendations.

Thank you for your cooperation.

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

ENCL.

September 3, 1965

Mr. Mayer M. Ueoka
Ogata & Ueoka
P. O. Box 433
Wailuku, Maui 96793

Dear Mr. Ueoka:

This is to acknowledge the receipt of your \$50.00 check for an application by Mr. Tony Hashimoto to amend the land use district boundaries as shown on TMK 3-9-01-115, Kihei, Maui.

In accordance with Section 98H-4, RLH 1955, as amended and Act 32/SLH 1965, this Commission must schedule a public hearing on your petition no sooner than 60 days and no more than 120 days. After 45 but within 90 days following the public hearing, the Land Use Commission is obliged to render a decision on your petition.

A hearing schedule will be determined at a later date to consider the several pending petitions, including yours, in the County of Maui. We will inform you of the date of the hearing as soon as it is determined.

Should any questions develop in the meantime, we will contact you. If you should have any questions, please feel free to contact us.

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

cc: Chairman Thompson
Planning & Traff. Comm., Maui

State Form B14

STATE OF HAWAII

Land Use Commission

426 Queen Street, Honolulu, Haw.

Department, Bureau or Commission

OFFICIAL
RECEIPT

No.

114

September 2

19 65

RECEIVED from

Meyer M. Neoka for Tony Hashimoto

Fifty + 00/100

DOLLARS

For public hearing by Land Use Commission
for boundary change

\$ 50.00

Dora G. Fontaine

Public Accountant

THOMAS S. OGATA
MEYER M. UEOKA

1722
2121 MAIN STREET
Post Office Box 433
Phone: 33-737 or 33-738

OGATA & UEOKA
ATTORNEYS AT LAW
WAILUKU, MAUI, HAWAII 96793

August 30, 1965

RECEIVED

SEP 2 1965

State of Hawaii
LAND USE COMMISSION

Land Use Commission
State of Hawaii
426 Queen Street
Honolulu, Hawaii

Re: Application of Tony Hashimoto

Gentlemen:

Enclosed herewith please find original and copy of the Petition for Amendment of Tony Hashimoto of Kihei, Maui, to change the district designation from present classification of rural district to urban district.

Enclosed herewith please find a check in the sum of \$50.00 to cover the fee.

Your favorable action on the said Application will be greatly appreciated.

Very truly yours,

OGATA & UEOKA

By

Meyer M. Ueoka

Encls.

A65-98

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

RECEIVED

SEP ✓ 1965

State of Hawaii
LAND USE COMMISSION

This space for LUC use

Date Petition and Fee received
by LUC _____

Date forwarded to County
for recommendation _____

Date Petition, and County
recommendation received
by LUC _____

PETITION FOR AMENDMENT TO THE LAND USE COMMISSION DISTRICT BOUNDARY

(I) (We) hereby request an amendment to the Land Use Commission District Boundary respecting the County of MAUI, Island of MAUI, map number and/or name _____ to change the district designation of the following described property from its present classification in a(n) Rural district into a(n) Urban district.

Description of property:

Parcel of land situate at Waiakoa and Waiohuli-Keokea, Kihei, Maui, Tax Key 3-9-01-115. Area -- 32.23 acres.

Petitioner's interest in subject property:

Sole owner

Petitioner's reason(s) for requesting boundary change:

See attached memo

- (1) The petitioner will attach evidence in support of the following statement:

The subject property is needed for a use other than that for which the district in which it is located is classified.

- (2) The petitioner will attach evidence in support of either of the following statements (cross out one):

- (a) The land is usable and adaptable for the use it is proposed to be classified.
- (b) Conditions and trends of development have so changed since adoption of the present classification, that the proposed classification is reasonable.

Signature(s) _____

Wong & Sashimoto

Address: Kihei, Maui

Telephone: 795924

The Petitioner, TONY HASHIMOTO, by his Petition for Amendment to the Land Use Commission District Boundary is requesting for an extension of the Boundary of Urban Zoning.

Petitioner's parcel of land lies adjacent to Kihei Heights Subdivision--an area zoned Urban. All of the lots in said Kihei Heights Subdivision have been sold, and said Subdivision characterized by high density, has taken on a firm residential appearance. Roads, water hydrants, water, electricity and telephone services are available.

Except for few fruit trees, small farms are not evident. Because of the rocky nature of the land, because this area is considered to be the driest on Maui, and because its location falls in the pathway of the tradewind that brings 2,4-D, if used in the sugar industry, farm operations are extremely difficult, expensive and prohibitive.

There is tentative plan to develop this particular area into residential lots. It could serve the needs of hotel workers who travel a distance as far as Paia and Makawao. More hotel developments are in store for the westside, and as the hotels are constructed, homes in moderate ranges are needed for the worker.

Accordingly, it is submitted that the parcel of land in question is usable and adaptable for the use it is proposed to be classified, and on the basis of conditions and trends of development, the proposed classifications is reasonable.

RECEIVED

MAY 24 1966

May 18, 1966

State of Hawaii
LAND USE COMMISSION

Roy:

Please review and return to us.

LUC

*Sara,
Pls process
signatures*

*Approved as
Per Y
5/23/66*

*to form
Zakay am*

Draft 5-17-66

LAND USE COMMISSION
STATE OF HAWAII

IN THE MATTER OF THE PETITION)
BY TONY HASHIMOTO, A65-98)

FINDINGS OF FACT, CONCLUSIONS OF
LAWDAND DECISION

The above Petition to amend the Land Use District Boundaries from a Rural to an Urban classification having come on for hearing on November 5, 1965, at the Kahului Library Auditorium, Kahului, Maui, and the Land Use Commission having duly considered the evidence now finds and concludes as follows:

FINDINGS OF FACT

1. That the Petition as ~~originally~~ submitted contains approximately 32 acres of land situated at Kihei, Maui, Hawaii (TMK 3-9-01:115), all of said lands being in the Rural District; and that the Petitioner, Tony Hashimoto, is the sole owner in fee of the entire parcel.
2. That the Petitioner proposes to subdivide and develop said lands for residential use in order to serve the needs of hotel workers. ^{10,000 square foot} ^{lots}
3. That roads, water service, electrical service, and telephone service are available in the area.
4. That small farms are not evident in the area, except for a few fruit trees in a lime orchard.
5. That the rocky nature of the land, coupled with the low rainfall in the area, ^{tenders} farm operations are extremely difficult.

Soils in the area are the Molokai or the Lahaina soil material with grazing as the primary agricultural activity supported by soils of these families.

That
6. ~~At~~ the site is approximately one mile from the Kihei Post Office and approximately 3/4-mile from the Kihei School. Access to the site is by means of ^{Ohukai} ~~Cokai~~ Road which extends from the main government road mauka to the subject lands.

7. That the subject lands are bounded by the Kihei Heights Subdivision within the Urban District ~~to~~ to the north and by the Makai Heights Subdivision ⁱⁿ and the Rural District to the east. Lands to the south of the subject lands are presently classified as agricultural and lands to the west are ~~entirely~~ within the Urban District *with the exception of two small parcels which are in the Rural District.*

8. That the development plan prepared for the County of Maui by the Planning and Traffic Commission of the County of Maui proposes that the lands under consideration be within the Agricultural District.

9. That approximately 3,450 acres in the Kihei area are presently districted as Urban, of which approximately 2,500 acres therein are relatively unurbanized at present.

10. That lot sales at the adjacent Kihei Heights Subdivision have proceeded quite successfully with most of the lots sold. These lots are for residential purposes.

11. That lot sales at the Makai Heights Subdivision has progressed satisfactorily. These lots are 1/2-acre minimum size and districted for Rural use ^{as with the subject lands} involving residential or farming activities.

12. Mr. Tin Fook Tom, a landowner in Kihei, and Mr. Ben Miyahira, President of the Maui County Farm Bureau, have indicated their support of the Petition on the ^{basis of the} unsuitability of the area for agricultural purposes.

13. The Maui Planning and Traffic Commission has recommended approval of the Petition since the State Land Use Commission has already zoned the Ting Subdivision ^(Kihei Heights Subdivision) in the Urban District and it would be logical to have the subject parcel in the Urban District also, although both subdivisions are not proposed for urban use in the Maui County General Plan.

CONCLUSIONS OF LAW

1. That the Petitioner has failed to prove that the land is needed for use other than that for which it is classified. While there is evidence that said lands are not suited for agricultural pursuits, the present classification of Rural permits use of the subject lands for other than agricultural pursuits. Specifically, paragraph 2.16(b) of the State Land Use District Regulations provides as follows:

Indent { "Low density residential uses with a minimum lot size of 1/2-acre. There shall be no more than one single family dwelling per 1/2-acre."

2. That sufficient reserve areas for foreseeable urban growth in close proximity to the lands under consideration have already been placed in the Urban District.

3. That other undeveloped lands already districted Urban are better located to the centers of trading and employment facilities and more easily serviced by public agencies than the lands under consideration, thus alleviating any evidence of urban pressure in the area under petition.

4. That conditions and trends of development have not changed materially since the adoption of the present classification (Rural) so as to justify amending the present boundary to permit Urban uses of the lands under consideration. That the extensive vacant lands within the present Urban District reflects the lack of urban pressure in this area.

5. That urbanization of this land under consideration is contrary to the ^{master} plan prepared for the County of Maui by the Maui Planning and Traffic Commission, *and the State General Plan*

DECISION

Based on the evidence presented and the findings of fact and conclusions of law, it is the decision of the Land Use Commission that the Petition be denied and that said lands be retained in the Rural District.

Dated: ~~May~~ _____, 1966, Honolulu, Hawaii.

STATE LAND USE COMMISSION

By Myron Thompson

Authentication:

Done in the City and County
of Honolulu, State of Hawaii,
the _____ day of _____, 19____.

George S. Moriguchi
Executive Officer
Land Use Commission

Approved as to form and legality:

Roy Y. Takeyama
Deputy Attorney General

LAND USE COMMISSION
STATE OF HAWAII

IN THE MATTER OF THE PETITION)
BY TONY HASHIMOTO, A65-98)

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND DECISION

The above Petition to amend the Land Use District Boundaries from a Rural to an Urban classification having come on for hearing on November 5, 1965, at the Kahului Library Auditorium, Kahului, Maui, and the Land Use Commission having duly considered the evidence now finds and concludes as follows:

FINDINGS OF FACT

1. That the Petition as submitted contains approximately 32 acres of land situated at Kihei, Maui, Hawaii (TMK 3-9-01: 115), all of said lands being in the Rural District; and that the Petitioner, Tony Hashimoto, is the sole owner in fee of the entire parcel.
2. That the Petitioner proposes to subdivide and develop said lands for 10,000 square foot residential lots in order to serve the needs of hotel workers.
3. That roads, water service, electrical service, and telephone service are available in the area.
4. That small farms are not evident in the area, except for a few fruit trees in a lime orchard.

5. That the rocky nature of the land, coupled with the low rainfall in the area renders farm operations extremely difficult. Soils in the area are the Molokai or the Lahaina soil material with grazing as the primary agricultural activity supported by soils of these families.

6. That the site is approximately one mile from the Kihei Post Office and approximately 3/4-mile from the Kihei School. Access to the site is by means of Ohukai Road which extends from the main government road mauka to the subject lands.

7. That the subject lands are bounded by the Kihei Heights Subdivision within the Urban District to the north and by the Makai Heights Subdivision in the Rural District to the east. Lands to the south of the subject lands are presently classified as agricultural and lands to the west are within the Urban District with the exception of two small parcels which are in the Rural District.

8. That the development plan prepared for the County of Maui by the Planning and Traffic Commission of the County of Maui proposes that the lands under consideration be within the Agricultural District.

9. That approximately 3,450 acres in the Kihei area are presently districted as Urban, of which approximately 2,500 acres therein are relatively un-urbanized at present.

10. That lot sales at the adjacent Kihei Heights Subdivision have proceeded quite successfully with most of the lots sold. These lots are for residential purposes.

11. That lot sales at the Makai Heights Subdivision has progressed satisfactorily. These lots are 1/2-acre minimum size and districted for Rural use, as with the subject lands, involving residential or farming activities.

12. Mr. Tin Fook Tom, a landowner in Kihei, and Mr. Ben Miyahira, President of the Maui County Farm Bureau, have indicated their support of the Petition on the basis of the unsuitability of the area for agricultural purposes.

13. The Maui Planning and Traffic Commission has recommended approval of the Petition since the State Land Use Commission has already zoned the Ting Subdivision (Kihei Heights Subdivision) in the Urban District and it would be logical to have the subject parcel in the Urban District also, although both subdivisions are not proposed for urban use in the Maui County General Plan.

CONCLUSIONS OF LAW

1. That the Petitioner has failed to prove that the land is needed for use other than that for which it is classified. While there is evidence that said lands are not suited for agricultural pursuits, the present classification of Rural permits

use of the subject lands for other than agricultural pursuits. Specifically, paragraph 2.16(b) of the State Land Use District Regulations provides as follows:

"Low density residential uses with a minimum lot size of 1/2-acre. There shall be no more than one single family dwelling per 1/2-acre."

2. That sufficient reserve areas for foreseeable urban growth in close proximity to the lands under consideration have already been placed in the Urban District.

3. That other undeveloped lands already districted Urban are better located to the centers of trading and employment facilities and more easily serviced by public agencies than the lands under consideration, thus alleviating any evidence of urban pressure in the area under petition.

4. That conditions and trends of development have not changed materially since the adoption of the present classification (Rural) so as to justify amending the present boundary to permit Urban uses of the lands under consideration. That the extensive vacant lands within the present Urban District reflects the lack of urban pressure in this area.

5. That urbanization of this land under consideration is contrary to the master plan prepared for the County of Maui by the Maui Planning and Traffic Commission and the State General Plan.

DECISION

Based on the evidence presented and the findings of fact and conclusions of law, it is the decision of the Land Use Commission that the Petition be denied and that said lands be retained in the Rural District.

Dated: June 10, 1966, Honolulu, Hawaii.

STATE LAND USE COMMISSION

By Myron Thompson
Myron Thompson

Authentication:

Done in the City and County
of Honolulu, State of Hawaii,
the 10th day of June, 1966.

George S. Moriguchi
George S. Moriguchi
Executive Officer
Land Use Commission

Approved as to form and legality:

Roy Y. Takeyama
Roy Y. Takeyama
Deputy Attorney General

10-14



GOVERNOR'S CONFERENCE ON OCEANOGRAPHY & ASTRONAUTICS

September 29 - October 2

Kauai, Hawaii

Oh Pung (Pls see me on)

Maui Meadows
T. Hashimoto

re: vacant urban } Kihikihi
vacant rural } Area

Kihikihi - Wailea

U = 3452 AC

R = 77 AC - (same)

R = 195 AC
(Makena area)

272 AC

DLNR →

No. of lots in present
new subds (total)
(rural + urban)
no. sold.

location of 18" watermain
Wailea to Kihikihi to Wailea

present land use (I have
info)
Anything else you can
think of

✓ Soils - H. Meadows - EC

T. Hash - EC & W26

✓ Rainfall
climate

311
2260
261.3

AM

Mani TMK (Sub'd)	# Lots (Average size)	Period - # Sold
3-9-07 (Mokokai Tract) "U"	26 lots (12000 #)	Not subdiv. ^{prev.} to May '62 '62 to '65 = 15
3-9-21 (Kihei Estate Sub'd) "U"	57 lots (8400 #)	Previous to Sep '60 - 46 Sep '60 to '65 - ^(Total) 56
3-9-22 (Ka Hinano Acres Sub'd) "U"	27 lots (10,500 #)	1962 to '65 - 18
3-9-23 (Ka Hinano Ac Sub'd) "U"	44 lots (10,300 #)	1962 to '65 - 22
3-9-24 (Kihei Hts Sub'd) "U"	23 lots (9,500 #)	1964 to '65 - 13
3-9-25 (Kihei Hts Sub'd) "U"	84 lots (9,200 #)	1961 to '65 - 74
3-9-26 (Makai Hts Sub'd) (R) (2ane)	67 lots (22,000 #)	all 1965 - 28

Rainfall of the Hawaiian Islands

W.J. Taliaferro (Hawaii Water Auth.) 1959

① T. Hashimoto (A65-98)

Active gage 311 - Kihei Village 3 (Camp 3)

Elev. - 60'

Annual Rainfall Data in Inches

<u>Max.</u>	<u>Median</u>	<u>Min.</u>
26.5	12.3	2.8

② Mani Meadows (A65-91)

Active gage 260 - Keawakapu

Elev. - 350'

Annual Rainfall Data in Inches

<u>Max.</u>	<u>Median</u>	<u>Min.</u>
27.1	13.7	4.9

Kihei to Wailea Urban Area = 3952 Ac

Kihei Rural Area = 77 Ac

Makena Rural Area = 195 Ac

Soil Survey of the Territory of Hawaii

M.G. Cline (USDA in coop. w/ H.A.E.S.)

issued 1955

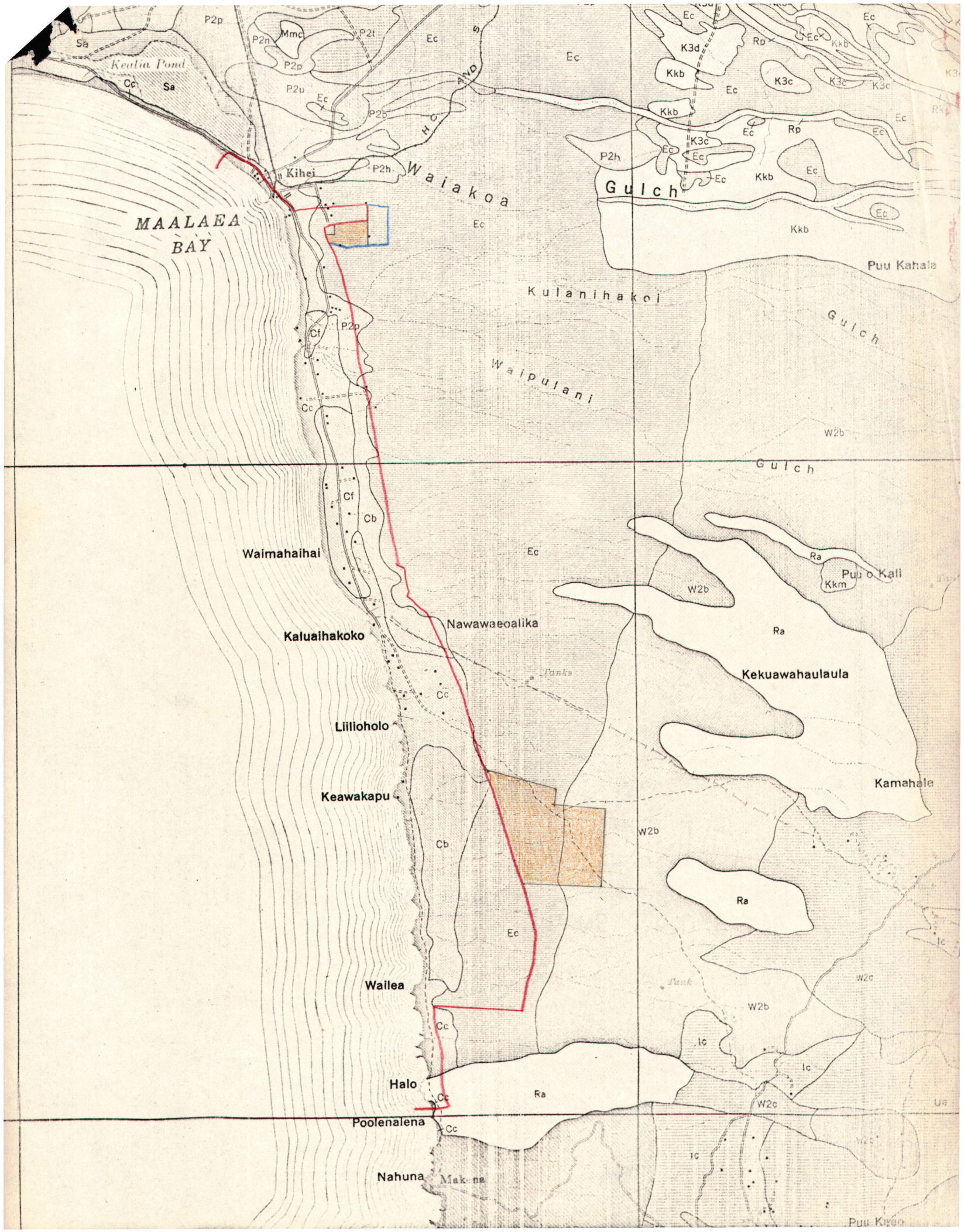
① T. Hashimoto (A65-98)

Ec - Eroded stony land, Molskai or Lahaina soil material (Pg. 627) see attached

② Mani Meadows (A65-91)

Ec - see above; and -

WZB - Waimia family, very shallow phases (Pg 512 - 513) see attached



annually. The unit occurs in association with the Kaena soils, and the soil material among the mass of rocks and boulders is similar to the material of that series. It is dark colored, generally sticky and plastic, and mottled in the lower part. The soil material is generally moist because it receives seepage water. The exchangeable magnesium is at least moderately high, though probably not so high as in soils of the Dark Magnesium Clay group.

This land lies idle or is pastured. Much of it is covered with stands of lantana and guava so dense they almost exclude other plants. Eradication of these pests is almost impossible, yet the land has little grazing value as long as they are present.

ERODED LAND TYPES

Eroded land types were once covered by soil, but this has been almost completely removed by erosion and only weathered rock material having no genetic profile remains. The units occur mainly in nearly level to sloping areas. Generally, they are not extremely stony. Two of these eroded land types have been mapped. One occurs in association with the Low Humic Latosols, and the other with the Humic Ferruginous Latosols.

Eroded stony land, Molokai or Lahaina soil material (5 to 30 percent slopes) (EC).—This land type occurs on the islands of Kauai, Lanai, Maui, and Molokai at elevations ranging from sea level to 2,000 feet. It receives mainly between 10 and 30 inches of rain annually, but locally it extends into areas where rainfall is as high as 50 inches per year. The unit consists of areas that were once soils of the Molokai or Lahaina families but that are now so gullied and sheet eroded they could not be reclaimed for machine cultivation. Probably not all of the erosion was caused by man.

Near the upper margins of this unit almost vertical-sided gullies have cut back into the undisturbed soil areas, leaving remnants of deep soil between them. Farther down the slope, these little spurs are also eroded to varying degrees, and at still lower elevations only weathered bedrock is left between the gullies. Gullied normal soil, areas with only weathered rock, and all stages of erosion between these extremes are represented in this unit. In most places the surface is covered with many rounded rock cores left behind as the soil washed away. Locally, especially on the island of Lanai, the soil material that remains is more sticky and plastic than normal for Molokai or Lahaina soils and is comparable to that of the Pamoia series.

Erosion is still active, but algaroba, ilima, and pilgrass provide some stabilization. At higher elevations algaroba is replaced by lantana.

This land is used only for grazing. On Molokai Ranch it was reported that it would carry one head for each 12 acres for about 4 to 6 months of the year. Algaroba at the lower elevations supplies much of the forage; at higher elevations grasses furnish the only feed. The forage is of high quality, but the quantity is low.

Eroded land, Naiwa or Mahana soil material (8 to 35 percent slopes) (EA).—Soils of the Naiwa and Mahana families are subject to ex-

Pastures are highly productive of high quality forage. No estimates of carrying capacity were obtained, but these soils should be as productive of pasture as soils of the Waimea series. Improved pastures would probably carry one head for every 2½ acres, and unimproved pastures one head for every 3 or 4 acres. Of the planted species, *paspalum*s are probably the most important. They are among the most palatable of the grasses suited to this zone and will grow well in mixed swards. Bermudagrass tends to become dominant with time. On the less strongly sloping areas, plowing at intervals of 5 years or more would help reestablish more desirable plant associations. On the more strongly sloping areas, plowing is difficult because of the slopes and probably would allow severe erosion before new stands of grasses could become established. The soil, however, is practically free from stones, boulders, and bedrock outcrops.

Ulupalakua cindery loam, cinder-cone phase (10 to 45 percent slopes) (Ud).—This unit includes a relatively wide range of soil conditions in the general region of Reddish Prairie or Reddish Brown soils on the islands of Maui and Hawaii. The soil profiles range from that described for the Ulupalakua series to a thin soil only 10 or 15 inches thick over raw cinders.

Areas of this phase generally support the same kinds of pasture plants as the sloping phase of Ulupalakua silt loam, but pastures are generally somewhat less productive. The open porous substratum and generally shallower depth of soil over cinders makes this phase somewhat more droughty than the sloping phase. No data were obtained on carrying capacity, but it is probably considerably less than on Ulupalakua silt loam, sloping phase. The soil is subject to rather severe erosion if the sod is broken; in some places gullies have cut down to the raw volcanic cinders. Areas of this phase generally occur as almost symmetrical cones with slopes so steep that the use of machinery is generally not feasible.

UNDIFFERENTIATED UNITS

All of the soils of the Waimea family that are very shallow over bedrock have been grouped, regardless of series, into two undifferentiated units—Waimea family, very shallow phases; and Waimea family, very shallow phases—Aa lava complex. The first unit consists of soils that are mainly less than 12 inches deep to bedrock but have infrequent bedrock outcrops. The second unit consists of soils of similar depth that have bedrock outcrops on 20 to 50 percent of the total area. The Waimea family is used to include these two undifferentiated units, although the B horizon is commonly only a very thin layer or entirely absent.

Waimea family, very shallow phases (3 to 30 percent slopes) (W2B).—The soils of this unit are shallow and stony. They have, however, an almost continuous soil cover that is in most places 4 to 12 inches deep over bedrock. Most of this unit has an A₁ horizon and a B horizon. In some areas, however, the B horizon is lacking and the A₁ rests directly on bedrock. In most places the underlying lava is of the Aa type and is loose and broken. It crops out only occasionally, but loose stones and boulders from the bedrock fill the soil and litter the surface. The soil is unsuited to cultivation in its present condi-

tion, but some areas could be cultivated if the loose stones were removed.

Less of this unit than of the less stony soils of the family has been improved. Practically all of it is used for grazing. It supports an association of grasses, herbaceous plants, and shrubs similar to that described for the Waimea family. Bermudagrass is dominant on most areas; it tends to form a one-grass pasture. Correction of this condition by plowing is not feasible on these very stony soils. The carrying capacity is probably somewhat lower than that of Waimea fine sandy loam, gently sloping phase, which was reported to carry one head for every 4 acres of unimproved pasture. This lower carrying capacity may be attributed to lower water-holding capacity and more frequent moisture deficiency than on the deeper soils of the family. The unit is valuable grazing land, however.

Waimea family, very shallow phases—Aa lava complex (3 to 30 percent slopes) (W2c).—These soils occur in the vicinity of Ulupalakua on the island of Maui. They are in the general region of Ulupalakua and Io soils. They are shallow and stony, and bedrock outcrops account for 20 to 50 percent of the total land surface. These areas are completely unsuited to the use of machinery. The lava bedrock is all of the Aa type and is rough and broken. Cattle can get over the area without too great difficulty, however, and the carrying capacity is high for such stony soils.

Bermudagrass is dominant throughout most of the area, but yellow foxtail, pilipiliula, and ricegrass are more prominent than on deeper soils of the same family. The carrying capacity is reduced by the high proportion of bedrock outcrop and the shallowness of soil and resultant low moisture-holding capacity.

SOILS OF THE NAALEHU FAMILY

The relationships of soils of the Naalehu family to other families of the Reddish Prairie group are indicated in table 17 in the section on Relationships Among Soils of Hawaii. They are Reddish Prairie soils derived from older materials than those that have contributed to soils of the Pahala and Waimea families. The materials are volcanic ash, cinders, or mud flows that were highly weathered before they were deposited and have been subjected to moderate weathering since deposition. In this respect all of these soils differ from the other soils of the Reddish Prairie group. They have similar physical properties, however, and the pH values are generally only slightly less than those of other families of this group.

These soils occur on the islands of Hawaii at elevations ranging from 800 to 2,500 feet above sea level. Average annual precipitation ranges from 30 to 70 inches, but in most places it is less than 60 inches. Most of the area is in vegetation zone C₁, but the soil extends slightly into vegetation zone B.

Precise chemical data on the composition of the soils or their cation-exchange capacities are not available. Judging from the textures of the soils, however, it must be assumed that most of the primary minerals have been weathered. In this respect these soils are probably comparable to soils of the Low Humic Latosol group. The pH values are generally above 6.0, indicating a relatively high degree of base

