

Wing
Jan 7 - Mar 8

March 19, 1975

Mr. Michael A. Town
P. O. Box 368
Wailuku, Maui 96793

Dear Mr. Town:

This is in response to your letter dated February 28, 1975 regarding Minerva Keawe's boundary amendment petition, Docket No. A74-380, Puaahala, Molokai.

On advice of our legal counsel, your request to leave Mrs. Keawe's petition on file until litigation on this particular matter is resolved is denied since the classification sought by your client is the present classification of the subject property. Therefore, such a petition is moot at this point. However, you may choose to intervene at the Circuit Court level regarding the General Hawaiian Corporation's Appeal from the Land Use Commission's decision.

We are therefore formally closing Docket No. A74-380, Minerva Keawe's petition for a boundary amendment at Puaahala, Molokai.

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

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

bcc: Commissioners
Harry Kim
Benjamin Matsubara

EXCELERASE

6983

HAWAII LEGAL SERVICES PROJECT
LEGAL AID SOCIETY OF HAWAII
2287 MAIN STREET
WAILUKU, MAUI, HAWAII 96793
TELEPHONE 244-5266x 3731

OAHU
SUITE 201, COMMUNITY SERVICE CENTER BLDG.
200 NORTH VINEYARD BOULEVARD
HONOLULU, HAWAII 96817
TELEPHONE 536-4302

HAWAII
SUITE 208 HILO PLAZA
180 KINOOLE STREET
HILO, HAWAII 96720
TELEPHONE 935-5265

KAUAI
KAUAI CIRCUIT COURT BLDG.
3059 UMI STREET
LIHUE, KAUAI, HAWAII 96766
TELEPHONE 245-2781

P. O. Box 368
February 28, 1975

RECEIVED
MAR 3 1975
State of Hawaii
LAND USE COMMISSION

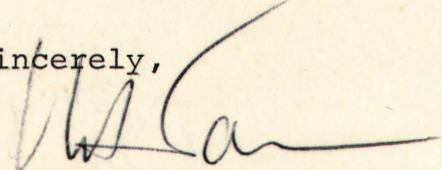
Mr. Tatsuo Fujimoto
State of Hawaii
Land Use Commission
P. O. Box 2359
Honolulu, Hawaii 96804

Dear Mr. Fujimoto:

I am in receipt of your letter of January 8, 1975 regarding Minerva Keawe's Boundary amendment petition submitted November 8, 1974 (Docket A74-380) regarding 183 acres at Puaahala, Molokai. This office is representing Mrs. Keawe in this matter.

We understand both General Hawaiian and Life of the Land have appealed to the Circuit Court from the LUC's decision in this matter. If General Hawaiian prevails, Mrs. Keawe's petition would then be timely. Mrs. Keawe further plans to intervene in the General Hawaiian appeal.

In conclusion, Mrs. Keawe has decided to leave her petition on file with you until the litigation is ended and the issues resolved.

Sincerely,

MICHAEL A. TOWN
Supervising Attorney

MAT:pl

cc: B.M. 2/5/75
HK.

January 8, 1975

Mrs. Minerva K. Keawe
P. O. Box 872
Kaunakakai, Molokai 96748

Dear Mrs. Keawe:

This is to inform you that the property described in the boundary amendment petition submitted by you on November 8, 1974 (Docket A74-380), comprising approximately 183 acres at Puaahala, island of Molokai, was reclassified from the Urban to the Agricultural and Conservation Districts by the Commission at its meeting on December 17, 1974. This action was taken under the Commission's 5-year comprehensive review of land use districts.

Since the reclassification action is consistent with the boundary amendment requested in your petition, we suggest that you write us to formally withdraw petition A74-380 so that we can formally close petition A74-380, and return your filing fee in the amount of fifty dollars (\$50.00).

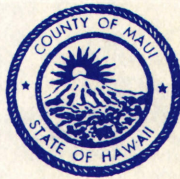
Should you desire more information or have any questions, please feel free to write us.

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

1-20-75 Xerox - T. Ishikawa, Hawaii
3/5/75

PLANNING COMMISSION
Yoshikazu Matsui, Chairman
G. Alan Freeland, Vice-Chairman
Louis Hao
Shiro Hokama
Kazuo Kage
George Murashige
Leo Polo, Jr.
Stanley Goshi, Ex-Officio
Carl Kalama, Ex-Officio



COUNTY OF MAUI
PLANNING DEPARTMENT

200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793

Elmer F. Cravalho
Mayor

BOARD OF ADJUSTMENT
& APPEALS
Young Whee Chun, Chairman
George Tamura, Vice-Chairman
William Hong
Norman Muranaka
Herbert Vierra

Howard K. Nakamura
Planning Director

Tosh Ishikawa
Deputy Planning Director

6906

December 24, 1974

RECEIVED

DEC 27 1974

State of Hawaii
LAND USE COMMISSION

Mr. Tatsuo Fujimoto
Executive Officer
Land Use Commission
P.O. Box 2359
Honolulu, Hawaii

Dear Mr. Fujimoto:

Re: Petition by Minerva Keawe to amend the State Land
Use District Boundaries at Puaahala, Molokai

The Maui Planning Commission at its meeting of December 13,
1974, considered the above petition by Mrs. Minerva Keawe. By
general concensus the Maui Planning Commission took the matter
under advisement.

The Planning Commission in taking the matter under
advisement indicated that Commission did forward its comments
on the proposed Puaahala boundary change to the State Land Use
Commission as part of the 5-year boundary review recommendation.

Please contact our office should you have any questions.

Yours very truly,

TOSH ISHIKAWA
Deputy Planning Director

STATE OF HAWAII
LAND USE COMMISSION
P. O. BOX 2359
HONOLULU, HAWAII 96804

November 11, 1974

Maui Planning Commission
200 S. High Street
Wailuku, Maui 96793

Attention: Mr. Howard K. Nakamura, Planning Director

Subject: A74-380 - Minerva K. Keawe

Gentlemen:

Pursuant to Section 205-4, Hawaii Revised Statutes, we are enclosing a copy of petition for amendment to the land use district boundaries submitted by Minerva K. Keawe.

Act 32 provides that within 45 days after receipt of the petition, the Commission of the County wherein the land is located shall forward its comments and recommendations to the Land Use Commission. It also provides that upon written request by the Planning Commission, the Land Use Commission may grant an extension of not more than 15 days for the receipt of such comments and recommendations.

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

Encls.

Form B-24

STATE OF HAWAII

OFFICIAL
RECEIPT

Nº 0049

Department of Planning and Economic Development

Department, Bureau or Commission

November 19, 19 74

RECEIVED from

Beatrice L. Davis George
Fifty + no/100

DOLLARS

LUC Petitioner's Fee

\$ 50.00

Caroline Okuda

Public Accountant

Form B-24

STATE OF HAWAII

OFFICIAL
RECEIPT

Nº 0900

Land Use Commission

Department, Bureau or Commission

November 8 1974

RECEIVED from

Bettrice L. Davis

Fifty & no/100

DOLLARS

Petition for Boundary Amendment - Minerva K. Keawe

\$ 50⁰⁰

O. Houkawa
for Public Accountant

STATE OF HAWAII
LAND USE COMMISSION
P. O. BOX 2359
HONOLULU, HAWAII 96804

November 11, 1974

Mrs. Minerva K. Keawe
P. O. Box 872
Kaunakakai, Molokai 96748

Dear Mrs. Minerva:

This will acknowledge the receipt of your check in the amount of \$50.00 and your application to amend the land use district boundaries at _____

Puaahala, Molokai

In accordance with Section 205-4, Hawaii Revised Statutes, 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 hearing date 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,

TATSUO FUJIMOTO
Executive Officer

Encl.

cc:

Maui Planning Commission

November 1, 1974

Mr. Eddie Tangen, Chairman
State Land Use Commission
P.O. Box 2359
Honolulu, Hawaii 96804

RECEIVED

NOV - 8 1974

State of Hawaii
LAND USE COMMISSION

Dear Mr. Tangen:

Attached is our petition to downzone the Puaahala Urban District to its original Agriculture and Conservation Districts.

Please address subsequent correspondence in this matter to me at the address below.

Mahalo.

Sincerely,

Mrs. Minerva K. Keawe

Mrs. Minerva K. Keawe
P.O. Box 872
Kaunakakai, Molokai 96748

STATE OF HAWAII
LAND USE COMMISSION

P. O. Box 2359
Honolulu, Hawaii 96804

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	_____

RECEIVED
NOV - 8 1974

State of Hawaii
LAND USE COMMISSION

PETITION FOR AMENDMENT TO THE LAND USE COMMISSION DISTRICT BOUNDARY

~~X~~ (We) hereby request an amendment to the Land Use Commission

District Boundary respecting the County of Maui, Island of Molokai,
Puaahala TMK: 5-6-6: 2(por) 5-6-7: 1(por), 2, 4, 68, 69, 70
map number and/or name 5-6-5: 1, 12(por) to change the district
5-6-5: 12, 36 5-6-7: 1(por)

designation of the following described property from its present classification

in a(n) Urban district into a(n) Agriculture districts
and Conservation

Description of property:

See Attached Explanation.

Petitioner's interest in subject property:

We are owners or lessees of property adjacent to or surrounded by the Puaahala Urban District.

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

See Attached Explanation.

(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.

Signatures(s) Mrs Minerva K. Keawe
P.

Address:

P. O. Box 8172 Kaimakulani

Telephone:

553-5689

96748

(additional signatures attached)

Signature

Address

Telephone

Mrs. Beatrice L. Davis
also for
George P. Davis

P.O. Box 712
Kai, Mol. 96748

558-8221

Agatonics Farson
John J. Callahan Sr.
Catherine Capintan

Kai S. R. Box 134
P.O. Box 137 S.R.
Kaamala Molokai
Kamala, Mol

558-8234

558-8287

558-8128

The above signatories are owners or lessees of the following lands which are located adjacent to the Puahala Urban District.

<i>Owner list</i>	Mrs. Minerva Keawe	owner	5-6-09: 0 5-6-05: 13 ✓ 5-6-05: 14 ✓
ok	George P. and Beatrice L. Davis	lessee	5-6-08: 18 ✓ 5-6-08: 19 ✓
ok	Mrs. Agatonica Faraon	owner	5-6-08: 02 ✓
5-6-05-18	Mr. John I. Kalilikane	owner	5-6-05: 20 ✓
7	Mrs. Catherine K. Espiritu	owner	5-6-09: 03 ✓

owned by Thomas Chip

interest approx 300' from area

Molokai T.M.K. (Check owners)

5-6-5: 13

— William IOKAMA - $\frac{1}{4}$

— ABBIE WELCH EST. - $\frac{3}{4}$

14

— SAME AS ABOVE

20

— THACKER CORP - 2.35 ACS.

5-6-9: 3

— SANTOS AQUIRRE & wif. CAROLINE L. $\frac{1}{2}$
— KATHERINE K. ESPIRITU $\frac{1}{2}$

PETITION FOR AMENDMENT TO THE LAND USE COMMISSION

DISTRICT BOUNDARY

The purpose of this petition is to request a change in district boundary on the following land, known as the Puaahala Urban District, on the island of Molokai:

TMK: 5-6-6: 2(por.)
5-6-5: 1, 12(por.)
5-6-7: 1(por.), 2, 4, 68, 69, 70

5-6-5: 12, 36
5-6-7: 1(por.)

The land located within the Puaahala Urban District is owned by the Rose A. Aping Estate, Amsco Inc., and Molokai Resort Properties. We herewith request that this land be returned to the Agriculture and Conservation District classifications that were in effect prior to its designation as an Urban District in August, 1969.

As landowners and lessees of land which is immediately adjacent to or surrounded by the Puaahala Urban District, and in compliance with Rule 2.31, State Land Use District Regulations, we shall show:

1. The area is needed within the next five year period for a use other than that for which the District in which it is situated is classified.
2. a) The land is usable and adaptable for the agricultural and conservation uses we propose.
b) Conditions and trends of development have so changed since the adoption of the existing classification, that the proposed classification is reasonable.

1. We believe that an urban district and a resort development are not the best things for the Puaahala area. We believe that the area is needed for another more important use--a use based on the preservation of East Molokai as a unique remnant of Hawaii's heritage. It is our belief that the original agricultural and conservation classifications are the most appropriate uses for the area.

As we have watched urban development take place on the other islands, we have become more aware of the need to preserve our shoreline areas and our historical heritage. Clearly, it will be impossible to preserve East Molokai and at the same time to allow the Puaahala area to become urbanized. The Puaahala resort development that is planned will be a huge urban development, and it will mark the beginning of even greater urbanization in East Molokai. If allowed to occur, this urbanization will bring higher property assessments and higher property taxes. Eventually, this will force small property owners like us off our land. So we are opposed not only to the Puaahala urban development, but also to the County General Plan for Molokai which proposes the urbanization of East Molokai.

We believe that the eastern portion of Molokai is a sacred place and should remain as much as possible as it is today--without large scale resort or urban development. It is important that this last remnant of Hawaii's past be preserved as much as possible. This means that the County General Plan for Molokai which was drawn up in the early 1960's and adopted in the late 1960's needs to be done over. We and other residents of East Molokai want to design another General Plan for the area. And we want this new plan to be based on the preservation of the East End, and not on urban development.

Also, we wish to point out that the Puaahala Urban District was created in 1969 without the approval of the people of Molokai. The Land Use Commission held its hearings on Maui and Oahu and never allowed Molokai residents to express our needs at the time of the rezoning. We are now taking this opportunity to express our needs.

2. a) The land located within the Puaahala Urban District is usable and adaptable for the agricultural and conservation uses we propose.

former
The/~~agriculture~~-designated land on the mauka side of the highway were used as grazing land in the past. This land is still useable and adaptable for this purpose today.

One of the petitioners, Mrs. Minerva Keawe, still maintains a piggery in an agriculture-designated area on the makai side that is surrounded by the Urban District. She has maintained this piggery for 14 years and intends to continue using it for that purpose for the indefinite future.

The former conservation-designated area is a former fishpond. Although it is probably not feasible to return the area to a fishpond, it is feasible to convert the area into a park. We believe that the East Molokai community, and other residents too, will gladly and eagerly join hands to create a park at the Puaahala site--if they are given the opportunity.

The reefwaters in the Puaahala area contain fine fishing grounds. If the area is converted into a ~~large~~ resort and urban development, these fishing grounds will surely be wiped out. Squidding, crabbing, and limu picking in the area will likewise be affected. Much of the human life on Molokai is dependent on marine life as a source of food. If a resort is built at the Puaahala site, it is clear that the lives of Molokai people will be harmfully and irreversibly affected. Therefore, it seems most realistic and reasonable to us that this area should continue to be used the way it has been used for decades--for agriculture and conservation.

2. b) Conditions and trends of development have so changed since the adoption of the existing Urban classification that the proposed Agriculture and Conservation classifications are reasonable.

Clearly, conditions and trends on Molokai and throughout the State are much different today than they were five years ago when the Puaahala Urban District was created. Today we are very concerned about the effects that population growth and economic growth have on our society and our environment.

We are more aware today of the social and economic costs of urban growth--particularly growth that is related to the expansion of the tourist industry. We know that tourism growth has had negative effects on other rural Hawaiian communities. The impact of masses of outsiders has produced strain on island families--increasing the numbers of separations, divorces, desertions, and runaway children. Widespread land speculation has occurred, producing higher property taxes and housing costs, and forcing low income families off their land. Plus, the housing construction that has taken place with tourism growth has been to satisfy wealthy outsiders, and not to satisfy the needs of local families.

We are becoming more aware of the need to preserve our shoreline areas, because we are dependent on the marine life along our shores for our food. We can see that resort development and urbanization has decreased marine life on other islands. It is important that this not happen to us, because with inflation and the rising cost of living we need to produce our own food and become more self sufficient.

We can see that what we have now in the Puaahala area is far better than what we will get if the area is developed. We will be worse off if the resort comes in. Ultimately, we will lose what is good for us now.

In addition, the Puaahala developers have met none of the construction projections that were presented to the Land Use Commission in 1969. We believe that it is time for the Land Use Commission to return the Puaahala area to its original Agriculture and Conservation classifications.

