A75-400-HENRY R./OTTO S. MEYER, ALEX I. EGUSA

Hung Jury:
Nov 29 - Jan 28
Hung Held:
Jan 23 '76
45-90 day
Mar 8 - Apr 22
Action Scheduled
Mar 29 '76

A75-400 HENRY R./OTTO S. MEYER
ALEX I. EGUSA

P A C I F I C O C E A N

M O L O K A I

Mokapu
Okala
Makalii
Mokio
Keawaiki
Kepono
Ka Lae Kiloia
Keanakua
Leinaopapio Pt
Huelo
Puea
Kukaiwaa Pt
Papapaik
Waimene
FOREST
Puu Kauwa
Moaula Ridge
Springs
Intake
RESERVE
PIPE LINE
Gaging Sta
BOUNDARY
Kaluahauoni
3268
Waimanu Falls
Waialua
Waihanau Stream
KALAWAO DISTRICT
MAUI CO
KALAWAO CO
MOLOKAI
KALAWAO DISTRICT
Waihanau Stream
KAHANUI (KAPANA 3)
KAUNAKAKAI
Kikiakala
Puu Kaeo
3702
KAMILOLOA (GOVERNMENT)
Puu Makaliiili
Kalahuepueo
Ridge Line
4222
Puu Alii
Hanaliiokilo
Kaulahuki 3753
KAMILOLOA
MAKAKUPAIA (GOVERNMENT)
South Fork
Kaunakakai Gulch
Kupaia Gulch
Kupaia
MAKAKUPAIA
Kamoku Flats
Puu o Kaeha
Qnini Gulch
Water Tank
Kawela Gulch
Kawela
Lapakohana
West Fork
East Fork
KAWELA
Mokolea
Lae o Kapahu
Haupu Bay
Haupu
1022
Pauoonoo
Kaneaimoa Pt
Waiaula
Nahunini
Anokaiole
Lelekoae
Pelekunu Bay
Kahululaki Bay
Umeumeleelehe Pt
Pelekunu (Site)
BM
Mahuahi Ridge
Kaluaki Stream
Kaluaki Ridge
Kanaiki Stream
PELEKUNU
Kapaloa
Anapuhi
Kapaloa
Kaluaki Stream
Mokolea
Mokohola
Mokumanu
Kukuipalaoa
Lepau
Waiau (Site)
Waiehu
Halekou
Oloupena
Rocks
Anapolo
Waiolo
Hulahula Falls
Oloupena Falls
Waialeia Falls
Puukaoku Falls
HALAWA
Kahanaiki Stream
Kukuihuki Ridge
Waiau Stream
Naehu
Pohakuulaula 3976
Kapapa Ridge
Puu o Koeke
Papaiki
Gaging Sta
Kauhpuni Stream
Puu Holi
Kaweea
BM 568
Gaging Sta
Olokui
4602
Kolo Ridge
Kapapa Pali
Waiau Stream
BM 488
Waimana
Puu o Wailau
Gaging Sta
Waiokeha Stream
Pulena
Malahini Cave
Stream
Pihipihau Ridge
Puu Hoi
Stream
Kawaiiena
Kawaipaka Stream
Kawainui
Kapihi Ridge
Launanui
Kaleolehuula
Stream
Pohakaunoho Ridge
FOREST RESERVE
PAPALA
Pepeopae
Kaunuohua 4535
PALI
Puu o Wahaula
Kuana Ridge
Uapa 4970
Kamakou
Kaholoapele
Pakui 4080
Kilau
4360
3490
Lae o Kapuna
MAPULEHU
Kaanakoholua Ridge
Kahau Gulch
Maunaoluolu
Lehuula
Kakakawawai
Puu Kolekole 3951
Kawela Gulch
Kawela
Hina Falls
Mooloa
Mooloa Falls
Haha Falls
Puu Haha
Kaapahu
Kalapana Ridge
Konomanu
Kalapa
Kumueli Ridge
KUMUELI
Pohakuloa
Kamalo
Ridge
Kaapahu Ridge
Kapuleli
KAPUHELANI
Gulch
Wawaia
Puuahala Ridge
Kaola Gulch
Pahukaula Gulch
Ohia Gulch
Kaeawanui
Kanola
KAMAOLA
Mailelli
Makanhua
Kaeaeaha Gulch
Kaanapuu
Manawai
Kaeawanui
Kaeaeaha
Kaluaaha
Kaluaaha Gulch
Kaeaeaha Gulch
Maaomuku
Kiinohu
Kaeaeaha
Kaeaeaha Gulch
Kaeaeaha Gulch
Kaeaeaha Gulch

7665

M10-4

ALEX I EGUSA
PAT. NEMURA KIMONO & WEAVER
PAT. [redacted]

A75-388 HENRY R./OTTO S. MEYER
ALEX I. EGUSA

PELEKUNU SEC. 9

KAUNUOHUA

KAMAKOU

SEC. 4

PUU KOLEKOLE

B. P. Bishop Est. 1193.83 Acs.

MOLOKAI FOREST RESERVE
Gov't Proc Sept 11, 1912

253.0 acs.

(405.0 acs.)
Withdrawn from F.R. by Gov't. Proc. May 12, 1930

KAAPAHU

MOLOKAI RANCH, LTD
4,667.089 acs.

SEC. 4

Floyd C. Anglin & wf Grace - T/E
1008.975 Acs.

B. P. Bishop Est.
2,372.65 Acs.
(1967.65 acs.)

T. T. Meyer Inc.
606.492 Acs.
(605.407 Acs.)

SEC. 6

Floyd C. Anglin & wf Grace - T/E
8.900 Acs.

United Industries, Inc.
90.007 Acs.

MAKOLELAU

ILUANUI

Same as Par. 13

0.17 Same as Par. 13

Same as Par. 13
0.18 Ac.

Same as Par. 11
0.330 Ac.

Alexander L. Egusa & wf Jean M. - T/E
Otto S. Meyer
Henry R. Meyer

Same as Par. 11
0.30 Ac.

Same as Par. 11
0.02 Ac.

McCorriston Revocable Trust - 1/5, et al
81.126 Acs. (total)

GRS-13725

PUU PAPAI

2,750 Acs

101.101 Acs.

Gov't. Road
Rem. W.

MOLOKAI ROAD

Easement "B" 15 ft. wide (1697 ft)
Easement "A" 10 ft. wide (1000 ft)

KANAI
Fish Pond
(12.60 ac)

AE KAUHI
PANAHAHA
Old Fish Pond
(36.50 acs)

KANDJAWA
FISH POND
(28.8 acs.)
48.623 ac.

Rd. Par. 60-J (1.015 Acs.)

Rd. Par. 60-I (1.053 Acs.)

Rd. Par. 60-G

Rem. X-3
0.396 ac

Rem. X-1
(0.144 ac)

Rem. X-2
(0.050 ac)

End of F.A.S.P. No. 52(2)

Rem. X
(0.441 ac)

(2.801 Acs.)

Rd. Par. 61

Rd. Par. 61-D

KANEHALE

T. T. Meyer, Inc.
(Gene Ewaldsen, Jr. - T/E)
Inc. - T/E

Rd. Par. 60-D
(1.093 acs.)

Rd. Par. 61-D
(0.438 Acs.)

McCorriston Revocable Trust - 1/5, et al
(44.566 Acs.)

SEE ENLARGEMENT BELOW

Rem. 1-3
(0.424 ac)

McCorriston Revocable Trust - 1/5, et al
0.521 Ac.

Rd. Par. 63

1.453 Acs

KAMEHAMEHA V HWY

Puukoo Hoolu

EASEMENT

State of Hawaii
(WELL SITE)
10,000 ft²

ROADWAY

PLATOR

80.000 ROAD

L.C. Aw. 8936:2

L.C. Aw. 8931:3

L.C. Aw. 8931:2

L.C. Aw. 8931:1

L.C. Aw. 8936:1

L.C. Aw. 4528

KAPUALEI

KAMALO

KAMALO HARBOR

PUUKOLE

Rem. 1-3 "KAMALO ?"
(0.424 ac)

State of Hawaii

19.768 Acs.

PAHIOMU
FISH POND

State of Hawaii

KIPAPA
FISH POND
8.465 Acs.

McCorriston Revocable Trust - 1/5, et al

TRUE NORTH
1" = 1,000'

ENLARGEMENT
Scale: 1 in. = 300 ft.

7662

7663

10-9-9

AJZ-388 HENRY R/ATTO. & WEXLER

INDEX 1 EQUIP

NOTIFY DLNR OF FINAL ACTION

DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT

LAND USE COMMISSION

Suite 1795, Pacific Trade Center, 190 South King Street, Honolulu, Hawaii 96813

GEORGE R. ARIYOSHI
Governor
EDDIE TANGEN
Chairman
STANLEY SAKAHASHI
Vice-Chairman

COMMISSION MEMBERS
James Carras
Charles Duke
Colette Machado
Mitsuo Oura
Carol Whitesell
Tanji Yamamura
Edward Yanai

April 21, 1976

Notification of Boundary Amendment Decisions
By State Land Use Commission

To all concerned Agencies: (See list on next page)

Please be advised that pursuant to the provisions of Chapter 205-4, HRS, findings of fact, conclusions of law and decisions and orders have been filed by the Land Use Commission with respect to the following boundary amendment petitions following actions taken at the Commission's meeting in Honolulu on March 29 and 30, 1976:

Petition Docket No.	Boundary Amendment Requested	LUC Action on March 29, 1976	Date of Dec. & Order
1. A75-397 Lihue Plantation Co.,Ltd./HRT, Ltd.	To reclassify approx. 30 acres from Agriculture to Urban at Lihue, Kauai	Approved approx. 30 acres TMK 3-7-01: 1 (por.) from Agriculture to Urban (see Map A)	4/9/76
2. A75-399 Richard K.G. Stursberg	To reclassify approx. 27.8 acres from Agriculture to Urban at Lahaina, Maui	Disapproved	4/12/76
✓3. A75-400 Henry R. Meyer, et al	To reclassify approx. 10.3 acres from Conservation to Agriculture at Kapuaokoolau, Molokai	Approved approx. 10.3 acres TMK 5-5-01: 28, 18 & 27 from Conservation to Agriculture	4/14/76
4. A75-401 Amfac Communities,	To reclassify approx. 65 acres from Agriculture to Urban at Lahaina, Maui	Approved approx. 65 acres TMK 4-5-15: 1, Por. of 10 from Agriculture to Urban (see Map B)	4/14/76
5. A75-403 Kaiser Cement & Gypsum Corp.	To reclassify approx. 25 acres from Agriculture to Urban at Maili, Waianae, Oahu	Approved approx. 25 acres TMK 8-7-21: 35 from Agriculture to Urban (this petition acted on 3/30/76)	4/14/76

Should you have any questions on the above, please do not hesitate to contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Encls.

NOTIFICATION OF BOUNDARY AMENDMENT DECISIONS BY LUC

Concerned Agencies:

State (All petitions)

1. Dept. of Planning & Economic Development - Planning Division
2. Dept. of Taxation - Property Assessment Division
3. Dept. of Taxation - Property Technical Office
4. Dept. of Taxation - Tax Maps Branch
5. Dept. of Land & Natural Resources - Office of the Chairman
6. Dept. of Transportation - Office of the Director
7. Dept. of Education - Facilities & Auxiliary Services Branch
8. Dept. of Agriculture - Office of the Chairman
9. USDA Soil Conservation Service - Attn: Harry Sato (Rm 440, Alex Young Bldg)

City & County of Honolulu (Oahu Petitions only)

1. Dept. of General Planning - Chief Planning Officer
2. Dept. of Land Utilization - Director
3. Planning Commission - Executive Secretary
4. Dept. of Public Works - Director
5. Board of Water Supply - Manager and Chief Engineer

Hawaii County (Hawaii Petitions only)

1. Department of Planning - Director
2. Planning Commission - Chairman
3. Dept. of Water Supply
4. Dept. of Public Works

State - Dept. of Taxation - Hawaii District Office
Dept. of Land & Natural Resources - Hawaii Land Agent

Maui County (Maui County Petitions only)

1. Dept. of Planning - Director
2. Planning Commission - Chairman
3. Dept. of Water Supply
4. Dept. of Public Works

State - Dept. of Taxation - Maui District Office
Dept. of Land & Natural Resources - Maui Land Agent

Kauai County (Kauai Petitions only)

1. Dept. of Planning - Director
2. Planning Commission - Chairman
3. Dept. of Water Supply
4. Dept. of Public Works

State - Dept. of Taxation - Kauai District Office
Dept. of Land & Natural Resources - Kauai Land Agent

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

No. 460700

SENT TO
Mr. Tosh Ishikawa

STREET AND NO.
200 South High Street

P.O., STATE AND ZIP CODE
Wailuku, Maui 96793

POSTMARK OR DATE



OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES

1. Shows to whom and date delivered ..... 15¢
   With delivery to addressee only ..... 65¢
2. Shows to whom, date and where delivered .. 35¢
   With delivery to addressee only ..... 85¢

DELIVER TO ADDRESSEE ONLY ..... 50¢

SPECIAL DELIVERY (extra fee required) .....

PS Form 3800
Apr. 1971

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See other side)

☆ GPO : 1974 O - 551-454

STICK POSTAGE STAMPS TO ARTICLE TO COVER POSTAGE (first class or airmail), CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the back of the article by means of the gummed ends. Endorse front of article RETURN RECEIPT REQUESTED.
4. If you want the article delivered only to the addressee, endorse it on the front DELIVER TO ADDRESSEE ONLY. Place the same endorsement in line 2 of the return receipt card if that service is requested.
5. Save this receipt and present it if you make inquiry.

PS Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- [X] Show to whom and date delivered..... 15¢
- [ ] Show to whom, date, & address of delivery.. 35¢
- [ ] RESTRICTED DELIVERY.
  Show to whom and date delivered..... 65¢
- [ ] RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Mr. Tosh Ishikawa
200 South High Street
Wailuku, Maui 96793

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	460700	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE [ ] Addressee [ ] Authorized agent

4. DATE OF DELIVERY 4/20/76

POSTMARK: WAILUKU, HAWAII APR 20 1976 USPO

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

☆ GPO: 1975—O-568-047

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

U.S.MAIL

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

RETURN TO

State of Hawaii
LAND USE COMMISSION
Suite 1795, Pacific Trade Center
190 S. King St.
Honolulu, Hawaii 96813



RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

No. 460699

SENT TO
Mr. Henry Meyer, et al

STREET AND NO.
P. O. Box 35

P.O., STATE AND ZIP CODE
Kaunakakai, Molokai 96748

POSTMARK OR DATE



OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES

1. Shows to whom and date delivered ..... 15¢
   With delivery to addressee only ..... 65¢
2. Shows to whom, date and where delivered .. 35¢
   With delivery to addressee only ..... 85¢

DELIVER TO ADDRESSEE ONLY ..... 50¢

SPECIAL DELIVERY (extra fee required) .....

PS Form 3800
Apr. 1971

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See other side)

☆ GPO : 1974 O - 551-454

STICK POSTAGE STAMPS TO ARTICLE TO COVER POSTAGE (first class or airmail), CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
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PS Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- [X] Show to whom and date delivered..... 15¢
- [ ] Show to whom, date, & address of delivery.. 35¢
- [ ] RESTRICTED DELIVERY.
  Show to whom and date delivered..... 65¢
- [ ] RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Mr. Henry Meyer, et al
P. O. Box 35
Kaunakakai, Molokai 96748

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	460699	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE [ ] Addressee [ ] Authorized agent

4. Henry R. Meyer

DATE OF DELIVERY 4/9/76

POSTMARK

APR 10 1976

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆ GPO: 1975—O-568-047

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

U.S.MAIL

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

RETURN TO

State of Hawaii
LAND USE COMMISSION
Suite 1795, Pacific Trade Center
190 S. King St.
Honolulu, Hawaii 96813

Copies of Decision and Order for Henry R. Meyer, Otto S. Meyer, and Alex I Egusa, Docket A75-400 were sent to Tosh Ishikawa and Henry Meyer, et al (certified mail--see attached), Hideto Kono (hand delivered), Land Use Commissioners and Mike Marsh, April 15, 1976.

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of HENRY R. MEYER, OTTO S. MEYER, and ALEX I. EGUSA, For Reclassification of Certain Lands Situated at Kapuaokoolau, Island of Molokai	)	DOCKET NO. A75-400

This is to certify that this is a true and correct copy of the Decision and Order on file in the office of the State Land Use Commission, Honolulu, Hawaii.

April 15, 1976 by Acting Executive Officer
Date

DECISION AND ORDER

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of HENRY R. MEYER, OTTO S. MEYER, and ALEX I. EGUSA, For Reclassification of Certain Lands Situated at Kapuaokoolau, Island of Molokai	)	DOCKET NO. A75-400

DECISION AND ORDER

This matter, being a proceeding pursuant to Section 205-4 of the Hawaii Revised Statutes to consider a Petition to amend District Boundaries and reclassify from Conservation to Agricultural approximately 10.344 acres of land situated at Kapuaokoolau, Island of Molokai, was heard by a hearing officer appointed by the Commission, Benjamin M. Matsubara, at Kaunakakai, Molokai on January 23, 1976. The Petitioners, Henry R. Meyer, Otto S. Meyer and Alex I. Egusa, represented by Eugene K. Duvachelle, the Maui County Planning Department, and the Department of Planning and Economic Development, State of Hawaii were admitted as parties. The Commission, having duly considered the record in this Docket, the Hearing Officer's Report, and the comments of the Maui County Planning Department and the Department of Planning and Economic Development thereto, makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. The property which is the subject of this Petition is approximately 10.3 acres located at Kapuaokoolau, Molokai, and consists of three (3) adjoining parcels fronting Kamehameha the Fifth Highway and identified by Tax Map Key No. 5-5-01, Parcel 28 on the east side containing a land area of 5.32 acres belonging to Petitioner Henry R. Meyer, the middle parcel, Parcel 18, containing a land area of 3.10 acres belonging to the Petitioner Otto S. Meyer, and Parcel 27 on the west side containing a land area of 1.9 acres belong to Petitioner Alex I. Egusa.

2. The subject property has the capacity for agricultural production. Petitioners intend to raise dry land taro, papaya, sweet potatoe, and other crops and to devote a portion of the property to raising hogs, cattle, poultry, and honeybees. The property will be farmed by the Petitioners themselves, and the crops will be marketed locally on Molokai.

3. The subject property has been within the Conservation District since 1969. Prior to 1969 the property was within the Agricultural District. The 1969 Molokai General Plan designates the subject property for agricultural uses.

4. The subject property is adjacent and contiguous to land classified as Agricultural on the

east and west. The adjacent property to the north as well as the submerged lands to the south are classified as Conservation.

5. There are no known archaeological, natural, environmental, recreational, scenic, historic, or other significant resources on the subject property.

6. The subject property is not necessary for protecting watersheds; is not susceptible to floods and soil erosion, or necessary for the protection of the health and welfare of the public; is not used for a national or state park; is not necessary for the conservation, preservation and enhancement of scenic, historic or archaeologic sites and has no unique physiographic or ecologic significance; is not necessary for providing and preserving park land, wilderness and beach reserves, or for conserving natural ecosystems of endemic plants, fish and wildlife, or for forestry; and does not have an elevation below the maximum inland line of the zone of wave action, and does not include marine water, fishpond and tidal pools.

7. The subject property has a natural source of water which is adequate for the proposed use, and the proposed agricultural uses will not require additional public services.

8. The Molokai Advisory Committee, the Maui County Planning Department, and the Department of Planning and Economic Development, State of Hawaii, have no objections to the reclassification and amendment of District

Boundaries.

CONCLUSIONS OF LAW

1. The subject property is more appropriate for Agricultural than for Conservation classification.

2. Amendment to the District Boundaries as Petitioners propose is reasonable, not violative of Section 205-2, HRS, and is consistent with the interim policies and criteria established pursuant to Section 205-16.1, HRS, and with State Land Use District Regulations.

ORDER

IT IS HEREBY ORDERED:

That the property which is the subject of this Petition in Docket No. A75-400, approximately 10.344 acres of lands situated at Kapuaokoolau, Island of Molokai, identified by Tax Map Key No. 5-5-01 and fronting Kamehameha the Fifth Highway, is hereby re-classified from the Conservation to the Agricultural District and the District Boundaries are amended accordingly.

Done at Honolulu, Hawaii, this 15th day of April, 1976, by Motion passed by the Commission on March 29, 1976.

LAND USE COMMISSION
STATE OF HAWAII

By Eddie Tangen
Commissioner Tangen, Chairman

Commissioner Sakahashi, Vice Chairman

Commissioner Carras

Commissioner Duke

Commissioner Machado

Commissioner Oura

Commissioner Whitesell

Commissioner Yamamura

Commissioner Yanai

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Land Use Commission's Decision and Order for Docket A75-400 was personally served on this 15th day of April, 1976 to:

Mr. Hideto Kono, Director
Department of Planning & Economic Development
Kamamalu Building
Honolulu, Hawaii 96813;

and served by certified mail on this 15th day of April, 1976 to:

Mr. Tosh Ishikawa
Planning Director
Maui Planning Department
200 South High Street

Mr. Henry Meyer, et al
P. O. Box 35
Kaunakakai, Molokai 96748

Ah Sung Leong

AH SUNG LEONG
ACTING EXECUTIVE OFFICER
LAND USE COMMISSION

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM A75-400 - HENRY R. MEYER, ET AL DATE March 29, 1976

PLACE DPED Conference Room
Honolulu, Hawaii TIME 9:30 a.m.

	NAME	YES	NO	ABSTAIN	ABSENT
M	DUKE, CHARLES	X			
	WHITESELL, CAROL	X			
	OURA, MITSUO	X			
	MACHADO, COLETTE	X			
S	YAMAMURA, TANJI	X			
	SAKAHASHI, STANLEY	X			
	CARRAS, JAMES				X
	YANAI, EDWARD	X			
	TANGEN, EDDIE	X			

Comments: I move that we adopt the Hearing Officer's Findings and Conclusions and approve the petition.

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

DPED Conference Room
Honolulu, Hawaii

March 29, 1976 - 9:30 a.m.

COMMISSIONERS PRESENT: Eddie Tangen, Chairman
Stanley Sakahashi, Vice Chairman
Charles Duke
Colette Machado
Mitsuo Oura
Carol Whitesell
Tanji Yamamura
Edward Yanai

Approved 5/12/76

COMMISSIONER ABSENT: James Carras

STAFF PRESENT: Ah Sung Leong, Acting Executive Officer
Michael Marsh, Deputy Attorney General
Dora Horikawa, Clerk Reporter

Ray Russell, Court Reporter

ADDITION TO THE AGENDA

It was moved by Commissioner Whitesell and seconded by Commissioner Duke to add the adoption of minutes to the agenda. The motion was unanimously passed with the following votes:

Ayes: Commissioners Duke, Machado, Oura, Whitesell, Yamamura., Yanai, Sakahashi, Chairman Tangen

ADOPTION OF MINUTES

Upon motion by Vice Chairman Sakahashi, seconded by Commissioner Yamamura, the minutes of February 12 and 20, 1976 were unanimously approved.

The agenda was rearranged to take action on the Special Permit first.

ACTION

APPLICATION BY PRINCEVILLE CORPORATION (SP76-236) FOR A SPECIAL PERMIT TO ALLOW THE REACTIVATION AND EXPANSION OF THE EXISTING HANALEI AIR-STRIP AT PRINCEVILLE, KAUAI

Mr. Leong, Acting Executive Officer, presented a summary of the pertinent facts contained within the staff memo (see copy of report on file), and oriented the Commission to the area under petition with the aid of the District map.

It was moved by Vice Chairman Sakahashi, seconded by Commissioner Oura, to approve the Special Permit, subject to the 7 conditions imposed by the Kauai Planning Commission. The motion was unanimously carried.

A75-400 - HENRY R. MEYER, OTTO S. MEYER, ALEX I. EGUSA TO RECLASSIFY APPROXIMATELY 10.3 ACRES FROM CONSERVATION TO AGRICULTURAL AT KAPUAOKOOLAU, MOLOKAI

In the matter of the boundary amendment petition by Henry R. Meyer, et al, Docket A75-400, a hearing was conducted in Molokai on January 23, 1976 by Mr. Ben Matsubara, Hearing Officer. Chairman Tangen referred the Commission to the Hearing Officer's report, including his recommendation, which had been distributed earlier (see copy in file).

Mr. Leong identified the existing surrounding uses, highways, shoreline, etc. in relation to the subject property.

It was noted that this was the first instance of a hearing having been conducted by a Hearing Officer, and that the observations, findings and conclusions in his report were significant and pertinent to the petition. Therefore, it was moved by Commissioner Duke and seconded by Commissioner Yamamura to adopt the Hearing Officer's Findings and Conclusions, and to approve the petition.

During the discussion that followed, Commissioner Whitesell recommended that the following be included in the Commission's findings:

1. The request conforms to the County General Plan

2. The request was approved by the Molokai Advisory Committee

It was suggested by Mr. Marsh that the conclusions could include the following:

1. Agricultural designation would be more appropriate than Conservation for the subject parcel

2. The proposed uses are permitted within the Agricultural District, the amendment conforms to the standards of Rule 2.2 of the District Regulations, not violative of Chapter 205-2, HRS, and is consistent with the interim land use policy

The Chair called for a vote on the motion before the Commission, and the Commissioners were polled as follows:

Ayes: Commissioners Duke, Whitesell, Oura, Machado, Yamamura, Sakahashi, Yanai, Chairman Tangen

Absent: Commissioner Carras.

The motion was carried.

A75-401 - AMFAC COMMUNITIES INC. - HAWAII
TO RECLASSIFY APPROXIMATELY 65.4 ACRES FROM AGRICULTURAL TO URBAN AT LAHAINA, MAUI

In the matter of the boundary amendment petition by Amfac Communities Inc. - Hawaii, Docket A75-401, on which a hearing was held on January 15, 1976, the Commission discussed and reviewed the following documents which had been previously distributed to the Commission members, prior to taking action on the petition:

1. Petitioner's Proposed Findings of Fact and Conclusions of Law

2. Comments of the Department of Planning & Economic Development on the Petitioner's Proposed Findings and Conclusions

3. Maui County Planning Department's letter dated March 22, 1976

(See copies on file)

Since there were no objections from any of the parties, Chairman Tangen declared that the following document was adopted by the Commission:

Petitioner's Motion, dated March 5, 1976, to correct transcript of the hearing held on January 15, 1976 on Docket A75-401 (see copy on file)

HEARING OFFICER'S REPORT - DOCKET NO. A75-400
HENRY R. MEYER, OTTO S.
MEYER AND ALEX I. EGU SA

The above document was mailed to the Commissioners on March 23, 1976.

hearing officer'S RE

LAND USE COMMISSION
STATE OF HAWAII
MAR 23 11 34 AM '76

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Classification and Districting of Certain Lands at Kapuaokoolau Island of Molokai	)	DOCKET NO. A75-400 HENRY R. MEYER, OTTO S. MEYER AND ALEX I. EGUSA

HEARING OFFICER'S REPORT

BENJAMIN M. MATSUBARA
1748 Pacific Trade Center
190 South King Street
Honolulu, Hawaii 96813

Hearing Officer

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Classification and Districting of Certain Lands at Kapuaokoolau Island of Molokai	)	DOCKET NO. A75-400 HENRY R. MEYER, OTTO S. MEYER AND ALEX I. EGUSA

HEARING OFFICER'S REPORT

THE PETITION

This case arises out of a petition for amendment to the Land Use Commission district boundary filed pursuant to Section 205-4 of the Hawaii Revised Statutes by the fee owners of the property who are requesting that their property district designation be amended from conservation to agriculture. The property in question consists of approximately 10.3 acres and is located at Kapuaokoolau, Molokai. The subject property consists of three (3) adjoining parcels fronting Kam Fifth Highway identified by Tax Map Key 5-5-01, Parcel 28 on the east side containing a land area of 5.32 acres belonging to petitioner Henry R. Meyer, the middle parcel, Parcel 18, containing a land area of 3.10 acres belonging to petitioner Otto S. Meyer, and Parcel 27 on the west side containing a land area of 1.9 acres belonging to petitioner Alex I. Egusa.

THE PROCEDURAL HISTORY

The petition was originally received by the Land Use Commission on April 24, 1975. Due to the adoption of

Act 193 by the State legislature in 1975 which required that the Land Use Commission adopt and follow quasi judicial procedures when considering petitions to amend district boundaries, petitioners who had petitions pending before the Commission but not acted upon when Act 193 was adopted were requested to re-file their petitions so that hearings could be held according to the new rules and regulations formulated by the Land Use Commission. Petitioners re-filed their petition on September 30, 1975. Due notice of the hearing was published in the Maui News and Honolulu Star-Bulletin on December 22, 1975. Petitioners were also notified of the hearing date by the Land Use Commission by certified mail on December 18, 1975.

THE HEARING

The Hearing Officer conducted a hearing on the petition in Kaunakakai, Molokai on January 23, 1976. The petitioners were present and represented by Eugene K. Duvauchelle. Maui county was represented by Deputy County Attorney M. Yoshii and the Department of Planning and Economic Development, State of Hawaii (DPED) was represented by Deputy Attorney General Gilbert Lee.

APPLICABLE RULE

Standards for determining what land should be classified in the agricultural district is found under Part II, Section 2-2(2) of the State Land Use Commission's District Regulations. Section 2-2(2) provides in pertinent part that:

"(2) "A" Agricultural District. In determining the boundaries for the "A" Agricultural

District, the following standards shall apply:

(a) Lands with a high capacity for agricultural production shall be included in this District except as otherwise provided for in other sections of these regulations.

(b) Lands with significant potential for grazing or for other agricultural uses shall be included in this District except as otherwise provided for in other sections of these regulations.

(c) Lands surrounded by or contiguous to agricultural lands and which are not suited to agricultural and ancillary activities by reason of topography, soils and other related characteristics may be included in the Agricultural District."

TESTIMONY OF THE PARTIES

Petitioners testified to the following matters:

If the petition is granted, the subject property would be devoted to agricultural use, specifically, the growing of dry land taro, papayas, sweet potatoes, tomatoes, and other crops. (Transcript 5 and 14). A portion of the property would also be devoted to the raising of hogs and cattle. (Transcript 7 and 8). As an additional use, the petitioners would also be engaged in the raising of poultry and honey bees. (Transcript 18).

The petitioners would be engaged in farming the subject property themselves with the help of family members. (Transcript 6 and 8).

Petitioners testified that there is a market for the crops they intend to grow (Transcript 12) and that

the crops grown would be marketed locally. (Transcript 8).

Petitioners also testified that they were very familiar with the subject property in question since they and their families have lived on or in close proximity to the subject property for over 50 years. (Transcript 9 and 14).

They also testified to the fact that there was sufficient water on the property to support agricultural activity. (Transcript 9, 13, 16 and 19).

Petitioners also indicated that the subject property had previously been in agricultural production (Transcript 6) and that the property adjoining the subject property is presently in the agricultural district (Transcript 10).

Maui County testified to the following matters:

That the Maui county general plan designation for the subject property is agricultural.

With proper irrigation crop productivity for the subject property would be excellent.

That the subject property is contiguous with the existing State agricultural districts approved by district boundary change during the Land Use Commission's 1974 Boundary Review.

That the Molokai Advisory Committee has reviewed the petition and has no objections to the proposed change.

The Department of Planning and Economic Development, State of Hawaii testified to the following matters:

That the property which is owned by the petitioners was in the agricultural district prior to 1969 and that said property has been designated agriculture under the 1969 Molokai General Plan.

Adjoining property immediately to the east and west of the subject property are presently within the agricultural district and were placed in said districts during the 1974 boundary review.

That the historic preservation office of the Department of Land and Natural Resources have indicated that the subject parcels do not have any known historic significance.

The subject property falls within Maui county's special management area and that the regulations for these areas would provide adequate control to insure that the actual development of the property will not conflict with the surrounding areas or special characteristics of the shoreline area.

EVALUATION OF THE EVIDENCE

This is the case wherein all parties concerned presented evidence and testimony consistent with each other. Both the County of Maui, the county wherein the land is situated, and the Department of Planning and Economic Development presented testimony in support of the petition. This appears due largely to the fact that (1) prior to the 1969 Boundary Review conducted by the Land Use Commission, the subject property was in an agricultural district, (2) during the 1974 Boundary Review, property adjoining the subject

property was placed in the agricultural district, (3) designation of the subject property as agricultural is congruent to the Maui county general plan, (4) the petitioners for all practical purposes have lived on the land in question all their lives and have a legitimate and valid intent to utilize the property for agricultural pursuits. All of the important elements required by the letter and spirit of the Land Use law appears apparent in this case.

FINDINGS AND CONCLUSIONS

The Hearing Officer, accordingly, makes the following findings of fact and conclusions of law: The petitioners have met all of the standards required for classifying the subject property in the agricultural district as required under Part II, Section 2-2(2) of the Land Use Commission's District Regulations in that:

(a) The subject property has the capacity for agricultural production - petitioners have in actuality raised crops and livestock on the property in question.

(b) If provided with the proper zoning, the agricultural potential of the property in question could be expanded to greater limits since the petitioners would then be willing to invest funds necessary to establish facilities and systems necessary for increased agricultural productivity.

(c) Subject property in fact is contiguous to agricultural land.

It is, therefore, the recommendation of the Hearing Officer that the petition filed on September 30, 1975 by Mr. Henry Meyer, Otto Meyer and Alex Egusa be granted.

DATED: Honolulu, Hawaii, March 23, 1976.

Benjamin M. Matsubara

BENJAMIN M. MATSUBARA
Hearing Officer

CERTIFICATE OF SERVICE

I hereby certify that a copy of the within was duly mailed to the following persons at their last known addresses on March 23, 1976.

Mr. Henry Meyer
P. O. Box 35
Kaunakakai, Molokai 96748

Mr. Otto S. Meyer
P. O. Box 35
Kaunakakai, Molokai 96748

Mr. Alex I. Egusa
P. O. Box 35
Kaunakakai, Molokai 96748

Mr. Gene Duvauchelle, President
Friendly Isle Realty
657 Kapiolani Boulevard
Honolulu, Hawaii 96813

Department of Planning & Economic Development
State of Hawaii
Kamamalu Building
250 South King Street
Honolulu, Hawaii 96813

Attn: Gilbert Lee, Deputy Attorney General

Mr. Tosh Ishikawa
Planning Director
Planning Department
County of Maui
200 South High Street
Wailuku, Maui 96793

County Attorney
County of Maui
200 South High Street
Wailuku, Maui 96793

Attn: Mr. M. Yoshii

Benjamin M. Matsubara
Hearing Officer

7372

PLANNING COMMISSION
Leo Polo, Jr., Chairman
Shiro Hokama, Vice Chairman
George Murashige
Patrick Kawano
Charles Ota
Marvin Romme
Harlow Wright
Wayne Uemae, Ex-Officio
Shigeto Murayama, Ex-Officio

Elmer F. Cravalho
Mayor

Tosh Ishikawa
Planning Director

Yoshikazu "Zuke" Matsui
Deputy Planning Director

LAND USE COMMISSION
STATE OF HAWAII
MAR 24 10 15 AM '76

COUNTY OF MAUI
PLANNING DEPARTMENT
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793

March 22, 1976

Mr. Ah Sung Leong
Acting Executive Officer
Land Use Commission
Suite 1795, Pacific Trade Center
190 South King Street
Honolulu, Hawaii 96813

Dear Mr. Leong:

Re: LUC Docket No. A75-400

Our office has not received the petitioner's Findings of Fact and Conclusions of Law as of this date.

We respectfully request that the Land Use Commission consider the recommendation and conditions contained in our public testimony submitted at the public hearing.

Yours very truly,

TOSH ISHIKAWA
Planning Director

Sent to LUC - by MPD

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

March 11, 1976

Mr. Henry Meyer, et al
(Otto S. Meyer)
(Alex I. Egusa)
P. O. Box 35
Kaunakakai, Molokai 96748

Dear Mr. Meyer:

Enclosed is a Notice of Land Use Commission meeting and the Agenda for the meeting.

Please note that petition A75-400 - Henry R. Meyer, Otto S. Meyer, Alex I. Egusa will be acted on at that time.

Should you have any questions on this matter, please contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

March 11, 1976

Mr. Gene Duvauchelle
Friendly Isle Realty
657 Kapiolani Blvd., Suite 10
Honolulu, Hawaii 96813

Dear Mr. Duvauchelle:

Enclosed is a Notice of Land Use Commission meeting and the Agenda for the meeting.

Please note that petition A75-400 - Henry R. Meyer, Otto S. Meyer, Alex I. Egusa will be acted on at that time.

Should you have any questions on this matter, please contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

March 11, 1976

Mr. Hideto Kono, Director
Dept. of Planning & Economic
Development
State of Hawaii
Kamamalu Building
250 South King St.
Honolulu, Hawaii 96813

Att: Mr. Tatsuo Fujimoto, Head

Dear Mr. Kono:

Enclosed is a Notice of Land Use Commission meeting and the Agenda for the meeting.

Please note that petition A75-400 - Henry R. Meyer, Otto S. Meyer, Alex I. Egusa will be acted on at that time.

Should you have any questions on this matter, please contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

March 11, 1976

County Attorney
County of Maui
200 South High Street
Wailuku, Maui 96793

Dear Sir:

Enclosed is a Notice of Land Use Commission meeting and the Agenda for the meeting.

Please note that petition A75-400 - Henry R. Meyer, Otto S. Meyer, Alex I. Egusa will be acted on at that time.

Should you have any questions on this matter, please contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

March 11, 1976

Mr. Tosh Ishikawa
Planning Director
Planning Department
County of Maui
200 South High Street
Wailuku, Maui 96793

Dear Mr. Ishikawa:

Enclosed is a Notice of Land Use Commission meeting and the Agenda for the meeting.

Please note that petition A75-400 - Henry R. Meyer, Otto S. Meyer, Alex I. Egusa will be acted on at that time.

Should you have any questions on this matter, please contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

DATE, TIME, & PLACE

March 29, 1976 - 9:30 a.m.
Dept. of Planning & Economic Development
Conference Room, 9th Floor
State Kamamalu Building
250 South King Street
Honolulu, Hawaii

A G E N D A

I. ACTION ON BOUNDARY AMENDMENT PETITIONS

1. A75-397 - Lihue Plantation Company, Ltd.
   (To reclassify approximately 30 acres from Agricultural to Urban at Lihue, Kauai)

2. A75-399 - Richard K. G. Stursberg
   (To reclassify approximately 27.8 acres from Agricultural to Urban at Lahaina, Maui)

3. A75-401 - Amfac Communities, Inc. - Hawaii
   (To reclassify approximately 65.4 acres from Agricultural to Urban at Lahaina, Maui)

4. A75-403 - Kaiser Cement & Gypsum Corporation
   (To reclassify approximately 25 acres from Agricultural to Urban at Maili, Oahu)

5. A75-400 - Henry R. Meyer, Otto S. Meyer, Alex I. Egusa
   (To reclassify approximately 10.3 acres from Conservation to Agricultural at Kapuakoolau, Molokai)

II. ACTION ON SPECIAL PERMIT PETITON

1. SP76-236 - Princeville Corporation
   (To allow the reactivation and expansion of the existing Hanalei airstrip situated in the Agricultural District at Hanalei, Kauai. The site comprises approximately 20 acres located 1.7 miles east of the main entrance to Princeville, mauka of Kuhio Highway)

III. MISCELLANEOUS

1. Meeting Schedule

2. Other Matters

* A COPY OF THIS AGENDA WAS MAILED TO ALL PERSONS AND ORGANIZATIONS ON THE ATTACHED MAILING LISTS. 3/11/76

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Molokai Community Center
Kaunakakai, Molokai

Approved March 22, 1976

January 23, 1976 - 9:30 a.m.

HEARING OFFICER - Benjamin Matsubara, Consultant

STAFF PRESENT: Ah Sung Leong, Acting Executive Officer
Michael Marsh, Deputy Attorney General
Dora Horikawa, Clerk Reporter

Ray Russell, Court Reporter

A75-400 - HENRY R. MEYER, OTTO S. MEYER, ALEX I. EGUSA

Pursuant to a notice published in the Maui News and the Honolulu Star Bulletin on December 22, 1975, and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the application by Henry R. Meyer, et al, to amend the land use district boundaries for approximately 10.3 acres from the Conservation District into the Agricultural District at Kapuaokoolau, Molokai for agricultural use, Docket No. A75-400.

The hearing was conducted by Mr. Benjamin Matsubara, Consultant, who was appointed on January 15, 1976 by the Chairman as the hearing officer for the subject petition.

APPEARANCES

Eugene Duvauchelle, Friendly Isle Realtors, representing the petitioner

Melvyn Yoshii, Deputy County Attorney, representing the Maui County Planning Department

Gilbert Lee, Deputy Attorney General, representing the Dept. of Planning & Economic Development

All of the above were admitted as parties to the proceedings.

The Acting Executive Officer administered the oath to all those testifying today. For the benefit of all parties, the procedural steps to be taken were enumerated by Mr. Matsubara.

Eugene Duvauchelle

Eugene Duvauchelle, Friendly Isle Realtors, representing the petitioner, having been duly sworn in, testified and was examined as set forth in the transcript on - - - - - - - Pages

Oral presentation - 4 to 5

Cross examination by Mr. Lee - - - - - - - - - - - - - - - 6 to 7

Recross Examination by Mr. Lee - - - - - - - - - - - - - - 9 to 12

Henry Meyer and Otto Meyer - Witnesses

Messrs. Henry Meyer and Otto Meyer, petitioners, having been duly sworn in, were called as witnesses, examined and testified as set forth in the transcript on - - - - - - - - - Pages

Cross examination by Mr. Lee - - - - - - - - - - - - - - - 7 to 9

Cross examination by Mr. Yoshii - - - - - - - - - - - - - 12 to 19

Questioned by Mr. Matsubara - - - - - - - - - - - - - - - 19

Exhibits

The following exhibits were marked for identification and introduced into evidence as the Department of Planning and Economic Development's exhibits:

Exhibit 1 - Testimony in support of the petition

Exhibit 2 - USGS Map showing subject area

MAUI COUNTY PLANNING DEPARTMENT

Mr. Yoshii submitted the written testimony of Mr. Tosh Ishikawa, Planning Director of the Maui Planning Department, and stated that Mr. Ishikawa will be available for questioning.

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

Mr. Lee requested that the hearing officer waive the reading of the written testimony and that it be admitted into the records.

Both Mr. Yoshii and Mr. Lee declared that the Maui County and the State were in support of the petitioner's request.

In response to a request by the hearing officer, all of the parties agreed that they would have no objections to a site inspection by the hearing officer and the Commission's staff following the hearing.

Since there was no further business, the meeting was closed at 10:24 a.m.

LAND USE COMMISSION
STATE OF HAWAII
JAN 13 2 13 PM '76

LIFE OF THE LAND
A GROUP FOR ECOLOGICAL RESEARCH AND ACTION

January 12, 1976

Attention: Application A75-400
Henry R. Meyer, Otto S. Meyer, Alex I. Egusa

Dear Sirs:

Under Hawaiian Environmental Law Section 343-4(a), an environmental impact statement is required for:"(2) Any action within the classes of action specified below: (A) All actions proposing any use within any land classified as conservation district by the state land use commission under chapter 205 which will probably have significant environmental effects."

The reclassification of conservation land for agricultural purposes necessitates by law the preparation of an environmental impact statement. Do you plan to prepare an EIS ??

Sincerely,

Barbara Jansen

Research Assistant

404 PIIKOI STREET HONOLULU HAWAII 96814 TELEPHONE 521-1300

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

January 19, 1976

Mr. Gene Duvauchelle
Friendly Isle Realty,
657 Kapiolani Blvd., Suite 10
Honolulu, Hawaii 96813

Dear Mr. Duvauchelle:

The Land Use Commission next meets on January 23, 1976, at 9:30 a.m., in the Molokai Community Center, Kaunakakai, Molokai.

At that time the petition by Henry R. Meyer, Otto S. Meyer, Alex I. Egusa (A75-400) to amend the land use district boundaries from the Conservation District to the Agricultural District at Kapuaokoolau, Molokai will be heard.

Should you have any question regarding this matter, please feel free to contact us.

Very truly yours,

AH SUNG LEONG
Acting Executive Officer

Enclosure - Agenda

cc: Henry R. Meyer, et al
(Otto S. Meyer)
(Alex I. Egusa)

RECEIVED
JAN 2 1976
State of Hawaii
LAND USE COMMISSION

IN THE MATTER OF

Notice of Hearing

AFFIDAVIT OF PUBLICATION

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN of the hearing to be held on the island of Molokai, County of Maui by the Land Use Commission of the State of Hawaii to consider a petition for change of district boundaries as provided for in Section 205-4, Hawaii Revised Statutes, as amended.

DATE, TIME AND PLACE:
January 23, 1976—9:30 a.m.
Molokai Community Center
Kaunakakai, Molokai

Docket Number and Petitioner: A75-400
Henry R. Meyer, Otto S. Meyer, Alex I. Egusa

Tax Map Key: 5-5-01: 18, 27, 28

Change Requested: To incorporate approximately 10.3 acres of land presently in the Conservation District into the Agricultural District at Kapuaokoolau, Molokai for agricultural use.

Maps showing the proposed district boundaries and copies of the Rules and Regulations governing the above petitions may be inspected at the offices of the Maui Planning Department, County of Maui, 200 South High Street, Wailuku, Maui, 96793; the Molokai Public Library, Kaunakakai, Molokai, 96748; and the Land Use Commission, Suite 1795, Pacific Trade Center, Honolulu, Hawaii 96813 during office hours, 7:45 a.m. to 4:30 p.m., Monday through Friday.

All persons who have some property interest in the land, who lawfully reside on the land, or who otherwise can demonstrate that they will be so directly and immediately affected by the proposed change that their interest in the proceedings is clearly distinguishable from that of the general public shall be admitted as parties upon timely application for intervention.

All other persons may apply to the commission for leave to intervene as parties. Leave to intervene shall be freely granted, provided that the commission or its hearing officer is one is appointed may deny an application to intervene when in the commission's or hearing officer's sound discretion it appears that: (1) the position of the applicant for intervention concerning the proposed change is substantially the same as the position of a party already admitted to the proceeding; and (2) the admission of additional parties will render the proceedings inefficient and unmanageable. A person whose application to intervene is denied may appeal such denial to the circuit court pursuant to section 91-14.

Together with other witnesses that the commission may desire to hear at the hearing, it shall allow a representative of a citizen or a community group to testify who indicates a desire to express the views of such citizen or community group concerning the proposed boundary change.

Any party to the proceeding may retain counsel if he so desires.

LAND USE COMMISSION
EDDIE TANGEN, Chairman
AH SUNG LEONG, Acting Executive Officer

(S.-B.: Dec. 22, 1975) (S.-B.-3004)

STATE OF HAWAII,
CITY AND COUNTY OF HONOLULU. } ss.

Nancy Kira *being duly sworn, deposes and says, that She is Clerk of the HAWAII NEWSPAPER AGENCY, INC., agent for GANNETT PACIFIC CORPORATION, publishers of THE HONOLULU STAR-BULLETIN, a daily newspaper published in the City and County of Honolulu, State of Hawaii, that the ordered publication in the above entitled matter of which the annexed is a true and correct printed notice, was published* one *times in said daily newspaper, commencing on the* 22nd *day of* December, *19*75, *and ending on the* 22nd *day of* December, *19*75 *(both days inclusive), to wit, on* December 22, 1975

and that affiant is not a party to or in any way interested in the above entitled matter.

Nancy Kira

Subscribed and sworn to before me this 22nd *day of* December, *A. D. 19*75

Paul Amyong
Notary Public of the First Judicial Circuit, State of Hawaii

My commission expires
My Commission expires March 14, 1979

IN THE MATTER OF

.....

.....

Affidavit of Publication

Filed at.....*o'clock*, ...*M.*

on....., *19*.....

.....

Clerk.

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN of the hearing to be held on the island of Molokai, County of Maui by the Land Use Commission of the State of Hawaii to consider a petition for change of district boundaries as provided for in Section 205-4, Hawaii Revised Statutes, as amended.

DATE, TIME AND PLACE:
January 23, 1976 - 9:30 a.m.
Molokai Community Center
Kaunakakai, Molokai

Docket Number and Petitioner: A75-400 Henry R. Meyer, Otto S. Meyer, Alex I. Egusa

Tax Map Key: 5-5-01: 18, 27, 28

Change Requested: To incorporate approximately 10.3 acres of land presently in the Conservation District into the Agricultural District at Kapuaokoolau, Molokai for agricultural use.

Maps showing the proposed district boundaries and copies of the Rules and Regulations governing the above petitions may be inspected at the offices of the Maui Planning Department, County of Maui, 200 South High Street, Wailuku, Maui 96793; the Molokai Public Library, Kaunakakai, Molokai 96748; and the Land Use Commission, Suite 1795, Pacific Trade Center, Honolulu, Hawaii 96813 during office hours, 7:45 a.m. to 4:30 p.m., Monday through Friday.

All persons who have some property interest in the land, who lawfully reside on the land, or who otherwise can demonstrate that they will be so directly and immediately affected by the proposed change that their interest in the proceeding is clearly distinguishable from that of the general public shall be admitted as parties upon timely application for intervention.

All other persons may apply to the commission for leave to intervene as parties. Leave to intervene shall be freely granted, provided that the commission or its hearing officer is one is appointed may deny an application to intervene when in the commission's or hearing officer's sound discretion it appears that: (1) the position of the applicant for intervention concerning the proposed change is substantially the same as the position of a party already admitted to the proceeding; and (2) the admission of additional parties will render the proceedings inefficient and unmanageable. A person whose application to intervene is denied may appeal such denial to the circuit court pursuant to section 91-14.

Together with other witnesses that the commission may desire to hear at the hearing, it shall allow a representative of a citizen or a community group to testify who indicates a desire to express the views of such citizen or community group concerning the proposed boundary change.

Any party to the proceeding may retain counsel if he so desires.

LAND USE COMMISSION

EDDIE TANGEN, Chairman
AH SUNG LEONG, Acting Executive Officer

(MN: Dec. 22, 1975)

STATE OF HAWAII
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

DATE, TIME, & PLACE

January 23, 1976 - 9:30 a.m.
Molokai Community Center
Kaunakakai, Molokai

A G E N D A

HEARING

1. A75-400 - Henry R. Meyer, Otto S. Meyer, Alex I. Egusa

   To incorporate approximately 10.3 acres of land presently in the Conservation District into the Agricultural District at Kapuaokoolau, Molokai for agricultural use.

A COPY OF THIS AGENDA WAS MAILED TO ALL PERSONS AND ORGANIZATIONS ON THE ATTACHED MAILING LISTS. 1/9/76

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

December 22, 1975 - 1:00 p.m.

Approved
February 13, 1976

DPED Conference Room 9th Floor
250 South King Street
Honolulu, Hawaii

COMMISSIONERS PRESENT: Eddie Tangen, Chairman
Stanley Sakahashi, Vice Chairman
James Carras
Charles Duke
Carol Whitesell
Tanji Yamamura

COMMISSIONERS ABSENT: Colette Machado
Mitsuo Oura
Edward Yanai

STAFF PRESENT: Ah Sung Leong, Acting Executive Officer
Gordan Furutani, Planner
Tany Hong, Deputy Attorney General
Benjamin Matsubara, Consultant
Dora Horikawa, Clerk Reporter

Ray Russell, Court Reporter

Chairman Tangen called the meeting to order.

REQUEST BY INSCON DEVELOPMENT COMPANY (SP75-228) TO CONSTRUCT A WATER RESERVOIR AT KAHUKU, OAHU

The staff memo was presented by Mr. Ah Sung Leong, Acting Executive Officer, (see copy on file).

Commissioner Whitesell raised several questions regarding the area that the proposed reservoir was intended to serve, the irreconcilable difference in the total acres represented by the petitioner's consultant as the project area and the total acres both general planned and zoned for resort and apartment use by the County. She expressed concern over the need for a 2 million-gallon reservoir

Commission. Commissioner Carras seconded the motion and it was unanimously passed.

REQUEST BY BISHOP TRUST COMPANY (SP75-232) TO ESTABLISH A YOUTH HOME AT PUHI, KAUAI

Mr. Gordan Furutani, Planner, presented the staff memo (see copy of report on file).

Vice Chairman Sakahashi moved to approve the Special Permit request, subject to the conditions imposed by the Kauai County Planning Commission. The motion was seconded by Commissioner Duke and unanimously carried.

REQUEST BY DAVID & VALERIE HEPA (SP75-233) TO ESTABLISH A TACK AND SNACK SHOP AT WAILUA, KAUAI

Inasmuch as the staff memo had been circulated to the Commissioners prior to the meeting, Chairman Tangen dispensed with the reading of the report (see copy of report on file).

Vice Chairman Sakahashi moved to approve the Special Permit, subject to the conditions imposed by the Kauai County Planning Commission, which was seconded by Commissioner Whitesell and unanimously passed.

MISCELLANEOUS

EXTENSION OF TIME REQUEST BY BOISE CASCADE PROPERTIES, INC. ON CONDITIONS IMPOSED ON SP70-85

Chairman Tangen advised that the extension request was to continue with the same uses that were approved by the Commission in 1970.

Vice Chairman Sakahashi moved that the extension request to extend the time on Special Permit 70-85 until December 11, 1980 be approved as recommended by the Hawaii County Planning Commission. It was seconded by Commissioner Yamamura and unanimously carried.

DISCUSSION ON REQUIREMENT FOR AN EIS ON PETITION A75-400, HENRY MEYER

Chairman Tangen suggested that if there were no objections from the Commissioners, discussion on this matter be deferred since the Commission's counsel from the Attorney General's Office was out of town.

AUTHORITY TO DESIGNATE A HEARING OFFICER, AND DESIGNATION OF A HEARING OFFICER TO HEAR PETITION A75-400, HENRY MEYER, ON MOLOKAI

It was announced by the Chairman that the Commission's Rules and Regulations provides the Commission with authority to appoint a hearing officer. He therefore suggested that the Commission authorize the Chairman to appoint a hearing officer on any individual case, such authority to remain until such time as the Commission revokes that authority. He pointed out that during the discussion on the Rules of Practice and Procedure, the Commission was in agreement that on major matters, the hearings will be held before the full Commission. However, on minor matters, such as the Meyer petition from Molokai, a hearing officer will be designated to conduct the hearing. It was further explained that subsequent to the hearing, the hearing officer will report back to the Commission and make a recommendation. Chairman Tangen stated that he would have to agree with the Attorney General's opinion that a Commissioner's attendance at a hearing conducted by a hearing officer would "taint" him. He noted that this was a matter on which the Commission should seek legislative amendment at the next session.

Commissioner Yamamura moved that the Commission authorize the Chairman to appoint a hearing officer on any individual case. The motion was seconded by Vice Chairman Sakahashi and unanimously carried.

ADOPTION OF MINUTES

Vice Chairman Sakahashi moved that the minutes of the meeting of October 17, 1975 be adopted as circulated, which was seconded by Commissioner Carras and passed.

Chairman Tangen assumed that the Commission was in general agreement over the need to seek legislative amendment relative to the time constraints under which the Commission is presently operating.

Since there was no further business, the meeting was adjourned at 3:05 p.m.

were sent (?)

The following persons received the attached letter on December 22, 1975.

Mr. Tosh Ishikawa

Mr. Robert Way

Mr. Alfred Louis, Jr.

Mr. Tosh Ishikawa - for Public Inspection

Mr. Tatsuo Fujimoto

Mr. Gene Duvauchelle

Mr. Henery Meyer, et al
(Mr. Otto S. Meyer)
(Mr. Alex I. Egusa)

Molokai Library - for Public Inspection

Mr. Kazuo Kage

Mr. Raymond Suefuji

Mr. Brian Nishimoto

Mr. Randall Kamiya

Mr. Arthur W. Martin

DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT

LAND USE COMMISSION

Suite 1795, Pacific Trade Center, 190 South King Street, Honolulu, Hawaii 96813

GEORGE R. ARIYOSHI
Governor
EDDIE TANGEN
Chairman
STANLEY SAKAHASHI
Vice-Chairman

COMMISSION MEMBERS
James Carras
Charles Duke
Colette Machado
Mitsuo Oura
Carol Whitesell
Tanji Yamamura
Edward Yanai

Dear

This relates to the following boundary change petitions which were filed with the Land Use Commission under the Rules and Regulations effective January 5, 1975. However, these petitions would be considered under the newly adopted Rules and Regulations which are presently being filed with the Office of the Lt. Governor and which will soon be effective.

A75-397 - Lihue Plantation Co., Ltd.	Lihue, Kauai
A75-398 - Land Use Commission (Refiling)	Kawainui, Oahu
A75-399 - Stursberg	Lahaina, Maui
A75-400 - Henry Meyer, et al	Molokai
A75-401 - Amfac Communities	Lahaina, Maui
A75-402 - Amfac Communities	Lihue, Kauai
A75-403 - Kaiser Cement & Gypsum Corp.	Maili, Oahu
A75-404 - Honokaa Sugar Company	Honokaa, Hawaii
A75-405 - Kula Alii, Ltd.	Kula, Maui
A75-406 - Yamada Estates	Puna, Hawaii
A75-407 - The Hawaii Corporation	Lualualei, Oahu
A75-408 - Wailua Homestead, Inc.	Wailua, Kauai
A75-409 - Benjamin & Joeann Silva	Haliimaile, Maui
A75-410 - Greenblath/Vespoli	Kalaheo, Kauai

At its meeting on December 5, 1975, the Land Use Commission voted to waive the requirements regarding the submittal of data under Parts II and VI of the new Rules of Practice and Procedure and Part VI of the new District Regulations, if they are in force, as regarding the filing of the petition itself. PETITIONER HOWEVER, SHALL STILL HAVE THE BURDEN OF SATISFYING AT THE TIME OF HEARING THROUGH SUBMITTAL OF FURTHER EVIDENCE, BOTH WRITTEN OR ORAL, ALL NEW REQUIREMENTS ESTABLISHED BY THE NEW RULES AND REGULATIONS.

It was further moved that all petitioners and all those who file to intervene be notified of this action. Pursuant to this motion, we are notifying you of the Commission's action.

The enclosed page 2 of the staff memorandum relating to this matter was circulated to the Commission at the December 5, 1975 meeting.

Very truly yours,

AH SUNG LEONG
Acting Executive Officer

Encl:

2. Pending Boundary Change Petitions -

To date, there are 14 boundary change petitions including one initiated by the Land Use Commission which were filed under the former Rules and Regulations of the Land Use Commission. The new Rules and Regulations adopted by the Land Use Commission are in the process of being filed with the Lt. Governor's Office and will soon be effective. The boundary change petitions in question will therefore be heard and considered under the new Rules and Regulations of the Land Use Commission.

A review of the petitions in question reveals that all of them fail to literally comply with new requirements set forth in the newly adopted Rules and Regulations of the Land Use Commission. However, since these petitions appear to have complied with the rules and regulations in effect at the time said petitions were filed, it is suggested that the Commission waive the requirements regarding the submittal of data under Parts II and VI of the new Rules of Practice and Procedure and Part VI of the new District Regulations as regarding the filing of the petition itself. Petitioner however shall still have the burden of satisfying at the time of hearing, through submittal of further evidence, both written or oral, all new requirements established by the new Rules and Regulations.

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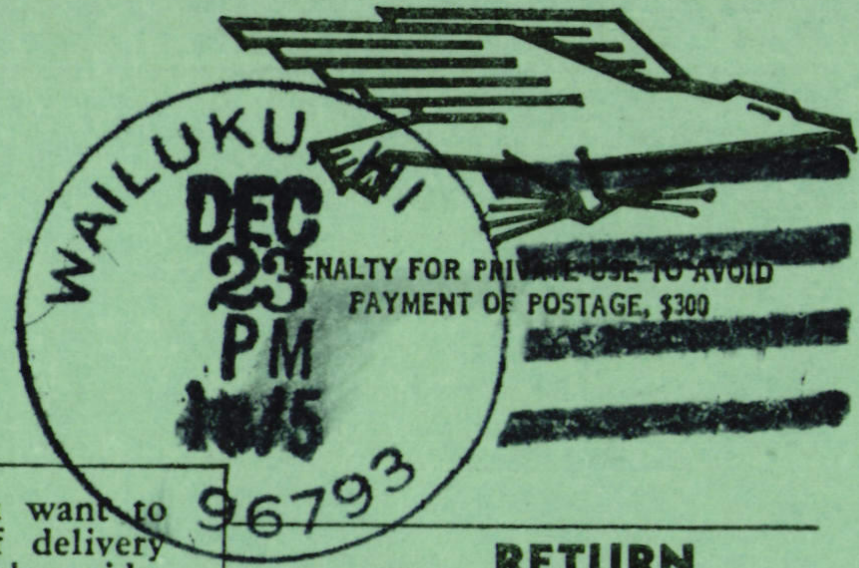

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200 South High Street

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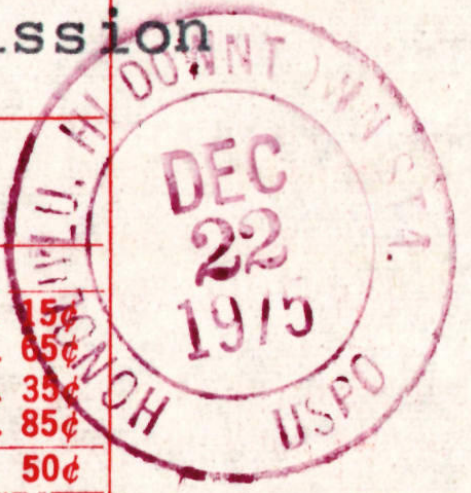

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DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT

LAND USE COMMISSION

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Tanji Yamamura
Edward Yanai

AH SUNG LEONG
Acting Executive Officer

December 18, 1975

Mr. Tosh Ishikawa
Planning Director
Planning Department
County of Maui
200 South High Street
Wailuku, Maui 96793

Dear Mr. Ishikawa:

Please find enclosed the following material:

1. Boundary amendment petition A75-400, Henry R./ Otto S. Meyer, Alex I. Egusa.

2. Notice of Hearing on the above petition.

Please note that the Rules of Practice and Procedure and State Land Use Districts adopted on October 28, 1975 and the existing Rules and Regulations which were effective on January 5, 1975 have been transmitted to you previously.

We would appreciate your making the above material available at your office for public inspection.

Should you have any question on this matter, please do not hesitate to contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Encls.

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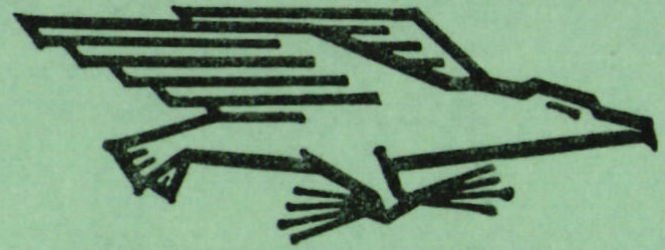

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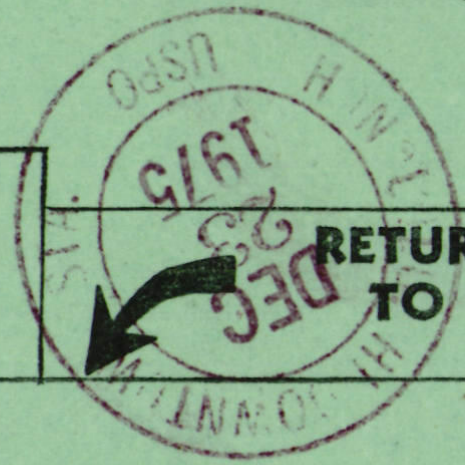

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LAND USE COMMISSION

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Carol Whitesell
Tanji Yamamura
Edward Yanai

AH SUNG LEONG
Acting Executive Officer

December 18, 1975

Mr. Robert Way
Chief Planning Officer
Department of General Planning
City & County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

Dear Mr. Way:

Pursuant to the provisions of Section 205-4, HRS, as amended, we are transmitting the following:

1. Boundary amendment petition A75-400, Henry R./ Otto S. Meyer, Alex I. Egusa.

2. Notice of Hearing on the above petition.

Should you have any questions on this transmittal, please do not hesitate to contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Encls.

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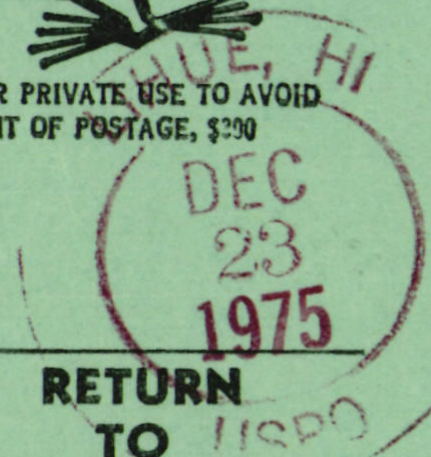

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Mr. Alfred Louis, Jr.

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Vice Chairman

LAND USE COMMISSION

Suite 1215, Pacific Trade Center, 190 S. King Street, Honolulu, Hawaii 96813

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Charles Duke
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Carol Whitesell
Tanji Yamamura
Edward Yanai

AH SUNG LEONG
Acting Executive Officer

December 18, 1975

Mr. Alfred Louis, Jr., Chairman
Kauai Planning Commission
4280 Rice Street
Lihue, Kauai 96766

Dear Mr. Louis, Jr.:

Pursuant to the provisions of Section 205-4, HRS, as amended, we are transmitting the following:

1. Boundary amendment petition A75-400, Henry R./ Otto S. Meyer, Alex I. Egusa.

2. Notice of Hearing on the above petition.

Should you have any questions on this transmittal, please do not hesitate to contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Encls.

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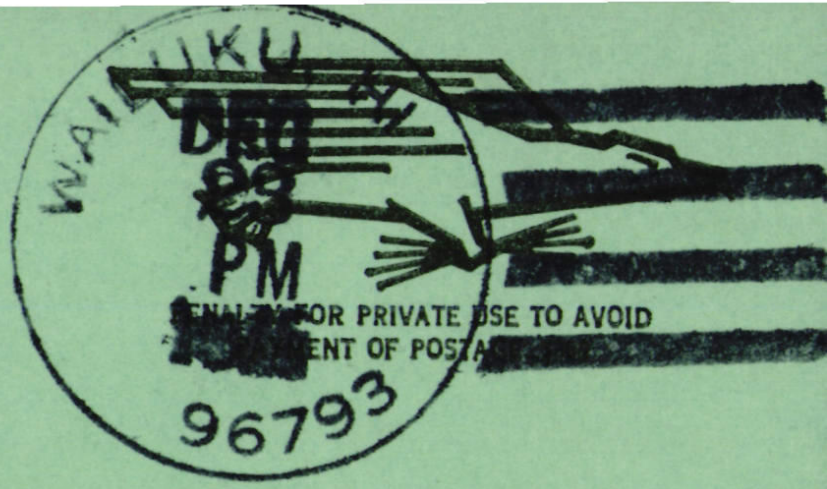

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LAND USE COMMISSION

Suite 1575, Pacific Trade Center, 190 S. King Street, Honolulu, Hawaii 96813

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Vice Chairman

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Carol Whitesell
Tanji Yamamura
Edward Yanai

AH SUNG LEONG
Acting Executive Officer

December 18, 1975

Mr. Tosh Ishikawa
Planning Director
Planning Department
County of Maui
200 South High Street
Wailuku, Maui 96793

Dear Mr. Ishikawa:

Pursuant to the provisions of Section 205-4, HRS, as amended, we are transmitting the following:

1. Boundary amendment petition A75-400, Henry R./ Otto S. Meyer, Alex I. Egusa.

2. Notice of Hearing on the above petition.

Should you have any questions on this transmittal, please do not hesitate to contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Encls.

DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT

LAND USE COMMISSION

Suite 1703, Pacific Trade Center, 190 S. King Street, Honolulu, Hawaii 96813

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Chairman
STANLEY SAKAHASHI
Vice Chairman

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James Carras
Charles Duke
Colette Machado
Mitsuo Oura
Carol Whitesell
Tanji Yamamura
Edward Yanai

AH SUNG LEONG
Acting Executive Officer

December 18, 1975

Mr. Tatsuo Fujimoto, Head
Land Use Division
State of Hawaii
250 South King Street
Honolulu, Hawaii 96813

Dear Mr. Fujimoto:

Pursuant to the provisions of Section 205-4, HRS, as amended, we are transmitting the following:

1. Boundary amendment petition A75-400, Henry R./ Otto S. Meyer, Alex I. Egusa.

2. Notice of Hearing on the above petition.

Should you have any questions on this transmittal, please do not hesitate to contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Encls.

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Henry R. Meyer

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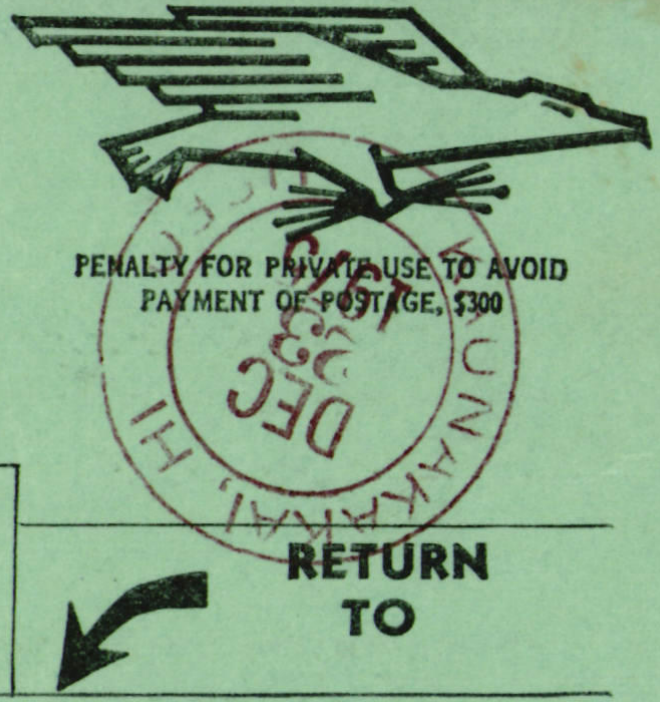

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Land Use Commission

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Honolulu, Hawaii 96813

POD Form 3811 Apr. 1969 c55—16—71548-11

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No. 130801

SENT TO
Mr. Henry Meyer, et al

STREET AND NO.
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P.O., STATE AND ZIP CODE
Kaunakakai, Molokai

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5. Save this receipt and present it if you make inquiry.

DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

LAND USE COMMISSION

Suite 1795, Pacific Trade Center, 190 South King Street, Honolulu, Hawaii 96813

GEORGE R. ARIYOSHI
Governor
EDDIE TANGEN
Chairman
STANLEY SAKAHASHI
Vice-Chairman

COMMISSION MEMBERS
James Carras
Charles Duke
Colette Machado
Mitsuo Oura
Carol Whitesell
Tanji Yamamura
Edward Yanai

December 18, 1975

Mr. Henry Meyer, et al
(Otto S. Meyer)
(Alex I. Egusa)
P. O. Box 35
Kaunakakai, Hawaii 96748

Dear

Pursuant to the provisions of Section 205-4, HRS, as amended, we are transmitting the following:

1. Boundary amendment petition A75-400, Henry R./ Otto S. Meyer, Alex I. Egusa

2. Notice of Hearing on the above petition.

3. Rules of Practice & Procedure and State Land Use District Regulations adopted by the Land Use Commission on October 28, 1975 which will be effective on December 21, 1975.

Should you have any questions on this transmittal, please do not hesitate to contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Encls.

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Eugene K. Dwenckell

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DATE DELIVERED 12/23/75

3 SHOW WHERE DELIVERED (*only if requested*)

647 Kapiolani Blvd.
Hon. Hi. 96813

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POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

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190 South King Street
Honolulu, Hawaii 96813

POD Form 3811 Apr. 1969 c55—16—71548-11

No. 13n897

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO

Mr. Gene Duvauchelle

STREET AND NO.

657 Kapiolani Blvd.

P.O., STATE AND ZIP CODE

Honolulu, Hawaii 96813

POSTMARK OR DATE



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DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

LAND USE COMMISSION

Suite 1795, Pacific Trade Center, 190 South King Street, Honolulu, Hawaii 96813

GEORGE R. ARIYOSHI
Governor
EDDIE TANGEN
Chairman
STANLEY SAKAHASHI
Vice-Chairman

COMMISSION MEMBERS
James Carras
Charles Duke
Colette Machado
Mitsuo Oura
Carol Whitesell
Tanji Yamamura
Edward Yanai

December 18, 1975

Mr. Gene Duvauchelle, President
Friendly Isle Realty
657 Kapiolani Boulevard
Honolulu, Hawaii 96813

Dear Mr. Duvauchelle:

Pursuant to the provisions of Section 205-4, HRS, as amended, we are transmitting the following:

1. Boundary amendment petition A75-400, Henry R./ Otto S. Meyer, Alex I. Egusa

2. Notice of Hearing on the above petition.

3. Rules of Practice & Procedure and State Land Use District Regulations adopted by the Land Use Commission on October 28, 1975 which will be effective on December 21, 1975.

Should you have any questions on this transmittal, please do not hesitate to contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Encls.

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CERTIFIED NO. 130800

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DATE DELIVERED 12/23/75

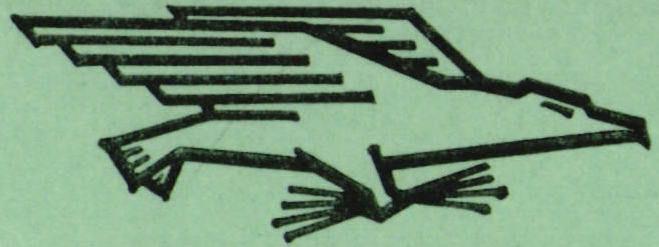
1 SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*) Frances Manuel

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3 SHOW WHERE DELIVERED (*only if requested*) G

c55—16—71548-11 347-198 GPO

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, $300

POD Form 3811 Apr. 1969 c55—16—71548-11

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Honolulu, Hawaii 96813

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DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT

LAND USE COMMISSION

Suite 1975, Pacific Trade Center, 190 S. King Street, Honolulu, Hawaii 96813

GEORGE R. ARIYOSHI
Governor
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Chairman
STANLEY SAKAHASHI
Vice Chairman

COMMISSION MEMBERS:
James Carras
Charles Duke
Colette Machado
Mitsuo Oura
Carol Whitesell
Tanji Yamamura
Edward Yanai

AH SUNG LEONG
Acting Executive Officer

December 18, 1975

Molokai Library
Kaunakakai, Molokai 96748

Gentlemen:

Please find enclosed the following material:

1. Boundary amendment petition A75-400, Henry R./ Otto S. Meyer, Alex I. Egusa

2. Notice of Hearing on the above petition.

3. Rules of Practice & Procedure and State Land Use District Regulations adopted by the Land Use Commission on October 28, 1975 which will be effective on December 21, 1975.

We would appreciate your making the above material available at your library for public inspection.

Should you have any question on this matter, please do not hesitate to contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Encls.

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Kazuo Kage

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Romeo Cachola

DATE DELIVERED

12/23/75

3 SHOW WHERE DELIVERED (*only if requested*)

To Stage Dr

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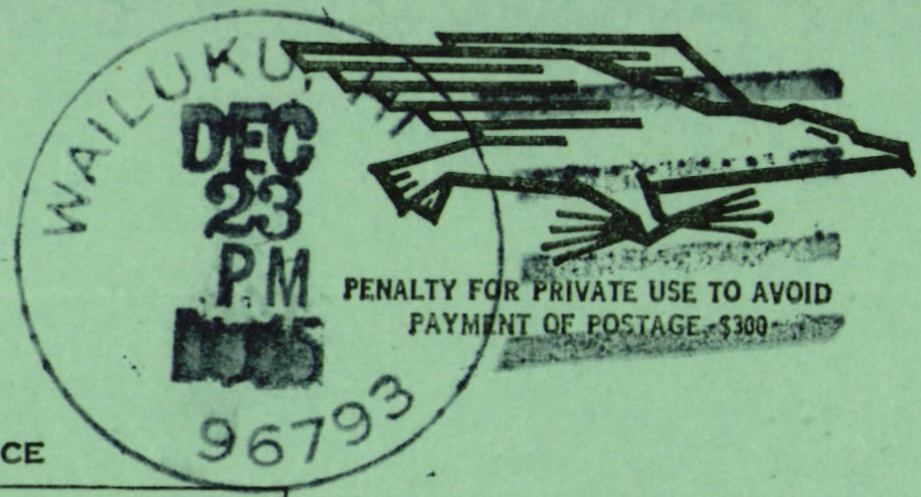

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Land Use Commission

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RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

No. 130895

SENT TO
Mr. Kazuo Kage

STREET AND NO.
Maui Plann. Commission
200 South High Street

P.O., STATE AND ZIP CODE
Wailuku, Maui 96793

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Apr. 1971

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DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT

LAND USE COMMISSION

Suite 1405, Pacific Trade Center, 190 S. King Street, Honolulu, Hawaii 96813

GEORGE R. ARIYOSHI
Governor
EDDIE TANGEN
Chairman
STANLEY SAKAHASHI
Vice Chairman

COMMISSION MEMBERS:
James Carras
Charles Duke
Colette Machado
Mitsuo Oura
Carol Whitesell
Tanji Yamamura
Edward Yanai

AH SUNG LEONG
Acting Executive Officer

December 18, 1975

Mr. Kazuo Kage, Chairman
Maui Planning Commission
200 South High Street
Wailuku, Maui 96793

Dear Mr. Kage:

Pursuant to the provisions of Section 205-4, HRS, as amended, we are transmitting the following:

1. Boundary amendment petition A75-400, Henry R./ Otto S. Meyer, Alex I. Egusa.

2. Notice of Hearing on the above petition.

Should you have any questions on this transmittal, please do not hesitate to contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Encls.

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

2. SIGNATURE OF ADDRESSEE'S AGENT, IF ANY M. Johnson

3. SHOW WHERE DELIVERED (*only if requested*) 25 Aupuni

U.S.P.O. HILO HAWAII DEC 23 1975

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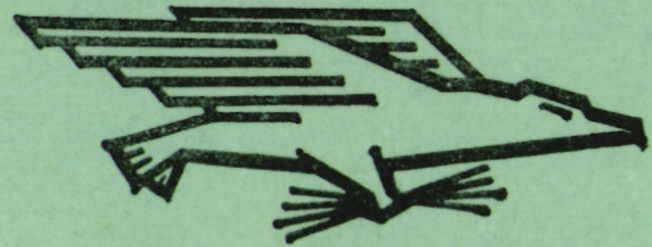

PENALTY FOR PRIVATE USE TO AVOID
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Land Use Commission

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Honolulu, Hawaii 96813

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No. 130809

SENT TO
Mr. Raymond Suefuji

STREET AND NO. Planning Dept.
25 Aupuni Street

P.O., STATE AND ZIP CODE
Hilo, Hawaii 96720

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DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT

LAND USE COMMISSION

Suite 1575, Pacific Trade Center, 190 S. King Street, Honolulu, Hawaii 96813

GEORGE R. ARIYOSHI
Governor
EDDIE TANGEN
Chairman
STANLEY SAKAHASHI
Vice Chairman

COMMISSION MEMBERS:
James Carras
Charles Duke
Colette Machado
Mitsuo Oura
Carol Whitesell
Tanji Yamamura
Edward Yanai

AH SUNG LEONG
Acting Executive Officer

December 18, 1975

Mr. Raymond Suefuji
Planning Director
Planning Depart ent
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Suefuji:

Pursuant to the provisions of Section 205-4, HRS, as amended, we are transmitting the following:

1. Boundary amendment petition A75-400, Henry R./ Otto S. Meyer, Alex I. Egusa.

2. Notice of Hearing on the above petition.

Should you have any questions on this transmittal, please do not hesitate to contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Encls.

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130898

INSURED NO.

DATE DELIVERED
12-24-71

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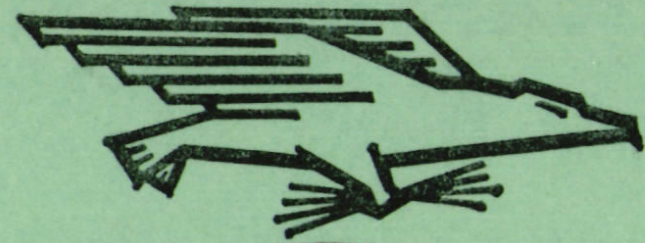
Brian Nishimoto
by Flora M Lee

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3 SHOW WHERE DELIVERED (*only if requested*)

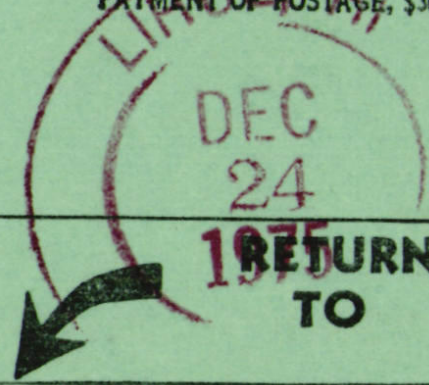
055—16—71548-11 347-198 GPO

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

POSTMARK OF DELIVERING OFFICE



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Land Use Commission

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Honolulu, Hawaii 96813

POD Form 3811 Apr. 1969 e55—16—71548-11

No. 13898

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO
Mr. Brian Nishimoto

STREET AND NO.
Planning Dept.
4280 Rice Street

P.O., STATE AND ZIP CODE
Lihue, Kauai 96766

POSTMARK OR DATE

HONOLULU, HI DOWNTOWN STA.
DEC 22 1975
USPO

OPTIONAL SERVICES FOR ADDITIONAL FEES

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2. Shows to whom, date and where delivered .. 35¢
   With delivery to addressee only ..... 85¢

DELIVER TO ADDRESSEE ONLY ..... 50¢

SPECIAL DELIVERY (extra fee required) .....

PS Form Apr. 1971 3800

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DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT

LAND USE COMMISSION

Suite 1215, Pacific Trade Center, 190 S. King Street, Honolulu, Hawaii 96813

GEORGE R. ARIYOSHI
Governor
EDDIE TANGEN
Chairman
STANLEY SAKAHASHI
Vice Chairman

COMMISSION MEMBERS:
James Carras
Charles Duke
Colette Machado
Mitsuo Oura
Carol Whitesell
Tanji Yamamura
Edward Yanai

AH SUNG LEONG
Acting Executive Officer

December 18, 1975

Mr. Brian Nishimoto
Planning Director
Planning Department
County of Kauai
4280 Rice Street
Lihue, Kauai 96766

Dear Mr. Nishimoto:

Pursuant to the provisions of Section 205-4, HRS, as amended, we are transmitting the following:

1. Boundary amendment petition A75-400, Henry R./ Otto S. Meyer, Alex I. Egusa.

2. Notice of Hearing on the above petition.

Should you have any questions on this transmittal, please do not hesitate to contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Encls.

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

[X] Show to whom, date and address where delivered

[ ] Deliver ONLY to addressee

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HONOLULU, HAWAII 96813

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RETURN TO

Land Use Commission

Suite 1795, Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

POD Form 3811 Apr. 1969 c55--16--71548-11

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

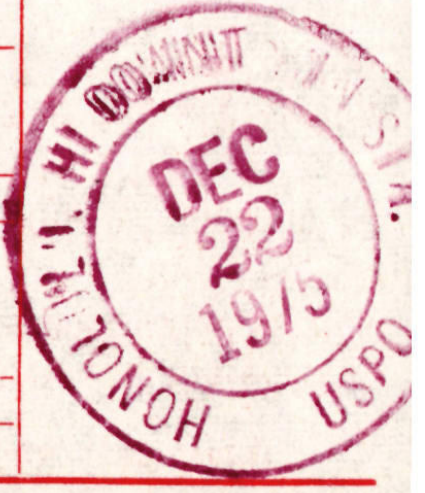
No. 130805

SENT TO
Mr. Randall Kamiya

STREET AND NO. City Plann. Commission
650 South King Street

P.O., STATE AND ZIP CODE
Honolulu, Hawaii 96813

POSTMARK OR DATE



OPTIONAL SERVICES FOR ADDITIONAL FEES

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2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the back of the article by means of the gummed ends. Endorse front of article RETURN RECEIPT REQUESTED.
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5. Save this receipt and present it if you make inquiry.

DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT

LAND USE COMMISSION

Suite 1405, Pacific Trade Center, 190 S. King Street, Honolulu, Hawaii 96813

GEORGE R. ARIYOSHI
Governor
EDDIE TANGEN
Chairman
STANLEY SAKAHASHI
Vice Chairman

COMMISSION MEMBERS:
James Carras
Charles Duke
Colette Machado
Mitsuo Oura
Carol Whitesell
Tanji Yamamura
Edward Yanai

AH SUNG LEONG
Acting Executive Officer

December 18, 1975

Mr. Randall Kamiya, Chairman
City Planning Commission
Municipal Building
650 South King Street
Honolulu, Hawaii 96813

Dear Mr. Kamiya:

Pursuant to the provisions of Section 205-4, HRS, as amended, we are transmitting the following:

1. Boundary amendment petition A75-400, Henry R./ Otto S. Meyer, Alex I. Egusa.

2. Notice of Hearing on the above petition.

Should you have any questions on this transmittal, please do not hesitate to contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Encls.

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S). REQUIRED FEE(S) PAID.

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M. Johnson

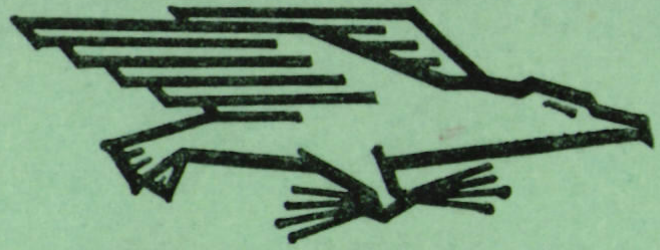
3. SHOW WHERE DELIVERED (*only if requested*)

25 Aupuni

HILO HAWAII DEC 1973

c55—16—71548-11 347-198 GPO

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



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RETURN TO

Land Use Commission
Suite 1795, Pacific Trade Center
190 South King Street
Honolulu, Hawaii 96813

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

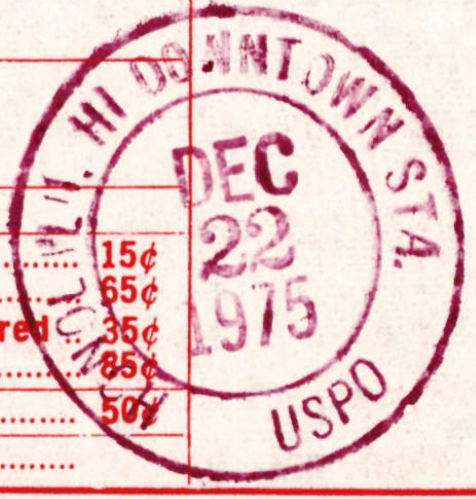
No. 130804

SENT TO
Mr. Arthur W. Martin

STREET AND NO. Hawaii Plann. Commission
25 Aupuni Street

P.O., STATE AND ZIP CODE
Hilo, Hawaii 96720

POSTMARK OR DATE



OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES

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   With delivery to addressee only ..... 85¢

DELIVER TO ADDRESSEE ONLY ..... 50¢

SPECIAL DELIVERY (extra fee required) .....

PS Form Apr. 1971 3800

NO INSURANCE COVERAGE PROVIDED—
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★ GPO: 1970 0-397-458

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DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT

LAND USE COMMISSION

Suite 1735, Pacific Trade Center, 190 S. King Street, Honolulu, Hawaii 96813

GEORGE R. ARIYOSHI
Governor
EDDIE TANGEN
Chairman
STANLEY SAKAHASHI
Vice Chairman

COMMISSION MEMBERS:
James Carras
Charles Duke
Colette Machado
Mitsuo Oura
Carol Whitesell
Tanji Yamamura
Edward Yanai

AH SUNG LEONG
Acting Executive Officer

December 18, 1975

Mr. Arthur W. Martin, Chairman
Hawaii Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Martin:

Pursuant to the provisions of Section 205-4, HRS, as amended, we are transmitting the following:

1. Boundary amendment petition A75-400, Henry R./ Otto S. Meyer, Alex I. Egusa.

2. Notice of Hearing on the above petition.

Should you have any questions on this transmittal, please do not hesitate to contact this office.

Very truly yours,

Ah Sung Leong

AH SUNG LEONG
Acting Executive Officer

Encls.

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN of the hearing to be held on the island of Molokai, County of Maui by the Land Use Commission of the State of Hawaii to consider a petition for change of district boundaries as provided for in Section 205-4, Hawaii Revised Statutes, as amended.

DATE, TIME AND PLACE:
January 23, 1976 - 9:30 a.m.
Molokai Community Center
Kaunakakai, Molokai

Docket Number and Petitioner: A75-400 Henry R. Meyer, Otto S. Meyer, Alex I. Egusa
Tax Map Key: 5-5-01: 18, 27, 28
Change Requested: To incorporate approximately 10.3 acres of land presently in the Conservation District into the Agricultural District at Kapuaokoolau, Molokai for agricultural use.

Maps showing the proposed district boundaries and copies of the Rules and Regulations governing the above petitions may be inspected at the offices of the Maui Planning Department, County of Maui, 200 South High Street, Wailuku, Maui, 96793; the Molokai Public Library, Kaunakakai, Molokai, 96748; and the Land Use Commission, Suite 1795, Pacific Trade Center, Honolulu, Hawaii 96813 during office hours, 7:45 a.m. to 4:30 p.m., Monday through Friday.

All persons who have some property interest in the land, who lawfully reside on the land, or who otherwise can demonstrate that they will be so directly and immediately affected by the proposed change that their interest in the proceeding is clearly distinguishable from that of the general public shall be admitted as parties upon timely application for intervention.

All other persons may apply to the commission for leave to intervene as parties. Leave to intervene shall be freely granted, provided that the commission or its hearing officer is one is appointed may deny an application to intervene when in the

commission's or hearing officer's sound discretion it appears that: (1) the position of the applicant for intervention concerning the proposed change is substantially the same as the position of a party already admitted to the proceeding; and (2) the admission of additional parties will render the proceedings inefficient and unmanageable. A person whose application to intervene is denied may appeal such denial to the circuit court pursuant to section 91-14.

Together with other witnesses that the commission may desire to hear at the hearing, it shall allow a representative of a citizen or a community group to testify who indicates a desire to express the views of such citizen or community group concerning the proposed boundary change.

Any party to the proceeding may retain counsel if he so desires.

LAND USE COMMISSION

EDDIE TANGEN, Chairman

AH SUNG LEONG, Acting Executive Officer

(Legal Ad - 2 cols w/border)
(to appear December 22, 1975)
(Maui News and)
(Honolulu Star Bulletin)

* A COPY OF THIS NOTICE OF HEARING WAS MAILED TO ALL PERSONS AND ORGANIZATION ON THE ATTACHED MAILING LIST. 12/22/76

Friendly Isle Realty

GENE DUVAUCHELLE, PRESIDENT

PHONE 537-6548 • 657 KAPIOLANI BOULEVARD • SUITE 10 • HONOLULU, HAWAII 96813
PHONE 553-5017 • P. O. BOX 1066 • KAUNAKAKAI, MOLOKAI, HAWAII 96748

A75-400

September 30, 1975

RECEIVED
SEP 30 1975
State of Hawaii
LAND USE COMMISSION

Mr. Eddie Tangen:
Chairman, Land Use Commission
250 South King St.,
Honolulu, Hi 96813

Dear Mr. Tangen:

This is in reply to your letter dated Sept. 18, 1975 which is in reference to boundry amendment petition, A75-388 which I filed with your office on April 24, 1975.

As per your instruction, I have decided to refile said petition as previously submitted.

Sincerely yours,

Eugene K. Duvauchelle

Eugene K. Duvauchelle

DCA/EKD
ENCL: Original and
15 copies of said
petition.

cc: Henry R. Meyer
Otto S. Meyer
Alex I. Egusa

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_____

STATE OF HAWAII
LAND USE COMMISSION

P. O. Box 2359
Honolulu, Hawaii 96804

RECEIVED
SEP 30 1975
State of Hawaii
LAND USE COMMISSION

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 Molokai, map number and/or name Kapuaokoolau to change the district designation of the following described property from its present classification in a(n) conservation district into a(n) agricultural district.

Description of property: Portion of lands of Kapuaokoolau (T.M.K. 5-5-01 parcels 18, 27 and 28) shown in blue on attached maps, containing a gross land area of 10.344 acres.

Petitioner's interest in subject property: Owners.

Petitioner's reason(s) for requesting boundary change: To permit owners to engage in agricultural pursuits, particularly the growing of papayas and sweet potatoes.

(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. (See Exhibit A)

(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. (See Exhibit B)

(b) Conditions and trends of development have so changed since adoption of the present classification, that the proposed classification is reasonable.

Signatures(s) Henry R. Meyer
Otto K. Meyer
Allen D. Egusa

Address: P. O. Box 35
Kaunakakai, Hawaii 96748

Telephone: 553-5165

ORIGINAL

EXHIBIT A

When the subject area was first classified, all of the lands in Kapuaokoolau makai of the East Molokai Highway was classified "Conservation." Actually, the area was once used for Agricultural purposes up to the late 1940's in the production of honey, water cress, hogs and vegetables. Also, there were two homes on the area.

Further, Mr. Eugene K. Duvauchelle who leases the area shown in yellow on the attached map from the T. T. Meyer, Inc. was granted agriculture designation on December 17, 1974. We feel that the subject area should also be placed in the same category.

EXHIBIT B

As mentioned in Exhibit "A" the area once supported a thriving agricultural operation. Honey production ceased with World War II due to shipping problems. The water cress and vegetable production ceased with the death of Mr. Tanji who operated the farm. Mr. Henry Meyer, who has always lived in one of the homes on the area covered by this petition, raises pigs, taro and still produces a limited amount of honey. Accordingly, it is our conviction that agriculture can be revived in Kapuaokoolau.

ORIGINAL

5 5 01

CORRECTED
FEB 21 1930
SEP 8 1938
JAN 17 1941
JAN 21 1941
DEC 6 1941
SEP 9 1941
MAY 22 1942
FEB 18 1945
MAR 2 1945
SEP 1 1970
MAR 12 1971
JUN 4 1973

Floyd C. Anglin & wf. Grace - T/E 8.000 Acs.
MAKOLELAU
United Industries, Inc. 90.007 Acs.
Floyd C. Anglin & wf. Grace - T/E 1008.975 Acs.
PUU KOLEKOLE
253.0 acs.
B. P. Bishop Est. 12.0 acs.
B. P. Bishop Est. 1193.0 acs.
KAUNUOHUA
PELEKUNU SEC. 9
KAMAKOU
KAAPAHU
SEC. 4
SEC. 6
MOLOKAI Govt
GR. 4105
MAKOLELAU
KAPUALEI
KAWILI Fish Pond (12.60 acs.)
Same as Par. 13
Mud
PANAHAHA Old Fish Pond (3.60 acs.)
0.17 Same as Par. 13
Same as Par. 13
0.18 Ac.
Same as Par. 13
T. T. Meyer, Inc. AW. 3834 AND 7244
606.432 Acs. (608.407 Acs.)
(405.0 acs.) Withdrawn from F.R. by Gov't. Proc. May 12, 1938
B. P. Bishop Est.
2,378.65 Acs. (1967.65 acs.)
9971-24
FOREST RESERVE Proc. Sept. 11, 1912
Same as Par. 11 0.350 Ac.
Alexander J. Egusa & wf Jean M. - T/E
Otto S. Meyer
Henry R. Meyer
KANEHALE
T. T. Meyer, Inc. (Gene Buyadchello, Inc.) T/E
Rd. Par. 80-1 (1.618 Acs.)
Rd. Par. 80-1 (1.618 Acs.)
Rd. Par. 80-1 (0.018 Acs.)
Same as Par. 11 0.30 Ac.
Same as Par. 11 0.06 Ac.
McCorriston Revocable Trust T/E 6121
AW. 81.26 Acs.
PUU PAPAI
GR. 1716 (37.20 Acs.)
LEONOKUINO
(40.566 Acs.)
GR. 693
Rd. Par. 51-0
State of Hawaii 19.768 Acs.
PAHIOMU FISH POND
Rem. 1 (0.44 Ac.)
End of F.A.S.P. No. 52(2)
Rem. 1 (0.144 Ac.)
McCorriston Revocable Trust T/E 6121
MAKAHUEHUE Fish Pond
Scn.
PUUKOLE
Kamehameha V Well
(State of Hawaii (WELL SITE) 10,000 ft²)
Puuomoe Heiau
PAVED
PLAT OF 80.00 FOOT ROADWAY
KAMALO 2
Rem. 1-B (0.424 Ac.)
State of Hawaii
McCorriston Revocable Trust 1/15 of al 9.521 Ac.
KIPAPA FISH POND 8.465 Acs.
1.453 Acs.
Rd. Par. 63
L.C.Aw. 8536-11
L.C.Aw. 8536-2
L.C.Aw. 8531-3
L.C.Aw. 8531-2
L.C.Aw. 8531-1
KAPUALEI
ENLARGEMENT Scale: 1in. = 300ft.
TRUE NORTH
True North 1" = 1000'
MOLOKAI
EAST
ROAD
Easement "A" - 101.101 Acs.
See Enlargement Below
Mud
Same as Par. 13
Same as Par. 13
Same as Par. 13

DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT
* * *

LAND USE COMMISSION

250 South King St. / Honolulu, Hawaii 96813 / P. O. Box 2359 / Honolulu, Hawaii 96804

George R. Ariyoshi
~~JOHN A. BURNS~~
Governor

EDDIE TANGEN
Chairman

STANLEY SAKAHASHI
Vice Chairman

COMMISSION MEMBERS
James R. Carras
Sunao Kido
Shelley M. Mark
Alexander J. Napier
Mitsuo Oura
Tanji Yamamura
Edward Yanai

TATSUO FUJIMOTO
Executive Officer

September 18, 1975

Mr. Gene Duvauchelle
Friendly Isle Realty
Suite 10, 657 Kapiolani Blvd.
Honolulu, Hawaii 96813

Dear Mr. Duvauchelle:

This is in reference to boundary amendment petition A75-388 which you filed with our office on April 24, 1975.

The following developments have occurred which significantly affect the status of your petition.

During the past legislative session, the State Legislature passed a bill which became Act 193, on June 2, 1975. Act 193 provided that:

a. The term of the existing members of the Land Use Commission expire with approval of Act 193 (June 2, 1975).

b. The Land Use Commission conduct quasi-judicial type hearings and to adopt rules governing the intervention of agencies and persons in boundary amendment proceedings.

c. The Land Use Commission observe and comply with the interim statewide land use guidance policies contained in Act 193 pending adoption of the State Plan.

d. The Land Use Commission publish notice of boundary amendment hearings at least 30 days prior to such hearings.

As a result of Act 193, the District Regulations of the Commission will be amended to incorporate the new provisions of Act 193 and to establish new rules of practice and procedure. Public hearings have been scheduled to consider proposed amendments to the District Regulations and Rules of Practice and Procedure on October 7, 8 and 9, 1975. Following these statewide public hearings, it is anticipated

that adoption of the amended District Regulations and Rules of Practice and Procedure may be accomplished in late October and would become effective ten days after filing with the Lt. Governor's Office. It is estimated that this will occur sometime in mid-November of this year.

In view of the above, the newly constituted Land Use Commission, at its initial meeting on September 9, 1975, decided that all boundary amendment petitions now pending before the Commission which cannot be heard prior to the adoption of the amended District Regulations and Rules of Practice and Procedure be refiled by the petitioner. For the pending petitions, the fifty dollars ($50.00) will be waived.

Since the petition you filed is affected by the situation described above, we await your decision to refile the petition as previously submitted or to refile an amended petition.

Enclosed for your information is a set of the proposed Rules and Regulations to be considered in accordance with the public hearing schedule which is also enclosed.

Very truly yours,

for EDDIE TANGEN
Chairman

ET/cbk

Encl: Prop. Rules & Regs.
Rules and Regulations Hearing Schedule

7177

GEORGE R. ARIYOSHI
GOVERNOR

JOHN FARIAS, JR.
CHAIRMAN, BOARD OF AGRICULTURE

YUKIO KITAGAWA
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
1428 SO. KING STREET
HONOLULU, HAWAII 96814

August 7, 1975

RECEIVED
AUG 11 1975
State of Hawaii
LAND USE COMMISSION

MEMORANDUM

To: Mr. Tatsuo Fujimoto, Executive Officer
State Land Use Commission

Subject: Boundary Amendment Petitions and Special Permits

The Department of Agriculture has reviewed the applications for boundary amendment change and special permit, and submits the following comments:

A75-386 - Amfac Communities-Hawaii (Lahaina, Maui)

The Department has no objection to the petition to change 60± acres from agriculture to urban district; however, it should be pointed out that a major portion of the parcel is rated as having "very good" soil with irrigation by the State Land Study Bureau. The USDA Soil Survey report rates the soil in the subject parcel as having crop suitability rating of Class IV with irrigation on a rating scale of 1 to 8 (Class I soils having few limitations).

A75-387 - Joseph and Helen A. Hew and H&L Development Co. (Kula, Maui)
and
A75-389 - Kula Alii Ltd (Keohea, Maui)

Agriculture has been and continues to be very important to the economy of Maui. The Kula and Kihei areas produce the bulk of vegetable crops on the island. Soil ratings in the subject parcels are described in the USDA Soil Survey report as "Kula cobbly loam, 12 to 20% slopes; the surface layer is dark reddish-brown loam about 8 inches thick. The subsoil, about 46 inches thick, is reddish-brown loam, silt loam and silty clay loam that has subangular blocky structure." "...Permeability is moderately rapid. Runoff is medium and the erosion hazard is moderate..." "...Small areas are used for truck and orchard crops."

The surrounding parcels, both in rural and ag districts, which are currently in cultivated row crops have identical soil ratings. Therefore, unless there is a proven need for further rural subdivisions in the Kula region, the Department does not favor these applications for change in district designation.

(over)

A75-388 - Henry R. and Otto S. Meyer, Alex I. Egusa (Molokai)

No objection or comments to petition.

A75-390 - Kaiser Cement & Gypsum Corporation

No comments or objection to petition.

A75-391 - Richard K. G. Stursberg

No objection; realignment of highway mauka of parcel will cut off a portion of subject parcel.

A75-392 - Amfac Communities-Hawaii

No objection to petition; however, for the record, USDA Soil Survey report rates the soil in subject area as having a crop suitability of Class II with or without irrigation.

SP75-204 thru
SP75-209

No comments or objections to these special permit applications.

Thank you for the opportunity to comment.

John Farias, Jr.
Chairman, Board of Agriculture

7147

GEORGE R. ARIYOSHI
GOVERNOR OF HAWAII

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801

GEORGE A. L. YUEN
DIRECTOR OF HEALTH

Audrey W. Mertz, M.D., M.P.H.
Deputy Director of Health

Henry N. Thompson, M.A.
Deputy Director of Health

James S. Kumagai, Ph.D., P.E.
Deputy Director of Health

July 7, 1975

In reply, please refer to:
File: EPHS- SS

MEMORANDUM

To: Mr. Tatsuo Fujimoto, Executive Officer
Land Use Commission, State of Hawaii

From: Chief, Environmental Protection & Health Services Division

Subject: Applications for Boundary Amendment, County of Maui

Thank you for allowing us to comment and review on the subject boundary amendment requests.

In general, it is too early for our Pollution Technical Review Branch to comment on any of the subject boundary amendments. We will review and comment on the final or pre-final plans to insure conformance with out regulations.

File No: A75-386: (Amfac) Residential Development, 65.4 acres, Lahaina, Maui

This project is slated to replace the Puukalii Village housing which has had rodent and typhus problems. From this standpoint, we support this project.

Sewage disposal could be a problem. Lahaina is still using an ocean outfall with no treatment. Sewage treatment plant construction is more than two years away.

File No: A75-387: (Hew) Residential Subdivision, 11.6 acres, Kula, Maui

This subdivision would be served by the County's Kula water system. The Kula water system often is polluted as a result of high coliform levels aggravated by water shortages.

File No: A75-388: (Meyer/Egusa) Kula, Maui

At this time, we have no objections to this request.

File No: A75-389: (Kula Alii) Residential Development, Kula, Maui

The proposed development would also be served by the County's Kula water system which is often polluted (high coliform) and subject to shortages.

File No: A75-391: (Stursberg) Mahinahina Residential P.U.D.

The subject area does not have access to a public sewer system. Drinking water is from a surface source, but the coliform count is usually acceptable.

SHINJI SONEDA

cc: DHO, Maui

Form B-24

STATE OF HAWAII

OFFICIAL RECEIPT No. 0177

Department of Planning and Economic Development
Department, Bureau or Commission

May 7, 19 75

RECEIVED from Land Use Commission

Fifty + xo/100 DOLLARS

LUC Petitioner's Fee — Otto + Henry Meyer + Alex Egusa.

$ 50.00

Check 33.34 (Otto Meyer)
Cash 16.66

Caroline Okuda
Public Accountant

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

April 25, 1975

Maui Planning Commission
200 South High Street
Wailuku, Maui 96793

Attention: Mr. Howard Nakamura, Planning Director

Subject: **A75-388 - Henry R./Otto S. Meyer, Alex I. Egusa**

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 **Henry R./Otto S. Meyer and Alex I. Egusa**.

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 0947**

Land Use Commission
Department, Bureau or Commission

April 24 19 75

RECEIVED from Otto + Henry Meyer + Alex I. Espaa

Fifty & no/100 DOLLARS

Petition for Boundary Amendment

$ 50.00

Don Y. Horikawa
for Public Accountant

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

April 25, 1975

Mr. Gene Duvauchelle
Friendly Isle Realty
Suite 10, 657 Kapiolani Blvd.
Honolulu, Hawaii 96813

Dear Mr. Duvauchelle:

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 Kapuaokoolau, Molokai, in behalf of Henry R. & Otto S. Meyer, and Alex I. Egusa.

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 Comm.
Henry R./Otto S. Meyer, Alex I. Egusa



Friendly Isle Realty

GENE DUVAUCHELLE. PRESIDENT

PHONE 537-6548

Res. 247-3147

657 KAPIOLANI BOULEVARD • SUITE 10

HONOLULU, HAWAII 96813

7048

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
APR 24 1975
State of Hawaii
LAND USE COMMISSION

STATE OF HAWAII
LAND USE COMMISSION

P. O. Box 2359
Honolulu, Hawaii 96804

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 Molokai, map number and/or name Kapuaokoolau to change the district designation of the following described property from its present classification in a(n) conservation district into a(n) agricultural district.

Description of property: Portion of lands of Kapuaokoolau (T.M.K. 5-5-01 parcels 18, 27 and 28) shown in blue on attached maps, containing a gross land area of 10.344 acres.

Petitioner's interest in subject property: Owners.

Petitioner's reason(s) for requesting boundary change: To permit owners to engage in agricultural pursuits, particularly the growing of papayas and sweet potatoes.

(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. (See Exhibit A)

(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. (See Exhibit B)

~~(b)~~ Conditions and trends of development have so changed since adoption of the present classification, that the proposed classification is reasonable.

Signatures(s) Henry R. Meyer
Otto S. Meyer
Alan L. Egusa

Address: P. O. Box 35
Kaunakakai, Hawaii 96748

Telephone: 553-5165

RECEIVED
APR 24 1975
State of Hawaii
LAND USE COMMISSION

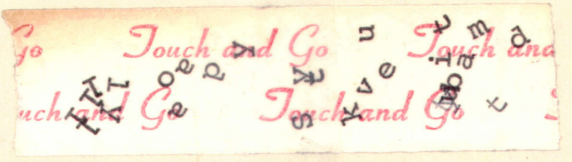
EXHIBIT A

When the subject area was first classified, all of the lands in Kapuaokoolau makai of the East Molokai Highway was classified "Conservation." Actually, the area was once used for Agricultural purposes up to the late 1940's in the production of honey, water cress, hogs and vegetables. Also, there were two homes on the area.

Further, Mr. Eugene K. Duvauchelle who leases the area shown in yellow on the attached map from the T. T. Meyer, Inc. was granted agriculture designation on December 17, 1974. We feel that the subject area should also be placed in the same category.

EXHIBIT B

As mentioned in Exhibit "A" the area once supported a thriving agricultural operation. Honey production ceased with World War II due to shipping problems. The water cress and vegetable production ceased with the death of Mr. Tanji who operated the farm. Mr. Henry Meyer, who has always lived in one of the homes on the area covered by this petition, raises pigs, taro and still produces a limited amount of honey. Accordingly, it is our conviction that agriculture can be revived in Kapuaokoolau.



5 5 01

MAKOLELAU

KAMALO

KAWELA

MAKOLELAU

KAMALO

KALAUPAPA

KALAWAO

KALAUPAPA

MOLOKAI

Govt.

PUU KOLEKOLE

KAUNUOHUA

PELEKUNU

SEC. 9

B. P. Bishop Est.
1193.0 acr.

B. P. Bishop Est.
12.0 Acs

253.0 acs.

(405.0 acs.)
Withdrawn from F.R. by Gov'r. Proc. May 12, 1938

KOREST RESERVE
Proc. Sept. 11, 1912

9971:24

B. P. Bishop Est.
8,372.65 Ac.
(1967.65 ac.)

606.432 Acs.
(608.407 Acs.)

3834 AND 7244

Edith B. Meyer - 3/9
Hannah J. Meyer - 1/9
Henry R. Meyer - 1/9
Otto S. Meyer

Naoma Foster 1/7
Daniel Foster 1/7
Francis Foster 1/7
George Foster 1/7
Anna F. McGuire 1/7
Jack L. Foster 1/7
James Foster 1/7

1196.982 Acs.

SEC. 4

SEC. 4

SEC. 6

GR. 4105

GR. 1116
(37.20 Acs.)
LEONOKUINO
(40.566 Acs.)
GR. 223

Hugh McCorriston Estate
GR. 1116
81.126 Acs.

PUU PAPAI

PUU KOLE

KAMAKOU

KAAPAHU

KAMAHULE-HUE Fish Pond

KAMALO

Puumoe Hanau

Kamehameha V. Well

State of Hawaii
Site
10.000 Ac.

PLATOE

20.00 FOOT ROADWAY

GRAVEL

KANEHALE

KAWELA Fish Pond
(12.60 acs.)

PAHAHAHA
Old Fish Pond
(36.80 acs.)

Same as Par. 13

0.17 Same as Par. 13

Same as Par. 13
0.18 Ac.

Same as Par. 11
0.330 Ac.

Same as Par. 11
0.30 Ac.

Same as Par. 11
0.02 Ac.

Alexander J. Egusa et al Jean M. - 7/12
Otto S. Meyer
Henry R. Meyer

Rd. Par. 60-1
(1.003 Acs.)

Rd. Par. 60-1
(1.018 Acs.)

Ownership same as Parcel 11.

Rd. Par. 60-1
(1.018 Acs.)

Rem. Rd. Par. 60-1
0.382 Ac.

Rem. 1
(0.48 Ac.)

Rem. 1-3
(0.428 Ac.)

Rem. 51
(0.144 Ac.)

Rd. Par. 63

Rd. Par. 61-0

Rd. Par. 63

Rd. Par. 60-1

Rd. Par. 60-1

Rd. Par. 60-1

FEB 8 1939
NOV 30 1939
JAN 15 1940
FEB 8 1941
MAY 25
DEC 30 1968
FEB 4 1969
MAR 26 1974
OCT 9 1974
JAN 2 1975
JAN 1 1975

Dwg No. 200
By P.K. June 1934
Source Tax Maps Bureau & Survey Dept

KAPAAKEA - KAWELA, MOLOKAI.

Parcel 13:
State of Hawaii
(Dept. of Land & Natural Resources)
(County of Maui)
Exec. Ord. 2038
CEMETERY SITE

9 (Harry J. Mowatt Gdnship. Tr.)le.
H. H. L. L. 351
8/28/30

Hawaiian Homes Land
Total Area 4998.304 Acs.
(4998.858 acs).

E. State of Hawaii

1750.00 acs

Hawn. Homes Land
Qu. 1225
14
10.00 Ac.
13
12
11
Hawn. Homes Land
(Harry J. Mowatt Gdnship Tr.)
210.12 Acs.
H. H. L. 351
8/28/30
(Harry J. Mowatt Gdnship Tr.)le.
H. H. L. 351
8/28/30
231.16 Acs.
See Plat 07
See Plat 08
Hawn. Homes Land
5.42 acs
See Above 9
17.01 acs.
2.77 acs. New Rd.
19.78 acs.
KALOKOELI
Fish Pond
Plat 10
TANK SITE
27
State of Hawaii
(County of Maui)
TANK SITE & PIPELINE ESMT
Exec. Ord 2038
0.822 Ac.
Plat 08
Plat 07
Plat 09
Richard T. Misaki &
Harriette M. Dains - 1/n
39.762 Acs.
5.893 Acs
Chun Sing Ching
18
15
16
19
Pl. 21
Alii
Fish Pond
(41.228 Acs.)
KAOAINI
Fish Pond
22
Molokai Ranch Ltd
29.80 Acs.
Cecilia K. Kamakana
65.242 Acs.
KANOA
Fish Pond
(18.030 Acs)
Easement "B" - Water Pipeline
Easement "C" - Water Pipeline
(1.47 Ac.)
(465.924 Acs.)
Ld. Ct. Appr. 1867
Plat 01
KAHANA
FISH POND
ULUANUI
POND
Molokai Ranch Ltd.
Forest Reserve Line
App. 1714
4,504.00 Acs.
4,607.089 Acs.
(4607.832 Acs.)
(2,346.74 Acs.)
(1,260.438 Acs.)
Por. L.A.P.C. Aw. 7779-B
(427.0 Acs. X/H)
PUU ALII
PUU KOLEKOLE
KAUNUOHUA
26
Trail Forks
Spring
25
Trail Forks
Spring
SEE 22
21
20
(460.822 Acs.)
por. L.C. Aw. 8550-B:28
PAPAKEA
Kapuni
Stream
SEC. 3
SEC. 1
SEC. 5
SEC. 6
ZONE 6
KAMALO
KAHANUI
KAMALO
KAUKAKU
KAKAAKA
KAMILOLOA
KAPAAKEA
KAWELA
PAPAKEA
PELEKUNU
MAKOLELAU
Hawaiian Homes Road (50' R/W)
Mountain Road (50' R/W)
Trail
Stream
Fish Pond
Ditch
Pipeline
Fence
Hwy
Ld. Ct. App.
Forest Reserve Line
Parcels Dropped: 11, 15, 16.

INSET

PELEKUNU

Kawela - Pelekunu Boundary

True North
1" = 500'

(Edwin Nachu - 3/5
Margaret A. Nachu - 1/5
Clarissa L. Burkert - 1/15
Bertha Kanui - 1/15
Rebecca Jacob - 3/15
Charles Sing Tr. - 3/15
L.C.Aw. 6375:1
1.68 acs.
23
22
21
L.C.Aw. 6375:1
.20 Ac.
Stream
David Kalani Kuahulu
6.0 acs. ±
20
L.C.Aw. 6384
PAPAKEA
PELEKUNU

INSET
L.C.Aw. 6375:2
L.C.Aw. 6375:1
L.C.Aw. 8550-B
21
20
PAPAKEA
Kapuni
Stream

TRUE NORTH
1" = 2000'

SECOND DIVISION

ZONE	SEC.	PLAT
5	4	03

CONTAINING PARCELS

Scale: 1 in = 2000 ft.

ADVANCE SHEET
SUBJECT TO CHANGE

A75-388 HENRY R/OTTO J. MEYER - ALEX I. EGUSA

PRINTED MAY 12 1975

7666

5 6 06

CORRECTED
FEB 8 1939
FEB 9 1939
APR 25 1939
APR 10 1945
MAR 10 1950
DEC 13 1950
JAN 27 1951
MAY 14 1968
JUN 1 1970
MAY 9 1972
APR 22 1975

UNLOCATED KULEANAS

Parcel	Owner	Area	L C Award	Ap.	Location
29	Charlotte Gandall	4.0 ac.	5135	2	Manawai
31	William Mahiai	0.18 ac.	101-D		Kaamola

14 & 15
State of Hawaii - 1/2
Harris Fountain - 4/9
(Married K. Kaina - 1/3
Eli Fountain - 1/3
Martha K. Turner - 1/3
Martha K. Dudoit - Dow. Rdm) - 1/4
Henry H. Hartsuka et ux
Dorothy A. - 1/2
Buzzy T. Okazaki et ux May - 1/2 - 1/4
William Kamakana

State of Hawaii
28
0.828 ac.
(County of Maui)
Ualapue Tank Site
Par. Exec. Ord. 806

State of Hawaii (0.48 ac.)
375.36 Acs.
(Pearl Friel) per Rev. Prmt 5-9103
G.L. 2769

State of Hawaii
2.088 acs.
(County of Maui)
Exec. Ord. 533
Ualapue Cemetery

State of Hawaii
194.06 acs.
(164.0 acs)
(30.0 acs)

Harold A. Cathcart
1.50 acs.
L.C. Aw 4056
(Pearl Friel) per Rev. Prmt 5-9103
See Left for Owners
109.014 acs.

(15.0 acs)
See Left for Origers
182.0 acs. ±
(167.0 acs)

Por. G.L. 2769

Pearl M. Petro Trust,
Ruth L. Searle Trust,
Ethel F. Shaner Trust,
Lorrin A. Meyer Trust &
William C. Meyer Trust - T/C

508.0 acs. ±
(182.5 acs. ±)

Jenteku Shiba
Haruna Shiba - T/C
L.C. Aw. 4921:3
2.2 acs.

(Pearl Friel)
G.L. 3501

State of Hawaii
56.44 acs.

12 11.9 acs.
See Eight

L.C. Aw. 10109
Edmund G. Wond
7.687 Acs.

L.C. Aw. 4936
Ap. 1 to 4
Edmund G. Wond

L.C. Aw. 4682:2

L.C. Aw. 4823

State of Hawaii
220. acs.
Edmund Wond - 3/4
Samuel Pedro - 1/4
327. Acs.

(F.R. 325.5 Acs.)

(155.0 acs ±)

B.P. Bishop Estate

(F.R. 172. acs.)

B.P. Bishop Estate
192.0 acs.

445.27 Acs.

(James E. Richmond) 1e.

Loretta Martin
Rose Via
Rose Aping - Dower
33.0 Acs.

Grant 4207

Solomon A. Haluwlani
Loretta J. Morgan - J/T
23.44 acs. L.C. Aw. 4 3970

33 - 1/2
1.858 Acs. ±

The Thacker Corp.
210.745 Acs.
1141

[F.R. 33. acs.]

[F.R. 179.32 acs.]

Rose A. Aping Est.

Edith Austin Trust Estate - 2/9
John F. Austin, Jr. - 1/9
Alice H. Fairbanks - 1/9
James H. Austin - 1/9
Dorothy B. Austin Estate - 1/9

1678.80 Acs.

(F.R. 923 acs.)

674.751 Acs.

(672.341 Acs.)

(755.80 Acs.)

Kapualei Heiau

PLAT 07
PLAT 08
PLAT 09
PLAT 10

PLAT 05
SUBMERGED LAND

(2.389 Acs.)
Por. Par. 5
PAIALOA
Fish Pond

(0.081 Ac.)
Por. Par. 5

Old Fish Pond

Kamalo Wharf

PLAT 02
PLAT 03
PLAT 04

Loko

Old Fish Pond

12 Julia M. Meyer Trust,
Lorrin A. Meyer,
Pearl M. Petro,
Ruth L. Searle,
Ethel F. Shaner
William C. Meyer - T/C - 2/9
Pearl M. Friel - 1/9

MANAWAI

PUHALOA Fish Pond

KAMALO

RIM Exempt (0.460 Ac.)

OHANIKOKO Old Fish Pond

B.P. Bishop Est.
78.87 acs.
(James E. Richmond) 1e.

State of Hawaii
36.5 acs. ±
Old Fish Pond

B.P. Bishop Est.
73.59 acs.

KEAWANUI
(James E. Richmond) 1e.

KALAELOA

L.C. Aw. 2715:2
Fish Pond

Solomon A. Haluwlani &
Loretta J. Morgan - J/T
2.06 acs.

KAINAHOE Fish Pond

INSET

James E. Richmond - M/C
Soloman Hanakeawe Sr. Est. M/C
0.23 ac.
L.C. Aw. 4018:A

Antone K. Sylva - 1/2
Emmaline S. Kaan - 1/2 Rdm.
0.50 ac.
L.C. Aw. 4043:1

Toshio Susuki
1.42 ac

KEAWANUI FISH POND
L.C. Aw. 2715:2

L.C. Aw. 4090

James E. Richmond

L.C. Aw. 4187:C:2

Old Fish Pond

DROPPED PARCELS: 29 31

SECOND DIVISION

ZONE	SEC.	PLAT
5	6	06

CONTAINING PARCELS

Scale: 1in = 1000ft

UALAPUE - KAPUALEI, MOLOKAI.

Dwg No. 2 6
By P.K. July 1934
Source: Taxation Maps & Survey Dept.

7667

A75-388 HENRYE, OTTO S. MEYER, ALEX I. EGUSA

PRINTED MAY 12 1975

45-126 Mahalani Circle,
Kaneohe, Hi 96744

February 28, 1975

Mr. Tatsuo Fujimoto,
Executive Officer,
State Land Use Commission,
P. O. Box 2359,
Honolulu, Hi 96804

SUBJECT: Amendment of Land Use Boundries affecting a portion of the lands of Kapuaokoolau, island of Molokai, TMK 5-5-01-18 under Otto S. Meyer containing 3.10 acres, TMK 5-5-01-27 under Alexander I. Egusa and wife Jean M. Egusa containing 1.924 acre and TMK 5-5-01-28 under Henry R. Meyer containing 5.32 acres.

Dear Mr. Fujimoto:

The above subject property containing a total land area of 10.344 acres are adjoining parcels between high water mark and Kamehameha V Highway, said area is now zoned conservation.

The subject landowners have asked me to present this request to the State Land Use Commission for them, asking that said land be re-zoned from conservation to agriculture.

Hoping for favorable action on this request; I remain,

Very truly yours,

Eugene K. Duvauchelle

Eugene K. Duvauchelle

Encl. Petition, Tax Maps and $ 50.00 fees.

cc: Otto S. Meyer
Alexander I. Egusa
Henry R. Meyer

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 _____

STATE OF HAWAII
LAND USE COMMISSION

P. O. Box 2359
Honolulu, Hawaii 96804

RECEIVED
SEP 30 1975
State of Hawaii
LAND USE COMMISSION

A75-400

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 Molokai, map number and/or name Kapuaokoolau to change the district designation of the following described property from its present classification in a(~~n~~) conservation district into a(n) agricultural district.

Description of property: Portion of lands of Kapuaokoolau (T.M.K. 5-5-01 parcels 18, 27 and 28) shown in blue on attached maps, containing a gross land area of 10.344 acres.

Petitioner's interest in subject property: Owners.

Petitioner's reason(s) for requesting boundary change: To permit owners to engage in agricultural pursuits, particularly the growing of papayas and sweet potatoes.

(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. (See Exhibit A)

(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. (See Exhibit B)

(~~b~~) Conditions and trends of development have so changed since adoption of the present classification, that the proposed classification is reasonable.

Signatures(s) Henry R. Meyer
Otto R. Meyer
Alan I. Egusa

Address: P. O. Box 35
Kaunakakai, Hawaii 96748

Telephone: 553-5165

EXHIBIT A

When the subject area was first classified, all of the lands in Kapuaokoolau makai of the East Molokai Highway was classified "Conservation." Actually, the area was once used for Agricultural purposes up to the late 1940's in the production of honey, water cress, hogs and vegetables. Also, there were two homes on the area.

Further, Mr. Eugene K. Duvauchelle who leases the area shown in yellow on the attached map from the T. T. Meyer, Inc. was granted agriculture designation on December 17, 1974. We feel that the subject area should also be placed in the same category.

EXHIBIT B

As mentioned in Exhibit "A" the area once supported a thriving agricultural operation. Honey production ceased with World War II due to shipping problems. The water cress and vegetable production ceased with the death of Mr. Tanji who operated the farm. Mr. Henry Meyer, who has always lived in one of the homes on the area covered by this petition, raises pigs, taro and still produces a limited amount of honey. Accordingly, it is our conviction that agriculture can be revived in Kapuaokoolau.

5 5 01

CORRECTED
FEB 2 4 1930
SEP 8 1938
JAN 25 1940
JAN 17 1941
JAN 31 1941
DEC 6 1941
MAY 22 1942
FEB 15 1945
MAR 2 1945
SEP 5 1950
MAR 12 1951
JUN 4 1973

Floyd C. Anglin & wf Grace - T/E 8.000 Acs.

MAKOLELAU

ULUANUI

United Industries, Inc. 90.007 Acs.

Floyd C. Anglin & wf Grace - T/E 1058.975 Acs.

SEC. 4

SEC. 4

MOLOKAI Gov't

PUU KOLEKOLE

253.0 acs.

T. of P. Bishop Est. 12.0 acs.

B. P. Bishop Est. 1193.0 acs.

KAUNUOHUA

PELEKUNU SEC. 9

KAMAKOU

KAAPAHU

(405.0 acs.) Withdrawn from F.R. by Gov't Proc. May 12, 1938

Proc. Sept. 11, 1912 FOREST RESERVE

9971 : 24

B. P. Bishop Est. 8,378.65 Acs. (1967.65 acs.)

T. T. Meyer, Inc. AW. 3834 AND 7244 60.6.432 Acs. (608.407 Acs.)

KAPUAOKOOLAU

MAKOLELAU

GR. 4105

KAWILI fish pond (12.60 acs.)

Mud 1320.00 ft. E. KAWILI

MANAHAHA Old Fish Pond (56.60 acs.)

Same as Par. 13

0.17 Same as Par. 13

Same as Par. 13

Same as Par. 13

Same as Par. 11 0.30 Ac.

Same as Par. 13 0.18 Ac.

KANEHALE

T. T. Meyer, Inc. (Gene Duvauchelle, Inc.) T/E

Alexander & Eggsa / nf Jean M. - T/E

Orto S. Meyer

Henry R. Meyer

Rd. Par. 80-1 (1.018 Acs.)

Rd. Par. 80-1 (1.008 Acs.)

Rd. Par. 80-1 Fl. 0.8 Acs.

Rd. Par. 80-1 Fl. 0.8 Acs.

EAST

Same as Par. 11 0.30 Ac.

Same as Par. 11 0.02 Ac.

McCorriston Revocable Trust - T/E et al 81-126 Acs. (1.858 Ac.)

PUU PAPAI

KAUPOA (37.25 Acs.)

KEONOKUINO (88.566 Acs.) GR. 623 Fr. Par. 51-D

SEE ENLARGEMENT BELOW

State of Hawaii 19.768 Acs.

PAHIOMU FISH POND

Rem. 24 0.362 ac

Rem. 1 (0.44 Ac.)

MOLOKAI (FEDERAL) Rd. Par. 61

Rem. 1 (0.142 Ac.)

End of F.A.S.P. No. 52(2)

Rem. 1 (0.142 Ac.)

McCorriston Revocable Trust - T/E et al 0.521 Ac.

Rd. Par. 63

1.453 Acs.

McCorriston Revocable Trust - T/E et al

ENLARGEMENT Scale: 1 in. = 300 ft.

KIPAPA FISH POND 8.465 Acs.

TRUE NORTH

MAKOLELAU-KAMALO, MOLOKAI

Scale: 1 in. = 1000 ft.

Proj. No. 2091.
Revised to
By: L. A. K. June 27, 1934.
Source: Bishop Est. & Survey Dept.

Scale: 1 in. = 1000 ft.

Scale: 1 in. = 1000 ft.

Scale: 1 in. = 1000 ft