

Approved 4/5/02

LAND USE COMMISSION
Minutes of Meeting
King Kamehameha's Kona Beach Hotel
Kamakahonu Room, Ballroom Ekahi
75-5660 Palani Road
Kailua-Kona, Hawaii

March 21, 2002

COMMISSIONERS PRESENT: P. Roy Catalani
Bruce Coppa
Lawrence Ing
Merle Kelai
Peter Yukimura
Stanley Roehrig

COMMISSIONERS ABSENT: Pravin Desai
Isaac Fiesta, Jr.
M. Casey Jarman

STAFF PRESENT: Diane Erickson, Esq., Deputy Attorney General
Anthony Ching, Executive Officer
Russell Kumabe, Staff Planner
Bert Saruwatari, Staff Planner
Caroline Lorenzo, Secretary
Holly Hackett, Court Reporter

Chairman Kelai called the meeting to order at 9:35 a.m.

ACTION

SP97-390 COUNTY OF MAUI, DEPARTMENT OF PUBLIC WORKS AND WASTE
MANAGEMENT, SOLID WASTE DIVISION (Maui)

Chairman Kelai announced that this matter before the Commission is a hearing to consider an amendment to the special permit in order to construct and operate a new entrance facility and related improvements for the Central Maui Landfill expansion on approximately 5.3 acres of land within the Agricultural District at Puunene, Maui, Hawaii.

APPEARANCES

Richard Minatoya, Deputy Corporation Counsel, Department of Planning,
County of Maui, representing Petitioner

Joe Alueta, Senior Planner, Department of Planning, County of Maui

John Harder, Department of Public Works and Waste Management,
County of Maui

Bert Saruwatari, staff planner, oriented the Commission to the subject area on the Land Use District Boundaries map and tax map and gave a summary of the amendment to the special permit.

Commissioner Ing moved to approve petitioner's amendment to the special permit with conditions as recommended by staff. Commissioner Roehrig seconded the motion and polled as follows:

Ayes: Commissioners Ing, Roehrig, Coppa, Yukimura, Catalani, and Kelai

MISCELLANEOUS

1. MACZMAG Coastal Erosion Subcommittee – Presentation on Data Gathering and Outreach Projects

APPEARANCES

Dennis J. Hwang, Esq., Reinwald O'Connor & Playdon LLP

Sam Lemmo, Land Division, Department of Land and Natural Resources

Charles Fletcher, University of Hawaii at Manoa, SOEST

Mr. Lemmo provided background information on the Department of Land and Natural Resources' projects addressing coastal erosion.

Dr. Fletcher provided a slide presentation on their data gathering efforts to track shoreline variability using maps, areas, and charts on coastal erosion on all shorelines of the islands, erosion rates, shoreline mapping, 30-year erosion hazard line projection, and other graphics.

Mr. Hwang further provided information and a status update on the Coastal Development Guidelines for the State of Hawaii, Department of Land and Natural Resources, Coastal Zone Management Program, University of Hawaii Sea Grant. Potential erosion affects environmental impacts, multiple coastal hazards, economic impact, great burden on homeowners, consumer protection, and government-landowner conflicts. A slide presentation was made of various potential coastal erosion areas in the State of Hawaii.

Hardcopies of the slide presentation were provided and distributed to the commissioners and staff.

2. ADOPTION OF MINUTES

Commissioner Ing moved to adopt the meeting minutes of the March 7, 2002 meeting. Commissioner Catalani seconded the motion and the motion was approved by voice votes.

3. PERSONNEL MATTERS – Performance Appraisal for Executive Officer

Commissioner Coppa moved to enter into executive session to discuss matters pursuant to Section 92-5, HRS. Commission Yukimura seconded the motion and the motion was approved by voice votes.

A lunch recess was taken at 11:15 a.m. to reconvene at 12:30 p.m.

-12:40 p.m.-

4. A93-701 KAUPULEHU DEVELOPMENTS (Hawaii)

Chairman Kelai announced that this matter before the Commission involved the establishment of the Kaupulehu Development Monitoring Committee's Operational Plan at Kaupulehu, North Kona, Hawaii.

APPEARANCES

R. Ben Tsukazaki, Esq., representing Petitioner

Michael Matsukawa, Esq., representing Intervenor

John Chang, Esq., Deputy Attorney General, Office of Planning

Abe Mitsuda, Land Use Division, Office of Planning

Mr. Tsukazaki gave a brief overview of the Kaupulehu Development Monitoring Committee Operational Plan.

Arguments were heard from Mr. Tsukazaki, Mr. Matsukawa, and Mr. Chang.

Commissioner Roehrig moved to adopt the Kaupulehu Development Monitoring Committee Operational Plan with the following amendments: 1) That the committee develop its own budget, give the developer opportunity to review the budget, and that if there is any dispute between the developer and the petitioner, the item will be submitted to the Land Use Commission for final approval within 120 days; 2) Delete requirement that developer will do the budget; and 3) Two committee members will serve for a period of 5 years, subsequent terms to be determined by the Land Use Commission for 5-year terms thereafter. Commissioner Ing seconded the motion and was polled as follows:

Ayes: Commissioners Roehrig, Ing, Coppa, Catalani, Yukimura, and Kelai

PUBLIC WITNESSES

1. Leimana Damate – Testified in support of Ms. Hannah Springer’s nomination.
2. Karen Eoff - Testified in support of Ms. Hannah Springer’s nomination.
3. Curtis Tyler - Testified in support of Ms. Hannah Springer’s nomination.

Chairman Kelai announced that a field trip to the Lanihau Properties and McClean Properties project sites would be taken on March 22, 2002 at 8:30 a.m.

The meeting was adjourned at 2:15 p.m.