

LAND USE COMMISSION
MEETING MINUTES
January 7, 2026 – 9:30 a.m.

LOCATION: Leiopapa A Kamehameha, State Office Tower, Room 405
235 S Beretania Street, Room 405, Honolulu, HI 96813

YOUTUBE RECORDING: <https://youtu.be/sQM3zixl0E8>

COMMISSIONERS PRESENT:

Brian Lee
Bruce U'u
Dan Giovanni
Ken Hayashida (zoom)
Kuike Kamakea-Ohelo (zoom)
Mel Kahele
Michael Yamane
Myles Miyasato
Nancy Carr Smith (zoom)

STAFF PRESENT:

Daniel Orodenker, Executive Officer
Scott Derrickson, Chief Planner
Martina Segura, Staff Planner
Ariana Kwan, Chief Clerk
John Dubiel, Esq. Deputy Attorney General

COURT REPORTER:

Naegeli Deposition and Trial
(Via Zoom Recording)

1. CALL TO ORDER (YouTube: 00:00:00 - 00:03:45)

Chair Lee called the meeting to order at 9:31 a.m.

2. OVERVIEW ON LAND USE COMMISSION ADMINISTRATIVE PROCEDURES

(YouTube: 00:03:46 - 00:46:34)

The Chair opened the discussion by noting that, due to an impending investigation, all questions from commissioners were required to be directed through the Chair rather than addressed directly to staff.

The Executive Officer reminded the Commissioners that a lot of the information that we will be covering today is on the website training page at <https://luc.hawaii.gov/about/training-materials/>.

Annual Reports

The Executive Officer explained that the annual report review process is used to monitor petitioner compliance with conditions in LUC Decisions and Orders. Annual reports are received by staff, file-stamped, ensured electronic submission are ADA compliant and posted to the website. Reports are reviewed against applicable conditions, resulting in one of three outcomes: the report is accepted with no further action, additional information is requested, or a status hearing may be scheduled if concerns remain. In some cases, petitioners file motions to amend conditions when circumstances have changed. Commissioners asked questions regarding the receipt of annual reports and staff involvement in the review process.

Site Visit Policy

The Executive Officer next explained the Commission's site visit policy. Site visits are typically scheduled prior to reviewing a new district boundary amendment or at the request of the Chair. These visits are Sunshine Law meetings intended for commissioner education; while open to the public, public questioning is not permitted and no transcript is produced. Staff distinguished site visits from staff site investigations, which are conducted by staff in response to community concerns to determine whether potential violations exist. Questions regarding site visits for



special permits, logistical challenges, Sunshine Law access requirements, and the potential use of Permitted Interaction Groups were discussed, with some legal questions deferred for future discussion.

Staff Reports

Staff reports were described as summaries designed to assist commissioners in preparing for hearings by identifying procedural history, key issues, and areas requiring further inquiry. They are not substitutes for full review of the docket record. Recommendations included in staff reports reflect professional judgment and expertise but are advisory only, as the Commission retains full decision-making authority. Commissioners raised concerns regarding late filings from counties and other agencies, which limit the time available for review.

Meeting Agendas

Staff explained that agendas are developed based on filings and coordinated with petitioners and legal counsel to ensure compliance with Sunshine Law requirements. Additional agenda items may be placed at the Chair's discretion. A Commissioner raised concerns regarding the Chair requesting a training item on protected classes and harassment that was not placed on today's agenda. Staff explained that certain training topics may be difficult to schedule due to jurisdiction, legal, finding the appropriate presenter on certain issues, and that not all requests can be accommodated by the next meeting. The AG directed that the discussion moves forward to avoid addressing specific matters.

Website Maintenance

Staff then provided an overview of website maintenance. All official docket-related filings are posted to the website and treated as public records. Staff may also post informational materials, such as news articles or correspondence, for awareness purposes only and not to influence Commission decisions. Website maintenance includes ensuring materials are filed correctly and meet ADA accessibility requirements. Commissioners had questions regarding the admin rules posted on the website. Staff explained that they are labeled "unofficial" because the official versions are maintained by the Lieutenant Governor's Office, and older rule sets remain available for reference due to their applicability to older dockets.

Public Testimony

There was no written testimony, or members of the public who wished to testify on this matter.

3. DISCUSSION ON CHAPTER 92, HAWAII REVISED STATUTES ("HRS") §92-2.5 PERMITTED INTERACTIONS OF MEMBERS; PERMITTED INTERACTION GROUP ("PIG")

(YouTube: 00:46:33 - 00:49:37)

Executive Session

The Commission voted to enter executive session under HRS §92-5(a) to consult with legal counsel, with LUC staff invited to participate. The motion passed with 9 ayes and 0 nays. The Commission entered executive session at 10:30 a.m. and returned to open session at 10:57 a.m., where Chair Lee noted that the Commission discussed their powers, duties, privileges, immunities, and liabilities regarding to Permitted Interaction Groups.

Public Testimony

There was no written testimony, or members of the public who wished to testify on this matter.



4. APPROVAL OF MINUTES FOR DECEMBER 3, 2025 (YouTube: 00:49:38 - 00:51:52)

The next agenda item was the approval of the December 3, 2025, Minutes. There was no written testimony, or members of the public who wished to testify to the approval of the Minutes.

Commissioner U'u moved to adopt the minutes, and Commissioner Kahele seconded the motion. The minutes were approved with 8 ayes, 0 nays, 1 recused.

5. TENTATIVE MEETING SCHEDULE (YouTube: 00:51:53 - 00:54:40)

The Executive Officer provided the following tentative meeting dates:

February 11, 2026: Tentative Legislative Updates (O'ahu)
February 12, 2026: DR21-73 Honoipu Hideaway, LLC (Hawai'i)
March 11, 2026: SP92-380 Pu'unēnē Quarry (Maui)
April 8, 2026: A89-636 Grove Farm (Kaua'i)

Chair Lee requested lunch be provided for the February 12, 2026 meeting, as the Commission intends to work through lunch.

6. ADJOURNMENT (YouTube: 00:54:41 - 00:54:51)

With no further business, the Chair adjourned the meeting at 11:02 a.m.

