

1

2

LAND USE COMMISSION

3

STATE OF HAWAI'I

4 ACTION

5

A09-782 TROPIC LAND, LLC (O'ahu))

6)

7 _____)

8

9

TRANSCRIPT OF PROCEEDINGS

10

11 The above-entitled matter came on for a Public Hearing

12 at Conference Room 405, 4th Floor, Leiopapa A

13 Kamehameha, 235 S. Beretania Street, Honolulu,

14 Hawai'i, commencing at 9:35 a.m. on February 24,

15 2011 pursuant to Notice.

16

17

18

19

20

REPORTED BY: HOLLY M. HACKETT, CSR #130, RPR

21

Certified Shorthand Reporter

22

23

24

25

1 A P P E A R A N C E S

2 COMMISSIONERS:
THOMAS CONTRADES (Presiding Officer)
3 RONALD HELLER
DUANE KANUHA
4 NORMAND LEZY
NICHOLAS TEVES, JR.

5 EXECUTIVE OFFICER: ORLANDO DAVIDSON
6 ACTING CHIEF CLERK: RILEY HAKODA
STAFF PLANNERS: BERT SARUWATARI, SCOTT DERRICKSON
7 DEPUTY ATTORNEY GENERAL: DIANE ERICKSON, ESQ.

8 AUDIO TECHNICIAN: WALTER MENCHING/TODD MIYAZONO

9

10

11 Docket No. A09-782 Tropic Land, LLC

12 For the Petitioner: WILLIAM YUEN, ESQ.

13

14 For the County: DAWN TAKEUCHI-APUNA, ESQ.
Deputy Corporation Counsel
15 MIKE WATKINS, DPP

16 For the State: BRYAN YEE, ESQ.
Deputy Attorney General
17 RUBY EDWARDS
Office of Planning
18

19 For the Intervenors

20 Concerned Elders of Waianae: MARTHA TOWNSEND, ESQ.

21

22

23

24

25

1 PRESIDING OFFICER CONTRADES: Let's call our
2 meeting to order this morning everyone. First item on
3 our agenda is adoption of our minutes of February 2, 3
4 2011. What is the pleasure of the Commission?

5 COMMISSIONER LEZY: So moved.

6 COMMISSIONER KANUHA: Second.

7 PRESIDING OFFICER CONTRADES: Made and
8 seconded to adopt the minutes. Any discussion? All
9 those in favor signify by saying aye.

10 (Voting) Aye.

11 PRESIDING OFFICER CONTRADES: All right.

12 Carried. Dan, our tentative meeting schedule.

13 MR. DAVIDSON: You have the meetings schedule.
14 I wanted to point out a couple things for planning
15 purposes. April 20, 21 will be the DR10-41 Molokai
16 Properties contested case or IAL.

17 And the second meeting in May, this is still
18 tentative, but probably Lana'i for Maui County Rental
19 project. And then probably Kaua'i first meeting in
20 May to deal with Grove Farm IAL petition that just
21 came in. So the dance card is filling. As always any
22 questions contact me or Riley. Thank you.

23 PRESIDING OFFICER CONTRADES: Thank you, Dan.
24 Okay. Moving on to our next item. Our next item is
25 A09-782 Tropic Land, LLC, a Hawai'i limited liability

1 company. This is an action meeting on Docket No.
2 A09-782 Tropic Land, LLC to consider Petitioner's
3 Motion to Extend Time for Filing Findings of Fact,
4 Conclusions of Law and to Reopen the Hearing.

5 However, a motion such as this must be
6 considered by at least two thirds of the membership of
7 the Commission. Since we only have 5 Commissioners
8 present, this matter will be deferred until the March
9 9th to 10th meeting. Will the parties please identify
10 themselves for the record.

11 MR. YUEN: Good morning, Mr. Chairman.
12 William Yuen on behalf of Petitioner Tropic Land, LLC.

13 MS. TAKEUCHI-APUNA: Good morning. Deputy
14 Corporation Counsel Dawn Takeuchi-Apuna on behalf of
15 the Department of Planning and Permitting. Here with
16 me today is Mike Watkins.

17 MR. YEE: Good morning. Deputy Attorney
18 General Bryan Yee on behalf of the Office of Planning.
19 With me is Ruby Edwards from the Office of Planning.

20 MS. TOWNSEND: Aloha. Marty Townsend on
21 behalf of the Concerned Elders of Waianae. With me is
22 Alice Greenwood.

23 PRESIDING OFFICER CONTRADES: Good morning,
24 everyone. So let me update the record. On
25 February 2nd, 2011 the parties completed their

1 presentations by the Land Use Commission. The
2 evidentiary portion of this proceeding was completed
3 and the parties were directed to draft their
4 individual proposed Findings of Fact, Conclusions of
5 Law and Decision and Order based on the record in this
6 docket and serve the same upon each other and the
7 Commission.

8 On February 15, 2011 the Commission received
9 the Petitioner's Motion to Extend Time for Filing
10 Findings of Fact and Conclusions of Law and to Reopen
11 the Hearing.

12 On February 17, 2011 the Commission received
13 OP's Response to Petitioner's Motion to Extend Time
14 for Filing Findings of Fact, Conclusions of Law and to
15 Reopen the Hearing.

16 On February 22nd, 2011 the Commission received
17 Intervenor's Opposition to Petitioner's Motion to
18 Extend Time for Filing Findings of Fact, Conclusions
19 of Law and to Reopen the Hearing.

20 Since this was a posted agenda item are there
21 any individuals desiring to provide public testimony
22 on this docket item?

23 MR. DAVIDSON: We have no signups.

24 PRESIDING OFFICER CONTRADES: Seeing none,
25 then this matter will be deferred. Do any of the

1 parties have any comments that they would like to
2 make?

3 MR. YUEN: No comments, Mr. Chair, thank you.

4 MS. TAKEUCHI-APUNA: No comments.

5 MR. YEE: No comments.

6 MS. TOWNSEND: No comments.

7 PRESIDING OFFICER CONTRADES: Okay. Then the
8 matter is deferred. Thank you.

9 MR. DAVIDSON: Just as stated in my e-mail
10 your documents are due Monday, your initial Findings
11 of Fact.

12 PRESIDING OFFICER CONTRADES: Thank you.

13

14 (The proceedings were adjourned at 9:40 a.m.)

15 --oo00oo--

16

17

18

19

20

21

22

23

24

25

1

2

3

C E R T I F I C A T E

4

5 I, HOLLY HACKETT, CSR, RPR, in and for the State
6 of Hawai'i, do hereby certify;

7

8 That I was acting as court reporter in the
9 foregoing LUC matter on the 24th day of February
2011;

10

11 That the proceedings were taken down in
12 computerized machine shorthand by me and were
thereafter reduced to print by me;

13

14 That the foregoing represents, to the best
15 of my ability, a true and correct transcript of the
proceedings had in the foregoing matter.

16

17 DATED: This _____ day of _____ 2011

18

19

20

21

22

HOLLY M. HACKETT, HI CSR #130, RPR
Certified Shorthand Reporter

23

24

25

