

LAND USE COMMISSION

STATE OF HAWAII

September 23, 2016

Grand Hyatt Kauai Resort and Spa

Grand Ballroom, Room 5

1571 Poipu Road, Koloa, HI 96756

Commencing at 1:00 p.m.

I. Call to order

II. Adoption of Minutes
(September 7, 2016)

III. Tentative Meeting Schedule

IV. Adoption of Order
DR16-56 Robinson Family Partners IAL(Kaua'i)
To Consider Petition for Declaratory Order
to Designate Important Agricultural Lands for
approximately 20,888 acres at Makaweli, Kaua'i,
Hawai'i; TMK(4)1-7-001-001(por), (4)1-7-001-009,
(4)1-7-005-002 (por), (4)1-7-005-009 (por.)
(4)1-7-006:004 (por), (4)1-7-006:005,
(4)1-7-006:006 (por), (4)1-8-001:001(por.)

V. Presentation

VI. Adjournment

1 APPEARANCES:

2 EDMUND ACZON, Chairperson
3 JONATHAN SCHEUER, Vice Chair

4 COMMISSIONERS:

5 NANCY CABRAL
6 LINDA ESTES
7 DAWN N.S. CHANG
8 KENT HIRANAGA
9 GARY OKUDA
10 AARON MAHI

11 DIANE ERICKSON, ESQ.
12 Deputy Attorney General

13 STAFF:

14 DAN ORODENKER, Executive Director
15 RILEY HAKODA, Chief Clerk/Planner
16 BERT SARUWATARI, Planner

17 BENJAMIN MATSUBARA, ESQ.
18 CURTIS TABATA, ESQ.
19 Attorneys for Petitioner

20 JODI HIGUCHI, Deputy County Attorney
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1 CHAIRPERSON ACZON: Good afternoon.

2 This is the September 23rd, 2016 Land Use
3 Commission meeting on Docket DR16-56.

4 First order of business is the adoption of
5 the minutes.

6 (Minutes were deferred.)

7 The next agenda item is the tentative
8 meeting schedule. Mr. Orodenker.

9 EXECUTIVE DIRECTOR: Next meeting is the
10 October 13th, Motion for Order regarding satisfaction
11 of affordable housing condition.

12 After that we are scheduled October 26th
13 and 27 to be announced at the moment.

14 November 9th and 10th we have Special
15 Hearing on Lana'i. November 15th and 16 is once
16 again Special Hearing on Maui.

17 November 23rd, open schedule. December 8
18 on Lana'i as well. The current schedule going
19 forward.

20 CHAIRPERSON ACZON: Thank you, Mr.
21 Orodenker. Commissioners, any questions on the
22 schedule? Thank you.

23 This meeting on DR16-56 in the matter of
24 Petition for Robinson Family for Declaratory Order to
25 Designate Important Agricultural Lands for

1 approximately 20,888 acres at Makeweli, Kaua'i,
2 Hawai'i; TMK:(4)1-7-001 portion of Lot 1; (4)
3 1-7-001, portion of Lot 9; (4)1-7-005 portion of Lot
4 2; (4) 1-7-005 portion of Lot 9; (4) 1-7-006 portion
5 of Lot 4; (4)1-7-006 portion of Lot 5; (4)1-7-006
6 portion of Lot 6; and (4)1-8-001 portion of Lot 1.

7 Will the Petitioner please identify itself?

8 MR. MATSUBARA: Good afternoon, Chair
9 Aczon, Commissioners. My name is Benjamin Matsubara,
10 along with Curtis Tabata we represent Petitioner
11 Robinson Family Partners.

12 To my right behind me is General Partner
13 Ruth Robinson. Also next to her is Bruce Robinson,
14 and next to him is Charlie Okamoto.

15 CHAIRPERSON ACZON: Thank you.

16 Let me update the record.

17 On September 20, 2016, the Commission voted
18 to grant Petitioner's Petition for Declaratory Order
19 to designate Important Agricultural Lands.

20 Commissioners Estes, Chang, Okuda, Hiranaga, Wong and
21 Aczon voted in favor of the Petition and Commissioner
22 Scheuer voted against.

23 Commissioners Mahi and Cabral were excused
24 from the proceedings. Commissioners Mahi and Cabral
25 have been provided with the materials and transcript

1 for the September 20, 2016 meeting by LUC staff to
2 prepare for this meeting.

3 Commissioner Mahi, have you had time to
4 review the materials and are you prepared to
5 participate in this meeting on Docket DR16-56?

6 COMMISSIONER MAHI: I have read the
7 transcript and I am prepared.

8 CHAIRPERSON ACZON: Thank you.

9 Commissioner Cabral?

10 COMMISSIONER CABRAL: Yes, I have read the
11 proceedings and I am prepared to proceed.

12 CHAIRPERSON ACZON: Thank you.

13 Since all 8 commissioners are prepared to
14 deliberate. Is there anyone in the audience who
15 desires to provide public testimony on this matter?

16 Hearing none, Commissioners, before you is
17 the form of the Order granting the Petition in this
18 Docket DR16-56. The form of the Order is the form
19 submitted by the Petitioner with only technical
20 changes.

21 The Chair will entertain a Motion to
22 approve the form of the Order in this matter.

23 Commissioners, what is your pleasure?

24 COMMISSIONER ESTES: I move approved.

25 COMMISSIONER CHANG: I second the motion.

1 CHAIRPERSON ACZON: Commissioner Estes made
2 a motion second by Commissioner Chang for approval of
3 the Order.

4 Any discussion? Hearing none, Mr.
5 Orodenker, please poll the Commission.

6 EXECUTIVE DIRECTOR: The motion is to adopt
7 the Order.

8 Commissioner Estes?

9 COMMISSIONER ESTES: Aye.

10 EXECUTIVE DIRECTOR: Commissioner Chang?

11 COMMISSIONER CHANG: Yes.

12 EXECUTIVE DIRECTOR: Commissioner Mahi?

13 COMMISSIONER MAHI: Aye.

14 EXECUTIVE DIRECTOR: Commissioner Cabral?

15 COMMISSIONER CABRAL: Aye.

16 EXECUTIVE DIRECTOR: Aye.

17 EXECUTIVE DIRECTOR: Commissioner Hiranaga?

18 COMMISSIONER HIRANAGA: Aye.

19 EXECUTIVE DIRECTOR: Commissioner Okuda?

20 COMMISSIONER OKUDA: Yes.

21 EXECUTIVE DIRECTOR: Commissioner Scheuer?

22 COMMISSIONER SCHEUER: Aye.

23 EXECUTIVE DIRECTOR: Chair Aczon?

24 CHAIRPERSON ACZON: Yes.

25 EXECUTIVE DIRECTOR: Chair Aczon, the

1 motion passes.

2 CHAIRPERSON ACZON: Thank you.
3 Congratulations.

4 MR. MATSUBARA: Thank you very much.

5 CHAIRPERSON ACZON: The next item of
6 business is presentation of the Blue Stone project.

7 (Blue Stone presentation.)

8 (The proceedings adjourned at 2:22 p.m.)

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CERTIFICATE

STATE OF HAWAII)
) SS.
COUNTY OF HONOLULU)

I, JEAN MARIE McMANUS, do hereby certify:

That on September 23, 2016, at 1:00 p.m., the proceedings contained herein was taken down by me in machine shorthand and was thereafter reduced to typewriting under my supervision; that the foregoing represents, to the best of my ability, a true and correct copy of the proceedings had in the foregoing matter.

I further certify that I am not of counsel for any of the parties hereto, nor in any way interested in the outcome of the cause named in this caption.

Dated this 23rd day of September, 2016, in Honolulu, Hawaii.

/s/ Jean Marie McManus
JEAN MARIE McMANUS, CSR #157