

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Nahele Room
Sandalwood Clubhouse
2500 Honoapi'ilani Hwy.
Waikapu, Maui

January 27, 1994

Approved
2/10/94

COMMISSIONERS PRESENT:

Allen K. Hoe
Elton Wada
Lloyd Kawakami
JoAnn Mattson
Trudy K. Senda
Delmond J.H. Won

COMMISSIONERS ABSENT:

Karen S. Ahn
Renton L.K. Nip (Excused)
Eusebio Lapenia, Jr. (Excused)

STAFF PRESENT:

Esther Ueda, Executive Officer
Russell Suzuki, Esq.,
Deputy Attorney General
Leo Asuncion, Staff Planner
Bert Saruwatari, Staff Planner
Darlene Kinoshita, Chief Clerk

Holly Hackett, Court Reporter

Presiding Officer Hoe called the meeting to order.

ACTION

A91-669 - NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY (Hawaii)

Presiding Officer Hoe announced that the Commission would take action to consider reclassifying approximately 83 acres of land currently in the Conservation District into the Urban District at Keahole, North Kona, Hawaii for ocean-related high technology industry uses.

Appearances

Michael Meaney, Esq., Deputy Attorney General,
representing Petitioner

Clare Hachmuth, Petitioner

MINUTES - January 27, 1994
Page 2

Rick Eichor, Esq., Deputy Attorney General, Office of
State Planning

Abe Mitsuda, Land Use Division, Office of State Planning

The Planning Department, County of Hawaii, was not
present to the proceeding at this time.

The letter dated January 25, 1994 from Lunakanawai
Hauanio was admitted into evidence by the Land Use Commission.

Arguments were heard from Mr. Meaney and Mr. Eichor.

It was determined by Presiding Officer Hoe that all of
the Commissioners present were eligible to participate in the
action on the petition.

Commissioner Mattson moved that the Petition by Natural
Energy Laboratory of Hawaii Authority be denied and that 83
acres remain in the Conservation District. The motion was
seconded by Commissioner Won and polled as follows:

Ayes: Commissioners Mattson, Kawakami, Senda, Wada,
Won, and Hoe.

CONTINUED HEARING

A92-684 - STATE OF HAWAII, DEPARTMENT OF TRANSPORTATION,
AIRPORTS DIVISION (Maui)

Presiding Officer Hoe announced that the present matter
before the Commission is a continuation of the hearing
previously held on November 16 and 17, 1993.

Commissioners Nip and Lapenia were excused from this
proceeding due to a previously declared conflict of interest.

Appearances

Lane Ishida, Esq., Deputy Attorney General, Department
of Transportation, Airports Division

Bruce Matsui, Esq., Deputy Attorney General, Department
of Transportation, Airports Division

Brian Miskae, Planning Department, County of Maui

Rick Eichor, Esq, Deputy Attorney General, Office of
State Planning

Lorene Maki, Land Use Division, Office of State Planning

Abe Mitsuda, Land Use Division, Office of State Planning

Isaac Hall, Esq., Attorney for Intervenors

The arguments on the Motion to Continue filed by the Department of Transportation, Airports Division, were heard from Mr. Ishida, Mr. Eichor, and Mr. Hall. There were no objections by the parties to continue the hearing subject to the Stipulation and Order signed by Judge McConnell.

Commissioner Won moved to go into executive session to consult with our Deputy Attorney General on any legal obligations of the Commission pursuant to the stipulation and order signed by Judge McConnell. The motion was seconded by Commissioner Wada and unanimously approved by voice votes.

Commissioner Wada moved to grant Petitioner's Motion for Continuance based specifically as set forth by the Stipulation and Order signed by Judge McConnell and that parties complete its case in chief under the current EIS. The motion was seconded by Commissioner Won and unanimously carried by voice votes.

EXHIBITS

1. The letter dated January 25, 1994 from Lunakanawai Hauanio was admitted into evidence by the Land Use Commission.

2. Intervenor's Exhibit Nos. 4, 19, 56, 58, 59, 60, 61, 67, 70, 72, 78, 80, 84, 85, 91, 97, 116, 117, 129, 132, 138, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 156, 157, 158, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171 were admitted into evidence by the Land Use Commission.

INTERVENOR'S WITNESSES

1. Dr. Stephen M. Moser

MINUTES - January 27, 1994
Page 4

2. Dana Hall
3. Stephen Pitt

A lunch recess was taken at 11:45 a.m. to reconvene at 1:00 p.m.

- 1:00 p.m. -

INTERVENOR'S WITNESSES (Cont'd)

4. Jon Matsuoka
5. Dana Hall (Cont'd)

MISCELLANEOUS

1. Adoption of Minutes

Commissioner Won moved to approve the minutes for the meeting dates of December 14, 15, & 16, 1994 and January 13 and 14, 1994. The motion was seconded by Commissioner Senda and unanimously approved by voice votes.

The meeting was adjourned at 3:30 p.m.