

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Rooms 322 B and C
3rd Floor, Kalanimoku Building
1151 Punchbowl Street
Honolulu, Hawaii

March 16, 1995

*Approved
3/24/95*

COMMISSIONERS PRESENT:

Allen K. Hoe
JoAnn Mattson (Portion of
Proceeding)
Lloyd Kawakami
Elton Wada
Renton L.K. Nip (Portion of
Proceeding)
M. Casey Jarman
Allen Y. Kajioka

COMMISSIONERS ABSENT:

Trudy K. Senda
Eusebio Lapenia, Jr.

STAFF PRESENT:

Esther Ueda, Executive Officer
Winfred K.T. Pong, Esq.,
Deputy Attorney General
Kathy Yonamine, Staff Planner
Bert Saruwatari, Staff Planner
Darlene Kinoshita, Chief Clerk

Cynthia Murphy, Court Reporter

Chairperson Hoe called the meeting to order.

ACTION

BR94-704 - OFFICE OF STATE PLANNING (Hawaii)

Chairperson Hoe announced that the Commission would take action to consider reclassifying approximately 195 acres of land currently in the Agricultural District into the Conservation District at Makahanaloa, Papaikou, Paukaa, South Hilo, Hawaii for protection of native forest and forest bird habitat.

Appearances

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

Marylou Kobayashi, Office of State Planning

Benjamin Matsubara, Hearing Officer

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

Kathy Yonamine, staff planner, oriented the Commission to the area being requested for reclassification on the Land Use District Boundaries and tax maps.

Benjamin Matsubara, Hearing Officer, presented his report and recommendations to the Commissioners.

Further arguments were heard from Mr. Eichor.

A letter dated March 15, 1995 from W.H. Shipman, Ltd. informing the Commission that an escrow was set up between W.H. Shipman, Ltd. and Conservancy Fund of Arlington, Virginia was submitted by the Office of State Planning to reflect that the Conservancy Fund will purchase the land from W.H. Shipman, Ltd. and then transfer it to the U.S. Government.

Commissioner Mattson moved to approve the hearings officer's report and recommendations regarding Docket No. A94-704 - Office of State Planning. The motion was seconded by Commissioner Kawakami and polled as follows:

Ayes: Commissioner Mattson, Nip, Wada, Jarman, Kajioka, Kawakami, and Hoe.

A94-708 - OFFICE OF STATE PLANNING (Oahu)

Chairperson Hoe announced that the Commission would take action to consider reclassifying approximately 1,300 acres of land currently in the Agricultural District into the Urban District at Honouliuli, Ewa, Oahu, for land exchange, the University of Hawaii-West Oahu Campus, housing, and public facility uses.

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

Appearance

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

Marylou Kobayashi, Office of State Planning

Frances Mossman, Planning Department, City and County
of Honolulu

Richard Bertero, Intervenor, Chevron U.S.A.

Benjamin Matsubara, Hearing Officer.

Bert Saruwatari, staff planner, oriented the Commission
to the area requesting reclassification on the Land Use
District Boundaries and tax maps.

A request was made by David Behling, public witness, to
present testimony at this time.

Commissioner Mattson moved to go into executive session
to consult with our Deputy Attorney General on legal matters.
The motion was seconded by Commissioner Jarman and unanimously
approved by voice votes.

Chairperson Hoe denied Mr. Behling's request at this
time because the hearing on the docket was closed.

Ben Matsubara, Hearing Officer, presented his report
and recommendations to the Commissioners.

Further arguments were heard from Mr. Eichor and
Ms. Mossman.

After hearing arguments, questions were asked by the
Commissioners.

Chairperson Hoe announced that this matter would be
taken under advisement and continued until April 6, 1995 on
Kauai. The parties were allowed to file additional arguments.

A87-613 - THE TRUSTEES UNDER THE WILL AND OF THE ESTATE OF
JAMES CAMPBELL, DECEASED (Oahu)

Chairperson Hoe announced that the Commission would
take action to consider Petitioner's Motion for Fourth
Amendment to Findings of Fact, Conclusions of Law and Decision
and Order, and for other Relief of the Land Use Commission's
Decision and Order dated September 23, 1988, as amended on
March 29, 1989; May 30, 1989; and June 4, 1993, which
reclassified approximately 135 acres and incrementally approved
approximately 755 acres of land from the Agricultural District
into the Urban District at Honouliuli, Ewa, Oahu for
commercial, industrial, and business center use.

Appearances

Ivan Lui-Kwan, Esq., Attorney for Petitioner

Frances Mossman, Planning Department, City and County
of Honolulu

James Nagle, Deputy Attorney General, Office of State
Planning

Abe Mitsuda, Land Use Division, Office of State Planning

EXHIBITS

1. Petitioner's Exhibit A-1, A-2, A-3, A-4, B, C-1,
C-2, C-3, C-3a, D to Z and AA to II were admitted into evidence
by the Land Use Commission.

PETITIONER'S WITNESSES

1. Lloyd Haraguchi

Commissioner Nip was absent from the proceeding at this
time.

A lunch recess was taken at 11:30 a.m. to reconvene at
1:00 p.m.

- 1:20 p.m. -

PETITIONER'S WITNESSES

1. Lloyd Haraguchi (Continued)

Commissioner Nip joined the proceeding at this time.

2. William Wankett and Jonathan Shimada

3. Craig Arakaki

Commissioner Mattson was absent from the proceeding at
this time.

4. James Hallstrom

COUNTY'S WITNESS

1. Frances Mossman

STATE'S WITNESS

1. Abe Mitsuda

Chairperson Hoe instructed all parties of the post-hearing procedures and declared the hearing closed. The proposed findings from the parties are due on April 13, 1995 and the parties have until April 27, 1995 in which to respond.

The meeting was adjourned at 3:15 p.m.