

Approved
9/10/01

Minutes of Meeting

King Kamehameha's Kona Beach Hotel
Marina Room
75-5660 Palani Road
Kailua-Kona, Hawaii

August 23, 2001

COMMISSIONERS PRESENT: P. Roy Catalani
Bruce Coppa
Isaac Fiesta, Jr.
M. Casey Jarman
Lawrence N.C. Ing
Stanley Roehrig
Peter Yukimura

COMMISSIONERS ABSENT: Pravin Desai
Merle A. K. Kelai

STAFF PRESENT: Anthony J.H. Ching, Executive Officer
John Deller, Esq., Deputy Attorney
General
Russell Kumabe, Staff Planner
Bert Saruwatari, Staff Planner
Teri Hee, Chief Clerk

Holly Hackett, Court Reporter

Due to unforeseen circumstances, the meeting room was moved from the Eha Room to the Marina Room. Notices were posted to direct the public of the change of meeting room.

Vice Chairperson Ing called the meeting to order at 7:15 p.m.

The Commission members and staff introduced themselves to the audience.

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CONTINUED ACTION

A93-701 – KAUPULEHU DEVELOPMENTS (Hawaii)

Vice Chairperson Ing announced that this matter before the Commission was a continued action meeting to consider the Draft Proposed Findings of Fact, Conclusions of Law, and Decision and Order as prepared by staff pursuant to the Order Requiring Preparation of Proposed Findings of Fact, Conclusions of Law, and Decision and Order issued on June 29, 2001, in response to the Hawaii Supreme Court's decision in *Ka Pa'akai O Ka'aina, et al. v. Land Use Commission, et al.*, Sup. Ct. Nos. 21124 and 21162.

Appearances

R. Ben Tsukazaki, Esq., representing petitioner

Brenda Ford, representing Plan to Protect

Larry Ford, representing Plan to Protect

Patricia O'Toole, Esq., Corporation Counsel, County of Hawaii

Michael Matsukawa, Esq., representing Intervenor Ka Pa'akai O Ka'aina

John Chang, Esq., Deputy Attorney General, Office of Planning

Abe Mitsuda, Land Use Division, Office of Planning

Arguments were heard from Mr. Tsukazaki, Ms. O'Toole, Mr. Matsukawa, Mr. Chang, and Ms. Ford.

Commissioner Roehrig moved to adopt his Draft Proposed Findings of Fact, Conclusions of Law, and Decision and Order with additional proposed amendments. The motion was seconded by Commissioner Fiesta followed by discussion by the Commission. The motion was polled as follows:

Ayes: Commissioners Roehrig, Fiesta, Yukimura, Coppa, Catalani, Jarman, and Ing

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Vice Chairperson Ing announced that the Commission would be continuing the hearing tomorrow at 9:00 a.m. with housekeeping matters to begin at 8:30 a.m.

The meeting was adjourned at 9:05 p.m.