

Minutes of Meeting

Approved
9/10/01

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

August 24, 2001

COMMISSIONERS PRESENT: P. Roy Catalani (Portion of Proceedings)
Bruce Coppa
Isaac Fiesta, Jr.
Lawrence N.C. Ing
M. Casey Jarman (Portion of Proceedings)
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 (Portion of
Proceedings)
Teri Hee, Chief Clerk
Holly Hackett, Court Reporter

Vice Chairperson Ing called the meeting to order at 8:35 a.m.

MISCELLANEOUS

1. ADOPTION OF MINUTES

Commissioner Fiesta moved to approve the minutes for the meeting date of August 9, 2001. The motion was seconded by Commissioner Coppa and unanimously approved by voice votes.

OTHER PENDING MATTERS

1. Tentative Meeting Schedule – Executive Officer, Anthony Ching, reported the action for the Fong Construction Special Permit would be heard at the September 20-21 meeting. Lanihau Partners' motion to change their name and also Intervenor's Motion to Stay in the Castle & Cooke Homes docket would be heard at the September 6-7 meeting. He also mentioned that anyone still interested in attending the HCPO conference should contact staff.
2. Litigation Update – Pacific Star, LLC v. The Sierra Club, et al., Civil No. 00-1-0209K (3rd Circuit). Executive Officer, Anthony Ching, reported that recent communication received from Deputy Attorney General Charleen Aina indicated that there is a Stipulation to Dismiss the suits in both the Federal and 3rd Circuit Courts. She will be briefing the Commission at its next meeting on September 6-7, 2001.

CONTINUED HEARING

A00-732 – TSA CORPORATION (Hawaii)

Vice Chairperson Ing announced that this matter before the Commission was a continuation of the hearing which was adjourned yesterday at 4:30 p.m.

Appearances

Nathan Natori, Esq., representing Petitioner

Rodney Funakoshi, Wilson, Okamoto & Associates

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

Norman Hayashi, County of Hawaii Planning Department

John Chang, Esq., Land Use Division, Office of Planning

Judith Henry, Land Use Division, Office of Planning

Abe Mitsuda, Land Use Division, Office of Planning

MINUTES – August 24, 2001

Page 3

Nicole Walthall, Esq., representing Intervenor KAHO

Stanley Bond, representing Intervenor KAHO

Sallie Beavers, representing Intervenor KAHO

STATE'S WITNESS

1. Susan Miller (via telephone conference call)

INTERVENOR'S WITNESS

1. Michael Thalhamer

Commissioner Jarman and Commissioner Catalani excused themselves from the proceedings at this time.

EXHIBITS

1. Office of Planning's Exhibit No. 10 (testimony of Susan Miller) was admitted into evidence by the Land Use Commission.

A lunch recess was taken at 12:10 p.m. to reconvene at 1:30 p.m.

- 1:25 p.m. -

COUNTY'S WITNESS

1. Edwin Taira

Commissioner Roehrig requested that the Office of Planning have a representative from the Housing Community Development Corporation of Hawai'i.

PETITIONER'S WITNESSES

1. Tom Nance
2. Steve Dollar

MINUTES – August 24, 2001

Page 4

EXHIBITS

1. Petitioner's Exhibit No. 61 (pictures of the Kealakehe Wastewater Treatment Effluent Disposal Sump) was admitted into evidence by the Land Use Commission and will be reproduced and submitted to the Commission as well as the parties.

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