



**DEPARTMENT OF BUSINESS,  
ECONOMIC DEVELOPMENT & TOURISM**

DAVID Y. IGE  
GOVERNOR

LUIS P. SALAVERIA  
DIRECTOR

MARY ALICE EVANS  
DEPUTY DIRECTOR

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804  
Web site: [www.hawaii.gov/dbedt](http://www.hawaii.gov/dbedt)

Telephone: (808) 586-2355  
Fax: (808) 586-2377

Statement of  
**Luis P. Salaveria**  
**Director**  
Department of Business, Economic Development and Tourism

Before the  
Senate Committee on Water and Land  
Tuesday, August 29, 2017  
2:00 PM  
State Capitol, Conference Room 224

In consideration of

**GM27**  
**SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE LAND USE**  
**COMMISSION, GUBERNATORIAL NOMINEE,**  
**LEE OHIGASHI**  
**FOR A TERM TO EXPIRE 06-30-2020.**

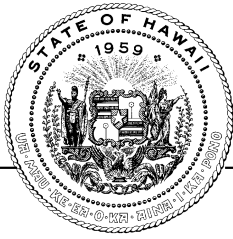
Chair Rhoads, Vice Chair Gabbard, and Members of the Committee on Water and Land.

The Department of Business, Economic Development and Tourism respectfully requests that this Committee favorably consider the nomination of Lee Ohigashi to serve as commissioner for a four year term to expire on June 30, 2020. Mr. Ohigashi has been nominated to fill the position of Maui County Commissioner.

Mr. Ohigashi is a well-respected member of the Maui community and has served on a number of boards or commissions throughout the course of his career. He has experience in the workings of organizations like the LUC and in the role of government in making critical decisions. Mr. Ohigashi's resume illustrates his experience in dealing with complex issues and his grasp of the problems facing Maui and Hawaii in general.

For these reasons, we respectfully ask for your favorable consideration of Mr. Ohigashi's nomination to serve as Commissioner on the Land Use Commission.

Thank you for this opportunity to testify before this Committee.



**OFFICE OF PLANNING  
STATE OF HAWAII**

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

**DAVID Y. IGE**  
GOVERNOR

**LEO R. ASUNCION**  
DIRECTOR  
OFFICE OF PLANNING

Telephone: (808) 587-2846  
Fax: (808) 587-2824  
Web: <http://planning.hawaii.gov/>

Statement of  
**LEO R. ASUNCION**  
Director, Office of Planning

before the  
**SENATE COMMITTEE ON WATER AND LAND**

Tuesday, August 29, 2017  
2:00 PM  
State Capitol, Conference Room 224  
in consideration of

**Governor's Message (GM) 27**

Chair Rhodes, Vice Chair Gabbard, and Members of the Senate Committee on Water and Land.

I strongly support Governor David Y. Ige's nomination of Mr. Lee Ohigashi to serve as a member of the Land Use Commission.

Mr. Ohigashi's background as an attorney in private practice in the area of family and administrative law will serve him well as a member of the Land Use Commission.

Born and raised on the island of Maui, where he has spent his professional tenure as well, Mr. Ohigashi will have the knowledge of many areas in the County of Maui, including those who reside in the County, and will bring that knowledge and voice to the deliberations and discussion of the Land Use Commission on matters presented to the body.

I respectfully encourage the Committee to advise and consent to the nomination of Mr. Ohigashi as a member of the Land Use Commission.

Thank you for the opportunity to provide testimony on GM 27.

**DAVID Y. IGE**  
Governor

**SHAN S. TSUTSUI**  
Lieutenant Governor

**LUIS P. SALAVERIA**  
Director

**MARY ALICE EVANS**  
Deputy Director



**LAND USE COMMISSION**  
Department of Business, Economic Development & Tourism  
State of Hawai'i

**DANIEL E. ORODENKER**  
Executive Officer

**Bert K. Saruwatari**  
Planner  
**SCOTT A.K. DERRICKSON AICP**  
Planner

**RILEY K. HAKODA**  
Chief Clerk/Planner

**FRED A. TALON**  
Drafting Technician

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Statement of  
**Daniel E. Orodenker**  
**Executive Officer**  
Land Use Commission

Senate Committee on Water and Land  
Tuesday August 29, 2017  
2:00 PM  
State Capitol, Conference Room 224

In consideration of

**GM27**  
**SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE LAND USE**  
**COMMISSION, GUBERNATORIAL NOMINEE,**  
**LEE OHIGASHI**  
**for a term to expire 06-30-2020**

Chair Rhoads, Vice Chair Gabbard, and members of the Committee on Water and Land:

My name is Daniel Orodenker, and I am the Executive Officer of the Land Use Commission (LUC). I am here to respectfully request that this Committee favorably consider the nomination of Lee Ohigashi to serve as commissioner for a four-year term to expire on June 30, 2020. Mr. Ohigashi has been nominated to fill the position of the Maui County Commissioner.

Mr. Ohigashi is a well respected member of the Maui community and has served on a number of boards or commissions throughout the course of his career. His legal acumen will bring significant expertise to the Commission and his long standing knowledge of the issues facing both the State and Maui County with regard to growth, the protection of agricultural lands, and the needs of the community make him an excellent choice for the LUC. Mr. Ohigashi's resume illustrates his experience in dealing with complex issues and his grasp of the problems facing Hawai'i.

For these reasons, we respectfully ask for your favorable consideration of Mr. Ohigashi's nomination to serve as Commissioner on the Land Use Commission.

Thank you for this opportunity to testify before this Committee.



UNIVERSITY of HAWAII®  
**MAUI COLLEGE**

The Honorable Karl Rhoads  
Chair, Senate Committee on Water and Land  
State Capitol, Room 204  
Honolulu, Hawai'i 96813

Re: Nomination of Lee A. Ohigashi to the Land Use Commission

Dear Chairman Rhoads and Committee members:

I write this letter in support of Maui Attorney Lee A. Ohigashi's nomination to the State of Hawai'i Land Use Commission. I have known Attorney Ohigashi to be a hardworking and fair individual who cares about the quality of life for our residents and visitors.

As a former Board of Regents, he was instrumental in developing the plans and obtaining the funding for the Molokai Education Center. Attorney Ohigashi is a strong supporter of programs to address homelessness, affordable housing and International educational exchange programs.

Attorney Ohigashi will serve Maui and the State of Hawai'i well and I am positive, he will have a positive impact on the betterment of our community.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debra Nakama".

Debra Nakama,  
University of Hawai'i Maui College  
Vice-Chancellor of Student Affairs  
310 W. Kaahumanu Avenue  
Ho'okipa Building  
Kahului, Hawai'i 96732  
(808)984-3515

August 28, 2017

Senate Committee on Water and Land  
State Capitol  
Honolulu, Hawaii 96813

**RE: GM26, Support for the Nomination of Lee Ohigashi to the Land Use Commission (LUC)**

Aloha Chair Rhoads, Vice Chair Gabbard, and Committee Members,

My name is Jonathan Likeke Scheuer. I am a member and Vice Chair of the LUC, but offer this testimony in personal capacity. It has been my pleasure to serve with Mr. Ohigashi since his appointment to the LUC in June 2017.

While our time serving together has been brief, Mr. Ohigashi has diligently and thoughtfully engaged with Commission matters since his appointment. I encourage you to recommend the Senate Advise and Consent to this nomination.

Mahalo for your consideration of my mana`o.

Jonathan Likeke Scheuer, Ph.D.

GUY A. HAYWOOD  
Attorney at Law  
P.O. Box 547  
Kula, Hawaii 96790  
808-876-1731  
[guy@guyhaywood.com](mailto:guy@guyhaywood.com)

Senator Karl Rhoads  
Chair, Senate Committee on Water and Land  
Hawaii State Senate  
State Capitol, Room 204  
Honolulu, Hawai'i 96813

Senator Rhoads,

I am pleased to strongly recommend Attorney Lee A. Ohigashi for a position on the Land Use Commission.

I was raised on Maui and went to school with Mr. Ohigashi's wife, Stephanie.

I practiced law full-time in Wailuku beginning in 1980 until I closed my office in 2015. A portion of my practice consisted of working eight years in the Office of Corporation Counsel of the County of Maui. I presided over the office as the Corporation Counsel on behalf of then Mayor Linda Lingle for my last four years, leaving to return to private practice in 1995.

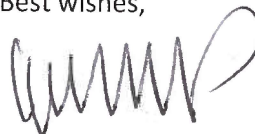
I have extensive experience participating in and observing the Administrative function of Government at both the County and State levels and I am qualified to comment on the skills and temperament necessary to successfully perform these duties.

While working at the County of Maui, I was staff attorney for numerous Departments, Boards and Commissions, including the Maui and Molokai Planning Commissions, Board of Variances and Appeals and the Personnel Department. I also appeared before the Land Use Commission on behalf of the County of Maui and observed and interacted with that entity first hand.

The Maui legal community is relatively small. I have had regular and frequent interaction with Mr. Ohigashi for my entire career. We have had cases together and opposing each other. I know him well. Mr. Ohigashi has the intelligence, temperament and the ethical standards required to perform the duties of the Land Use Commission. He would be a valuable asset to the Commission.

Please feel free to contact me if you have any questions.

Best wishes,



Guy A. Haywood



LAW OFFICE OF  
**Diane L. Ho**  
A LAW CORPORATION

(808) 244-1580  
Fax 242-7475

96 Central Avenue  
Wailuku, Maui, HI 96793

August 22, 2017

Honorable Karl Rhoads,  
Chair, Senate Committee on Water and Land  
State Capitol, Room 204  
Honolulu, Hawaii 96813

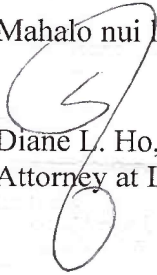
Dear Senator Rhoads and Committee Members:

I have been a practicing attorney in the County of Maui for the past 38 years. I have worked with Attorney Ohigashi on numerous cases and have found him to be professional, honest and knowledgeable regarding the law and the legal issues before him. He is steady, consistent and hardworking.

I also attended the University of Hawai'i William S. Richardson School of Law with Lee. We were part of a very close and passionate class that as a group understood that we shared the privilege of attending law school in Hawaii and the obligation to use our education in serving our community.

With his experience and knowledge of legal and land issues, I believe Attorney Ohigashi would make an excellent Land Use Commissioner. Please accept this letter as a letter of support of Lee Ohigashi's appointment to this very important board by Governor David Ige.

Mahalo nui loa,

  
Diane L. Ho,  
Attorney at Law

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Law Office of  
**PAUL L. HORIKAWA**  
2233 Vineyard Street, Suite E  
Wailuku, Hawaii 96793  
Telephone No. (808) 244-4671 Facsimile No. (808) 249-0124

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August 28, 2017

Senator Karl Rhoads, Chair  
Senate Committee on Water and Land  
State Capitol Room 204  
Honolulu, Hawaii 96813

Re: ***Confirmation of Lee A. Ohigashi to the Hawaii Land Use Commission***

Dear Chairperson Rhoads:

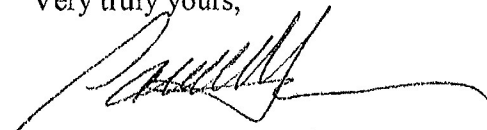
This letter is sent to you to support of the confirmation of Lee A. Ohigashi to the Hawaii Land Use Commission. I have known Lee for more than fifty years. Lee is an independent person who will make the correct decision for the State of Hawaii and the County of Maui. Lee has demonstrated to me that he is a person who I can trust to do the right thing. Lee is an extremely intelligent person who has an excellent work ethic.

Lee has demonstrated a commitment to community service and has served as a Regent on the University of Hawaii Board Of Regents, the Hawaii Criminal Justice Commission, a member of the Board of Directors for the University of Hawaii Research Corporation, and a member of the Maui County Board of Liquor Control. The State of Hawaii and more importantly the County of Maui will be well served by the appointment of Lee A. Ohigashi to the Hawaii Land Use Commission. I recommend without hesitation that Lee A. Ohigashi be confirmed to the Hawaii Land Use Commission.

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Please contact me if you have any questions regarding this matter.

Very truly yours,



PAUL L. HORIKAWA

cc: Lee A. Ohigashi



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**LAW OFFICE OF GEORGE K. LINDSEY, JR.**

**George K. Lindsey, Jr.**

*Attorney at Law, LLC*

August 28, 2017

Honorable Senator Karl Rhoads  
[senrhoads@capitol.hawaii.gov](mailto:senrhoads@capitol.hawaii.gov)

Re: Support of Nomination of Lee Ohigashi for appointment to Land Use Commission.

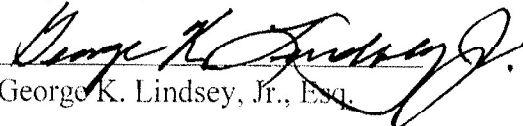
Dear Senator Rhoads and Committee on Water and Land:

It is my pleasure and honor to support the nomination of Lee Ohigashi for appointment to the Maui County Seat on the State Land Use Commission (hereinafter "LUC"). I have known Lee Ohigashi since we attended the William Richardson School of Law at the University of Hawaii. That was about 40 years ago. He has an astute mind and an acute sense of civic duty. He is a rare breed who prefers the independence of solo law practice. That choice is consistent with the independence he has shown while serving on several Boards and Commissions throughout the years. That independence is very important to the mission of the LUC.

The Ohigashi family has actively served their Maui community for several decades. Lee's community service is a natural extension of the lessons learned from his father Sam Ohigashi and his mother Helen Ohigashi about caring for his neighbors. Lee and his wife Stephanie Ohigashi have continually served their Maui community as well as the State of Hawaii. He has served as a State of Hawaii Criminal Justice Commissioner (1983-1984), University of Hawaii Board of Regents Community Colleges Committee Chair (1991-1998), State of Hawaii Board for Vocational Education (1991-1998), State of Hawaii Research Corporation University of Hawaii Chairman (1997-1998) and County of Maui Liquor Commission (2010-2015).

Mr. Ohigashi's extensive experience in Administrative Law enhances his ability to administer Hawaii's land use management laws with just and efficient determination of each and every proceeding. Mr. Ohigashi has a balanced view of the need to preserve and protect our island lifestyle as well as the need to encourage appropriate development in the interest of public health and the welfare of the people of the State of Hawaii. Therefore, I respectfully encourage this Committee to confirm the appointment of Lee A. Ohigashi to the State LUC.

Respectfully submitted:

  
George K. Lindsey, Jr., Esq.

**JOSEPH T. TOMA**  
ATTORNEY AT LAW, A LAW CORPORATION

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2121 Main Street • Wailuku, Maui, Hawaii 96793 • Telephone: (808) 244-2223  
Facsimile: (808) 244-2395 • email: mail@joetomamaulaw.com

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August 21, 2017

Honorable Senator Karl Rhoads  
State Capitol, Room 204  
Honolulu, HI 96813

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Re: Application of Lee A. Ohigashi for Land Use Commission

Dear Senator Rhoads:

I am writing to support the application of Lee A. Ohigashi to the Land Use Commission pursuant to his appointment by Governor Ige.

I have known Lee since entering the private practice of law on Maui in year 1994. My initial contact and experience with Lee started with our respective roles as lawyers representing adverse parties. I have always found Lee to be well prepared and advocating strongly for his clients. Through the years I have made case referrals to him based on my confidence that he will zealously and competently advocate for clients. I also consult with him to seek his advice and expertise in legal issues and matters. I have also socialized with him on occasion.

Lee has always impressed me as a positive person thoroughly committed to his job. I believe him to be a hard-working, industrious and capable individual. He is not afraid to challenge judges and positions that he deems unfair under the law. As one who always does his homework I have never found him unprepared.

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In the past Lee has also served on the Board of Regents for the University of Hawaii, and I am aware of his strong commitments to that board and the favorable reviews he received from the community and past president Kenneth Mortimer.

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I believe that Lee will be a positive addition to the State Land Use Commission and I highly support his application. Please feel free to contact me if you have any questions.

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Sincerely,



JOSEPH T. TOMA

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# *808 Flooring, Inc.*

530 E UAHU WAY WAILUKU, HI 96793  
PHONE: 808.249-2030 FAX: 808.244.7373

August 22, 2017

Aloha Senator Rhoades and Committee members,

It is with great honor that I write this letter in support of Lee Ohigashi to serve on the State Land Use Committee. I have a professional relationship with Mr Ohigashi and I cannot say enough great things about him. Mr Ohigashi is a hard working Attorney and I find his honesty to be quite refreshing.

Attorney Ohigashi worked tirelessly on my case and explained the issues to me in a way that I could understand and assist me to make an informed decision. I value Mr Ohigashi's opinions and found his proposed solutions to be practical and fair.

I have learned a great deal in the time I spent with Lee and have no doubt that he would make an excellent representative for the people of Maui County on the Land Use Committee.

As a 2<sup>nd</sup> generation business owner on Maui, I agree with Mr Ohigashi's stance that Hawaii's Land Use decisions are very important for future generations. His goal to see affordable housing become a reality is more important now than it ever was.

Thank you for your time and if you have any questions please don't hesitate to contact me at the numbers below.

Mahalo.

David Daunhauer  
President  
Office: (808) 249-2030  
Fax : (808) 244-7373  
Email : [dave@808flooring.com](mailto:dave@808flooring.com)

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# LEE A. OHIGASHI



August 21, 2017

Honorable Karl Rhoads  
Chair, Senate Committee on Water and Land  
State Captol, Room 204  
Honolulu, Hawaii 96813

Re: Nomination to the Land Use Commission

Dear Chairman Rhoads

Thank you for offering an opportunity to provide input to your committee regarding my nomination to the Land Use Commission. I will be responding to your questions in the Order presented:

**1. Please describe your understanding of the role and jurisdiction of the Land Use Commission (Commission).**

Hawaii Revised Statutes Chapter 205 provides that the jurisdiction and role of the Commission is to determine whether to permit Boundary Amendments to change underlying designation Lands and Special Use Permits to permit certain uses on Lands in Hawaii that is greater than 15 acres.

The commission also designates Important Agricultural Lands of parcels that is greater than 15 acres.

The role of the commission is to ensure that the matters before it are vetted fully and to provide for public participation in the process.

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**2. How do you perceive the role and responsibilities of a member of the Commission?**

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The Commissioners are charged with determining whether the standards of the Chapter 205, HRS are met. It requires a review of the documents that have been filed and placed into evidence and the testimony of relevant witnesses.

Primarily, it is the responsibility of each Commissioner to adhere to and follow the Public Trust Doctrine that is contained in the State Constitution and Chapter 205, HRS.

Finally, members of the Commission should facilitate and encourage public input into the process.

**3. Why do you wish to serve as a member of the Commission? Please note if you applied to be nominated to the Commission or if you were invited to apply.**

The reason for my application was to make a difference in the area of providing affordable housing fo the residents of Hawaii.

**4. Please describe why believe that you are qualified to be a member of the Commission, including your designation as the member representing Maui County. Please discuss any skills, expertise, knowledge, or volunteer involvement that would aid in your decision-making ability.**

I have been practicing law on Maui since 1980. My practice included being a Deputy Corporation Counsel for the Planning Department of the County of Maui from 1980-1985. From 1985 to the present, I have been in private practice emphasizing in Family Law. I have represented persons from all walks of life. My clients are residents of Maui, Molokai and Lanai. I believe that my education; experience in the practice of law and life experience will assist in my decision making process.

My past and present involvement in my Community would also assist me in my decision making process. I have held positions in State and County Boards and Commissions. My wife and I are supporters of higher education on Maui. My involvement in the Maui Jaycees, Maui Japanese Chamber of Commerce and Japanese Cultural Society has offered me the opportunity to work with other community individuals for programs that are beneficial to the County of Maui. I have done pro bono work for my neighborhood concerning Land Use decisions before the County of Maui.

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**5. What do you hope to accomplish during your term of service on the Commission?**

To expand affordable housing in the State of Hawaii and to have an impact on the Homeless situation.

**6. What issues do you believe that the Commission has handled well in the past? What issues do you believe that the Commission should address in the future?**

Since the advent of the KA PA`AKAI O KA`AINA case and the meetings that I have attended so far, the Commission's review of

traditional and customary native Hawaiian rights has been superior.

I believe that the immediate concern of the Commission should be our housing crisis.

**7. Can you foresee any possible conflicts of interests involving you that could arise during your service on the Commission? How would you address any possible conflicts of interest?**

I have not worked on any projects that are before the Commission. I may have Clients who may appear as Applicants or Witnesses. If I am acquainted with any of the persons before the Commission, I will disclose the relationship and if necessary, recuse myself.

**8. Is there any other information regarding your experience and background that you believe should be considered for your nomination?**

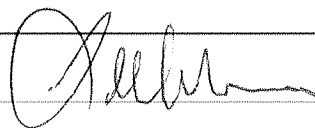
Being a life long resident of the Island of Maui, I know about and/or familiar with the different areas and communities that will be brought before the Commission. My family has been a part of Maui since early 1900s and we continue to live and work on Maui. This is my family's home.

Again thank you for this opportunity and I hope to be able to meet with you and the rest of the Committee on this matter.

If there are any questions, please feel free to call me at  
[REDACTED]

Very truly yours,

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LEE A. OHIGASHI