



Raising the Bar of Continuing Legal Education

## ACCREDITATION

*Hawai'i RE:*  
6.0 hours pending

*Washington &  
California CLE:*  
9.5 Credits

### Who Should Attend:

- Attorneys and Legal Staff
- Government Officials
- Planners
- Landowners
- Developers
- Real Estate Professionals
- Appraisers
- Environmentalists
- Anyone Concerned with the Present and Future Use of Hawai'i's Land

# 4th Hawai'i Land Use Law

JANUARY 15 & 16, 2009

◆ ALA MOANA HOTEL

◆ HONOLULU, HI

## Don't Miss This Conference!

*The Hawai'i system of land use is complex and private land use is highly regulated. Attorneys and legal staff, planners, government officials, land owners and developers need to understand the complex federal, state and local requirements and procedures.*

*An expert faculty of land use practitioners, planners and regulators will explain the latest issues in land use law as it affects all Hawaiians. This program will give you the tools you need to fully participate in the Hawai'i land use system.*

### Conference Co-Sponsors:

**Real Property & Financial  
Services Section of the HSBA**

**William S. Richardson  
School of Law**

**5 EASY  
WAYS TO  
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- ① **ONLINE:** [www.TheSeminarGroup.net](http://www.TheSeminarGroup.net)
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**CONFERENCE  
SCHEDULE  
INSIDE** ➤



# Hawai'i Land Use Law ~ Honolulu, HI

Thursday, Jan. 15, 2009

**9:00 Welcome & Introduction to Day One**  
Prof. David L. Callies, FAICP, ACREL, Program Co-Chair  
*William S. Richardson School of Law*

**Benjamin A. Kudo, PhD, Program Co-Chair**  
*Imanaka Kudo & Fujimoto LLC*

**9:10 Critical Legal Issues in Hawai'i Land Use Law and a Look to the Future**  
• Summary of Critical Issues  
Prof. David L. Callies  
*William S. Richardson School of Law*

• Commentary on Summary  
Benjamin A. Kudo, PhD  
*Imanaka Kudo & Fujimoto LLC*

**9:45 Eminent Domain**  
• Leasehold to Fee Conversion Laws; The Meaning of Public Use  
James K. Mee  
*Ashford & Wriston LLP*

• Privately Initiated Condemnation  
William K. Meheula  
*Winer Meheula & Devens LLP*

**10:45 Break**

**11:00 Federal Statutory Requirements ~ A Panel Discussion**  
The Endangered Species Act; Environmental Impact Statement (EIS); Section 404 Dredge & Fill Permits  
Prof. Denise E. Antolini *William S. Richardson School of Law; University of HI at Manoa*  
Patricia E. Billington *U.S. Army Corps of Engineers*

**12:00 Keynote Lunch Presentation: Transit-Oriented Development**  
Federal Policy and Structuring Transactions  
Jay J. Levin  
*Powell Goldstein LLP, Atlanta, GA*

**1:30 Land Use Districts and the Land Use Commission**  
Important Agricultural Lands Designation; Expansion of the Rural District  
David Arakawa, Exec. Director  
*Land Use Research Foundation of Hawai'i*

Orlando R. "Dan" Davidson, Exec. Officer  
*State of Hawai'i, Land Use Commission*

**2:15 Emerging Water Issues**  
Coastal Zone Management Permits; Hawai'i's Floodway, Floodplain and Coastal Inundation Zone Requirement  
Robert H. Thomas  
*Damon Key Leong Kupchak Hastert*

**3:00 Break**

**3:15 View From Hawai'i Community Development Authority (HCDA)**  
Anthony J.H. Ching, Exec. Director  
*Hawai'i Community Development Authority*

**4:00 The Green Movement**  
Land Use and Zoning Issues  
Prof. Denise E. Antolini  
*William S. Richardson School of Law; University of HI at Manoa*

**4:45 Questions and Answers**  
Members of the Faculty

Friday, Jan. 16, 2009

**9:00 Welcome & Introduction to Day Two**  
Prof. David L. Callies, FAICP, ACREL, Program Co-Chair  
*William S. Richardson School of Law*  
Benjamin A. Kudo, PhD, Program Co-Chair  
*Imanaka Kudo & Fujimoto LLC*

**9:10 Transit Oriented Zoning and Transit Oriented Development**  
David K. Tanoue, Deputy Dir.  
*City and County of Honolulu, Dept. of Planning*  
Benjamin A. Kudo, PhD  
*Imanaka Kudo & Fujimoto LLC*

**9:45 Subdivision Requirements**  
Impact Fees and Exactions; State Statutory Requirements; Workforce Housing; Land Development Conditions and Workforce Housing  
Prof. David L. Callies  
*William S. Richardson School of Law*  
Christopher J. Cole  
*Carlsmith Ball LLP*

Madelyn D'Enbeau, County Attorney  
*Department of the Corporation Counsel, County of Maui, HI*

**11:00 Break**

**11:15 Cultural Impacts of Federal, State and Local Land Use Law; Burial Grounds**  
Prof. Carl C. Christensen  
*William S. Richardson School of Law; University of HI at Manoa*

Dawn Naomi S. Chang  
*Ku'ivalu*

**12:15 Questions and Answers**  
Members of the Faculty



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# THE SEMINAR GROUP ~ FACULTY

## Hawai'i Land Use Law

**Prof. David L. Callies, FAICP, ACREL, Program Co-Chair**, of the William S. Richardson School of Law came to the School in 1978, following a decade of adjunct teaching and private practice where he counseled local, state, and national government agencies in land use management and control, transportation policy, and intergovernmental relations.

**Benjamin A. Kudo, PhD, Program Co-Chair**, is a founding principal of Imanaka Kudo & Fujimoto, and leads the firm's Land Use, Administrative and Environmental Law section. He also heads up the Pacific-Asia business practice for the firm. He was previously an adjunct professor of law at the William S. Richardson School of Law.

**Jay J. Levin, Keynote Speaker**, a partner with the Atlanta, Georgia office of Powell Goldstein LLP, is the leader of the firm's Real Estate Finance & Development services group. His practice encompasses commercial real estate finance and development, commercial leasing, project finance, FHA-insured mortgage lending and construction contract matters.

**Prof. Denise E. Antolini**, an Associate Professor and Director of the Environmental Law program at the William S. Richardson School of Law, chairs the school's building committee. Her courses include torts, environmental law, environmental litigation, natural resources law, and legal writing.

**David Arakawa** is the Executive Director of the Land Use Research Foundation of Hawai'i, which works on behalf of landowners and developers, advancing the interests of the development community in land use laws and regulations. Prior to that, he was corporation counsel for the City and County of Honolulu for eight years.

**Patricia E. Billington**, Assistant District Counsel for the U.S. Army Corps of Engineers in the Honolulu District, is also primary legal counsel for the Department of the Army permit and civil works programs in Hawai'i, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

**Dawn Naomi S. Chang** is a principal with Ku'iwalu, a consulting company that builds community support for economic development projects. She is an expert on land issues and regulatory requirements and served 14 years as Deputy Attorney General and counsel to various state boards and commissions.

**Anthony J.H. Ching** is the Executive Director of the Hawai'i Community Development Authority, a position he assumed in January, 2008. He has considerable experience in planning and land use, and has worked as an administrator in state agencies for more than 25 years.

**Prof. Carl C. Christensen** holds an appointment as Visiting Assistant Professor of Law at the William S. Richardson School of Law, University of Hawai'i, where he presently teaches Indian Law. Prior to accepting his current position, he served as Senior Counsel to the U.S. Senate Committee on Indian Affairs.

**Christopher J. Cole**, a partner with Carlsmith Ball LLP, concentrates in the area of civil litigation, with an emphasis in labor and employment law, real estate litigation, environmental litigation, and complex commercial litigation.

**Orlando R. "Dan" Davidson** is Executive Officer of Hawai'i's Land Use Commission, a position he assumed in May, 2008. He was previously executive director of the Hawai'i Housing Finance and Development Corporation and has also served as executive director of the Land Use Research Foundation.

**Madelyn D'Enbeau** is an attorney with the Department of the Corporation Counsel, County of Maui, State of Hawai'i.

**James K. Mee**, a partner at Ashford & Wriston LLP, has practiced with the firm since 1982. He focuses his practice on real estate transactions, property rights litigation, land use, estates and trusts, Hawaiian rights, and appeals, and has served as the landowner representative to the Hawai'i State Leasehold Forum.

**William K. Meheula**, a partner with Winer Meheula & Devens LLP, focuses his practice on civil litigation involving legal malpractice, medical malpractice, trust & estates, real estate, insurance and other types of complex commercial litigation for either side.

**David K. Tanoue**, Deputy Director of the Department of Planning and Permitting, City and County of Honolulu, was previously a senior deputy attorney with the Department of Corporation Counsel.

**Robert H. Thomas**, a Director with Damon Key Leong Kupchak Hastert, focuses on issues involving appeals, regulatory takings, eminent domain, water rights, land use (zoning and planning), shoreline issues, navigational servitudes, and voting rights. He is listed in *The Best Lawyers in America*.

## CONFERENCE INFORMATION

**Registration:** Please mail or email your registration as soon as possible since enrollment is limited, or you may also register with a credit card via email, online, fax or phone. Walk-in registrations will be accepted subject to space availability. Please call THE SEMINAR GROUP at (206) 463-4400 or (toll free) (800) 574-4852 or fax to (866) 435-3444 or email: [info@TheSeminarGroup.net](mailto:info@TheSeminarGroup.net)

**Tuition:** The tuition fee includes attendance at all sessions, coffee breaks, and all course materials. *Full Tuition:* \$795 per person; Special Government rate: \$695 per person; New Associate/Paralegal rate: \$560 per person. Student rate: \$497. Make checks payable to: THE SEMINAR GROUP.

**Save When Two or More Register:** Save \$50 each off of the *Full Tuition fee only* when two or more register from the same organization at the same time. Multiple discounts do not apply.

**Course Accreditation:** This course is approved by the Washington State Bar for 9.5 general CLE credits. The Seminar Group is a State Bar of California approved MCLE provider, therefore, this course is approved for 9.5 general CLE credits. Real Estate credit is pending for 6.0 hours with the Hawai'i Real Estate Commission. For information or accreditation in other states, please call THE

SEMINAR GROUP at (206) 463-4400 or (800) 574-4852.

**Substitution/Cancellation:** You may substitute another person at any time. We will refund tuition, less a \$50 cancellation charge, if we receive your cancellation by **Friday, January 9th, 2009**. No refunds will be given after this date.

**Course Materials:** Each participant will receive a set of course materials, prepared by the speakers especially for this conference, which will be invaluable as a future reference. The course materials alone are available for \$179 which includes shipping and handling.

**Homestudy Package:** Our complete Homestudy Course, consisting of a full DVD or Audio CD and the Course Materials, is available for \$805.00. This package has been approved by the Washington State Bar for 9.5 general self-study credits and may qualify for self-study credit in other states.

**Seminar Location:** The seminar will be held at the Ala Moana Hotel, 410 Atkinson Drive, (808) 955-4811. Please call the facility for directions/questions. A block of rooms at a special rate has been set aside at the Ala Moana. To reserve a room, please call Meyric Muraoka directly at 808-944-4334. MENTION: THE SEMINAR GROUP.



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**Hawai'i Land Use Law**  
 Jan. 15 & 16, 2009 • Ala Moana Hotel • Honolulu, HI

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Homestudy:  Video DVD & Materials  Audio CD & Materials

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**January  
 15 & 16, 2009  
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**4th Hawai'i  
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