

TOM PIERCE, ATTORNEY AT LAW, LLLC

TOM PIERCE 6983  
P.O. Box 798  
Makawao, Hawaii 96768  
Tel No. 808-573-2428  
Fax No. 866-776-6645  
Email: [tom@mauilandlaw.com](mailto:tom@mauilandlaw.com)

Attorney for Maui Tomorrow Foundation, Inc.,  
South Maui Citizens for Responsible Growth  
and Daniel Kanahele

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

**In the Matter of the Petition of**

KAONOULU RANCH

To Amend the Agricultural Land Use  
District Boundary into the Urban  
Land Use District for  
approximately 88 acres at  
Kaonoulu, Makawao-Wailuku,  
Maui, Hawaii

DOCKET NO. A-94-706

INTERVENORS' WITNESS LIST;  
CERTIFICATE OF SERVICE

**Filed by:** Maui Tomorrow Foundation, Inc.,  
South Maui Citizens for Responsible Growth  
and Daniel Kanahele

SHOW CAUSE HEARING DATE:  
November 1 & 2, 2012

**INTERVENORS' WITNESS LIST**

Maui Tomorrow Foundation, Inc., South Maui Citizens for Responsible Growth, and  
Daniel Kanahele ("Intervenors"), through their attorney Tom Pierce, Esq., hereby submit their  
witness list as follows:

**NON-EXPERT (LAY) WITNESSES**

At this time, Intervenors expect to call one or more of the following lay witnesses:

<b>Lay Witness</b>	<b>Expected to testify regarding:</b>
<b>Intervenors' Witnesses</b>	
<p>Carla Flood                      c/o Tom Pierce, Attorney at Law, LLLC                      PO Box 798                      Makawao, HI 96768</p>	<p>Conversations she had with Kaonoulu Ranch representatives in the 1990s while she was the Planning and Development Committee Chair of the Kihei Community Association.</p> <p>(Testifying by affidavit or declaration due to medical condition.)</p>
<p>Mark Hyde                      c/o Tom Pierce, AAL, LLLC                      PO Box 798                      Makawao, HI 96768</p>	<p>Differences between the 1995 industrial park proposal and the proposals of the current landowners</p>
<p>Irene Bowie                      c/o Tom Pierce, AAL, LLLC                      PO Box 798                      Makawao, HI 96768</p>	<p>Differences between the 1995 industrial park proposal and the proposals of the current landowners</p>
<p>Daniel Kanahale                      c/o Tom Pierce, AAL, LLLC                      PO Box 798                      Makawao, HI 96768</p>	<p>Differences between the 1995 industrial park proposal and the proposals of the current landowners</p>

<b>Adverse Witnesses</b>	
<p>Charles Jencks                      1300 N. Holopono Street Suite 201                      P.O. Box 220                      Kihei, HI 96753                      Telephone No.: (808) 879-5205                      Facsimile No.: (808) 879-2557</p>	<p>The nature of the past and current projects, as proposed by the landowners of the subject property, in his capacity as representative of Maui Industrial Partners, Eclipse Development, Piilani Promenade North, Piilani Promenade South, Honua`ula Partners, Ltd., Wailea 670 Associates, Inc., Goodfellow Bros.</p>

Intervenors reserve the right to call:

- Any witness called by Intervenors as an expert for lay witness testimony.
- Any and all non-expert witnesses named by Honua`ula Partners, Piilani Promenade North, Piilani Promenade South, County of Maui Department of Planning, State of Hawaii Office of Planning in their witness lists, including any amendments or supplements thereto, and any non-expert witnesses named in any and all other documents filed in this matter by the above named parties.
- Rebuttal witnesses as necessary.
- Witnesses made necessary by further discovery in this case.

**VI. EXPERT WITNESSES**

At this time, Intervenors expect to call one or more of the following expert witnesses:

Expert Witness	Expected to testify regarding:
<b>Intervenors' Witnesses</b>	
<p>Victoria A. Huffman, P.E.            Licensed Traffic Engineer, California            c/o Tom Pierce, AAL, LLLC            P.O. Box 798            Makawao, HI 96768</p>	<p>Ms. Huffman will testify that the traffic impacts of the proposed retail and housing projects are substantially different from those represented by Petitioner Kaonoulu Ranch in 1994 and 1995.</p> <p>Ms. Huffman will also testify regarding the public health and safety benefits of the connector road required in Condition 5 of the 1995 Land Use Commission Decision and Order and the loss of those benefits if the connector road is not required.</p>
<p>Mike Foley            Planner            c/o Tom Pierce, AAL, LLLC            P.O. Box 798            Makawao, HI 96768</p>	<p>Mr. Foley will testify regarding the difference between light industrial uses and retail shopping and retail outlet uses and employee housing uses, including how planners define these uses.</p>

<b>Expert Witness</b>	<b>Expected to testify regarding:</b>
Dick Mayer Economist and Community Planner c/o Tom Pierce, AAL, LLLC P.O. Box 798 Makawao, HI 96768	Mr. Mayer will testify regarding the economic and community planning differences between light industrial and retail in a number of specific areas, including the following: wages, contribution to community's economy, number of jobs created, sustainability of economies created, effect on South Maui's economy, South Maui's present infrastructure and commercial needs

Intervenors reserve the right to call:

- All expert witnesses listed by Honua`ula Partners, Piilani Promenade North, Piilani Promenade South, County of Maui Department of Planning, State of Hawaii Office of Planning in their witness lists, or in any pleading filed herein, and/or any amendments or supplements thereto.
- Rebuttal/impeachment expert witnesses as necessary.
- Any expert witness that Intervenors deem necessary in light of further discovery or evaluation of this case.

DATED: Makawao, Maui, Hawaii, October 11, 2012.

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TOM PIERCE  
 Attorney for Maui Tomorrow  
 Foundation, Inc., South Maui Citizens  
 for Responsible Growth, and Daniel Kanahele

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document, Intervenor's Witness List, was electronically mailed to the Hawaii Land Use Commission, and electronically served on the following on the date indicated below, pursuant to the Prehearing Order filed on September 11, 2012. The required hard copies of the documents shall be mailed to the Hawaii Land Use Commission and upon the following at their addresses of record United States Mail, first class mail, postage prepaid within 48 hours of the date indicated below.

Jonathan H. Steiner  
Joel D. Kam  
McCorrison Miller Mukai MacKinnon LLP  
P.O. Box 2800  
Honolulu, HI 96803-2800

John S. Rapacz  
Attorney At Law  
P.O. Box 2776  
Wailuku, HI 96793

**Attorneys for Pi`ilani Promenade North, Pi`ilani Promenade South and  
Honua`ula Partners LLC**

Bryan C. Yee  
Deputy Attorney General  
Dept. of the Attorney General  
425 Queen Street  
Honolulu, HI 96813

**Attorney for Office of Planning**

Jane E. Lovell  
Michael Hopper  
Corporation Counsel  
200 S. High St.  
Wailuku, HI 96793

**Attorneys for Department of Planning, County of Maui**

DATED: Makawao, Maui, Hawaii, October 11, 2012.

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TOM PIERCE  
Attorney for Maui Tomorrow  
Foundation, Inc., South Maui Citizens  
for Responsible Growth, and Daniel Kanahele