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GREGORY K. SCHLAIS 9042
ASB Tower, Suite 2200
1001 Bishop Street
Honolulu, Hawaii 96813
Tel. No.: (808) 523-2500
Facsimile No.: (808) 523-0842

Attorneys for Petitioner
WAIKŌ INDUSTRIAL INVESTMENT, LLC

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of
WAIKŌ INDUSTRIAL INVESTMENT, LLC

DOCKET NO. A12-796

To Amend the Land Use District Boundary of
Certain Lands Situated at Waikapu, Wailuku,
Island of Maui, State of Hawai'i, Consisting of
approximately 31.222 Acres, from the
Agricultural District to the Urban District, Tax
Map Key No. (2) 3-8-007:102.

LAND USE COMMISSION
STATE OF HAWAII
2012 NOV 21 P 1:57

PETITIONER WAIKO INDUSTRIAL INVESTMENT, LLC'S LIST OF WITNESSES¹

PETITIONER WAIKO INDUSTRIAL INVESTMENT, LLC'S LIST OF EXHIBITS²

EXHIBITS "1" - "51"

CERTIFICATE OF SERVICE

¹ Please refer to the attached that is being submitted simultaneously herewith for Petitioner WAIKO INDUSTRIAL INVESTMENT, LLC'S List of Witnesses, List of Exhibits and Exhibits "1"- "51".

² Please note that per Petitioner WAIKO INDUSTRIAL INVESTMENT, LLC's letter dated November 21, 2012 submitted herewith Exhibits "50" and "51" will be submitted at a later date.

PETITIONER: WAIKO INDUSTRIAL INVESTMENT, LLC

WITNESSES FOR LUC HEARING

NAME/ORGANIZATION/POSITION	TO BE QUALIFIED AS AN EXPERT IN:	SUBJECT MATTER	WRITTEN TESTIMONY	ORAL TESTIMONY?
Charles Jencks / Pacific Rim Land Company	Not an expert witness	Project development	YES	YES
David Ward / Consolidated Baseyards	Land use planning	Land use planning and water system design	YES	YES
Vince Bagoyo / Bagoyo Development Consulting Group	Planning, land use, and environmental review	Planning, land use and environmental review	YES	YES
Phillip Rowell / Phillip Rowell and Associates	Traffic engineering	Traffic	YES	YES
Tom Nance / Tom Nance Water Resource Engineering	Groundwater and surface water development Hydraulics and water system design	Hydrology and water resource engineering	YES	YES
Erik Fredricksen / Xamanek Researches, LLC	Archaeology/Historic Preservation and cultural assessments	Archaeology/Historic Preservation and cultural impacts	YES	YES
Stacy A. Otomo / Otomo Engineering	Engineering	Engineering	YES	YES

PETITIONER: WAIKO INDUSTRIAL INVESTMENT, LLC

WITNESSES FOR LUC HEARING

	NAME/ORGANIZATION/POSITION	TO BE QUALIFIED AS AN EXPERT IN:	SUBJECT MATTER	WRITTEN TESTIMONY	ORAL TESTIMONY?
	Glenn K. Kunihisa / ACM Consultants	Market and Economic/Fiscal Analysis	Market, economic and fiscal issues	YES	YES
	Robert W. Hobby Ph.D. / Environmental Consultant	Biological resources	Biological resources	YES	YES
	John S. Vuich / Malama Environmental	Environmental site assessments	Environmental impacts	YES	YES
	Roderick Fong	Not an expert	Historical use of the subject property	YES	YES

LAND USE COMMISSION

DOCKET NO./PETITIONER: A12-796/WAIKO INDUSTRIAL INVESTMENT, LLC

WAIKO INDUSTRIAL INVESTMENT, LLC

FIRST LIST OF EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	PARTY: OBJECTIONS	ADMIT
	For Exhibits 1 - 11, see the Petitioner's Exhibits filed with the corresponding Exhibit number in this Docket A12-796 with that certain Petition for Land Use District Boundary Amendment filed September 13, 2012 and that certain First Amendment to Petition filed October 9, 2012		
1	Final Environmental Assessment for the Proposed Waiko Baseyard Light Industrial Project (August 8, 2012)		
2	July 16, 2012 Letter from Maui County Department of Planning to Mr. Gary Hooser, Director, Office of Environmental Quality Control re Finding of No Significant Impact		
3	Authorization of Waiko Industrial Investment, LLC dated June 19, 2012		
4	Warranty Deed dated December 24, 2009 (Document No. 2010-108418)		
5	Chapter 19.24, Maui County Code		
6	Current Balance Sheet and Income Statement as of December 31, 2011		
7	Affidavit of Service of Petition for District Boundary Amendment		

DOCKET NO./PETITIONER: A12-796/WAIKO INDUSTRIAL INVESTMENT, LLC

WAIKO INDUSTRIAL INVESTMENT, LLC

FIRST LIST OF EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	PARTY: OBJECTIONS	ADMIT
8	Notification of Petition Filing		
9	Map Showing Location of Proposed Development in Relation to Adjacent Land Use Districts		
10	Memorandum from Tom Nance of Tom Nance Water Resource Engineering to Vince Bagoyo dated October 1, 2012		
11	Map Depicting Location of Existing Civil Defense Siren		
12	Project Site Map (Island of Maui)		
13	Proposed General Plan Map		
14	Regional Setting Map		

For Exhibits 1 - 11, see the Petitioner's Exhibits filed with the corresponding Exhibit number in this Docket A12-796 with that certain Petition for Land Use District Boundary Amendment filed September 13, 2012 and that certain First Amendment to Petition filed October 9, 2012

DOCKET NO./PETITIONER: A12-796/WAIKO INDUSTRIAL INVESTMENT, LLC
 WAIKO INDUSTRIAL INVESTMENT, LLC

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15	Regional Location Map		
16	Tax Map		
17	Conceptual Plan		
18	Soil Association Map		
19	ALISH Map		
20	Flood Insurance Rate Map		
21	Proposal and Confirmation Letters Re Consolidated Baseyard Private Water System		
22	Map of Well Nos. 1 and 2		

DOCKET NO./PETITIONER: A12-796/WAIKO INDUSTRIAL INVESTMENT, LLC

WAIKO INDUSTRIAL INVESTMENT, LLC

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23	Well No. 1 Drawing		
24	Well No. 2 Drawing		
25	Backhoe Test Trench Location Map (East Section)		
26	Backhoe Test Trench Location Map (West Section)		
27	State Historic Preservation Division Letters dated May 31, 2012 approving of the Archaeological Assessment Report and Archaeological Monitoring Plan		
28	Written direct testimony of Charles G. Jencks, Pacific Rim Land, Inc.		
29	Resume of Charles G. Jencks		
30	Written direct testimony of David Ward, Consolidated Baseyard		

LAND USE COMMISSION

DOCKET NO./PETITIONER: A12-796/WAIKO INDUSTRIAL INVESTMENT, LLC

WAIKO INDUSTRIAL INVESTMENT, LLC

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31	Company Bio, Frampton and Ward		
32	Written direct testimony of Vince Bagoyo, Bagoyo Development Consulting Group		
33	Resume of Vince Bagoyo		
34	Written direct testimony of Phillip J. Rowell, Phillip Rowell and Associates		
35	Resume of Phillip J. Rowell		
36	Written direct testimony of Tom Nance, Tom Nance Water Resource Engineering		
37	Resume of Tom Nance		
38	RESERVED		

DOCKET NO./PETITIONER: A12-796/WAIKO INDUSTRIAL INVESTMENT, LLC

WAIKO INDUSTRIAL INVESTMENT, LLC

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39	Written direct testimony of Erik Fredricksen, Xamanek Researches, LLC		
40	Resume of Erik Fredericksen		
41	Written direct testimony of Stacy A. Otomo, Otomo Engineering		
42	Resume of Stacy A. Otomo		
43	Written direct testimony of Glenn K. Kunihisa, ACM Consultants		
44	Resume of Glenn K. Kunihisa		
45	Written direct testimony of Robert W. Hobby, Ph.D.		
46	Resume of Robert W. Hobby		

LAND USE COMMISSION

DOCKET NO./PETITIONER: A12-796/WAIKO INDUSTRIAL INVESTMENT, LLC

WAIKO INDUSTRIAL INVESTMENT, LLC

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47	Written direct testimony of John S. Vuich, Malama Environmental		
48	Resume of John S. Vuich		
49	Written direct testimony of Roderick Fong		
50	Water Agreement		
51	Cancellation of Easement		

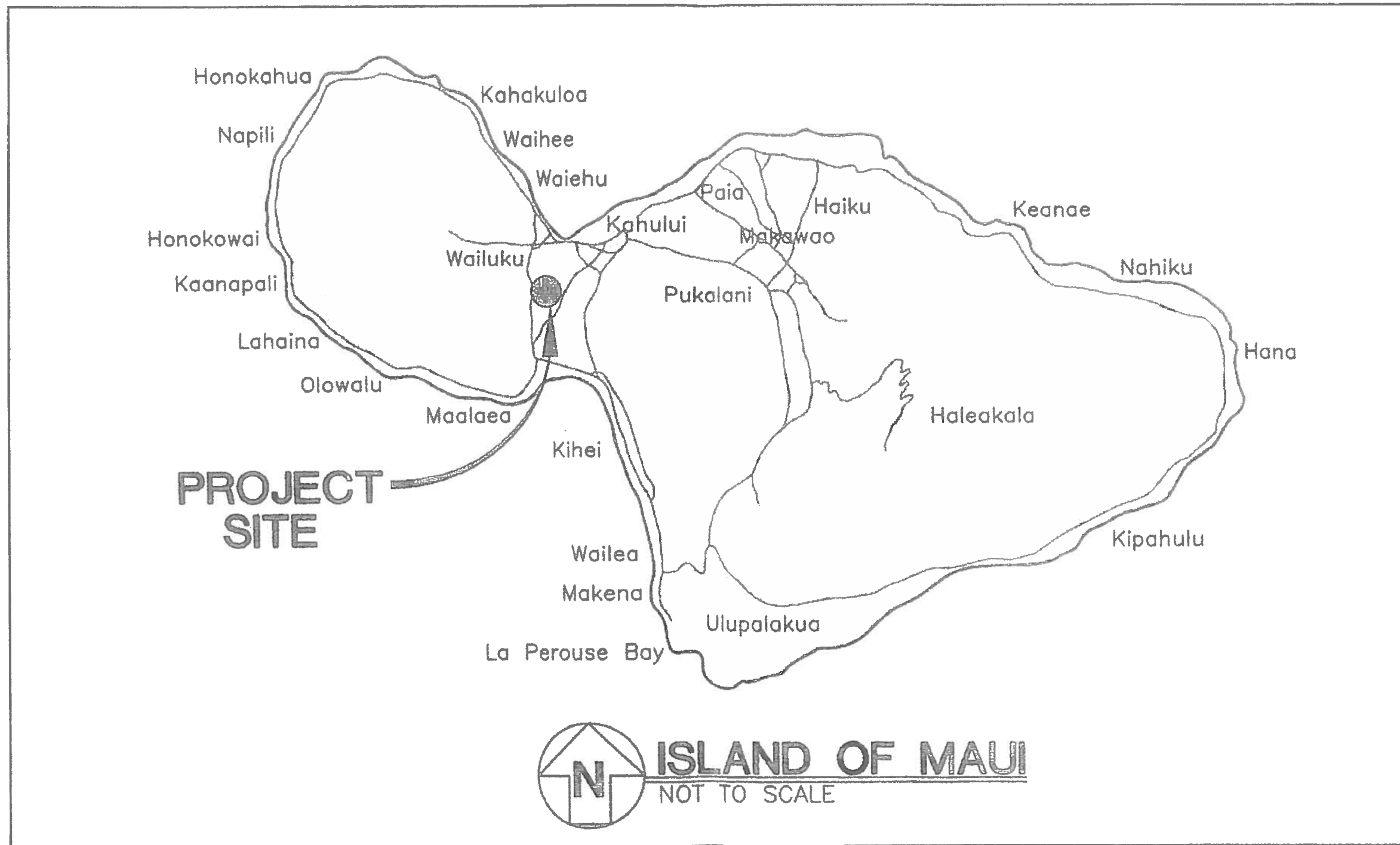


Figure C

Waikō Baseyard Light Industrial Subdivision
TMK (2) 3-8-007-102
Location Map

Prepared for:
Waikō Industrial Investment, LLC



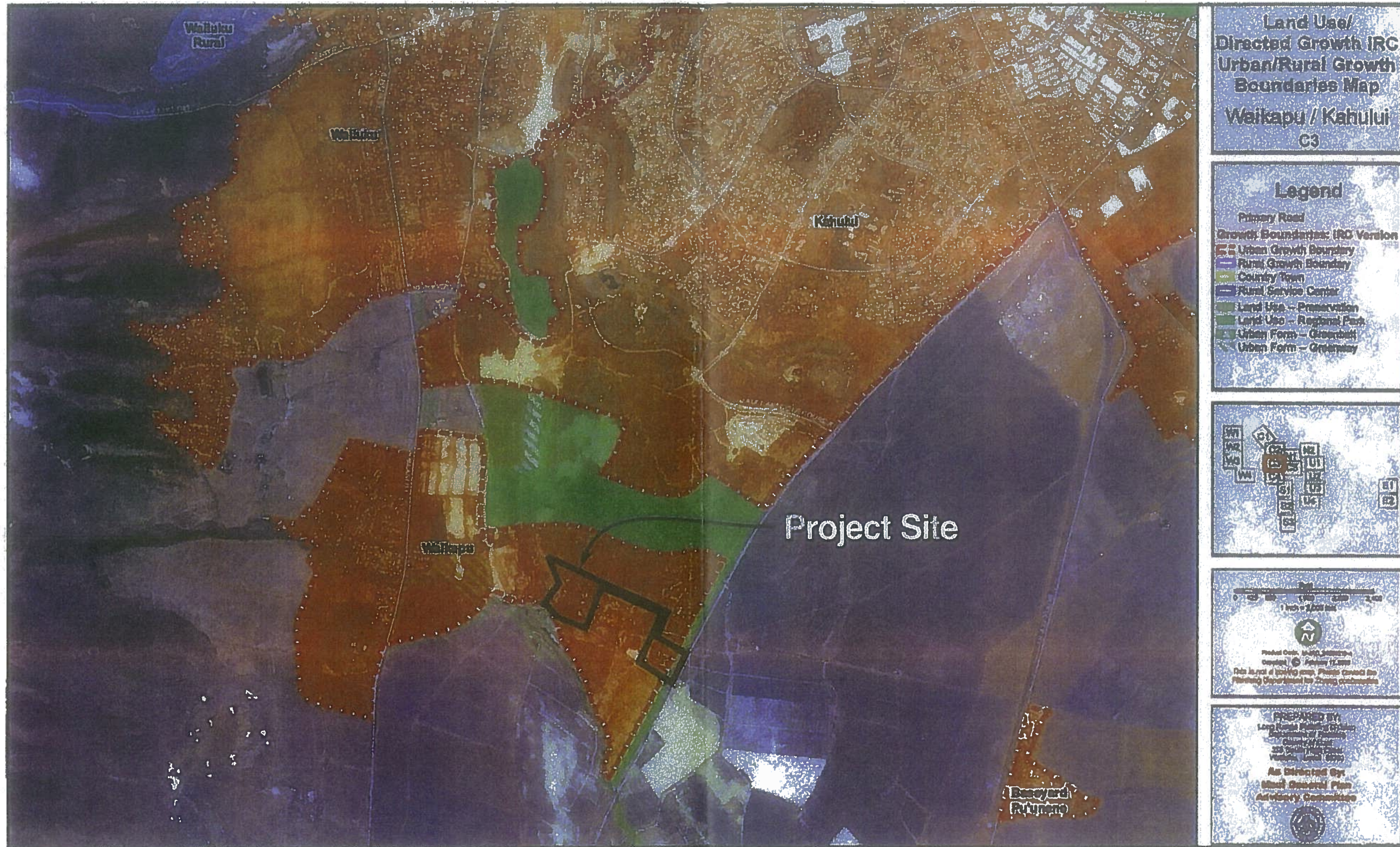


Figure 1

Waikō Baseyard Light Industrial Subdivision
 TMK (2) 3-8-007-102
 Proposed General Plan

Prepared for:
 Waikō Industrial Investment, LLC



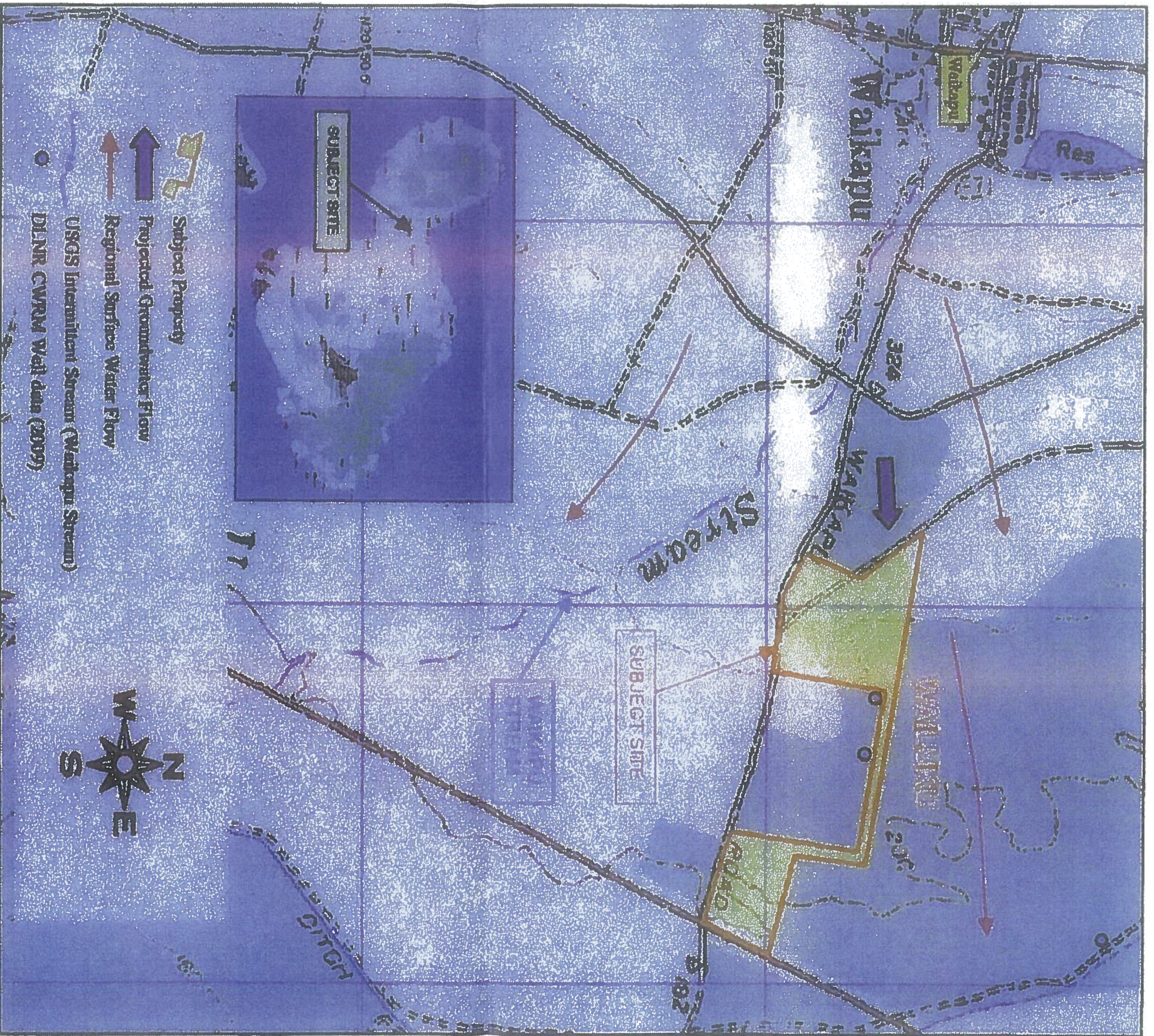


Figure B Waikō Baseyard Light Industrial Subdivision
 Prepared for: Waikō Industrial Investment, LLC
 TMK (2) 3-8-007-102
 Regional Setting Map



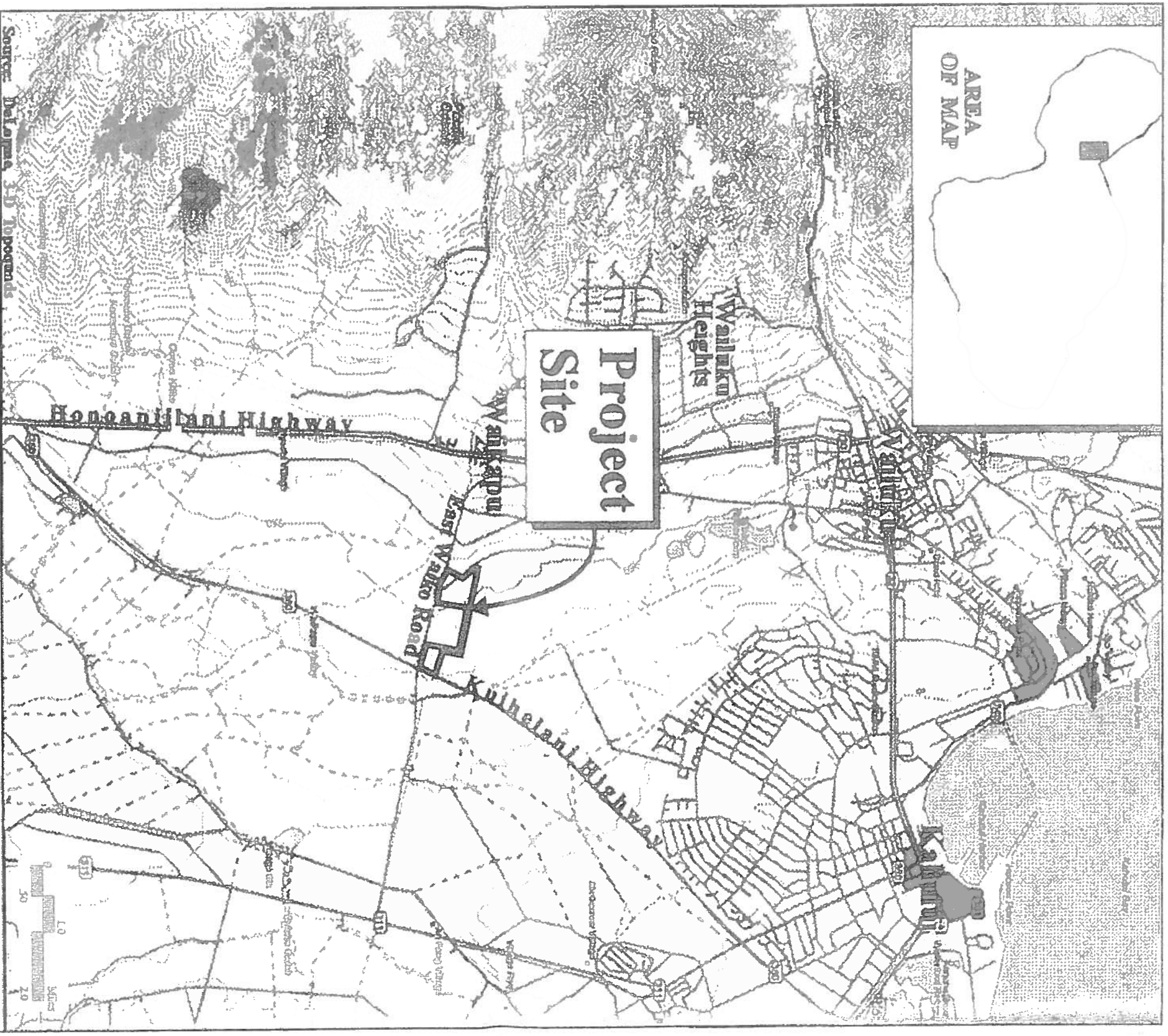


Figure A Waikō Baseyard Light Industrial Subdivision
 Prepared for:
 Waikō Industrial Investment, LLC

TMK (2) 3-8-007-102
 Regional Location Map



EXHIBIT 16

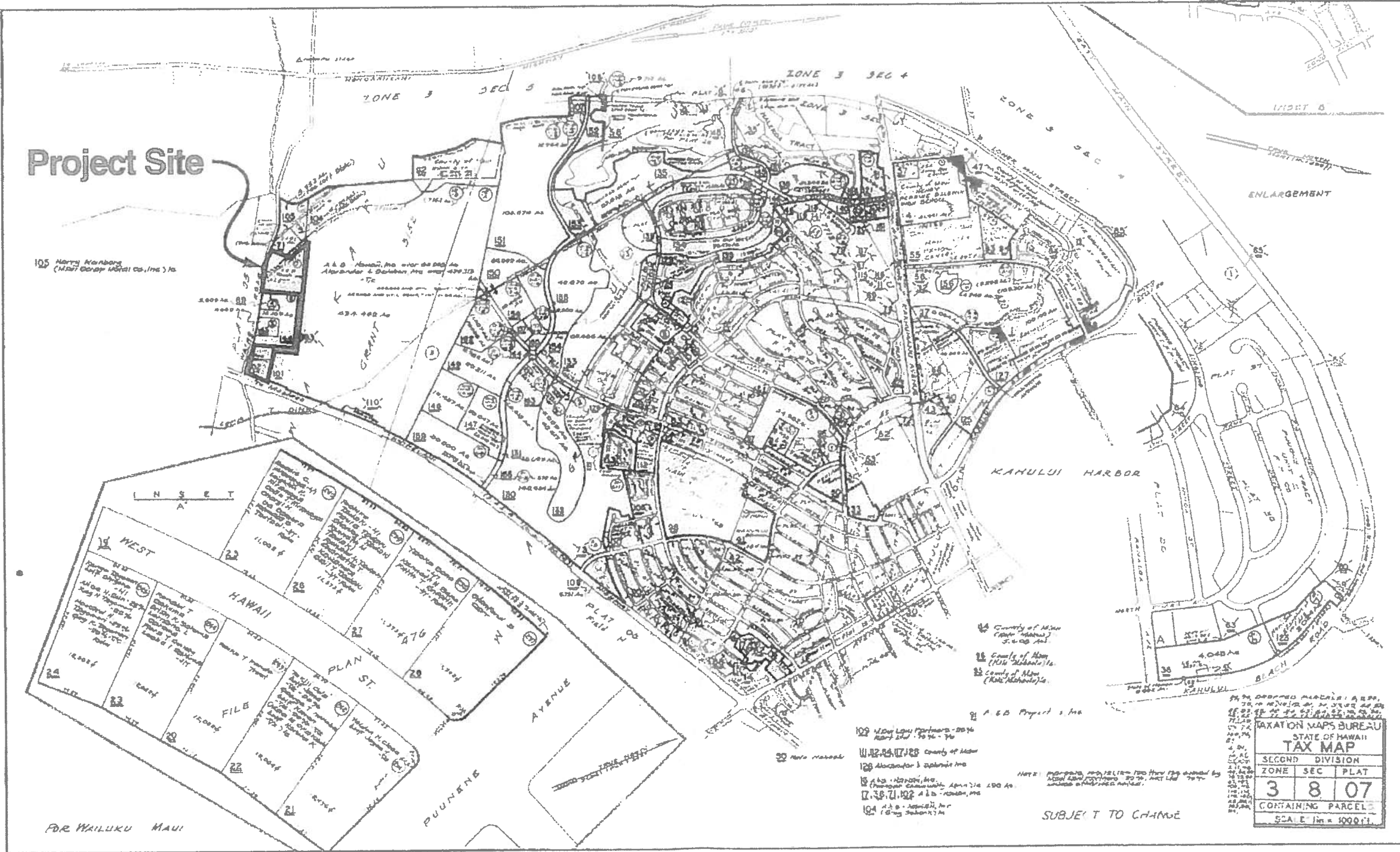
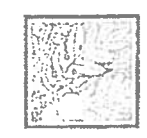


Figure E

Waikō Baseyard Light Industrial Subdivision
Tax Map Key (2) 3-8-007-102

Prepared for:
Waikō Industrial Investment, LLC



BAGOYO
DEVELOPMENT
CONSULTING GROUP

LOT 12-A
TRAC: (2) 3-8-07: 101

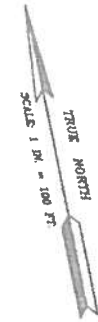
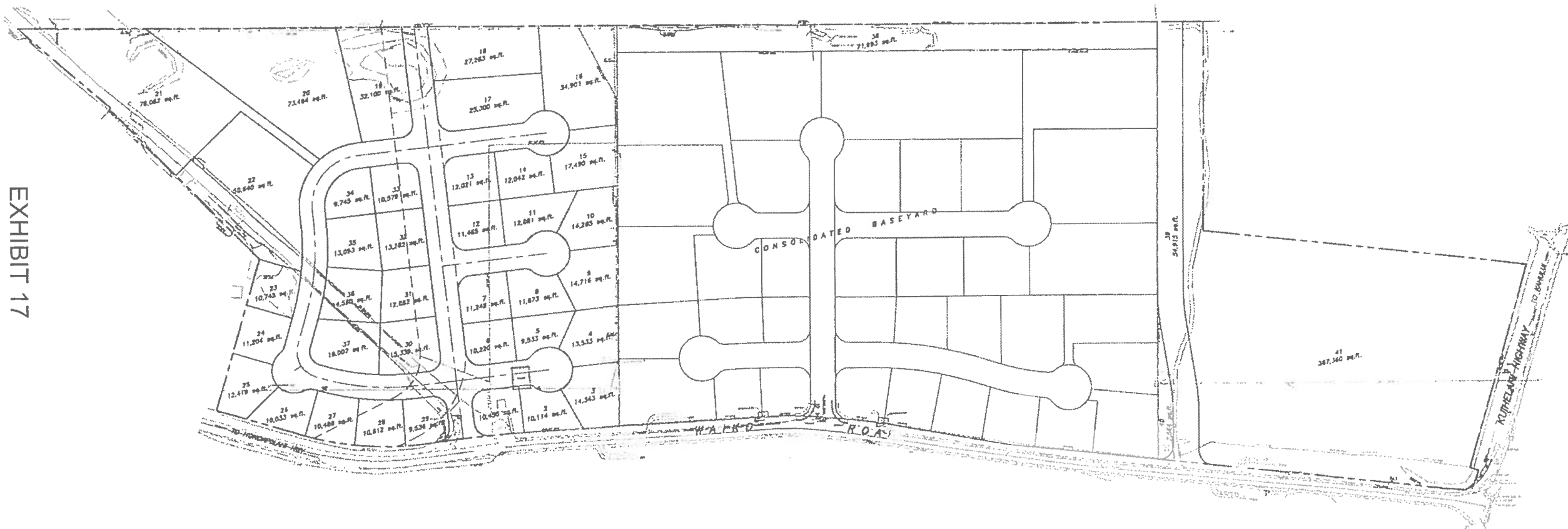


EXHIBIT 17














WAIKO INDUSTRIAL PARK
CONCEPTUAL PLAN
SCALE: 1 IN. = 100 FT.

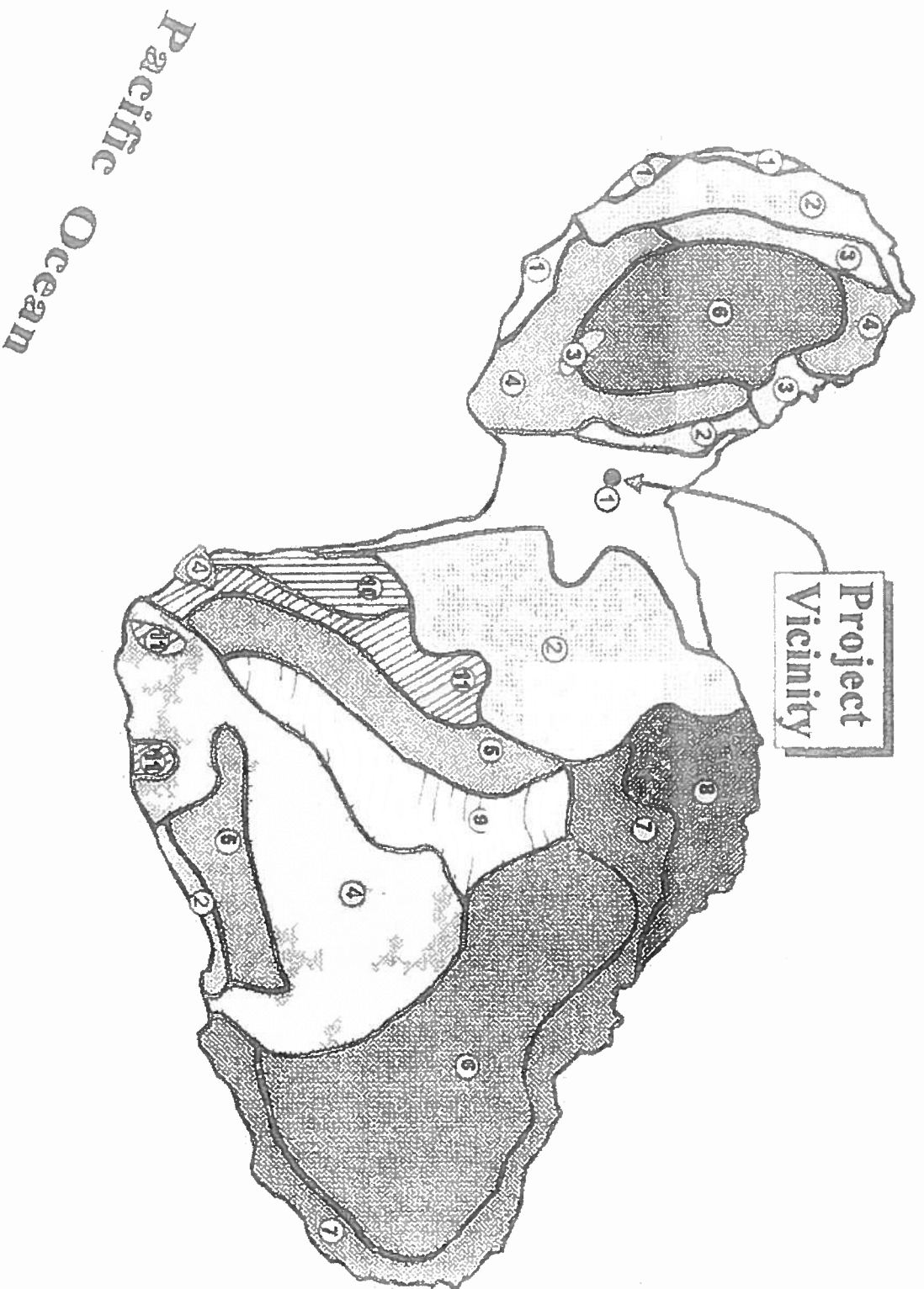
OTOMO
ENGINEERING, INC.
CONSULTING CIVIL ENGINEERS
305 S. HIGH STREET, STE. 101
MILWAUKEE, WISCONSIN 53212
PHONE: (414) 342-8878
FAX: (414) 242-8778

DATE: 2/25/11

FEBRUARY 25, 2011

LEGEND

- | | |
|---|---|
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Map Source: USDA Soil Conservation Service

Figure F Waikō Baseyard Light Industrial Subdivision
 Prepared for: Waikō Industrial Investment, LLC
 TMK (2) 3-8-007-102
 Soil Association Map



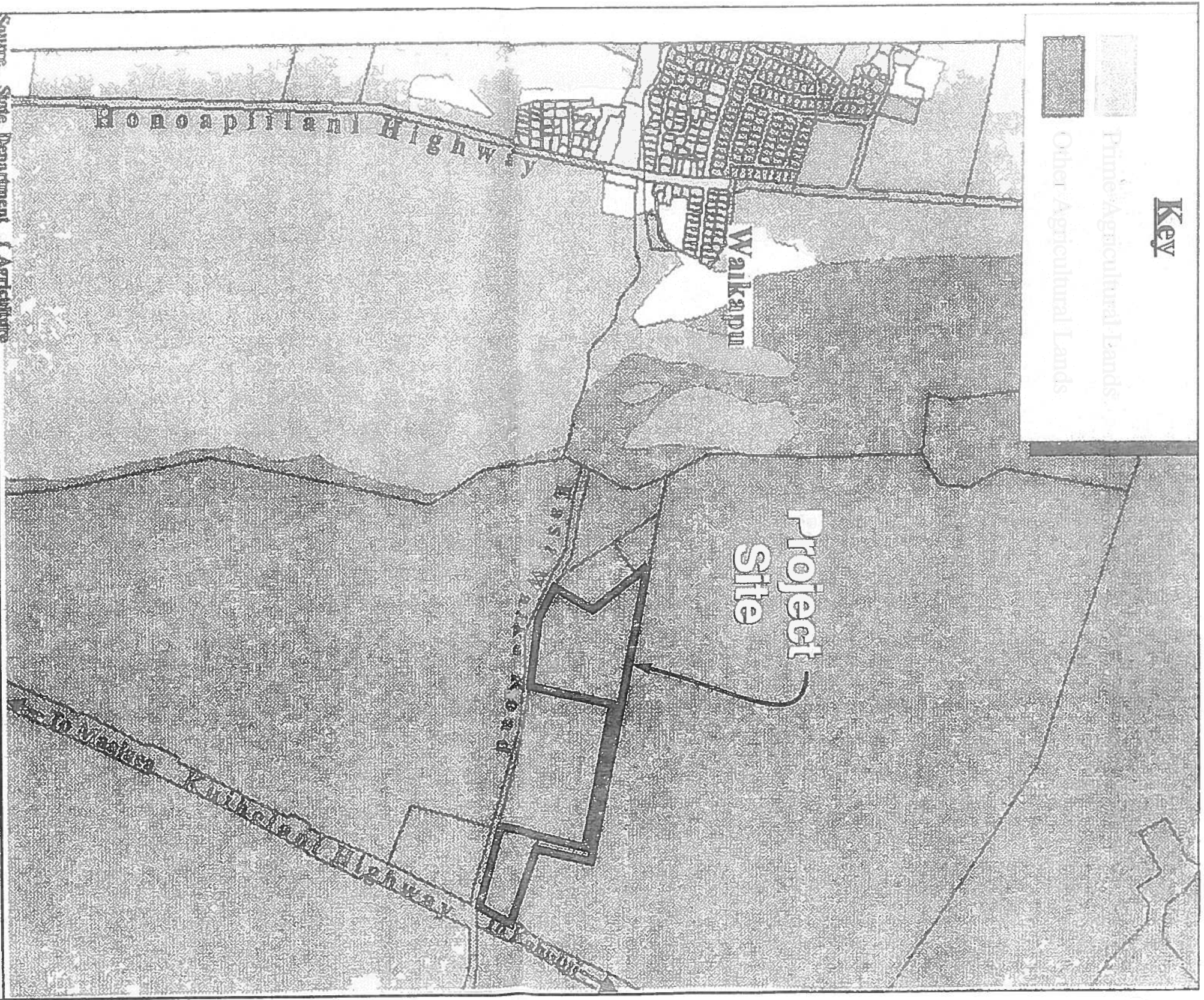
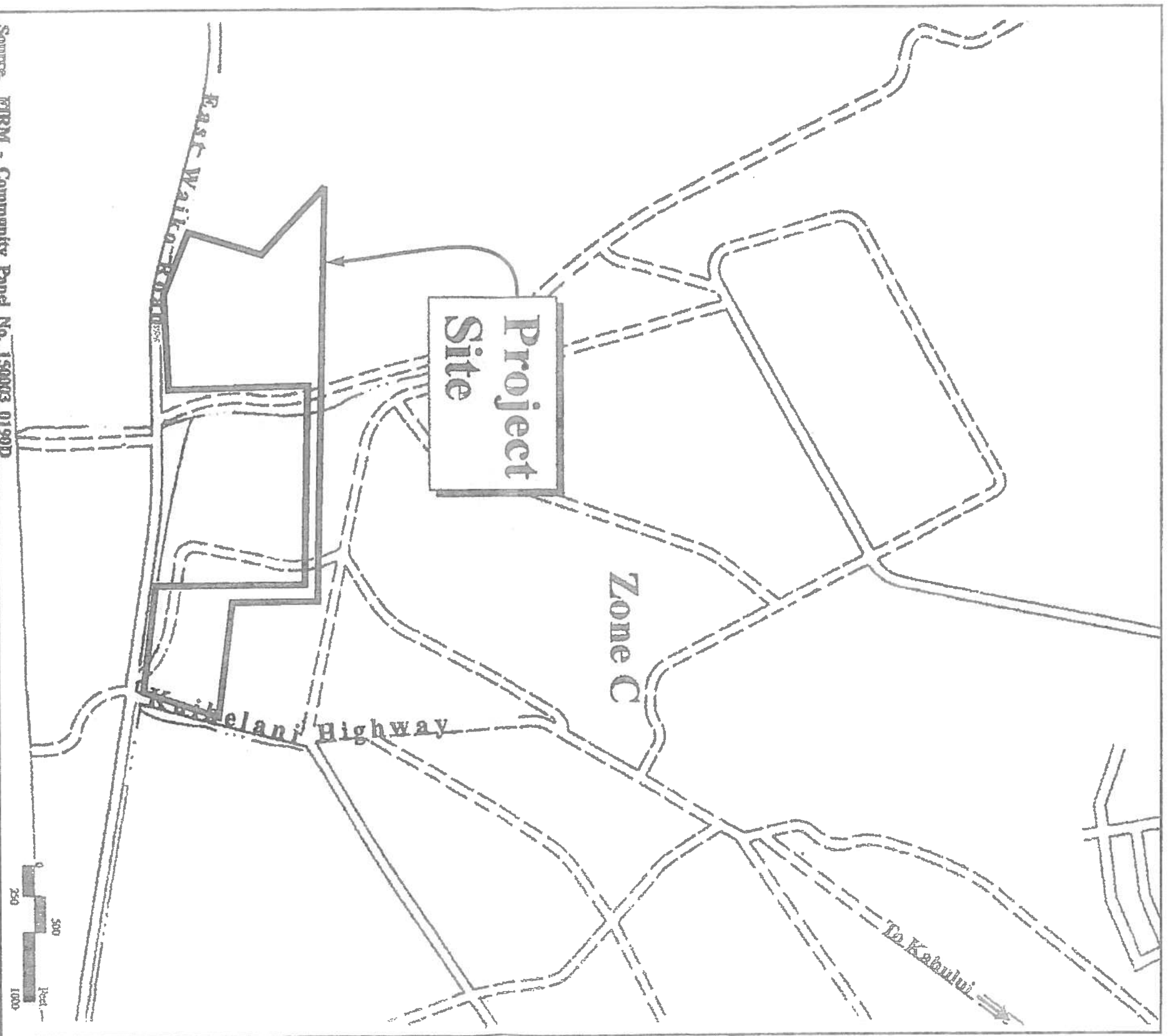


Figure G Waikō Baseyard Light Industrial Subdivision
 Prepared for: Waikō Industrial Investment, LLC
 TMK (2) 3-8-007-102
 ALISH Map





Source: FIRM - Community Panel No. 150003 0190D

Figure H Waikō Baseyard Light Industrial Subdivision
 TMK (2) 3-8-007-102
 Flood Insurance Rate Map

Prepared for:
 Waikō Industrial Investment, LLC





P A C I F I C R I M L A N D, I N C.

July 5, 2011

Mr. David Ward
Consolidated Baseyards
Frampton & Ward
2073 Wells Street, Room 101
Wailuku, HI 96793

Subject: Waiko Baseyard ("WB") Light Industrial Project proposed connection and use of the Existing Consolidated Baseyard ("CB") Water Source & Storage System

Dear Mr. Ward:

I am writing to you on behalf of Waiko Industrial Investments, LLC, the owner of a 31.22 acre parcel located immediately adjacent to the Consolidated Baseyard Subdivision 35 lot Subdivision. On behalf of the owners of WB, we are presently in the process of preparing the land use entitlement applications to develop the WB property as a light industrial/commercial subdivision consisting of approximately 38 developable lots. Please see the attached conceptual site plan of proposed project.

The purpose of this letter is to explore with you the possibility of utilizing the private water source developed for the Consolidated Baseyard as a water source and storage system for the WB project. We believe this proposed arrangement will benefit both parties by allowing the use of an existing system to serve additional light industrial activity and assist the current owners of the CB system by reducing long term maintenance costs and providing improvements to the existing system that will improve its efficiency and utility. Based upon the projection of demand for the CB system, the projected use of water for the WB facility is projected to be 139,000 gpd. Based upon the results of the water source study provide by Mr. Tom Nance discussed below this incremental increase in use is expected to be easily handled by the existing CB water system.

In support of our proposed joint use of the CB water system the WB ownership commissioned Mr. Tom Nance of Tom Nance Water Resource Engineering to conduct a preliminary engineering evaluation of the existing water system with particular attention paid to the ability of the system to adequately and safely provide the water source needed for both the CB and WB projects. The initial findings by Mr. Nance indicate that there is more than adequate capacity to provide water services to both projects subject to the following recommendations:

- As an assurance to ensure long-term stability/quality of the existing wells at the increased pumping rate necessary to serve both projects, it is recommended in Mr. Nance's preliminary engineering analysis to install a temporary 235 GPM pump in one of the wells and run a pump test of a minimum of 72 hours duration to monitor the water quality response to that pumping regimen. Factors to be reviewed will be drawdown, temperature, salinity, etc. and all results will be shared with you. It is

Mr. David Ward
July 5, 2011
Page 2

expected this test will prove the capacity of the resource and assure CB of the ability of the system to serve both projects.

- The addition of water service to the proposed WB subdivision from the CB system would require both of the existing well pumps be replaced with new pumps capable of delivering 235 GPM to the system's 0.35 MG, 250-foot (spillway elevation) tank. Both well pumps will be driven by 25-horsepower motors. The pumps presently in wells 1 and 2 are driven by 7.5- and 15-horsepower motors, respectively. These improvements will be permitted and installed at no cost to the CB owners.

All of the costs associated with the above recommendations and any other improvements necessary to the existing water system that may be required to satisfy the current users or governmental requirements will be borne by the WB ownership and at no expense to the current system ownership.

As part of our analysis of the existing CB system, we have reviewed the system's budget as reported to the CB owners association and find that the current CB owners' water reserve infrastructure replacement and service maintenance fees will be substantially reduced through the additional WB users and after improvements are made to the existing system to accommodate such use. One way to quickly improve the long term financial protection for the system would be to directly contribute funds to the CB water reserve collection as part of the approval to use the system. The actual amount of the contribution and timing of the contribution would need to be discussed and agreed upon.

As noted above, having WB connect to and use CB's existing water source and storage systems will we believe result in a long-term benefit for both parties. We appreciate your consideration of this proposal and look forward to discussing your thoughts and ideas on how WB can assist you in making a decision on this joint use in the near term. Please feel free to contact me as soon as you have had a chance to review this letter and proposed actions provided for herein.

Sincerely,



Charles Jencks
Manager

CONSOLIDATED BASEYARDS ASSOCIATION

August 30, 2011

Mr. Charles Jencks
Pacific Rim Land, Inc.
PO Box 220
Kihei, HI 96753

Re: Waiko Baseyard ("WB") Light Industrial Project proposed connection and use of the Existing Consolidated Baseyard ("CB") Water Source and Storage Systems

Dear Charlie,

Thank you for your letter dated July 5, 2011 outlining the proposed expansion of the Consolidated Baseyards water system. In our meeting of July 14th we met to further discuss your proposed Waiko Light Industrial project and to discuss your proposed joint use of the CB water system. In general, it is appropriate to state that CB supports your proposal for joint use based upon the concept that spreading the overall operational cost over a broader number of users will help all of the users manage their water use fees and the long term support of the private system. With that said, however, there are concerns with regard to the system that must be addressed before any formal agreement can be finalized between CB and the Waiko ownership. The following summarizes those general issues that we discussed and addressed in your letter:

- In our discussion we both agreed that a contribution to the current water system ownership on an agreed to pro-rata basis would be necessary for CB to support use of the system and we also agreed that the basis for the contribution would be the cost to develop the current system. We would appreciate your providing to CB a proposal for such a capital contribution and how and when that contribution would be provided.
- In order to assure CB that the existing system is capable of the proposed joint use, Waiko will initiate testing of the system to include installation of a larger pump with an extended pumping regimen to establish the system's capability in terms of quantity and quality. All of this testing will of course be at Waiko's cost with the results provided to CB for review once completed. Before CB can authorize such testing you will need to provide supporting information on how the current system will be repaired if damaged, when the testing will occur, how any loss of service will be addressed, etc.
- Based upon the test results, a proposal for capital improvements (CIP) to the system at Waiko's sole cost will be provided to CB. The CIP will address all of the improvements

necessary to achieve a successful joint use approval by all relevant government agencies and include a description of the improvements, cost, permitting necessary and timing.

- If indeed the system has the capability to provide for the proposed joint service, a joint service agreement will be drafted by Waiko for review by CB providing for all of the essential terms and conditions for joint use including authorizations, permit processing, entitlement support, capital improvement costs and budget analysis identifying the costs and benefits to CB.

The Board of Directors of Consolidated Baseyards Association has reviewed and approved this letter. As stated in our meeting, we think there are benefits to CB for this proposed joint use as well as the opportunity to assist Waiko in its efforts to add to the inventory of light industrial properties here in central Maui. We look forward to your response to this letter and should you require any assistance in the processing of your entitlement documents as they relate to water system use please do not hesitate to contact CB for support.

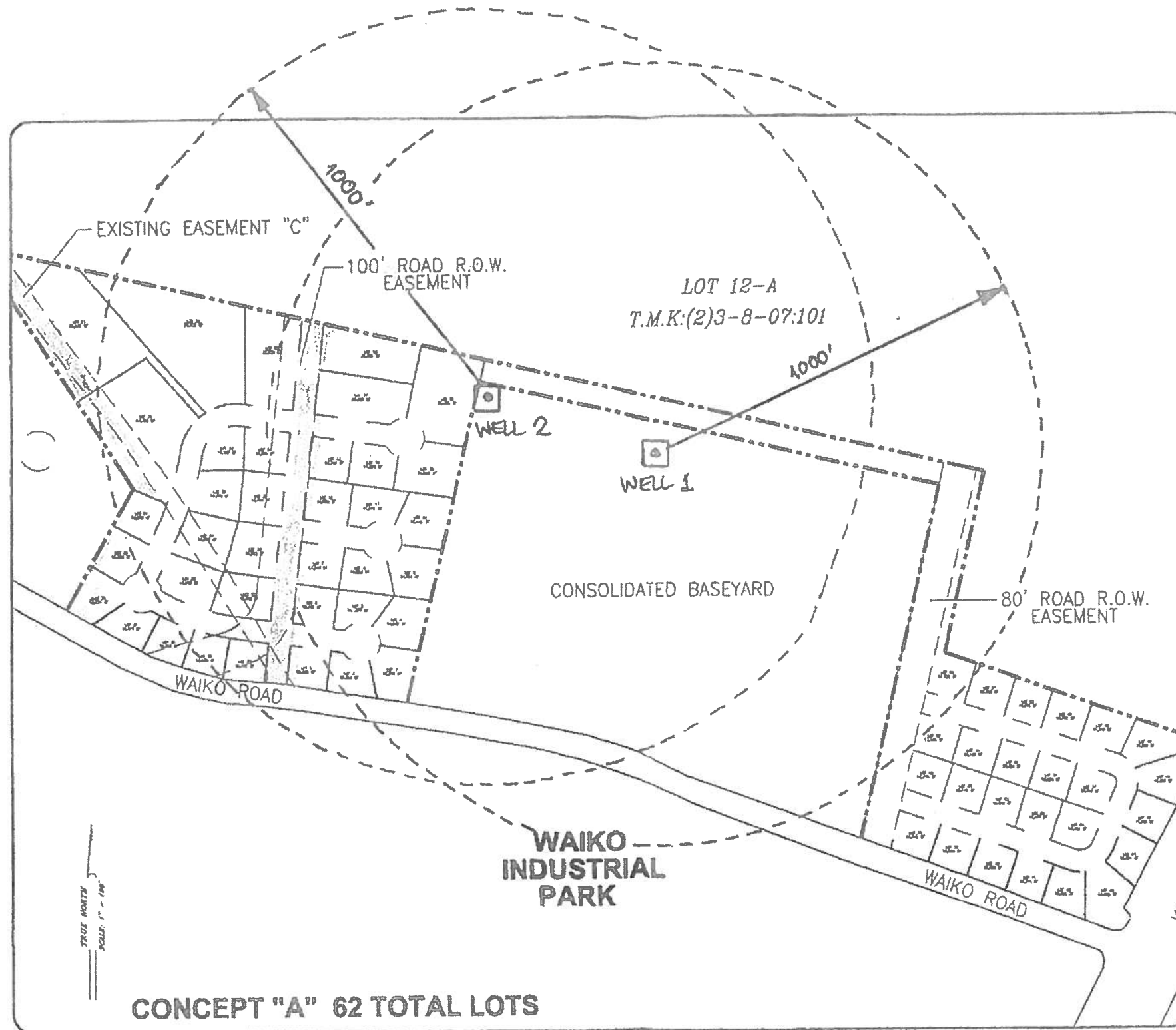
Sincerely,
Consolidated Baseyards Association



David Ward
President

Cc: Commercial Properties of Maui Management

EXHIBIT 22



m_11-C62 | 11-08

Figure 7
1000-Foot Setbacks From
Consolidated Baseyard Wells 1 and 2

KENNETH L. JENCIS
PLANNING & DESIGN LLC
705 Papaia Street
Waikoloa, Maui, Hawaii 96793
Office: 808-249-6442
Email: kenjencis@kpld.com

WAIKO
INDUSTRIAL
PARK

PREPARED FOR:

PACIFIC
RIM
LAND
PO-BOX 229
1300-NORTH-HOLOPOHO-ST
KIHEI-MAUI, HAWAII
96753

PROJECT TITLE:

CONCEPT A

DATE:

NO. OF SHEETS: 2 OF 2

DATE:

NO. OF SHEETS: 2 OF 2

DATE:

NO. OF SHEETS: 2 OF 2

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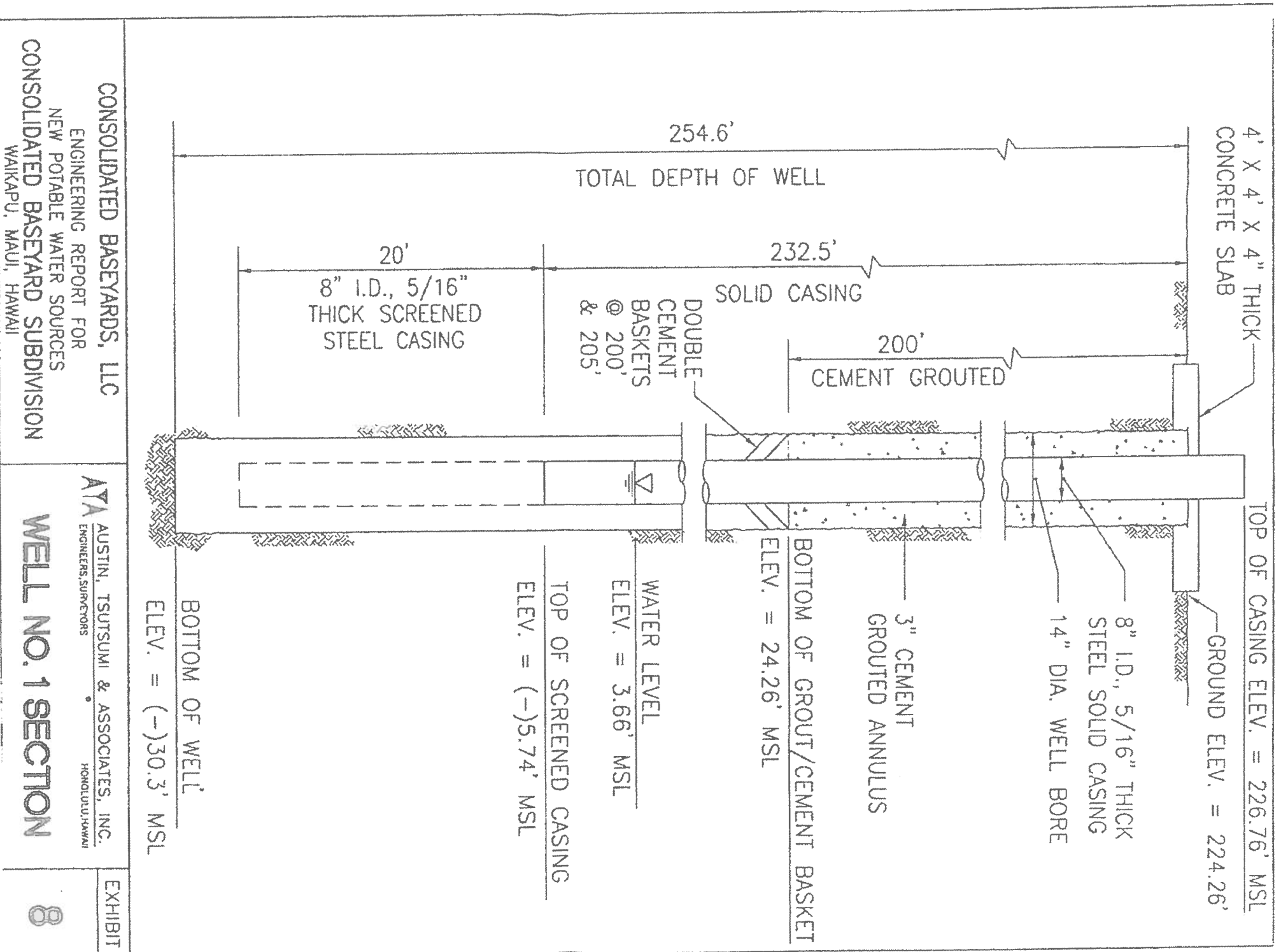
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NO. OF SHEETS: 2 OF 2

DATE:

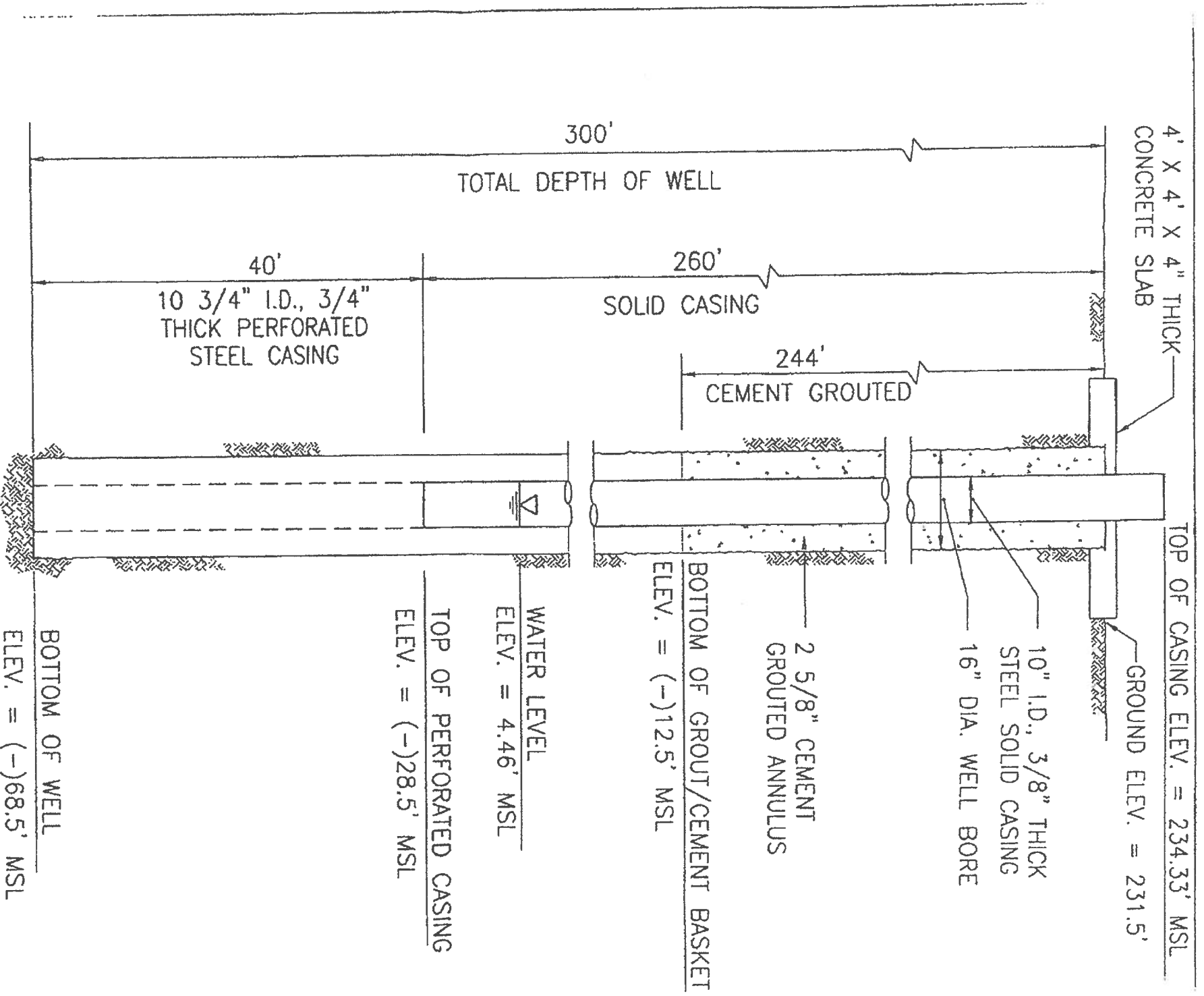
NO. OF SHEETS: 2 OF 2

SHEET SCALE
1"=100'
SHT-1
07/11 of 07/11



m_11-062 | 11-08

Figure 2



CONSOLIDATED BASEYARDS, LLC
 ENGINEERING REPORT FOR
 NEW POTABLE WATER SOURCES
 CONSOLIDATED BASEYARD SUBDIVISION
 WAIKAPU, MAUI, HAWAII

ATA
 ENGINEERS, SURVEYORS
 AUSTIN, TSUTSUMI & ASSOCIATES, INC.
 HONOLULU, HAWAII

WELL NO. 2 SECTION

EXHIBIT

9

m_11-062 | 11-08

Figure 3

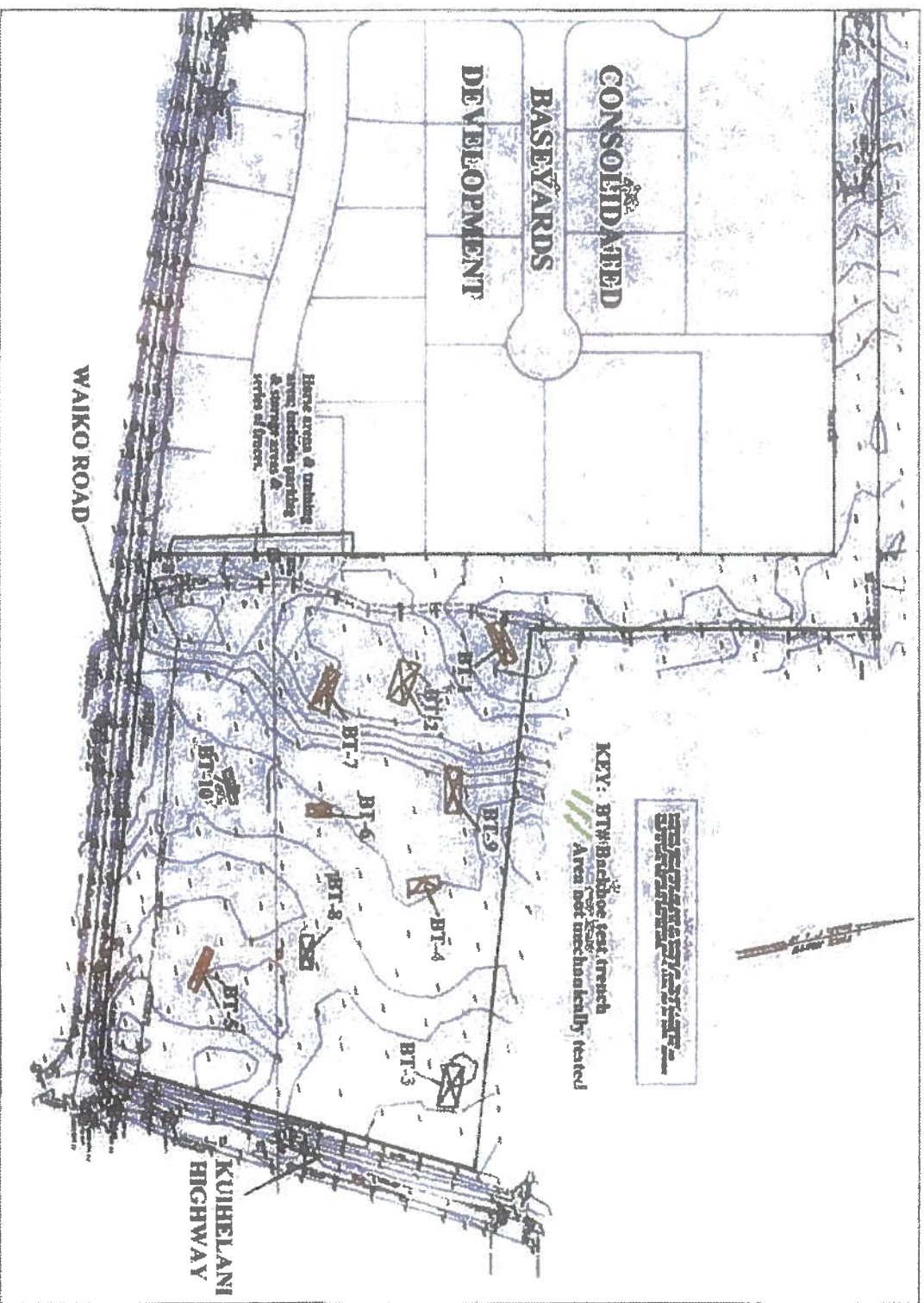


EXHIBIT 25

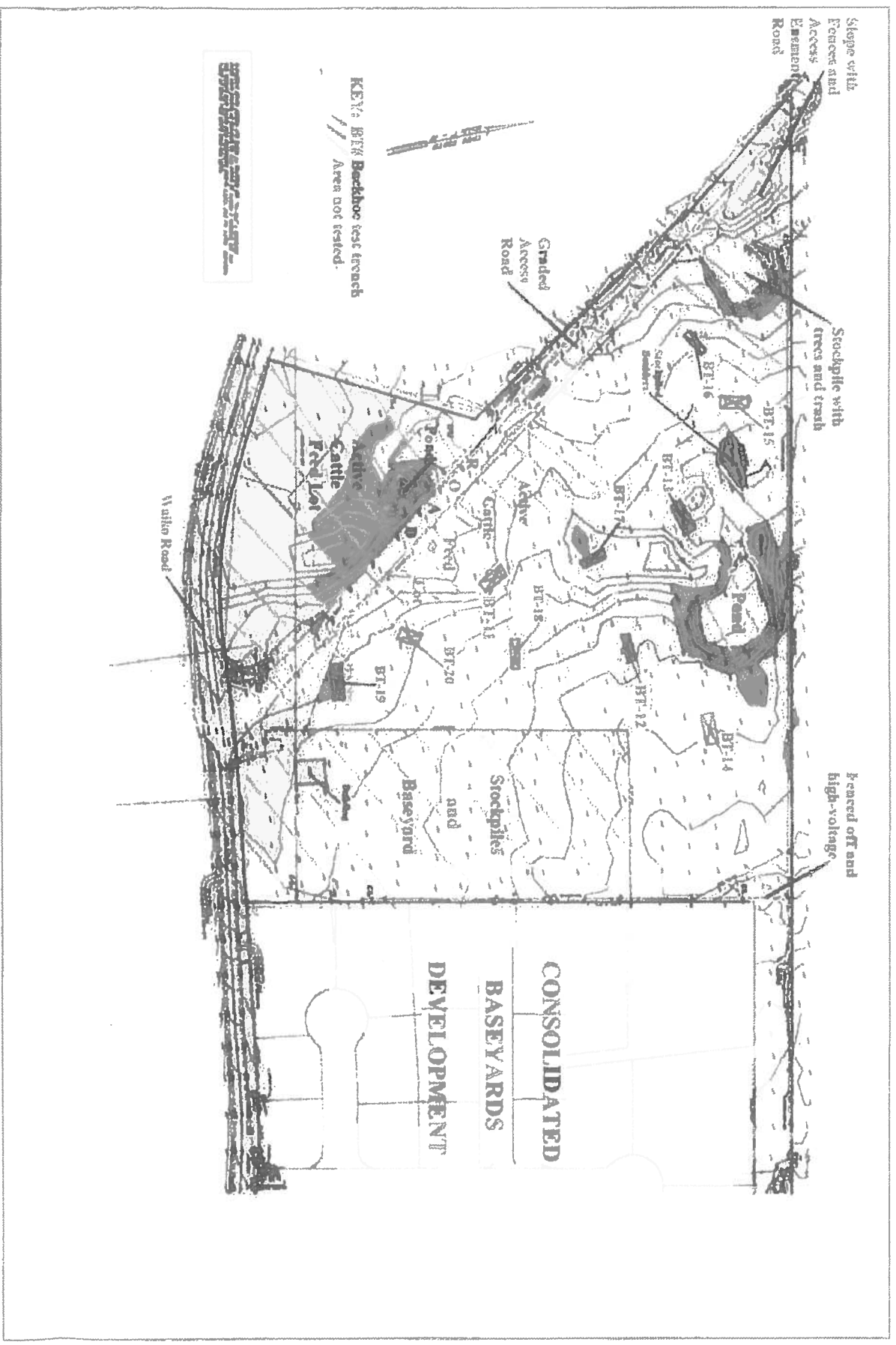


EXHIBIT 26

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
KAPOLEI, HAWAII 96707

WILLIAM J. AILA
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULA'KULUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR WATER

ARUAH KEMURU
DEPUTY DIRECTOR FORESTRY
BUREAU OF CONSERVATION
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND QUALITY LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

May 31, 2012

Erik Fredericksen, Principal Investigator
Xamanek Researches, LLC
P.O. Box 880131
Pukalani, Hawaii 96788

LOG NO: 2011.2355
DOC NO: 1205TD05
Archaeology

Dear Mr. Fredericksen:

**Subject: Chapter 6E-8 Historic Preservation Review -
Archaeological Assessment Report for a 31.222-acre Parcel Along Waiko Road
Waikapū Ahupua'a, Wailuku District, Island of Maui
TMK: (2) 3-8-007:102**

Thank you for submitting the report titled *An Archaeological Assessment Survey of a 31.222-acre Parcel Located along Waiko Road, Waikapū Ahupua'a, Wailuku District, Island of Maui, TMK: (2) 3-8-007:102 [Waiko Industrial Development, LLC]*, J. Pickett and E. Fredericksen, 23 August 2011. The submittal was received in the Kapolei office August 30, 2011; we apologize for the delay in responding.

Archaeological fieldwork was conducted during the months of May and June 2011 for this project, and included a pedestrian survey with subsurface testing in the form of backhoe trenches. Twenty trenches were excavated to a maximum depth of 4.2 meters. No evidence of historic properties, cultural deposits or subsurface features was identified during the fieldwork. The report describes considerable disturbance that has occurred in the two sections of the project area, which surrounds an existing baseyard development. All of the backhoe tests encountered Aeolian sand deposits with isolated stream channel/alluvial deposits beneath Aeolian sand layers.

We believe that an adequate attempt was made to identify historic properties within the project area. Given the project location, geology and the presence of known burials in the adjacent parcel, we concur with the recommendation that archaeological monitoring be conducted during ground disturbing activities. We are in receipt of a monitoring plan for the project.

The report contains background information on the historic context and previous archaeology in the vicinity of the project area, in addition to documentation of the existing environment and current conditions. Information as stipulated in Hawaii Administrative Rule (HAR) §13-284-5(b) and §13-276-5 (a) and (c) are included. The report is approved, pursuant to HAR §13-279. Please send one hard copy of the document, clearly marked FINAL, along with a copy of this review letter and a text-searchable PDF version on CD to the Kapolei SHPD office, attention SHPD Library. Please contact me at (808) 933-7653 or Theresa.K.Donham@hawaii.gov if you have any questions or wish to further discuss the conclusion of this letter.

Aloha,

Theresa K. Donham
Archaeology Branch Chief

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION
KAHUIHEWA BUILDING
601 KAMOKILA BLVD, KAPOLEI HI 96707

WILLIAM J. AH A, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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DEPUTY DIRECTOR - WATER

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BOATING AND OCEAN RECREATION
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CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

May 31, 2012

Mr. Erik M. Fredericksen, Principal Investigator
Xamanek Researches, LLC
PO Box 880131
Pukalani HI 96788

LOG NO: 2011.2642
DOC NO: 1205JP13
Archaeology

Aloha Mr. Fredericksen:

**SUBJECT: Chapter 6E-42 Historic Preservation Review-
Archaeological Monitoring Plan for a 31.222 Acre Parcel along Waiko Road
Waikapu Ahupua'a, Wailuku District, Island of Maui
TMK (2) 3-8-007:102**

Thank you for the opportunity to review the draft report titled *An Archaeological Monitoring Plan for a 31.222-acre Parcel Located along Waiko Road, Waikapu Ahupua'a, Wailuku District, Maui Island* by Erik M. Fredericksen (2 September 2011). This document was received by our staff on October 5, 2012. We apologize for the delayed review. We have recently reviewed and accepted the associated archaeological assessment report for this project area (Log 2011.2355, Doc 1205TD05).

This monitoring plan outlines the proposed objectives and procedures that will be implemented to prevent damage to unknown sites including the identification and documentation of any newly discovered archaeological and cultural features. As indicated in the plan, all future construction or ground altering activities will be monitored by a qualified archaeologist. We request that a report of the monitoring activities be submitted for review within 180 days after completion of the fieldwork.

Information on proposed monitoring procedures, as stipulated in Hawaii Administrative Rule (HAR) §13-279-4 are included; the plan is approved, pursuant to HAR §13-279. Please send one hard copy of the document, clearly marked FINAL, along with a copy of this review letter and a text-searchable PDF version on CD to the Kapolei SHPD office, attention SHPD Library. Please contact Jenny Pickett at Jenny.L.Pickett@hawaii.gov or (808) 243-5169 if you have questions regarding this letter.

Mahalo,

A handwritten signature in black ink, appearing to read "Theresa K. Donham".

Theresa K. Donham
Archaeology Branch Chief

cc: County of Maui, Department of Planning via fax: (808) 270-7634
County of Maui DSA via fax to: (808) 270-7972
Vince Bagoyo via email: vbagoyo-devgroup@hawaii.gov

Per the Prehearing Order dated November 8, 2012, the written direct testimonies for Petitioner Waiko Industrial Investment, LLC's witnesses will be submitted on November 30, 2012

Charles G. Jencks

808-878-3178

808-250-3178

75 Ka Drive, Kula HI 96790

Charliej@pacificrimland.com

Professional Profile

Urban Planning and Design

Managed large scale residential golf communities from conceptual design through to actual construction.

Land Valuation/Property Analysis

Managed large scale econometric study and review of corporate assets involving appraisal, discounted cash flow/comparable valuation, economic modeling and in depth property analysis to substantiate stock portfolio and real property values for corporate holdings.

Land Development

Responsible for design, entitlement, funding, sales and marketing for successful resort residential projects in Hawaii.

Public Sector Experience

Director of Public Works for two consecutive Mayors. Controlled and managed all aspects of infrastructure support including all manner of permitting, subdivisions, waste water, highways, engineering design and solid waste handling.

Professional Experience

The Irvine Company

Newport Beach, California

1981 -1986

Achievements

- Design of large scale residential communities.
- Management of large scale property valuation.

Responsibilities

- Managed design, financial analysis and entitlement for large scale residential projects on Irvine Ranch.
- Managed legal team, appraisal, economic consultants and detailed property analysis for property tax appeal and stock portfolio valuation.
- Member of Advanced Development Planning team responsible for all long range residential planning and coordination with jurisdictional agencies.

Bergheer Wailea, Inc.

Newport Beach, California

1986 – 1990

Achievements

- Successfully built 188 unit resort condominium in Wailea Resort.

Responsibilities

- As Vice President managed design, permitting, sales and marketing for residential project and reported to ownership.

County of Maui
Maui, Hawaii
1991-2000

Achievements

- Streamlined permitting process.
- Created first reclaimed water fee structure and distribution system.
- Managed the design and construction of over \$100 million in capital improvements.
- Modified department management structure and created the best customer oriented department in the county.

Responsibilities

- As head of department with over 400 employees and the most highly regulated infrastructure, established departmental policies and procedures, budgets, capital improvement programming, functioned as ex-officio member of Planning Commission and Board of Water Supply and represented department before the Maui County Council.

Honua`ula Partners, LLC
Los Angeles, California
2001 – Present

Achievements

- Redesigned project and managed major entitlement for 1400 unit residential/golf oriented community in South Maui and achieved Phase I zoning approval in April 2008. Presently managing project EIS processing and Phase II permit applications and hearings before Maui Planning Commission and Maui County Council.

Responsibilities

- Acting as owner's representative, coordinate all elements of project design, permitting and public relations necessary for project approvals.

Second & Peck Real Estate, LLC
Owner
Maui, HI
2005 – Present

Achievements

- Created new real estate/land evaluation partnership specializing in due diligence and permitting assistance for private landowners.

Responsibilities

- Managed large scale resort oriented due diligence analysis in west Maui as well as smaller residential properties in south Maui. Presently continuing role as owner representative for investor owned real estate assets in Maui County.

Education

Bachelor of Science, Urban Environmental Management, California State University,
Dominguez Hills, CA

Graduate Studies, Urban Planning and Design, California Polytechnic University,
Pomona, CA

John F. Kennedy School of Government, Program for Senior Executives in State and
Local Government

Community Involvement

Past Board Member and President Maui Family YMCA,

Board Member and Past President Maui County Council BSA,

Past Board Member and Board Chair Maui Chamber of Commerce,

Board Member Seabury Hall School and Chair, Physical Facilities Committee

Past Board Member and President Maui Contractors Association

State of Hawaii Land Use Commissioner – At Large Representative with Term expiring
June 30, 2011.

Military

United States Navy – Honorably Discharged, February 1970

References

Ms. Linda Lingle, Governor, State of Hawaii, 2002 - 2010

Mr. Michael Rosenfeld, Woodridge Capital – 310-824-2200

Mr. J. Stephen Goodfellow, President, Goodfellow Bros. Inc. – 808-879-5205

Mr. Joseph Schmidt, Headmaster Seabury Hall School – 808-572-7235

Mr. John Zapotocky, President, Pacific Rim Land, Inc. – 509-999-4314

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June 22, 2012

COMPANY INFORMATION:

Frampton & Ward, LLC (F&W) specializes in real estate development and providing clients with professional real estate consulting and project management services. F&W has numerous projects ranging in scope from small-scale residential or commercial subdivisions to providing development of a 625 acre master-planned residential community. Further, we possess a solid comprehension and understanding of the wide range of government rules and regulations which are vital to real estate development and consulting in Hawaii, including sizeable amount of environmental laws governed by Hawaii Revised Statutes and the Maui County Code.

It is increasingly becoming more complicated to get projects approved and/or constructed through any type of government or discretionary permit approval process in a timely manner. In order to avoid unnecessary setbacks, which result in costly delays, F&W deems it is important to have projects professionally managed through all phases of the process. It is essential to be able to integrate all of the various disciplines involved in real estate projects, including: engineering, surveying, environmental, architecture, legal, financial, archaeological, marketing, sales, and construction. We have the above skills and are innovative and flexible in developing approaches to resolve problems and issues that arise throughout the life of a project. We also possess practical working experience and valuable knowledge of local government processes, including Hawaiian history and culture.

In 2002, William Frampton and David Ward established *Frampton & Ward, LLC* (F&W). In 2006, F&W received the *Mayor's Small Business of the Year* award for Maui County.

PROFESSIONAL BACKGROUNDS:

The following provides a brief professional background for F&W's members:

- **William Frampton** - William has been raised on Maui with his entire family for more than 40 years. William attended Humboldt State University in northern California and graduated with a Bachelor of Arts Degree in Geography, with an emphasis on Natural Resource Planning. He provides the company with practical experience and knowledge of regional planning issues, local and state government permitting processes, and knowledge of the island's history and cultural sensitivity. He has served on the Maui/Lanai Islands Burial Council for several years. William has 20 years working experience as a professional land use planner; with employment ranging from a private land use consultant, as well as working for the State of Hawaii as a Remediation/Environmental Coordinator in the Unexploded Ordnance (UXO) Clearance and Environmental Restoration Project of the Island of Kaho'olawe.

- **David Ward** - David is a graduate of the Kenan Flagler Business School at the University of North Carolina at Chapel Hill with an MBA degree. David also received his undergraduate degree at the University of North Carolina at Chapel Hill. David presents a diverse and wide-ranging background in business; including extensive financing experience. Previous experience includes corporate lending experience for Bank of Hawaii in Honolulu; Bank of America in Miami, Florida; and formerly co-founded and developed a fiberglass product manufacturing company here on the island of Maui. David is also a licensed Realtor. David provides the company with extensive knowledge of master planned developments; including conducting project financial feasibility and analysis; Pro Forma assessment; due diligence reports; coordination of residential and commercial subdivisions; developing private water systems; and forming subdivision documents such as Design Guidelines, CC&R's, Articles of Incorporation.

- **Dean Frampton** – Dean was born and raised on the Island of Maui and – like Bill- is a graduate of Humboldt State University, graduating in 1995 with a Bachelor of Arts degree in Geography. Dean's previous work experience includes working as a Tax Assessor for the County of Maui in the Real Property Tax Division and as a Land Use Planner with Munekiyo & Hiraga. In 2003, Dean joined Bill and Dave as Frampton & Ward, LLC's first employee and is now a partner. Dean assists clients in securing an array of land use entitlements, including SMA approvals, building permits, variances, conditional and special use permits. Dean's experience also includes completing State and Federal environmental assessments, subdivision coordination, development of private water systems and construction oversight and management. Through his public and private work experience, Dean has developed an ability to navigate the complicated and confusing county, state and federal government review and approval process. Dean is also a small business owner, a licensed Realtor and served as the Chairman of the County of Maui Real Property Tax Review Board from 2008-2011.

Per the Prehearing Order dated November 8, 2012, the written direct testimonies for Petitioner Waiko Industrial Investment, LLC's witnesses will be submitted on November 30, 2012

Vince G. Bagoyo, Jr.
1500 Kilinoe Place
Wailuku, HI 96793

Business Number: (808) 242-8985
Cellular Number: (808) 357-3842
Email Address: ybagoyo-devgroup@hawaii.rr.com

Professional Experience:

2004–Present **President and Owner, V. Bagoyo Development Group, LLC.**

Involved in real estate development consulting, project analysis and management. Specialized services offered: Special Management Area Use Permit; Change-In-Zoning Application; State Land Use Boundary District Amendment; Environmental Assessment; Project Analysis and Planning; Community Plan Amendment; Business and Marketing Plans; Project Due Diligence; and Public Relations

1993-2003 **Vice President, Castle & Cooke, Inc.**

Assisted and directed the strategic planning of luxury master plan resort and residential development on the island of Lanai. The projects consisted of the world renowned Challenge at Manele Golf Course, Manele Bay Hotel & Spa, Koele Lodge Hotel, Experience at Koele Golf Course, and well-planned resort residential developments within the project districts.

Directed the revitalization of Lanai's commercial development, which maintain the country town atmosphere that provides a core focal point of visitors, residents, and potential luxury homebuyers.

Oversaw and managed company's over 560 residential rental units. Developed strategic business plans to sell majority of the rental units to current tenants which produced positive cash flow for the company and more importantly became a model for community revitalization while maintaining the island's unique character.

Also responsible for developing and implementing strategies and programs to ensure maximum value of company's land holdings and optimum utilization of its natural resource asset, water. Developed a long-term water and wastewater capital improvement programs. Initiated and developed a world-award winning

wastewater treatment plant that utilizes hyacinths treatment processes. Company became leader on wastewater reuse.

1991-1992 Councilmember, Maui County

Served one term as a member of the Maui County Council. Became chairman of the Council's Planning Committee and served on various Council's committees such as Public Works, Budget and Finance, Parks and Recreation, Economic Development, Agriculture, Land Use and Zoning, Water, and Human Services and Housing.

1984-1990 Director, Maui County Dept. of Water Supply

Developed financial and operating strategy for the department's projected 20-year master plans. Approved and directed pipeline, pump, treatment and storage projects on Maui and Molokai. Developed water rates for the department that requires Maui County Council and board approval.

Developed recommendation for controls of water quality to reduce cost. Represented the Department in public hearings and legislative sessions at State and County meeting. Testified in State Water Commission, County Council, and public hearings with respect to technical issues, departmental policy and other issues relating to development, water use, and transportation of water.

1982-1984 Director, Maui County Dept. of Human Concerns and Housing

Directed and coordinated Maui County's social services programs for the elderly, youths, disabled, and low-income residents. Responsible for the development of affordable housing projects in Maui County.

Community Activities:

- 1993-2003 Worship Leader & Sunday School Teacher, Lanai Baptist Church
- 1999-2002 Member, State Dept. of Health Environmental Advisory
- 1997-2002 Member, Hawaii Community-Based Economic Development
- 1994-1996 Member, Maui Community College Provost Advisory
- 1986-1990 Past President, Kiwanis Club of Maui
- 1983-1991 Past President, Maui Filipino Community Council
- 1982-1983 Member, Maui Homeless Shelter Fundraising Committee
- 1983-1984 Member, Maui Community Culture and Arts

Professional Activities:

1993-2003 Past President, Hawaii Resort Developers Conference
2001-2002 Member, Maui County Charter Commission
1997-2001 Hawaii Community-Based Economic Development Board
1984-2003 Member, American Water Works Association

Education:

Masters Degree in Public Administration (MPA) – California State University at Long Beach, 1981

Bachelor of Arts Degree (BA) – Chaminade University of Honolulu, 1980

PHILLIP J. ROWELL, P.E.

Principal, Phillip Rowell and Associates

EDUCATION	BS, Civil Engineering, 1971, Clemson University MS, Civil Engineering (Transportation & Traffic Engineering), 1972, Clemson University
REGISTRATION	Professional Civil Engineer in California (1975) & Hawaii (1989)
MEMBERSHIPS	Institute of Transportation Engineers (Life Member)
EXPERIENCE RECORD	
1995 to Present	Phillip Rowell and Associates, Honolulu, Hawaii Principal of consulting firm specializing in transportation planning and traffic engineering projects in Hawaii and California. The following are representative recent projects: <ul style="list-style-type: none">• Piilani Promenade (Kihei)• Saddle Road Extension TIAR• KIC Resort Area 26 TIAR (Kailua-Kona)• Puunene Heavy Industrial Subdivision• Cosco, Lihue, Kauai• Fort Shafter Flats Drainage Improvements Traffic Management Plan• Kapa'a Light Industrial Park (Oahu)• Stryker Brigade Combat Team Facilities at MCBH• Onizuka Space Center Museum at Keahole Airport• Hyatt Regency Master Plan (Kaanapali)• Target (Salt Lake)• Puunene Avenue-Mokulele Highway Widening• UH West Hawaii Campus• Oahu Commercial Harbors 2020 Master Plan• NMFS Honolulu Laboratory Renewal• Pico-Union Neighborhood Traffic Protection Plan (Los Angeles)• American Dental Association Convention Traffic Management Plan (Honolulu)• Lions Clubs International Convention Traffic Management Plan (Honolulu)• First Hawaiian International Auto Show Traffic Management Plan• No. 1 Capital District Building Traffic Impact Analysis• China - U.S. Center Traffic Impact Analysis (Hilo)
1995	Parsons Engineering Science, Inc., Honolulu, Hawaii Senior Traffic Engineer - Responsibilities included business development in the areas of traffic engineering and transportation planning and coordination of traffic studies with other disciplines and offices. Manager of traffic engineering projects conducted by the Honolulu office. Manager of traffic engineering projects conducted by the Honolulu office, including traffic studies for: <ul style="list-style-type: none">• Hawaii Convention Center Traffic Analysis• Walmart Traffic Impact Study, Waiakea, Hilo, Hawaii
1989 to 1995	Barton-Aschman Associates, Inc., Honolulu, Hawaii Principal Associate - Manager of the Honolulu office and project director for all projects conducted in that office. Served as Project Manager on the following representative projects: <ul style="list-style-type: none">• Castle Junction Interchange Study• Aloha Tower Traffic Study• Maui Business Park, Phase 2, Kahului, Maui• Maui Lu Traffic Study, Kihei, Maui• Makena Resort Master Plan Traffic Impact Study• Kona Coast Resort TIS and Ali'i Drive Design, Kona• Kahului Town Center TIAR and Basis of Design Study, Kahului, Maui• Aloha Tower Traffic Impact Studies, Honolulu• Traffic and Parking Studies for Honolulu International Airport• Traffic and Parking Study for Guam International Airport Expansion• Construction Traffic Management Plan for Honolulu International Airport

- 1984 to 1989 **Barton-Aschman Associates, Inc., Pasadena, CA**
Senior Associate - Performed traffic impact and parking studies in California, Hawai'i, Arizona, and Nevada. Representative projects include:
- General Telephone Co. HQ Traffic Study, Thousand Oaks, CA
 - Citywide Traffic Impact Mitigation Fee Study, Carlsbad, CA
 - Ave. R/Ave. S Corridor and Impact Fee Study, Palmdale, CA
 - HUSITE Transportation Planning Study, Las Vegas, NV
 - CBD Redevelopment Transportation Study, Las Vegas, NV
 - Harbor Gateway Transportation Study, Los Angeles, CA
 - West Hollywood City-wide Parking Study, West Hollywood, CA
 - Hollywood Parking Study, Los Angeles, CA
 - Tucson Mall/Tucson Place Traffic Study, Tucson, AZ
- 1982 to 1984 **Department of Transportation, Beverly Hills, CA**
City Traffic Engineer and Assistant Director of Transportation - Beverly Hills, CA - Responsibilities included the day-to-day operations of the engineering and parking sections of the DOT; review of all traffic impact studies submitted to the City; installation and maintenance of traffic signals; independently conducting traffic studies for City projects; and implementation of the City's street and alley lighting program, public shuttle bus programs, and Street Master Plan.
- 1980 to 1982 **Wilbur Smith and Associates, Kuala Lumpur, Malaysia & Hong Kong**
Project Design Engineer - Conducted traffic studies and prepared preliminary geometric plans for 11 interchanges along the Jitra-Butterworth Toll Road in Malaysia. Subsequently prepared final plans for the interchanges. In Hong Kong, prepared plans for a new interchange connecting mainland China with Hong Kong.
- 1978 to 1980 **Wilbur Smith and Associates, Lexington, Kentucky**
Project Design Engineer - Prepared plans and specs for the following:
- Main Street Interchange, Lexington, KY
 - Edgewood Boulevard, Lansing, MI
 - I-40/I-640 Interchange, Knoxville, TN
 - Kenwood Subdivision, Lexington, KY
- 1974 to 1978 **Wilbur Smith and Associate, Los Angeles, CA**
Senior Transportation Planner - Major projects worked on were:
- Walt Disney World Transportation Study, Orlando, Florida
 - City-Wide Circulation Study, Santa Maria, California
 - San Gabriel Valley Transit Study for SCRTD, Los Angeles, CA
 - West Los Angeles Transit Study for SCRTD, Los Angeles, CA
- 1974 to 1974 **Wilbur Smith and Associates, Columbia, SC**
Design Engineer - Representative projects include:
- South Mountain Retirement Resort, Burke County, NC
 - Waccamaw Plantation, Waccamaw, SC
 - Monroe Downtown Redevelopment Project, Monroe, NC
 - Seaboard Park Redevelopment Project, Columbia, SC
- 1971 to 1972 **Civil Engineering Department, Clemson University, Clemson, SC**
Graduate Teaching Assistant - Graduate teaching assistant in the Civil Engineering Department. Classes included transportation planning and traffic engineering.

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Education

M.S., Civil Engineering, Stanford University, 1970
 B.S., Mechanical Engineering, Stanford University, 1966
 B.S., Economics, Claremont Men's College, 1966
 Graduate Work in Hydrology, University of California at Berkeley, 1977-1978
 Graduate Work in Physical Oceanography, University of Hawaii, 1970-1972

Registration

Professional/Civil Engineer – Hawaii #03878, 1975
 Certified Diver – Hawaii

Affiliations

American Society of Civil Engineers
 American Water Works Association

Expertise

Groundwater and Surface Water Development
 Hydraulics and Water System Design
 Flood Control and Drainage
 Coastal Engineering

EXPERIENCE

1989 –Present President	Tom Nance Water Resource Engineering - Honolulu, Hawaii
1972 – 1989	Belt Collins & Associates - Honolulu, Hawaii
Senior Water resource Resources Engineer such as 1979 – Present	Specializes in hydrologic and engineering studies and designs for water development, flood control projects, and unusual drainage applications injection wells.
Project Engineer studies and 1975 – 1979	Responsible for hydrologic investigations, engineering feasibility, and design environmental impact statements.
Civil Engineer statements. 1972 – 1975	Engineering feasibility studies; environmental impact assessments and
Planner/Civil Engineer 1970	Donald Wolbrink & Associates, Honolulu, Hawaii Participated in engineering and planning studies.
Civil Engineer/Teacher 1966 – 1968	U.S. Peace Corps Served as volunteer in Micronesia.
Student Engineer 1964 – 1965	Hawaiian Electric Company, Hawaii
Student Engineer 1962 – 1963	Honolulu Board of Water Supply, Hawaii

SELECTED

2011

PROJECTS

Disney Aulani Resort Saltwater Supply and Disposal Wells, Island of Oahu,

Covanta (HPOWER) Disposal Wells, Island of Oahu, 2011

New Well at St. Stephens Diocesan Center, Island of Oahu, 2011

New Well at Fort Shafter, Island of Oahu, 2011

Lanai Well 15, Island of Lanai, 2011

DWS Halaula Well, Island of Hawaii, 2011

DWS Kapulena Well, Island of Hawaii, 2010

Robinson Well No. 1, Island of Oahu, 2010

Central Maui Baseyards Well, Island of Maui, 2009

New Wells at Kealia NWR, Island of Maui, 2009

Kaanapali P-5A Well, Island of Maui, 2009

Kamakana Villages Deep Exploratory Well, Island of Hawaii, 2009-2010

NOAA Ford Island Deep Saltwater Well, Island of Oahu, 2009-2010

Alii Turf Helemano Well, Island of Oahu, 2009-2010

Villages of Lealii Potable Water Master Plan, Island of Maui, 2009

Kaanapali P-3 Well, Island of Maui, 2008

Kaupulehu Well 11, Island of Hawaii, 2008

Princeville Well No. 5, Island of Kauai, 2008

Lanai Well 3, Island of Lanai, 2008

Waikoloa Drinking Well No. 8, 2008-2009

Potable Water Master Plan for Kikiaola, Island of Kauai, 2008

A&B's Waiale Well Nos. 1 and 2, Island of Maui, 2007 and 2008

Maui Lani Irrigation Well No. 3, Island of Maui, 2007

DWS' Ahualoa Well, Island of Hawaii, 2006

Kula 1800 Well Nos. 1 and 2, Island of Maui, 2007 and 2008

Kamaole Well Nos. 1 and 2, Island of Maui, 2007

Waikoloa Drinking Water Well No. 7, Island of Hawaii, 2007

DWS' Waiohinu Well, Island of Hawaii, 2007

Hapuna Irrigation Well No. 4, Island of Hawaii, 2006

Kapalawai Resort Potable Wells, Island of Kauai, 2006

Poipu Wastewater Treatment Plant Disposal Wells, Island of Kauai, 2006

Ko Olina Resort Deep Saltwater Supply Well, Island of Oahu, 2006

Kealahewa Potable Wells 1 and 2, Island of Hawaii, 2006

Falko Potable Wells 3 and 4, Island of Kauai, 2006

Kaupulehu Potable Well No. 6, Island of Hawaii, 2005-06

Kaupulehu Irrigation Well No. 6, Island of Hawaii, 2005-06

Maui Lani Potable Wells 5, 6, and 7, Island of Maui, 2005-06

Groundwater Exploration Program, Pohnpei Island of FSM, 2005

Waikoloa Drinking Water Well No. 6, Hawaii Island, 2004

Honomu Potable Well, Hawaii Island, 2004

Saltwater Wells for the Hilton Hawaiian Village Lagoon, Oahu, Hawaii, 2004

Oahu,

Groundwater Modeling of Saltwater Disposal at the Oceanic Institute,

Hawaii, 2004

2004

Stormwater Modeling for the Pacific Missile Range Facility, Kauai, Hawaii,

Waikoloa Effluent Disposal Well, Hawaii Island, 2004

Kiahuna Mauka Water Master Plan, Kauai, Hawaii, 2004

Village at Poipu Water Master Plan, Kauai, Hawaii, 2004

SELECTED

PROJECTS

(continued)

Kuku'i'Ula Offsite Water Master Plan, Kauai, Hawaii, 2004
 Kaupulehu Potable Well No. 5, Hawaii Island, 2003 to 2004
 Anderson AFB Drinking Water Wells, Guam, 2002 to 2004
 Four Saltwater Disposal Wells at the Oceanic Institute, Oahu, Hawaii, 2003-2004
 Piwai Well Nos. 2 and 3, Kauai, Hawaii, 2001 and 2003
 Hapuna Irrigation Well No. 3, Hawaii Island, 2003
 Kaieie Mauka Well, Hawaii Island, 2002
 Kaupulehu Potable Well No. 4, Hawaii Island, 2002
 Kauaula Well No. 3, Maui, Hawaii, 2002
 Kaluakoi Resort Brackish Irrigation System, Molokai, Hawaii, 2002
 Kaluakoi Potable Water System, Molokai, Hawaii, 2002
 East Maui Irrigation Ditch / Stream Study, Maui, Hawaii, 2001
 Mana Plain Drainage Study, Kauai, Hawaii, 2001
 Hanamaulu Bay Oceanfront Wells, Kauai, Hawaii, 2001
 Evaluation of Koloa Well F, Kauai, Hawaii, 2001
 Trex Disposal Well, Kauai, Hawaii, 2001
 Koele Golf Course Irrigation Supply, Lanai, Hawaii, 2001
 Poeleele Well, Kauai, Hawaii, 2001
 Pump Testing of the DLNR Oahu (Kaimuki) Exploratory Wells, Oahu, Hawaii, 2001
 Kealia Pond for Maui National Wildlife Refuge, Maui, Hawaii, 2001
 Falalop Island Water System - Ulithi Atoll, Yap Islands, 2001
 Kii Well Rehab at Kahuku Wildlife Refuge, Oahu, Hawaii, 2001
 Waiau Pipeline for HECO, Oahu, Hawaii, 2001
 Ameron Quarry, Oahu, Hawaii, 2001
 Department of Water Supply Waiaha Well and Tank, Island of Hawaii, 2001
 South Kohala Groundwater Assessment, Island of Hawaii, 2000
 Lihue Energy Services Center Water System Design, Kauai, Hawaii, 2000
 1.5 MG Reservoir at Mauna Lani WWTP, Island of Hawaii, 2000
 Yin to Gargey Pipeline, Yap Islands, 2000
 HASEKO Ocean Pointe Water Master Plan, Oahu, Hawaii, 2000
 Irrigation Wells for Hualalai Resort, Island of Hawaii, 2000
 CEATECH Plantations Wells 3 and 4, Kauai, Hawaii, 2000
 Dillingham Airfield Water Supply Evaluation, Oahu, Hawaii, 2000
 Hanaliilofilo Intake and Pipeline, Molokai, Hawaii, 2000
 Hapuna Well No. 3, Island of Hawaii, 2000
 Launiupoko Well, Maui, Hawaii, 2000
 Department of Water Supply Waiaha Well, Island of Hawaii, 2000
 Design of the Maap-Rumung Pipeline Extension, Yap Islands, 2000
 Gagii-Tomil System Extension, Yap Islands, 2000
 Kaupulehu Potable Well No. 4, Island of Hawaii, 2000
 Kapalawai Resort Water Systems, Kauai, Hawaii, 1999
 Kadday to Yin Pipeline, Yap Islands, 1999
 Kekaha Sugar Plantation Infrastructure Study, 1999
 Maui Land & Pineapple Well in Hailiimaile, Maui, Hawaii, 1999
 Mauna Lani Resort Irrigation Well Nos. 8 and 9, South Kohala, 1999
 Coral Creek Golf Course Well Development, Oahu, Hawaii, 1998
 Uplands Water System Design, South Kohala, Hawaii, 1998
 Puu O Hoku Ranch Well Development, Molokai, Hawaii, 1998

SELECTED**PROJECTS**

(continued)

- Kailua Well Development for East Maui Irrigation, Maui, Hawaii, 1998-99
 Waikele Stream Evaluation, Oahu, Hawaii, 1998
 Groundwater Development in Eyeb Valley, Yap Islands, 1998-99
 Drainage Assessment for Hawaii Reserves, Inc., Laie, Oahu, Hawaii, 1998-99
 Well Development at Papaa Bay Ranch, Kauai, Hawaii, 1998-99
 Bay View Golf Course Irrigation Wells, Kaneohe, Oahu, 1996-97
 Molokai Ranch Replacement Pipelines, Molokai, 1996-97
 Molokai Ranch 15 MG Storage Reservoirs, Molokai, 1996-97
 Waiola Well, Molokai Ranch, 1996-97
 Parker Wells Outfitting, Lalamilo, Hawaii, 1996-97
 Royal Kunia Golf Course Irrigation Well, 1996
 Hawaii Reserves, Inc. Contested Case, Laie, Oahu, 1996
 Puuloa Caprock Users Group Master Plan, Ewa, Oahu, 1996
 Kauai Electric-Chevron Groundwater Evaluation, Port Allen, Kauai, 1997
 Ewa Caprock Aquifer Monitoring For 1994-97, Oahu, Hawaii
 Kaupulehu Potable Wells Evaluation, Island of Hawaii, 1995
 Pecatu Graha Project, Bali, Indonesia, 1995
 Taman Dayu Well Drilling, Surabaya, Indonesia, 1995
 Princeville Water Master Plan, Kauai, Hawaii, 1995
 Kaupulehu Brackish Pond Turnover, Island of Hawaii, 1995
 Honolulu Resource Recovery Venture Disposal Wells Report, Oahu, Hawaii, 1995
- 1995
 Outfit Mauna Lani Resort's Parker Wells, Island of Hawaii, 1995
 Princeville PUC 1995 Rate Case, Kauai, Hawaii, 1995
 EPWDC Non-Potable Source Plan, Oahu, Hawaii, 1995
 Kaupulehu Disposal Wells, Island of Hawaii, 1995
 DWS Piihonua Well Pump Test, Maui, Hawaii, 1995
 Kaupulehu Potable Well Nos. 1 and 2, Island of Hawaii, 1995
 Ookala Well (DWS), Maui, Hawaii, 1995
 Waiahole Irrigation Company, Oahu, Hawaii, 1995
 Gentry Area 26 Well, Oahu, Hawaii, 1995
 Second Honouliuli 228 Tank, Oahu, Hawaii, 1995
 Lanai Well No. 14 Outfitting, Lanai, Hawaii, 1995
 Big Island Country Club Estates Potable Wells Certification, Island of Hawaii, 1995
- 1995
 Mauna Kea Hotel Drainage Improvements, Island of Hawaii, 1995
 Gentry Area 26 Irrigation Station, Oahu, Hawaii, 1995
 Waialua Sugar Company Pump 3 DOH Certification, Oahu, Hawaii, 1994
 Islands Saltwater Well Permits, Mauna Lani Resort, Island of Hawaii, 1994
 Kehena Ditch Evaluation For Kohala Ranch, Island of Hawaii, 1994
 Chiyoda Makakilo Golf Course, Oahu, Hawaii, 1994
 Gentry Waiawa Recharge Study, Oahu, Hawaii, 1994
 Gentry East-Side Irrigation, Oahu, Hawaii, 1994
 Kawaihae Cogeneration Supply and Disposal Wells, Island of Hawaii, 1994
 Kapolei Irrigation Pump Station, Oahu, Hawaii, 1994
 Campbell Agricultural Lands Water System, Oahu, Hawaii, 1994
 AES Federal UIC Permit, Oahu, Hawaii, 1994
 Campbell Estate's Malaekahana Water System, Oahu, Hawaii, 1994
 Hauula Well Evaluation, Oahu, Hawaii, 1994
 Kapalua's Well No. 3, Maui, Hawaii, 1994

SELECTED
PROJECTS
 (continued)

Waikoloa's Tank 1200S-2, Island of Hawaii, 1994
 Gentry Golf Course Irrigation Pump Station, Oahu, Hawaii, 1994
 HRT's Makaha Site Groundwater Evaluation, Oahu, Hawaii, 1994
 Kalaeloa Partners' New Monitoring Wells, Oahu, Hawaii, 1994
 Castle & Cooke Central Oahu Master Plan, Oahu, Hawaii, 1994
 Kaupulehu Makai Irrigation Well Outfitting, Island of Hawaii, 1994
 Villa Escudero, Philippine Islands, 1994
 HPOWER Disposal Wells DOH Report, Oahu, Hawaii, 1994
 Lost River Water Supply Evaluation, Guam, 1994
 Makakilo Golf Course, Oahu, Hawaii, 1994
 Lanai Water System Development, Lanai, Hawaii, 1993
 Kapolei City Irrigation System, Oahu, Hawaii, 1993
 Laie Water Master Plan, Oahu, Hawaii, 1992-93
 Kohala Ranch Well Nos. 3 and 4, Island of Hawaii, 1992-93
 Mauna Lani Resort's Parker Wells, Island of Hawaii, 1992-93
 SNM Rota Island Resort, Rota Island, CNMI, 1992-93
 ABB Cogeneration Plant Saltwater Supply Wells, Oahu, Hawaii, 1993
 Keauhou High Level Well Development, Island of Hawaii, 1991-93
 Waiawa by Gentry Water System Development, Oahu, Hawaii, 1992-93
 Kaupulehu Resort Water System Development, Island of Hawaii, 1990-93
 Kona Country Club Irrigation Well, Island of Hawaii, 1991-92
 Lihilani Groundwater Development, Oahu, Hawaii, 1992
 Honouliuli Wastewater Reclamation and Reuse Study, Oahu, Hawaii, 1992
 Big Island Country Club Irrigation Well, Island of Hawaii, 1992
 Hapuna Golf Course Irrigation Wells, Island of Hawaii, 1991-92
 Ewa Caprock Aquifer Computer Model, Oahu, Hawaii, 1991-92
 South Kohala Water Master Plan, Island of Hawaii, 1991-92
 Princeville Well Development, Kauai, Hawaii, 1992
 Waikoloa Well Nos. 1, 2, and 3, Island of Hawaii, 1990-92
 Waikoloa Water System Master Plan, Island of Hawaii, 1991
 Lalamilo Water System Expansion, Island of Hawaii, 1991
 Saltwater Wells for the Islands at Mauna Lani Resort, Island of Hawaii, 1991
 Bali Golf & Country Club Irrigation Wells, Bali, Indonesia, 1990-91
 Honouliuli Well Nos. 1 to 6, Oahu, Hawaii, 1990-91
 Ewa by Gentry Irrigation System Development, Oahu, Hawaii, 1990-92
 Saltwater Supply and Disposal Wells for the AES Cogeneration Plant, Oahu,
 Hawaii,
 1990
 Makakilo Golf Course Supply Wells and Desalination Plant Design, Oahu,
 Hawaii,
 1990
 Kapalua Resort Well Nos. 1 and 2, Maui, Hawaii, 1990-91
 Lalamilo Water System, Mauna Lani Resort, Island of Hawaii, 1989
 Waikoloa Water System Expansion, Island of Hawaii, 1989-90
 Clark AFB Well Development, Philippine Islands, 1988-90
 Mangilao Golf Course Irrigation Well Development, Guam, 1988-90
 Waikoloa Stream Flood Study, Island of Hawaii, 1990
 Ewa Water System Development, Oahu, Hawaii, 1986-88
 Reclamation & Beach Construction, Sentosa, Singapore, 1986-88
 Waikoloa Beach Resort Irrigation Well Development, Island of Hawaii, 1988

**SELECTED
 PROJECTS**
 (continued)

Mauna Lani Resort Irrigation Well Development, Island of Hawaii, 1988, 1990, and 1992
Westin Kauai Irrigation Well Development, Kauai, Hawaii, 1987-88
Makaiwa Bay Beach Development, Mauna Lani Resort, Island of Hawaii, 1986
Kosrae Groundwater Development, Trust Territory, 1984
Palau Islands Groundwater Development, 1984-88
Keauhou Resort Golf Course Irrigation Well Development, Island of Hawaii, 1983-84
Kula Up-Country Water Study, Maui County, Hawaii, 1983-84
Ewa Water Master Plan, Oahu, Hawaii, 1983-84
Lalamilo Water System, Island of Hawaii, 1984 & 1988
Beach Construction, Mauna Lani Bay Hotel, Island of Hawaii, 1983
Southern Water System, Yap State, Federated States of Micronesia, 1983
Water Development, Saipan, CM, 1983
Molokai Water Master Plan, Molokai, Hawaii, 1982
Yap Island Groundwater Exploration & Development, Yap State, 1982
Molokai Ranch Mountain Water System, Molokai, Hawaii, 1983 & 1988
Princeville Golf Course Irrigation System, Kauai, Hawaii, 1981
Kiahuna Golf Course Irrigation System, Kauai, Hawaii, 1981
Prototype High Capacity Injection Well Field Testing, Waiale, Maui, 1978-80
Irrigation Well, Liliuokalani Trust, Island of Hawaii, 1979
Yap Island Sewage Treatment Plant Ocean Outfall, Trust Territory, 1980
Design of the Gagil-Tomil Water System, Yap State, 1981
Tripler Hospital Traffic Study, Oahu, Hawaii, 1979
Kaumalapau Harbor Breakwater Repair, Lanai, Hawaii, 1980 & 1982
Beach Development Study for Mauna Loa Land Resort, Hawaii, 1979
Drainage Master Plan, Waiale Development, Kahului, Maui, Hawaii
Conceptual Water Development Plans for Colonia, Gagil-Tomil, and Southern Yap areas of Yap State, Trust Territory of the Pacific Islands, 1980
Appeal of FIA Flood Hazard Designations for the Mauna Loa Land, Inc. Resorts, South Kohala, Hawaii, 1980
Irrigation Wells for Kiahuna Golf Village, Koloa, Kauai, Hawaii, 1979
Yap Islands Groundwater Investigation, Yap State, 1979
Yap Wastewater Facility Plan, Trust Territory of the Pacific Islands, 1978
Wailua Basin Water Resources Development Study (Dam Feasibility Study, Hydropower, Flood Control, Irrigation), Kauai, Hawaii, 1976-77
Irrigation Study, Kilauea Agricultural Subdivision, Kauai, Hawaii, 1977
Waimea to Kawaihae Water Transmission Line Study, Hawaii, 1977
Sewerage Master Plan, U.S. Naval Facility, Diego Garcia, 1976

SELECTED
PROJECTS
(continued)

South Kohala Groundwater and Deep Well Evaluation Study, Hawaii, 1975
Fort Shafter Sewage Pump Station, Oahu, Hawaii, 1975
Tafuna Industrial Park, Tutuila Island, American Samoa, 1974
Kapalua Master Plan, Maui, Hawaii, 1974

Per the Prehearing Order dated November 8, 2012, the written direct testimonies for Petitioner Waiko Industrial Investment, LLC's witnesses will be submitted on November 30, 2012

XAMANЕК RESEARCHES, LLC
P.O. BOX 880131
PUKALANI, MAUI, HI 96788
Phone/Fax: 572-8900
Phone/Fax: 572-6118
E-mail: xamanekresearchesllc@gmail.com

RESUME

Erik Mailand Fredericksen

Education:

- 1980 B.A. in Anthropology with Distinction (University of Hawaii at Manoa). Pacific archaeology emphasis, also took related coursework in the Pacific Islands Studies Program.
- 1983 M.A. in Geography (University of Hawaii at Manoa)
Natural resource management, remote-sensing applications in archaeology, computer methods in archaeological analysis. Teaching Assistant for 4 semesters.
- 1992-93 Ph.D. student (Oregon State University)
Jointly enrolled in Earth Sciences Department (Teaching Assistant) and Anthropology Department (Research Assistant) for program. Course work included seminars, remote-sensing applications, GIS, environmental analysis, environmental archeology, historic archaeology, and archaeology research methods. Employed as Crew Chief (Teaching Assistant) for summer archaeology field school on Rogue River. (Withdrew from program due to illness of immediate family member.)

Employment Experience:

- 1976-1981 Part-time, summer, and full-time work as a field archaeologist for various contract firms in Hawaii. 1980-81 employed as a full-time field archaeologist with B.P. Bishop Museum.
- 1983-92 Served as Field Director for Xamanek Researches on 25+ archaeological projects in Maui County. Worked as a field archaeologist in Marlborough District – New Zealand (1986).
- 1987-1992 Lecturer at Maui Community College. Various introductory courses.
- 1994-2005 Served as Field Director and Principal Investigator for Xamanek Researches. Involved in all aspects of project management, quality

control, research, and report preparation. Nearly 300 projects undertaken during this time, including inventory surveys for several large projects including Olowalu, Honokahua, and Ka'anapali 2020 developments.

2005-Present Currently serve as Field Director and Principal Investigator for Xamanek Researches LLC. Involved in all aspects of project management, quality control, research, and report preparation. Over 300 projects have been undertaken during this timeframe, including work in the public and private sectors.

Previous LUC acceptance as an expert witness, testimony

Filed 1994 Approved 1995 (LUC Docket No. A94-706). Project: Kaonoulu Ranch, Maui.

Filed 2004 Approved 2004 (LUC Docket A04-750). Spencer Homes - Waikapu Gardens, Maui.

Community-related service experience:

1999-2004 Appointed to the Maui County Cultural Resources Commission. Served as Commission Archaeologist for this 5-year period. Elected as Vice-Chairman in 2002, served as acting Chair for last 6 months of my term.

2007-2012 Appointed to the Maui County Cultural Resources Commission for a second term. Served as Commission Archaeologist for this 5-year period. Elected as Vice-Chairman in 2007. Subsequently elected as Chairman in 2009, and continued to serve as MCCRC Chair through the completion of my 5-year appointment in March 2012.

1998-Present Have periodically provided pro bono archaeological services for various groups and non-profit organizations. A partial list includes: The Central Maui Boys and Girls Club, Habitat for Humanity - Maui, Na Leo Pulama O Maui, the YMCA, Hospice Maui, The Maui Food Bank, The Nisei Veterans Memorial Center, and the Maui/Lana'i Islands Burial Council.

Professional and related memberships:

Current Maui Historical Society, Wailuku, Maui. Also utilize MHS archives for research-related matters primarily to do with Maui County.

Current American Institute of Archaeology

Current Archaeological Conservancy

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CONSULTING CIVIL ENGINEERS
305 SOUTH HIGH STREET, SUITE 102
WAILUKU, MAUI, HAWAII 96793
PHONE: (808) 242-0032
FAX: (808) 242-5779

**STATEMENT OF QUALIFICATIONS
for
Professional Consulting Civil Engineering Services**

The following information and statement of qualifications will provide an overview of Otomo Engineering, Inc. and the engineering capabilities and services that we are able to provide.

BACKGROUND

Otomo Engineering, Inc. (OEI) was incorporated on September 19, 1991. OEI is a Hawaii corporation licensed to provide civil engineering services in the State of Hawaii.

OEI has been in business for 21 years: Over the last three years, our average number of employees were 5 full-time and consultants were hired on a regular basis for clerical, CAD drafting, structural engineering services, mechanical engineering services, and surveying services.

RESUME OF PRINCIPAL

Principal: Stacy A. Otomo
Degree(s): B.S. Civil Engineering, 1977 - University of Hawaii, Manoa
M.S. Civil Engineering, 1979 - University of Hawaii, Manoa
Registration: No. 5115 - Civil Engineer (Hawaii), 1981

PROFESSIONAL AFFILIATIONS

Hawaii Society of Professional Engineers, Maui Chapter
(past President; past State Director)
Maui County Urban Design Review Board (past Member)
Kaanapali Golf Estates (Past Member New Construction Committee)
Wailuku Country Estates (Past Member Design Review Committee)

COMMUNITY AFFILIATIONS

2013 Baldwin High School Project Graduation
(Steering Committee)
2012-2013 Baldwin High School Swimming and Diving Team
(Parent Coordinator)

Boy Scouts of America - Maui County Council
(Past Eagle Scout Review Board, Central District Advancement Chairman)
(Past Scout-O-Rama Steering Committee)

Boy Scouts - Troop 68
(Current Eagle Scout Coordinator, Past Committee Member and Liaison to Wailuku,
Elementary School and Committee Chairman)

Iao Intermediate School Band Boosters
(Past Member and Past co-President)

Maui United Way
(Past Board of Directors)

Wailuku Elementary School PTA
(Past Board of Directors)

Cub Scouts-Pack 68
(Past Den Leader)

EXPERIENCE AND PAST PROJECTS

September, 1991 to Present:
President/Principal Engineer
Otomo Engineering, Inc.

May, 1988 to December, 1991:
Projects Manager
Warren S. Unemori Engineering, Inc.

March, 1985 to April, 1988:
Chief Engineer
Richard M. Sato & Associates, Inc. (Maui Office)

November, 1979 to February, 1985:
Senior Design Engineer
Warren S. Unemori Engineering, Inc.

June, 1979 to November, 1979:
Junior Engineer
R. M. Towill Corporation

The following is a list of notable projects which were prepared by me or under my direct supervision.

Route 3100 - South Kihei Road Drainage Improvements
Kihei, Maui

Kihei Drainage Master Plan
Kihei, Maui

South Kihei Road Improvements-Phase III
Kihei, Hawaii

Waikapu Affordable Housing Project
Waikapu, Maui

Ohana Kai Village
Maalaea, Maui

Ka'ono'ulu Estates - Phase IV
Kihei, Maui

The Villas at Ka'ono'ulu
Kihei, Maui

Olowalu Country Town
Olowalu, Maui

Waikapu Country Town
Waikapu, Maui

PREVIOUS TESTIMONY BEFORE THE STATE LAND USE COMMISSION

Pulelehua
Waikapu Gardens
Kula Ridge Affordable
Consolidated Baseyard Subdivision

CLIENT REFERENCES

Mr. David Goode, Director
Department of Public Works
County of Maui
(808) 243-7845

Mr. David Taylor, Director
Department of Water Supply
County of Maui
(808) 270-7816

Mr. Kyle Ginoza, Director
Department of Environmental Management
County of Maui
(808) 270-8230

Mr. Jesse Spencer, President
Spencer Homes, Inc.
(808) 249-8822

Mr. Greg Bayless, AIA
Farrington-Bayless Architects
(808) 244-6777

Mr. Bruce Lee, President
Newcomer-Lee Land Surveyors, Inc.
(808) 244-8889

AWARDS/ACCOMPLISHMENTS

1992 Maui Chapter/HSPE Engineer of the Year
1992 Who's Who in the West
1989 State HSPE Young Engineer of the Year
1989 Maui Chapter/HSPE Engineer of the Year
1988 Maui Chapter/HSPE Young Engineer of the Year
1987 Outstanding Young Men of America
1986 Maui Chapter/HSPE Young Engineer of the Year

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PROFESSIONAL QUALIFICATIONS

Glenn K. Kuniyama, MAI, CRE

STATE LICENSING

State Certified General Appraiser,
State of Hawaii, License No. CGA 39, July 17, 1991
Expiration: December 31, 2013



PROFESSIONAL AFFILIATIONS

Member, Appraisal Institute, MAI Designation, Hawaii Chapter No. 67
Member, The Counselors of Real Estate, CRE Designation, Hawaii Chapter
Member, International Right of Way Association
Member, National Association of Realtors, Maui Board of Realtors

PROFESSIONAL INVOLVEMENT

Past President – Hawaii Chapter of the Appraisal Institute – 2009
Past Chair – Hawaii Chapter of The Counselors of Real Estate - 2011

COMMUNITY AFFILIATIONS

St. Anthony Parish School Board
Board Member 1995 to 2008
Board President 1997 and 1998
Alii Community Care, Inc. – A non-profit health care corporation
Board Member 2004 to 2006

EMPLOYMENT

President, ACM Consultants, Inc.
May, 1997 to present

Previously associated with the following:

ACM, Real Estate Appraisers, Inc. - 1986 to 1997
A&B Commercial Company; a division of Alexander & Baldwin, Inc. - 1979 to 1985
Bank of Hawaii - 1976 to 1979

GENERAL EDUCATION

University of Hawaii at Manoa
Master of Business Administration (MBA) - Executive MBA Program V, 1988
Bachelor of Business Administration (BBA), 1976
Iolani School, 1971

LEGAL & CONSULTING

Qualified as an expert witness in the Second Circuit Court of the State of Hawaii
Qualified as an expert in testimony to the State Land Use Commission
Experienced in real estate arbitration assignments in the State of Hawaii

APPRAISAL EDUCATION

Appraisal Institute

Course	<i>Fundamentals of Separating Real Property, Personal Property and Intangible Business Assets</i> Honolulu, Hawaii – July 2012
Course	<i>Online 7-Hour National USPAP Equivalent Course</i> Chicago, Illinois – December 2011
Seminar	<i>Appraisal Curriculum Overview (2-day general)</i> Honolulu, Hawaii – July 2010

Seminar	<i>Online Valuation of Green Residential Properties</i> Chicago, Illinois – July 2010
Seminar	<i>Hotel Valuation</i> Honolulu, Hawaii – February 2010
Seminar	<i>Online Small Hotel/Motel Valuation</i> Chicago, Illinois – November 2009
Seminar	<i>Business Practices and Ethics</i> Honolulu, Hawaii – September 2009
Seminar	<i>Hawaii Lands, Historical Review</i> Lihue, Hawaii – August 2009
Seminar	<i>Appraisal Challenges: Declining Markets and Sales Concessions</i> Cambria, California – October 2008
Course	<i>7-Hour National USPAP Update Course</i> Honolulu, Hawaii – September 2008
Course	<i>Online 7-Hour National USPAP Equivalent Course</i> Chicago, Illinois – October 2007
Course	<i>Valuation of Conservation Easements</i> Denver, Colorado – October 2007
Seminar	<i>Uniform Standards for Federal Land Acquisitions ("Yellow Book") Practical Applications for Fee Appraisers</i> Honolulu, Hawaii – December 2006
Seminar	<i>California Conservation Easements</i> Sacramento, California – November 2005
Course 400	<i>7-Hour National USPAP Update Course</i> Honolulu, Hawaii – October 2005
Seminar	<i>Case Studies in Limited Partnership and Partial Interest Valuation</i> Honolulu, Hawaii – May 2005
Seminar	<i>Appraisal Consulting: A Solutions Approach for Professionals</i> Honolulu, Hawaii – February 2005
Seminar	<i>Real Estate Finance, Value and Investment Performance</i> Honolulu, Hawaii – February 2005
Seminar	<i>Fannie Mae Residential Presentation</i> Honolulu, Hawaii - July 2004
Seminar	<i>Subdivision Analysis</i> Chicago, Illinois - August 2003
Seminar	<i>Supporting Capitalization Rates</i> Chicago, Illinois - August 2003
Seminar	<i>The Technology Assisted Appraiser</i> Chicago, Illinois - August 2003
Seminar	<i>Scope of Work: Expanding Your Range of Services</i> Chicago, Illinois - August 2003
Course 400	<i>National Uniform Standards of Professional Practice</i> Honolulu, Hawaii - May 2003
Course 420	<i>Business Practices and Ethics</i> Honolulu, Hawaii - May 2003
Seminar	<i>The Private Conservation Market</i> Honolulu, Hawaii - July 2002
Seminar	<i>Finance Reporting Valuations Parts I and II</i> Honolulu, Hawaii - July 2002
Seminar	<i>Future of Appraisal Profession from a Global Perspective</i> Honolulu, Hawaii - July 2002

Seminar	<i>Appraisal Office Management</i> Honolulu, Hawaii - July 2002
Course 540	<i>Report Writing</i> Denver, Colorado - December 2000
Seminar	<i>Partial Interests: Theory and Case Law</i> Las Vegas, Nevada - July 2000
Seminar	<i>Easement Valuation</i> Las Vegas, Nevada - July 2000
Seminar	<i>Bridging the Gap: Marketability Discounts for Real Estate Interests</i> Las Vegas, Nevada - July 2000
Course 430	<i>Standards of Professional Practice, Part C</i> Honolulu, Hawaii - September 1999
Seminar	<i>Litigation Skills for the Appraiser: An Overview</i> Honolulu, Hawaii - May 1998
Seminar	<i>Special Purpose Properties</i> Honolulu, Hawaii - September 1997
Seminar	<i>Highest and Best Use Applications</i> Honolulu, Hawaii - September 1997
Seminar	<i>Detrimental Conditions</i> Honolulu, Hawaii - July 1997
Seminar	<i>The Appraiser As Expert Witness</i> Honolulu, Hawaii - August, 1995
Seminar	<i>How to Appraise FHA-Insured Property</i> Los Angeles, California - January, 1995
Seminar	<i>Understanding Limited Appraisals and Reporting Options</i> Honolulu, Hawaii - August, 1994
Seminar	<i>Valuation of Leasehold Interests</i> Honolulu, Hawaii - May, 1993
Seminar	<i>Valuation of Leased Fee Interests</i> Honolulu, Hawaii - May, 1993
Seminar	<i>Valuation Considerations: Appraising Non-Profits</i> Boston, Massachusetts - July, 1992
Seminar	<i>Americans With Disabilities Act</i> Boston, Massachusetts - July, 1992
Seminar	<i>Valuation in Today's Capital and Financing Markets</i> Honolulu, Hawaii - June 1992
Seminar	<i>Arbitration Principles, Procedures and Pitfalls</i> Honolulu, Hawaii - June, 1992
Seminar	<i>Institutional Real Estate in the 1990's</i> Honolulu, Hawaii - June, 1992
Seminar	<i>FIRREA and its Impact on Appraisers</i> Honolulu, Hawaii - June, 1992
Course 410/420	<i>Standards of Professional Practice, Parts A & B</i> Honolulu, Hawaii - April, 1991

The American Society of Farm Managers and Rural Appraisers, Inc.

Seminar	<i>Agricultural Lease Valuation</i> Honolulu, Hawaii - March 2006
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Maui Coastal Land Trust

Seminar	<i>Understanding the New Tax Incentives: Conservation Easements & Other Charitable Contributions</i> Wailuku, Hawaii - June 2007
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Society of Real Estate Appraisers

- Course 101 *Introduction to Appraising Real Property*
Dallas, Texas – 1987
- Course 102 *Applied Residential Property Valuation*
Honolulu, Hawaii - July 1990
- Course 201 *Principles of Income Property Appraising*
Chicago, Illinois, 1987
- Course 202 *Applied Income Property Valuation*
San Diego, California - 1988
- Seminar *Professional Practice and the Society of Real Estate Appraisers*
Honolulu, Hawaii - 1988
- Seminar *Appraisal Standards Seminar - Federal Home Loan
Bank Board Guidelines, Regulations and Policies*
Honolulu, Hawaii - April, 1988
- Seminar *Appraisal Standards Seminar - Federal Home Loan
Bank Board Guidelines, Regulations and Policies*
Honolulu, Hawaii - April, 1988

American Institute of Real Estate Appraisers

- Seminar *Rates, Ratios and Reasonableness*
Honolulu, Hawaii - 1989
- Seminar *Discounted Cash Flow Analysis*
Honolulu, Hawaii - 1989
- Seminar *Highest and Best Use*
Honolulu, Hawaii - 1989
- Seminar *Capitalization Overview - Part A*
Honolulu, Hawaii - 1990
- Seminar *Capitalization Overview - Part B*
Honolulu, Hawaii – 1990
- Seminar *Accrued Depreciation*
Honolulu, Hawaii - 1990

International Right of Way Association

- Course 410 *Reviewing Appraisals in Eminent Domain*
San Diego, California – February 2011
- Course 101 *Appraisal*
Las Vegas, Nevada - October 1998
- Course 101 *Negotiation*
Las Vegas, Nevada - October 1998

National Business Institute, Inc.

- Seminar *Commercial Real Estate Leasing In Hawaii*
Honolulu, Hawaii - 1989

American Arbitration Association

- Seminar *Real Estate Dispute Resolution - Mediation and Arbitration*
Kahului, Maui, Hawaii - October, 1990

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Robert W. Hobdy
Environmental Consultant
2560-B Pololei Place Haiku Maui, Hawaii 96708
hm ph 573-8029 d.o.b. 09/06/42 email: hobdyr001@hawaii.rr.com

Education: Bachelor of Forestry, Oregon State University – 1965

Employment: State of Hawaii
Department of Land and Natural Resources
Division of Forestry & Wildlife
37 ½ years
Highest Position – District Manager / Maui County

Botanical Experience

- Exposure to a distinguished botanist at the age of 15 (1957) where I developed a personal interest in plants.
- Undergraduate courses in botany in college.
- Worked with and managed forest resources throughout my career with special focus on native and Endangered species and their ecosystems, watershed management, timber species, invasive weeds and plant pests and disease management
- Collaborated with sister resource management agencies and organizations, universities, museums and visiting scientists.
- Made extensive collections of plants for the Bishop Museum and other institutions documenting native plants and weeds and their distribution. Discovered twelve new species of native plants, two of which I described in scientific publications and five of which were named after me by other botanists.
- Serving on the Maui County Arborist Advisory Committee for over 30 years.
- Serving on the Board of Directors of the Maui Nui Botanical Gardens
- Served on a Federal Weed Risk Assessment advisory committee
- Serving on the Maui Invasive Species Committee since 1991
- Opened an environmental consulting business in 2004, specializing in flora and fauna surveys, wetland surveys and site evaluations.

Wildlife experience

- Worked alongside professional wildlife biologists throughout my career, participating in game species census and forest bird surveys.
- Worked alongside entomologists, malacologists, and aquatic and marine biologists doing species documentation and making habitat assessments.
- Administered public hunting programs, pest species eradication programs and forest bird and Endangered Species habitat management and recovery programs.

Other

- Have personal expertise in all the islands in Maui County with regard to names, places, terrain, natural resources, land ownership and people.
- Am familiar with government systems, jurisdictions and people.
- Have experience in public relations, collaboration, consensus building and conflict management
- Am familiar with environmental Laws and rules and their application.

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STATEMENT OF QUALIFICATIONS:

JOHN S. VUICH
Owner-Geologist

M. S. Geological Engineering, University of Arizona
B. S. Geological Engineering, University of Arizona
Registered Geologist (California)
Registered Environmental Assessor (California)
Certified Environmental Manager (Nevada)

AREAS OF EXPERTISE

- ENVIRONMENTAL**
- ▼ **Site Assessments** for Real Estate Transactions & Shoreline Permits. EA/EIS process.
 - ▼ **Mold/Fungi** Sampling, Cleaning, Disinfecting, Sealing & Remediation/Abatement
 - ▼ **Asbestos** Inspection and Monitoring, Management Planning, and Abatement Design and Removal
 - ▼ **Lead-Containing Paint** Surveys and Inspections, and Abatement Design and Remediation
 - ▼ **Expert Witness/Litigation** Support
 - ▼ **Wetland** Delineation and US Army Corps of Engineers Permit
 - ▼ **Indoor Air Quality** Consulting/Investigations
 - ▼ **Hazardous Waste** Management, Compliance and Closure Projects
 - ▼ **Facility-Operation Compliance Audits** ISO-14000 Audits
 - ▼ **Site Characterization** for RCRA Closure & NPDES Permits
 - ▼ **Underground Storage Tank** Closure
 - ▼ **Industrial Hygiene** Qualified/Competent Person
- GEOLOGICAL**
- ▼ **Hydrogeology** Wetland Permit process and (Hydric) soils-Hawaii. Aquifer Protection Permit for northern Arizona mining operation. Water well drilling and Injection-well permit process, Hawaii.
 - ▼ **Field Mapping** Mineral Investigations, Underground Mining
 - ▼ **Drilling** Investigations and Sample Logging for Groundwater, Soils & Economic Mineral evaluations.
- MANAGEMENT**
- ▼ **Project Management** Abatement Contractor & Environmental Compliance Cleanups, Section Supervisor with engineering company, General and Operations Manager for small businesses.
 - ▼ **Regulatory Liaison Agency** with Client/Legal.

Continued

RELEVANT EXPERIENCE

Owner-Director • MEV, LLC.; dba Malama Environmental Maui, HI • (June 2006 - Present)

Environmental consulting services and project management of remediation projects, property transfers assessments, soil and water sampling, hazardous waste management, underground storage tank closures, wetland delineations and permit applications, regulatory compliance and litigation support, injection-well and NPDES permits. Veteran owned small business & HUB-Zone business classification. 10/15/2007

Owner-President • Vuich Environmental Consultants, Inc. Maui, and Honolulu, Oahu • (March, 1994 - 2008)

Abatement and Demolition contractor conducting asbestos, mold, lead-paint remediation for schools, hotels, government facilities, commercial and residential units. Performing selective demolition and landfill site remediation and closure.

Owner-President • HAZTECH Enviro-Systems Tucson, AZ • July 1988 - February 1994)

Founder and Director of professional environmental engineering and geological consulting firm.

Project Engineer • Hazchem Environmental Services Tucson, AZ • March 1987 - June 1988

Performed and supervised RCRA remedial projects and waste management projects.

Independent Consultant Geologist

Laguna Hills, CA and Tucson, AZ • 1982 - 1987

Conducted geological investigations in western United States and Mexico.

Environmental/Geotechnical Section Supervisor • TRW: Systems Engineering Redondo Beach, CA • 1978 - 1981

Managed environmental projects for Department of Defense and Department of Energy

Arizona Geological Survey • University of Arizona Tucson, AZ • 1972-1978

Assistant Geologist

United States Marine Corps, Corporal 1960-1963

LICENSES and REGISTRATIONS

- ▼ **Asbestos & Demolition Contractor (C-19, C-24) Hawaii License #21212**
- ▼ **Licensed Private Pilot - 1500 Hours, Single Engine, Land. Flight Operations in Western U.S., Mexico and Hawaii.**
- ▼ **Professional Geologist-CA; Environmental Assessor-CA; Environmental Manager-NV**

P.O. Box 880487, Pukalani, HI 96788-0487 • (808) 876-0500 Phone (808) 876-1900 Fax

Victorialei N. Nakaahiki

From: Cathy T. Tengan on behalf of Docket
Sent: Tuesday, November 20, 2012 12:43 PM
To: Valinn M.Y. Shull
Cc: Elvira P. Leming; Victorialei N. Nakaahiki
Subject: RE: CFL (Titan) Subpoena (Records)
Attachments: Cape Flattery #08-0482 (039976-13).pdf

Calendared. Please see attached event report and advise if any adjustments to the associated briefing deadlines are necessary. Also please notify Docket if any of these events need to be marked complete to be removed from the calendar. Thanks -

Cathy

From: Valinn M.Y. Shull
Sent: Tuesday, November 20, 2012 11:05 AM
To: Nenad Krek; Christian K. Adams; Victorialei N. Nakaahiki
Cc: Elvira P. Leming; Docket
Subject: CFL (Titan) Subpoena (Records)

Attached are the following:

Subpoena by Titan Maritime, Records of:

1. Ocean Surveys and Management Corp.
December 4, 2012
8:30 a.m.
Office of Deponent (Custodian of Records)
 2. Waldron Steamship Co., Ltd.
December 4, 2012
8:45 a.m.
Office of Deponent (Custodian of Records)
 3. Hawaiian Tug & Barge
December 4, 2012
9:00 a.m.
Office of Deponent (Custodian of Records)
 4. Sause Brothers, Inc.
December 4, 2012
9:15 a.m.
Office of Deponent (Custodian of Records)
 5. P&R Water Taxi, Inc.
December 4, 2012
9:30 a.m.
Office of Deponent (Custodian of Records)
-

Cathy,
Please calendar:
#033976-13

Thank you,
Val

Per the Prehearing Order dated November 8, 2012, the written direct testimonies for Petitioner Waiko Industrial Investment, LLC's witnesses will be submitted on November 30, 2012

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of

DOCKET NO. A12-796

WAIKŌ INDUSTRIAL INVESTMENT, LLC

To Amend the Land Use District Boundary of
Certain Lands Situated at Waikapu, Wailuku,
Island of Maui, State of Hawai'i, Consisting of
approximately 31.222 Acres, from the
Agricultural District to the Urban District, Tax
Map Key No. (2) 3-8-007:102.

CERTIFICATE OF SERVICE

I hereby certify that due service of the within document was made by depositing
the same with the United States Mail, postage prepaid, or by hand delivery, on November 21,
2012, addressed to:

JESSE K. SOUKI
Director
Office of Planning
State of Hawaii
235 South Beretania Street, Room 600
Honolulu, Hawai'i 96813

BY HAND DELIVERY

BRYAN C. YEE, ESQ.
Deputy Attorney General
Department of the Attorney General
425 Queen Street
Honolulu, Hawaii 96813

BY HAND DELIVERY

WILLIAM SPENCE
Director, Planning Department
County of Maui
250 South High Street
Wailuku, Hawaii 96793

BY CERTIFIED MAIL

PLANNING COMMISSION
County of Maui
250 South High Street
Wailuku, Hawaii 96793

BY CERTIFIED MAIL

JAMES GIROUX, ESQ.
Corporation Counsel
Department of the Corporation Counsel
County of Maui
200 South High Street
Wailuku, Maui, Hawaii 96793

BY CERTIFIED MAIL

MAUI ELECTRIC COMPANY, LIMITED
Attention: Dan Takahata
P. O. Box 398
Kahului, Hawaii 96733-6898

BY MAIL

HAWAIIAN TELCOM INC.
Attention: Legal Department
P. O. Box 2200
Honolulu, Hawaii 96816

BY MAIL

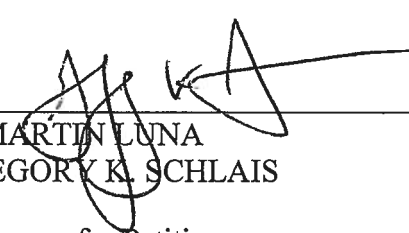
FONG CONSTRUCTION COMPANY,
LIMITED
405 Hukilike Street, Bay 4
Kahului, Hawaii 96732

BY MAIL

NOBRIGA'S RANCH, INC.
P. O. Box 1170
Wailuku, Hawaii 96793

BY MAIL

DATED: Honolulu, Hawaii, November 21, 2012.



B. MARTIN LUNA
GREGORY K. SCHLAIS

Attorneys for Petitioner
WAIKŌ INDUSTRIAL INVESTMENT, LLC