Exhibit N

Comment Letters, Scoping Letters and Letters of Support

January 4, 2013

Vladimir P. Devens, Chairperson
Land Use Commission
Department of Business, Economic Development, and Tourism
State of Hawaii
P.O. Box 2359
Honolulu, Hawaii 96804-2359

Subject: Petition to amend the Land Use Boundary of certain lands situated at Kapa'a, Island of Kaua'i, State of Hawaii, consisting of 97 acres from the Agriculture and Rural District, to the Urban District, Tax Map Key No. 4(4)-3-003:001, Kapa’a Highlands, Three Stooges, LLC.

Dear Chairperson Devens:

This letter is to inform you of the County of Kaua'i, Department of Public Work's (County) general support of the Kapa’a Highlands petition to amend 97 acres in Kapa’a to the Urban District. The proposed amendment is for the development of 231 affordable housing units. The County is generally supportive of petitions that will provide affordable housing units in a manner consistent with the Kaua'i County General Plan.

We have met with the Petitioners, Three Stooges LLC, and we will work with them to ensure that any impacts from the project are analyzed and effectively mitigated.

Please call me at (808) 241-4996 if you have any questions.

Very truly yours,

Larry Dill, P.E.
County Engineer

An Equal Opportunity Employer
December 30, 2011

To Whom It May Concern,

I, Willie Sanchez, was the first person to work in the area of TMK (4) 4-3-03-1 after Amfac Sugar sold the property. I started mowing the property in about 1999. The agricultural water system was abandoned and the interior ditches have become almost flat from non-use. I have never seen any historical or cultural items on this property. I mowed the property for about 5 years. The property is now overgrown with guinea grass and hale koa.

Willie Sanchez

I worked for Linga Plantation from 1963 - 1986 in various jobs. I worked in Kapa'a 20, approximately 100 acres of which TMK (4) 4-3-03-1 is a portion of this field. My father and uncles also worked in these fields in the 1930s - 1970s. I worked in Kapa'a 20 every other year as a bulldozer driver, pushing cane as a crane operator and with the Plow Department plowing this field. At no time did I ever see or hear of anyone finding any human remains or gravesites in this field. If you have questions or require additional information, please call me at 651-5775.

Stanley Vasquez
1737 Huhu Rd.
Kapaa HI 96746
October 28, 2011

Mr. Greg Allen
Kapa'a Highlands Phase II Project
Harbor Mall

Dear Mr. Allen:

This is a letter of support for the relocation of the County of Kauai, Kapa'a Swimming Pool to the subdivision area of the Kapa'a Highlands Phase II Project.

The project will provide an opportunity to have a recreational facility in an area away from the tsunami inundation zone due to the current location. The relocation of the Kapa'a Swimming Pool will provide accessibility to swimming and recreational activities for the general population in the Kapa'a area.

The proposed new location of the pool will be in close proximity to Kapa'a Middle School for students, teachers and staff usage for educational purposes such as physical education, sports events, and water safety training.

The Kauai Complex Area supports your effort to relocate the pool. It will serve as an added resource to reach our educational and healthy Hawaii initiatives for our students in the Kapa'a complex school area.

We look forward to reviewing your environmental studies to better understand the full impact of your proposed Kapa'a Highlands Phase II Project.

Please feel free to call me at 274-3502 should you have any questions.

Aloha,

William N. Arakaki
Kauai Complex Area Superintendent

cc: Mayor Bernard P. Carvalho, Jr.

October 17, 2011

Commissioner Normand R. Lezy, Chairperson
Land Use Commission
Department of Business, Economic Development, and Tourism
State of Hawaii
PO Box 2359
Honolulu, HI 96804-2359

RE: Petition to amend the Land Use Boundary of certain lands situated at Kapa'a, Island of Kauai, State of Hawaii, consisting of 97 acres from the Agriculture and Rural District to the Urban District, Tax Map Key No. (4)A-3-03-001.
Kapa'a Highlands, Three Stooges, LLC

Dear Commissioner Lezy,

Thank you for the opportunity for the Kauai Path, Inc. Board of Directors to offer our support for Kapa'a Highlands subdivision.

This proposed development as described to us by the developer appears to be consistent with smart, responsible growth. The planned development has the potential to serve the best interests of our communities. Preliminary plans we have been shown integrate community parks, green spaces, residential housing, and commercial areas. These elements promote a healthy and livable community.

Accordingly, it is our recommendation that if the Commission approves the applicant's request to change the property's zoning, such an approval should include conditions requiring the project to incorporate active transportation facilities. We recommend that these accommodations be designed with all users in mind. Such facilities should be described in a well-conceived circulation plan with provisions for safe bicycling and access to public transportation serving riders and pedestrians of all ages and abilities in compliance with Americans with Disabilities Act ("ADA") guidelines. The final plan

Kauai residents working together to preserve, protect, and extend access island-wide through the design, implementation, and stewardship of non-vehicular paths.
should include appropriate traffic calming features like roundabouts, back-in diagonal parking, sidewalks, bike lanes and/or multi-use paths, public transportation stop(s), safe crossing opportunities, and median islands. These concepts encompass a Complete Streets approach to urban development.

As a feature conducive to smart growth and urban infill projects, we further recommend the inclusion of a modest community center providing ancillary services, sanitary facilities, and preferably some type of commercial food service for neighbors, visitors to the public swimming pool, the project’s residents, and the nearby Kapa’ a Middle School campus.

Creating attractive multimodal transportation connections—not only within the project, but most importantly to the surrounding multimodal infrastructure as well—will help create a community where families can live, work, and play with less dependence on automobiles and enhanced opportunities for improved health.

Respectfully,

Sally Jo Manca, President Board of Directors,
Kauai Path Inc.

Tommy A Noyes
Member of Board of Directors
Kauai Path Inc.

Dear Land Use Commission,

This letter is to show my support for the Kapa'a Highlands subdivision. It has been many years since the Kapa'a Ahupua'a has had a new planned subdivision. Planned communities are superior to random growth because they integrate community parks, green spaces, commercial areas and housing in an organized, smart layout that benefits everyone. The Kapa'a Highlands subdivision will be a planned community. It promises a healthy and livable community that will provide some work force housing which is sorely needed.

I ask that you give the Three Stooges LLC and Kapa'a Highlands your approval.

Thank you,

David Vickers
Island Trust
Dear Land Use Commissioners,

I am writing in support of the Kapaa Highlands project. As a person who has a degree in Urban Planning I believe this project has many of the features of a true smart growth community and will be a welcomed and vital addition to the Kapaa community. The project is close to town center making it a walkable community. It is also near a public transportation site. The plans are also asking for some limited mixed use within the community which could provide shopping and jobs within walking distance for residents. The project will allow the middle school to in effect expand into the park area and provide them with use of a pool (a needed addition since the nearby Kapaa pool is in need of repair.

The community will have a good density with single family homes, duplexes and apartments. The plan is to make this community affordable for the average person which is most needed. The so-called “gap housing” is often neglected on Kauai. They are incorporating parks and green space and the community is across the street from the Kapaa Park which will be a great addition for the kids of the community. The community will be walkable and bikeable and they are looking to extend a spoke of the eastside bike path to the community. All streets are planned to be complete and therefore safe for all modes of transportation. The developers will be dedicating the bypass road to the state which is necessary for the development of Kapaa. The current circle at the bypass is a very safe feature for pedestrians and bicyclists.

There are so many good and thoughtful smart growth considerations in this community that it should be approved and built. In addition this is one of the best uses for this land that is so near to central Kapaa.

Thank you for your consideration of this project, which I feel should be approved overwhelming.

Sincerely,
Neil J Clendeninn, MD, PhD, MS-arch
PO Box 1005, Hanalei, HI 96714
cybermad@msn.com
808-294-0660
To Whom It May Concern
October 6, 2011

owners’ application would be a significant step towards proper planning for the area and the communities’ benefit.

I am available to respond to any questions you may have as to any of the foregoing and appreciate your attention to these matters.

Sincerely,

KURT BOSSHARD
President, Kapas Solar LLC
Trustee, Kurt Bosshard Trust

COUNTY COUNCIL
JAY PURPURA, CHAIR
JOANNA YOKIMURA, VICE CHAIR
TOM BYNUM
DICK CHANG
KIPUKAI KAULIY
MADRIGAL NAKAMURA
MEL KAPAOZO

OFFICE OF THE COUNTY CLERK
Council Services Division
Elections Division
PELTER NAKAMURA, County Clerk
EDUARDO TOIPENO, Jr., Deputy County Clerk
4356 W. STREET, SUITE 300
LIEUE, KAUAI, HAWAII 96766
Phone: (808) 241-4133
Fax: (808) 241-6349

Normand R. Lezy, Chairperson
Land Use Commission
State of Hawaii
Department of Business, Economic Development, and Tourism
P.O. Box 2359
Honolulu, Hawaii 96804-2359

October 5, 2011

Dear Chairperson Lezy:

RE: Petition To Amend The Land Use Boundary Of Certain Lands Situated At Kapa’a, Island of Kaua’i, State of Hawai’i, Consisting Of 97 Acres From The Agriculture And Rural District To The Urban District, Tax Map Key No. (44)-3-08001. Kapa’a Highlands, Three Stooges, LLC.

Thank you for the opportunity to offer my support in my individual capacity as a member of the Kaua’i County Council for the amendment of 97 acres in the Kapa’a Urban Land Use District.

I have been assured that the Petitioners, Three Stooges, LLC, continues to work directly with various County departments in order to follow all County ordinance requirements.

The proposed amendment is expected to provide 231 affordable housing units, both single family and multi-family types of structures.

The Petitioners are dedicated to creating a multi-use development that serves the best interest of its surrounding community and is consistent with, smart, responsible growth.

Thank you for allowing me this opportunity to provide my support as an individual member of the Kaua’i County Council.
Should you have any questions, please feel free to contact me at (808) 241-4188.

Sincerely,

TIM BYNUM
Councilmember
Kauai County Council

Patrick J. Childs:
Suite 104
4485 Koholo Grove Street
Lihue, Hawaii 96766

Dear Mr. Childs:

Subject: Kapaa Highlands Phase II, Petition for District Boundary Amendment, TMK:
4-4-02-01 por, Kauai

Am in receipt of your letter requesting the Office of Environmental Quality Control (OEQC) to confirm through your office that there is no specific requirement for an EA at this time.

Based on the information presented in your letter, it appears that this action involves an application before the Land Use Commission requesting the rezoning of 97 acres of agricultural land into urban. In this case, the determination as to whether or not this application triggers HRS Chapter 343 would be made by the LUC. It is my understanding that changing the land use designation as described does not by itself trigger HRS Chapter 343, however, depending on the extent and nature of the planned development, a permitting agency may determine otherwise.

Furthermore, depending on the development's ultimate impact on adjacent state highways, the Department of Transportation should also be consulted. I would be pleased to meet and discuss this project or any issues of concern or questions that you might have, should you believe that would be helpful.

NOTE: The OEQC is not authorized to determine or enforce compliance with HRS Chapter 343, nor does it have legal authority to approve or disapprove exemptions, EA's or EIS documents. The OEQC policy on such requests is to consult and offer general guidance based on our understanding of HRS Chapter 343 and past practice with regards to its implementation, but to refrain from issuing specific opinions on specific projects, except that the OEQC may make a recommendation as to the acceptability of a final statement upon request. Not only does the OEQC not have the legal authority to direct compliance or make determinations, the office also lacks the resources to effectively analyze specific projects, conduct site visits and in general conduct the due diligence needed to properly evaluate a project or impacts and potential Chapter 343 compliance issues. The responsibility for such analysis and determinations rests solely on the permitting and approving or accepting agency.

Sincerely,

Gary Hooser
Director
Office of Environmental Quality Control
August 31, 2011

Mae W. J. Graham, Jr.
BELLES GRAHAM PROUDFOOT WILSON & CHUN, LLP.
Wataumull Plaza
4334 Rice Street, Suite 202
Lihue, Hawaii 96766

Subject: KAPA‘A HIGHLANDS SUBDIVISION – Subdivision of Parcel 1, Being a Portion of Grant 5266 to Rufus P. Spalding Into Lots 1 to 13, Inclusive, Kapa‘a and Waipouli, Kaua‘i, Hawaii. (89-945, Allen Family LLC/Maloa Bay Ventures, LLC/Three Storages, LLC)

An extension until AUGUST 31, 2012 to file final subdivision maps has been approved by the Planning Commission at their meeting held on August 30, 2011. The Applicant shall submit an updated status report on the subdivision that includes a detailed time chronology on the progress of the tentative approval requirements and it shall be submitted to the Planning Department no later than six (6) months from that date of the extension approval.

Michael A. Dahilig
Interim Director of Planning

cc: CoK – Public Works Dept.
    CoK – Water Dept.
    CoK – Real Property Div. – Assessment
    State Health Dept.

August 22, 2011

Mr. Gregg Allen
161 Wailua Road
Kapa‘a, HI 96746

Dear Mr. Allen,

Subject: Water Master Plan for the Kapa‘a Highlands Project on TMK: 4-3-03:001

At the Department of Water, Water Board July 26th 2011 meeting, via Managers Report 12-10, in response to your letters of April 22, 2011 and May 11, 2011, accepted the proposed exchange of source for storage on a dollar for dollar basis. This acceptance is based on your commitment to proceed with zoning changes in your development to match the county zoning. That zoning change requires affordable housing in certain portions of your proposed development.

This acceptance is based on building permits and County water meter service not being issued if the source and storage requirements have not been completed as of the date of requested building permit approval. We ask that you submit a proposed draft of an agreement to memorialize this action. We would expect that this agreement runs with the land.

If you have any questions, please contact Mr. Gregg Fujikawa at (808) 245-5416.

Sincerely,

David R. Craddick, P.E.
Manager and Chief Engineer

GE/WE/MG
Bill/ Gregg Allen Response Letter/July Board Mtg.
4 March 2011

Agor Architecture, LLC
424 Ewa Road, Suite 206A
Honolulu, HI 96815

Re: Kapa’a Highlands Phase II
Petition for District Boundary Amendment
TMK: 4-4-03: 01 Per.

Dear Mr. Agor:

Mahalo for providing information to us on your proposed project. In reviewing your Draft EA and Petition, we note that you propose to apply to the State Land Use Commission to redesignate approximately 97 acres of land, from the Agriculture State Land Use District to the Urban State Land Use District. The proposed area is located adjacent to, and south and east of the existing Kapa’a Middle School.

The area is located in the Agriculture Zoning District. From a map and text review of the 2000 General Plan, we note that the area was redesignated from Agricultural to Urban Center and Residential Community. It appears that the 97 acres is located totally within the General Plan Urban Center area. Because of the conceptual nature of your submittal, we cannot locate the exact area of your project on our General Plan Map. However, General Plan designations do allow for some flexibility in interpretation and we may be able to make minor adjustments. Be aware that the Land Use Commission will require a metes and bounds description of the area you propose to redesignate.

Therefore, because your proposed project appears to be in conformance with the General Plan of the County of Kaua‘i, and HRS Ch. 343 is not triggered by any requirements of the Planning Department. We have no comments to offer on the particulars of your project at this time.

An Equal Opportunity Employer
March 1, 2011

Mr. Greg Allen
161 Waihua Road
Kapaa, Hawaii 96746

Dear Greg,

Allow me to extend my deepest Mahalo and congratulations for the recent dedication of the Kapaa solar project. This is such a huge accomplishment and will benefit Kapaa for many years to come. I know you played a significant role in its development and hope that you know we are very grateful for your efforts.

I'm also hopeful your plans for additional housing for Kapaa will move forward expeditiously, as this project could also provide many benefits such as affordable housing and community facility assets—especially for the nearby schools.

Best wishes, Greg, for continued success and Mahalo again for your contribution to Kapaa's renewable energy future!

Sincerely,

[Signature]

Bernard P. Carvalho, Jr.
Mayor

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December 9, 2010

Vladimir P. Devens, Chairperson
Land Use Commission
Department of Business, Economic Development, and Tourism
State of Hawaii
P.O. Box 2359
Honolulu, Hawaii 96804-2359

Re: Petition to amend the Land Use Boundary of certain lands situated in Kapaa, Island of Kauai, State of Hawaii, consisting of 97 acres from the Agriculture and Rural District to the Urban District, Tax Map Key No. (4) 4-3-03: 001. Kapaa Highlands, Three Stooges, LLC.

Dear Chairperson Devens:

Thank you for the opportunity to offer my support for the amendment of 97 acres in the Urban State Land Use District.

The Petitioners, Three Stooges, LLC, have continued to work directly with various County departments to ensure this development project follows all County ordinance requirements and mitigates any adverse impacts during construction.

The proposed amendment will provide 231 affordable housing units in a manner consistent with the County of Kauai's General Plan. The development will provide single and multi-family housing as well as various public facilities to support its close proximity to Kapaa Middle School and the urban areas of Kapaa town.

Furthermore, Petitioners are dedicated to creating a multi-use development that serves the best interest of its surrounding community. This is consistent with the smart, responsible growth that I envision for the island of Kauai, to create communities where families can live, work and play.

[Signature]

Bernard P. Carvalho, Jr.
Mayor
For these aforementioned reasons, I support the petition to amend the land of 97 acres to the Urban District.

Mahalo nui loa,

BERNARD P. CARVALHO, JR.
Mayor, County of Kauai

November 3, 2010

Vladimir P. Devens, Chairperson
Land Use Commission
Department of Business, Economic Development, and Tourism
State of Hawaii
P.O. Box 2359
Honolulu, Hawaii 96804-2359

Dear Chairperson Devens:

Subject: Petition to amend the Land Use Boundary of certain lands situated at Kapaa, Island of Kauai, State of Hawaii, consisting of 97 acres from the Agriculture and Rural District to the Urban District, Tax Map Key No. (4) 4-3-03: 001 Kapaa Highlands Three Stooges, LLC

We are writing in general support of the Kapaa Highlands petition to amend 97 acres in Kapaa to the Urban District. The proposed amendment is for the development of 231 affordable housing units. The Department of Transportation is generally supportive of petitions that will provide affordable housing units in a manner consistent with the Kauai County General Plan.

We have met with the Petitioners, Three Stooges LLC, and we will work with them to ensure that any traffic impacts from the project are analyzed and effectively mitigated.

If you have any questions, please call me at 241-3006.

Sincerely,

RAYMOND J. MC CORMICK, P.E.
District Engineer

SMI:JI
cc: Ron Agor
STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 551
KAPOLEI, HAWAII 96707

June 28, 2010

LOG NO: 2010.2441
DOC NO: 1006MV50

GREG ALLEN, Kapa’A Highlands Inc.
161 Wailua Road
Kapa’a, HI 96746

SUBJECT: Historic Preservation Review-
Consultation Letter on TMK [4]-4-3-003-001, Kapa’a Kaua’i

Thank you for the opportunity to provide a current determination letter on the property with
TMK# [4]-4-3-003-001. According to our records, there has not been an Archaeological Inventory
Survey (AIS) of this property. In addition, Archaeological Inventory Surveys of nearby properties (TMK
[4]-4-3-003-004 and TMK [4]-4-3-003-005) recorded multiple historic properties (SHPO Log No.
2008.1916). However, aerial photos indicate that this property was previously cultivated with sugarcane,
which may have destructive implications for pre and post-contact Native Hawaiian sites within the project
area. However, current aerial photos indicate the presence of potentially historic irrigation features as
well as terrain that may not have been subject to intensive cultivation.

The historic preservation requirements for any proposed action within this project area would vary
depending on the extent of the action’s impact on the parcel. If the action were to take place on
previously cultivated land, the only historic preservation requirement would be to document the irrigation
features, however, if the action takes place in a part of the property that was not cultivated a
Archaeological Inventory of that area may be required. It would be highly beneficial for all proposed
actions to have an Archaeological Inventory Survey for the entire property in order to document the
presence or absence of historic sites in this parcel.

Please call Mike Vitousek at (808) 692-8024 if you have any questions or concerns regarding this letter.

Aloha,

Nancy McMaon, Deputy SHPO/State Archaeologist
and Historic Preservation Manager

Bernard P. Carvalho, Jr.
Mayor
Gary K. Heu
Administrative Assistant

KAUAI COUNTY HOUSING AGENCY
P.O. Box 4444, Lihue, HI 96766

March 2, 2010

Mr. Greg Allen
161 Wailua Road
Kapa’a, HI 96746

SUBJECT: In the Matter of the Petition of KAPA’A HIGHLANDS, THREE STOOGES, LLC, to
Amend the Land Use District Boundary of Certain Lands Situated at Kapa’a, Island of
Kaua’i, State of Hawaii, Consisting of 97 Acres from the Agriculture and Rural
District, To the Urban District, TAX MAP KEY NO. (4)-4-3-03-01 (gov.)

Dear Mr. Allen,

Thank you for the opportunity to review your preliminary Petition for District Boundary Amendment
of 97 acres into the Urban State Land Use District. We are aware that a portion of TMK (4) 4-3-
93-01 has been designated Urban Center by the Kaua’i County General Plan since the 1980’s. The
property is contiguous to and in close proximity to the coastal urban areas of Kapa’a Town, yet sits at
a higher elevation and abuts the Kapa’a Middle School. The Petitioner proposes to develop single
and multi-family housing as well as public facilities on the redistricted land. For the foregoing
reasons, we support the petition to amend the land into the Urban District.

Please be advised that under current law, at the time of zoning amendment, the project area will be
subject to Ordinance No. 860, the Housing Policy for the County of Kaua’i. The Ordinance requires
the development of workforce housing targeted to Kaua’i residents earning from up to 80% to 140%
of the Kaua’i Median Housing Income. Ordinance No. 860 requires the fee-simplified sale of
workforce housing equivalent to thirty (30%) of the market units, which may be reduced to a
minimum of fifteen percent (15%) through the use of incentives. We anticipate that the subject
project will comply with all County ordinance requirements, and that our comments will be sought
in the Land Use Commission’s formal petition review.

Sincerely,

EUGENE K. JIMENEZ
Housing Director

cc: Ron Agor, AIA; Imai Aita, Planning
January 5, 2010

To: Ransom A.K. Piltz, Chairperson
Department of Business, Economic Development & Tourism
State of Hawai‘i
P.O. Box 2359
Honolulu, Hawaii 96804-2359

Subject: Petition to amend the Land Use District boundary of certain lands situated at Kapa‘a, Island of Kaua‘i, State of Hawai‘i, consisting of 97 acres from the Agriculture and Rural District, to the Urban District. Tax Map Key no. (4)4-3-03.01. Kapa‘a Highlands, Three Stones LLC

Dear Chair Piltz,

We are writing in general support of Three Stones LLC's petition to amend 97 acres in Kapa‘a to the Urban District. The proposed amendment is in conformance with the County of Kaua‘i’s General Plan and will provide 231 units of affordable housing. Affordable housing remains an acute need on Kaua‘i, even with a falling real estate market and as such the County is generally supportive of any petition that proposes additional affordable housing, particularly when contiguous to developed urban areas, infrastructure and consistent with our General Plan.

Sincerely,

[Signature]

IAN K. COSTA
Planning Director, County of Kaua‘i

CC: Ron Agos
sewer system, and to evaluate whether improvements to the existing County sewer
system will be needed to serve the development. In the event the project will be
developed in phases, please indicate the approximate schedule for phasing of the
project, to allow the County to identify impacts from the project on the County’s
wastewater system, including the flow projections for the Wallua WWTP.

5. Prior to start of any sewer system construction, plans need to be submitted for our
review for compliance with sewer design standards.

6. Depending on the extent of necessary improvements to the County’s wastewater
system, applications for sewer service by others, and project phasing and build-out
schedules for the Wallua WWTP, there may need to be modifications at the WWTP prior
to the County having adequate capacity for the full build-out of the project.

Should you have questions, please contact Valentino Reyes at (808) 241-4083.

Very truly yours,

EDWARD T. TCHUPP
Chief, Wastewater Management Division

CC: Engineering Division
Planning Department

CONCUR:

DONALD W. HUMMELS
County Engineer

GAllen

From: Tadani, Curtis [ctadani@kiuc.coop]
Sent: Thursday, September 06, 2007 9:44 AM
To: gailen@harbormail.net
Cc: Pascual, Ferdinand
Subject: Kapaa Highlands

Hi Greg,

I got your message and the plans that you brought in were already approved and signed off by
us on June 27, 2005 so as far as we’re concerned, it should be okay. But if you need to do
anything different that will affect the electrical plans, then you should revise them and
resubmit them to us for further review. Let me know if anything happens after your Planning
Commission meeting next week that will affect the design of the subdivision and more so the
electrical portion.

Thanks,

Curt K. Tadani
Eastside Distribution Planner
Kauai Island Utility Cooperative
Ph: 246-4556
Fax: 246-4532
Email: ctadani@kiuc.coop

ELEC plans OK
May 29, 2007

Max Graham, Jr.
Bellos Graham
President & Wilson
4334 Rice Street, Suite 202
Lihue, Kauai HI 96766

SUBJECT: TMK 4-3-003-091
Kapa'a and Waiānali, Kaua‘i

In response to your letter dated April 16, 2007 concerning the Kapa’a and Waiānali property Tax Map Key (TMK) 4-3-003-091, the subject property is approximately 163.125 acres in size. The State Land Use Commission (SLUC) designated the entire 163.125 acres of the subject property as Agriculture. The County General Plan Designates approximately 97.654 acres Urban-Center, 33.687 acres Open, and 31.787 Acres Agriculture. The Comprehensive Zoning Ordinance has the property zoned approximately 127.935 acres Agriculture (a) and 35.280 acres Open (O).

Please understand that the contents of this letter reflect the regulations and requirements that are currently in effect and being administered by this Department. These regulations are subject to change. Additionally, we recommend that you also check with other governmental agencies which may administer regulations and requirements that pertain to development on this property in the future.

Attached is a copy of a map showing the SLUC District boundaries on the subject property.

Should you have any questions, please contact Ka’u’u Island staff at 241-6877.

Sincerely,

Gary K. Kubo
Planner

Anoka.

COUNTY OF KAUAI
PLANNING DEPARTMENT

IAN K. COSTA
DIRECTOR OF PLANNING

MAKALANI P. AKI
DIRECTOR OF PLANNING

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE WATERS
WATER RESOURCES

December 14, 1999

Mr. Greg Kamm
P.O. Box 1200
Koloa, HI 96756

Dear Mr. Kamm:

SUBJECT: Chapter 69-42, Historic Preservation Review --
M работ Permit Application 5-99-45 (Slags) Family Trust
and Hillside Corp. Center L.L.C.)
TMK: 4-3-03: 01 por
Kaua‘i, Kaua‘i

Thank you for submitting the 1973 air photo of the above subject parcels. We agree that the TMK has been extensively altered by cane cultivation and filling. Therefore, we now believe that this project will have “no effect” on significant historic sites.

If you have any questions, please call Nancy McMahon at 742-7013.

Aloha,

DON HUBBARD, Administrator
State Historic Preservation Division

NM li m

Bryan J. Battiste
Mayor

GARY K. KUBO
ADMINISTRATIVE DIRECTOR
Hello Peter,

I appreciate the opportunity to review the education section of the DEA for Kapaa Highlands.

1. Publication of our worksheet
   We didn't have a problem with responding to your specific request for a hypothetical impact worksheet, but the sheet itself was marked for discussion purposes only. We have a real problem with the publication of an impact fee work sheet for an impact fee district that doesn't exist, with no current plans to proposed one. The sheet doesn't serve any real purpose for Kapaa Highlands and could be grossly misinterpreted if it was applied to other proposed projects.

2. There's no impact district
   Your narrative never states in plain language that there is no school impact fee district in Kapaa, or any where else on the island. The conclusion seems to be buried: we will not be asking the Kapaa Highlands project for any contributions or fees at this point in time. We do not have any current plans to propose an impact district in Kapaa. However, it is possible that a future impact district may cover Kapaa. In that event, Kapaa Highlands may be required to pay impact fees, based on the fee schedule established for the district.

3. Capacity figure
   We would prefer that the capacity figures you use be labeled "Classroom Utilization Report 2007-2008" and "CUR 07-08". The annual Classroom Utilization Report was not strictly an inventory of classroom space, it relied on other data such as faculty and staff counts.

   We don't have a problem with your estimated student count, but would like the Student Generation Rate to be identified as an estimated Kapaa-area-only SGR.

   We don't have a problem with your general assessment that there is sufficient capacity in the Kapaa schools at this point in time to accommodate the students who will reside in the Highlands project.

Please get back to me if you have questions.

Heidi Meeker - heidi.meeker@notes.k12.hi.us
Planning Section
Department of Education/Facilities Development Branch
Kalani High School TB1B
4660 Kalanianaole Highway
Honolulu, 96821
Ph. 808-377-8301