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Attorneys for COUNTY OF KAUA'I  
HOUSING AGENCY

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

2017 JUN -5 A 11:18  
LAND USE COMMISSION  
STATE OF HAWAII

In the Matter of the Petition of	)	Docket No. A17-802
	)	
COUNTY OF KAUA'I HOUSING	)	AFFIDAVIT OF KANANI FU
AGENCY	)	ATTESTING TO PUBLICATION OF
	)	NOTICE OF HEARING; EXHIBIT "A";
To Amend the Agricultural Land Use	)	CERTIFICATE OF SERVICE
District Boundaries into the Urban Land	)	
Use District for certain lands situated at	)	
'Ele'ele, Kaua'i, Hawai'i; consisting of	)	
approximately 75 acres, Tax Map Key	)	
No. (4) 2-1-001:054	)	
_____	)	

**AFFIDAVIT OF KANANI FU**  
**ATTESTING TO PUBLICATION OF NOTICE OF HEARING**

STATE OF HAWAII	)	
	)	SS.
COUNTY OF KAUA'I	)	

KANANI FU, being first duly sworn on oath, deposes and says:

1. That Affiant is the Housing Director of the County of Kaua'i Housing Agency (the "Housing Agency"), a political subdivision of the State of Hawai'i.

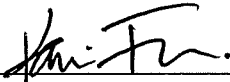
2. That the Housing Agency is the Petitioner for a State of Hawai'i Land Use District Boundary Amendment in Docket No. A17-802.

3. This affidavit is made to demonstrate compliance with Section 15-15-51(c), Hawai'i Administrative Rules ("HAR") for the Land Use Commission of the State of Hawai'i ("Commission").

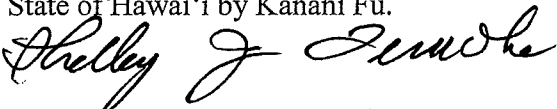
4. On May 27, 2017, a Notice of Hearing in the form attached hereto as Exhibit "A," was published in The Honolulu Star Advertiser, a newspaper of general circulation in the State of Hawai'i and the Island of O'ahu, in The Garden Island, a newspaper in the County of Kaua'i where the subject property is located, in the Hawaii Tribune Herald, a newspaper of general circulation in the County of Hawai'i, in West Hawaii Today, a newspaper of general circulation in the County of Hawai'i, and The Maui News, a newspaper of general circulation in the County of Maui.

5. Petitioner will file with the Commission the newspapers' affidavits verifying publication once they have been received from the newspapers.

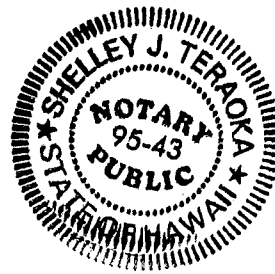
FURTHER AFFIANT SAYETH NAUGHT.

  
\_\_\_\_\_  
KANANI FU

This three (3) page Affidavit, was subscribed and sworn to before me on this 31st day of May 2017, in the Fifth Circuit, State of Hawai'i by Kanani Fu.

  
Shelley J. Teraoka

Print name:  
NOTARY PUBLIC, STATE OF HAWAII



My Commission Expires: 7/21/2017

Exhibit "A"

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN of the hearing to be held in the County of Kauai by the Land Use Commission of the State of Hawaii to consider a petition for change of district boundaries as provided for in Section 205-4 and Section 201H-38, Hawaii Revised Statutes, as amended:

DATE, TIME AND PLACE

June 28, 2017, 9:30 a.m.  
June 29, 2017, 8:30 a.m.  
Moikeha Building  
Conference Room 2A/2B  
4444 Rice Street  
Lihue, Hawaii 96766

DOCKET NUMBER: A17-802

PETITIONER:

County of Kauai, Housing Agency  
4444 Rice Street, Suite 330  
Lihue, Hawaii 96766

TAX MAP KEY NO.: (4) 2-1-001:054

CHANGE REQUESTED: To reclassify approximately 75 acres of land situated at Eleele, Island and County of Kauai, State of Hawaii, to allow for a residential development on the property and to utilize the density for up to 550 residential units (single-family and multi-family). All units will be affordable as defined by Chapter 7A of the Kauai County Code, and offered for sale or rent to households who earn no more than 140% of the Kauai median household income. The proposed project is also anticipated to include a community park, a water storage tank, bike and pedestrian paths, and landscaped areas. Petitioner is using the property for the Lima Ola Workforce Development project ("Lima Ola"). Because all units will be affordable, Lima Ola qualifies as an affordable housing project under Section 201H-38, Hawaii Revised Statutes, as amended. Petitioner has sought exemptions from State and County land use regulations and is proceeding under the fast tracking procedures provided under HRS §201H-38.

Maps showing the proposed district boundaries and copies of the Hawaii Land Use Commission Rules governing the above petition may be inspected at the offices of the Kauai County Planning Department, 4444 Rice Street, #473, Lihue, Hawaii 96766 during office hours from 8:00 a.m. to 4:00 p.m. Monday through Friday (except legal holidays) and at the offices of the State Land Use Commission, 235 South Beretania Street, Room 406, Honolulu, Hawaii 96813 during office hours from 7:45 a.m. to 4:30 p.m. (except legal holidays).

All persons who have some property interest in the land, who lawfully reside on the land, or who otherwise can demonstrate that they will be so directly and immediately affected by the proposed change that their interest in the proceeding is clearly distinguishable from that of the general public shall be admitted as parties upon timely application for intervention.

All other persons may apply to the Commission for leave to intervene as parties. Leave to intervene shall be freely granted, provided that the Commission or its hearings officer, if one is appointed, may deny an application to intervene when in the Commission's or hearings officer's sound discretion it appears that: (1) the position of the applicant for intervention concerning the proposed change is substantially the same as the position of a party already admitted to the proceeding, and (2) the admission of additional parties will render the proceedings inefficient and unmanageable. A person whose application to intervene is denied may appeal such denial pursuant to Section 9114, Hawaii Revised Statutes.

Petitions to intervene were due fifteen (15) days after the publication of the Notice of Intent to File a Land Use District Boundary Petition, pursuant to Sections 15-15-97(b)(3) and 15-15-97(e) of the Hawaii Land Use Commission Rules.

All persons or individuals wishing to present testimony, orally or in writing, are requested to notify the Commission prior to the commencement of the hearing. Together with other witnesses that the Commission may desire to hear at the hearing, a representative of a citizen or a community group wishing to express the views of such citizen or community group concerning the proposed boundary amendment, is requested to notify the Commission prior to the commencement of the hearing and may be requested to submit written evidence of authorization to represent the citizen or community group. It is suggested that such notification be submitted to the Commission by June 21, 2017.

Any party to the proceeding may be represented by legal counsel. An individual may appear on the individual's own behalf, or a member of a partnership may represent the partnership, or an officer or authorized employee of a corporation, trust, or other legal entity may represent the corporation, trust, or other legal entity.

For persons requesting special accommodations due to disabilities, please contact the State Land Use Commission at (808) 587-3822 or notify the State Land Use Commission in writing at P.O. Box 2359, Honolulu, Hawaii, 96804-2359, at least 10 days before the scheduled meeting.

LAND USE COMMISSION  
Edmund Aczon, Chair  
By Daniel E. Orodener, Executive Officer

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In the Matter of the Petition of	)	Docket No. A17-802
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COUNTY OF KAUA'I HOUSING	)	CERTIFICATE OF SERVICE
AGENCY	)	
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To Amend the Agricultural Land Use	)	
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Use District for certain lands situated at	)	
'Ele'ele, Kaua'i, Hawai'i; consisting of	)	
approximately 75 acres, Tax Map Key	)	
No. (4) 2-1-001:054	)	
	)	
	)	

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document will be duly served upon the following by mailing said copy, postage prepaid, first class, in a United States post office on

June 5, 2017 :

PLANNING DEPARTMENT, COUNTY OF KAUA'I  
4444 Rice Street  
Lihu'e, Kaua'i, Hawai'i 96766

OFFICE OF PLANNING, STATE OF HAWAI'I  
235 South Beretania Street  
6th Floor, Leiopapa A Kamehameha Building  
Honolulu, Hawai'i 96813

DAWN TAKEUCHI-APUNA, ESQ.  
Deputy Attorney General  
425 Queen Street  
Honolulu, Hawai'i 96813

KAUA'I COUNTY PLANNING COMMISSION  
c/o Planning Department, County of Kaua'i  
4444 Rice Street  
Lihu'e, Kaua'i, Hawai'i 96766

JEAN NISHIDA SOUZA  
P.O. Box 450  
Hanapēpē, Kauaʻi, Hawaiʻi 96716  
(Intervenor)

DATED: Honolulu, Hawaiʻi, June 5, 2017

A handwritten signature in black ink, appearing to read "David J. Minkin", is written over a horizontal line. The signature is stylized and somewhat cursive.

DAVID J. MINKIN  
PETER J. HAMASAKI  
KELSEY S. YAMAGUCHI

Attorneys for COUNTY OF KAUAʻI  
HOUSING AGENCY