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Attorneys for  
COUNTY OF KAUA'I HOUSING AGENCY

LAND USE COMMISSION  
STATE OF HAWAII  
2017 APR 13 A 8:44

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In the Matter of the Petition of	)	Docket No. A17-802
	)	
COUNTY OF KAUAI HOUSING	)	AFFIDAVIT OF KANANI FU
AGENCY	)	ATTESTING TO SERVICE OF NOTICE
	)	OF INTENT TO FILE A LAND USE
To Amend the Agricultural Land Use	)	DISTRICT BOUNDARY AMENDMENT
District Boundaries into the Urban Land	)	PETITION; EXHIBITS "A" AND "B"
Use District for certain lands situated at	)	
'Ele'ele, Kauai, Hawaii; consisting of	)	
approximately 75 acres, Tax Map Key	)	
No. (4) 2-1-001:054	)	
_____	)	

**AFFIDAVIT OF KANANI FU ATTESTING  
TO SERVICE OF NOTICE OF INTENT TO FILE  
A LAND USE DISTRICT BOUNDARY AMENDMENT PETITION**

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

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

1. She is the Housing Director for County of Kaua'i ("County"), a municipal corporation, through its Housing Agency, a political subdivision of the State of Hawai'i

("Petitioner"), is duly authorized to make this affidavit on behalf of Petitioner, and does so upon personal information and belief.

2. This affidavit is made to comply with Section 15-15-97(b)(4), Hawai'i Administrative Rules ("HAR") for the Land Use Commission of the State of Hawai'i. ("Commission").

3. On April 13, 2017, Petitioner filed with the Commission a Notice of Intent to File a Land Use District Boundary Amendment Petition ("Notice of Intent").

4. On April 13, 2017, the same day that the Notice of Intent was filed with the Commission and pursuant to HAR Section 15-15-97(b)(4), Petitioner mailed copies of the Notice of Intent to the following parties specified by HAR Section 15-15-97(b)(3), namely, Leo R. Asuncion, Jr., AICP, as Director of the State of Hawai'i Office of Planning, and the Planning Department of the County of Kaua'i.

5. On April 13, 2017, the same day that the Notice of Intent was filed with the Commission and pursuant to HAR Section 15-15-97(b)(4), Petitioner mailed copies of the Notice of Intent to the following entities, other than the County, that have a recorded interest in the subject property as specified by HAR Section 15-15-97(b)(3):

Kaua'i Island Utility Cooperative  
4463 Pahee Street, Suite 1  
Lihu'e, Hawai'i 96766-2000  
(Utility easement and right-of-entry)

Board of Water Supply, County of Kaua'i  
P.O. Box 1706  
Lihu'e, Hawai'i 96766  
(Water tank rights)

Kaua'i Habitat for Humanity  
P.O. Box 28  
'Ele'ele, Kaua'i, Hawai'i 96705  
(Easements for drainage and waterline purposes)

McBryde Sugar Company, Limited  
Post Office Box 8  
'Ele'ele, Kaua'i, Hawai'i 96705  
(Reservation of easements for drainage and waterline purposes—also included in Section 6 below)

6. On April 13, 2017, the same day that the Notice of Intent was filed with the Commission, Petitioner mailed copies of the Notice of Intent to the following entities that have license rights to use the subject property for agricultural use:

McBryde Sugar Company, Limited  
Post Office Box 8  
'Ele'ele, Kaua'i, Hawai'i 96705  
(License Agreement from County of Kaua'i—also included in Section 5 above)

Kaua'i Coffee Company, LLC  
1 Numila Road  
Kalāheo, Hawai'i 96741  
(Sublicense Agreement from McBryde Sugar Company, Limited)

7. On April 13, 2017, the same day that the Notice of Intent was filed with the Commission, Petitioner mailed a copy of the Notice of Intent to Ms. Jean Nishida Souza as an intervenor in the district boundary amendment proceeding solely in her individual capacity<sup>1</sup>:

Ms. Jean Nishida Souza  
Post Office Box 405  
Hanapēpē, Hawai'i 96716

8. On April 13, 2017, the same day that the Notice of Intent was filed with the Commission and pursuant to HAR Section 15-15-97(b)(4), Petitioner mailed copies of the Notice

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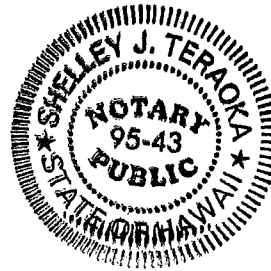
<sup>1</sup> Docket No. A17-802 County of Kaua'i Housing Agency  
Order Accepting Oral Stipulation To Admit Jean Nishida Souza As An Intervenor In The District  
Boundary Amendment Proceeding

of Intent to persons included on the Statewide and Kaua'i County mailing lists provided to  
Petitioner by the Commission, copies of which are attached hereto as Exhibits "A" and "B."

Further, Affiant sayeth naught.

Kanani Fu.  
KANANI FU

This four (4) page Affidavit, was subscribed and  
sworn to before me on this 13<sup>th</sup> day of  
April, 2017, in the 5<sup>th</sup> Circuit, State of Hawai'i by  
Kanani Fu.



Shelley J. Teraoka  
Notary Public, State of Hawai'i

Name of Notary: Shelley J. Teraoka

My commission expires: 7/21/2017

Exhibit "A"

UH Director of Capital Improvements  
1960 East West Road, Rm B102  
Honolulu, Hawaii 96822

State of Hawaii  
Hawaii Community Development Authority  
461 Cooke Street  
Honolulu, Hawaii 96813

STATEWIDE MAILING LIST  
Last Updated: 11/22/16

Earth Justice Legal Defense Fund  
850 Richards St. Suite 400  
Honolulu HI 96813

Hawaii Operating Engineers  
2181 Lauwilwili Street Ste 102  
Kapolei, HI 96707

Ashford & Wriston Library  
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Kailua-Kona, HI 96745

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Young Brothers, Ltd.  
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Building Industry Association of  
Hawaii  
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Waipahu, HI 96797

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Hawaii Building and Construction  
Trade Council  
735 Bishop Street, Suite 412  
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Cades Schutte LLP  
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Duane -Shimogawa  
Pacific Business News  
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Council Services Administration  
Kauai County Council  
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City Desk Clerk-Public Hearings  
Honolulu Star Advertiser  
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Ms. Eleanor Mirikitani  
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150 Waikoloa Beach Drive  
Waikoloa HI 96738

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Exhibit "A"

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Kapolei HI 96707

United States Marine Corps  
Commander, Marine Forces Pacific  
Attn: G4, Box 64118  
Camp H.M. Smith, Hawaii 96861-4118

Representative Cindy Evans  
7<sup>th</sup> District  
State Capitol, Room 311  
Honolulu, Hawaii 96813

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300 Ala Moana Blvd., Rm. 3-122  
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Department of the Army  
Directorate of Public Works  
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Schofield Barracks, Hawaii 96857-5013

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Commander in Chief, U.S. Pacific Fleet  
Commander in Chief  
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U.S. Pacific Command  
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Exhibit "A"

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West Hawaii Today  
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Exhibit "A"

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Exhibit "A"

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Chairman - Planning Commission  
County of Kauai  
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Exhibit "A"

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Department of Transportation  
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Mr. Luis P. Salaveria, Director  
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Coordinator  
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Scot Urada  
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Department of Land and Natural Resources  
Land Division, Coastal Lands Program  
P O Box 621  
Honolulu, HI 96809-0621

Executive Director  
HHFDC  
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DAGS - Public Works Division  
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Chairman of the Board  
Dept of Agriculture  
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Major General Arthur J. Logan  
Adjutant General-State of Hawaii  
Department of Defense  
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Commission on Water Resource Management  
Dept. of Land & Natural Resources  
1151 Punchbowl Street, Room 227  
Honolulu HI 96813

Land Management Division  
Dept. of Land & Natural Resources  
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Honolulu, HI 96813

Dept. of Land & Natural Resources  
Chairperson's Office  
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Deputy Director  
Department of Land and Natural Resources  
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Dept. of Hawaiian Home Lands  
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The Honorable David Ige  
Governor, State of Hawaii  
State Capitol  
Honolulu HI 96813

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Exhibit "A"

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Lisa Judge  
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Shannon Wood  
Koolau News  
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Governor's Representative, Maui  
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