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LAND USE COMMISSION
STATE OF HAWAII

2017 JUN -2 A 7: 29

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A17-802
)	
COUNTY OF KAUAI,)	INTERVENOR JEAN NISHIDA
HOUSING AGENCY)	SOUZA'S ERRATA CORRECTIONS
)	TO WRITTEN TESTIMONY;
To Be Filed for Reclassification of)	CERTIFICATE OF SERVICE
Land in the State Land Use)	
Agriculture District Boundaries to)	
State Land Use Urban District of)	
Approximately 75 acres of Land at)	
Eleele, Kauai, Hawaii,)	
Tax Map Key No. (4) 2-1-001:054)	
_____)	

INTERVENOR JEAN NISHIDA SOUZA'S ERRATA CORRECTIONS
TO WRITTEN TESTIMONY

Intervenor JEAN NISHIDA SOUZA, an individual ("Intervenor Souza"), submits these replacement pages to her written testimony dated May 25, 2017. To summarize, the sequential numbering of the conditions for approval, starting on page 9, was in error. Number 10 was missing, so all of the subsequent numbers through 16 on page 11, were off by one. I have provided the replacement pages with the corrections in Ramseyer Format with underscoring of new material and bracketing of material to be deleted.

To the extent practicable and consistent with applicable laws, the Petitioner shall design storm and surface runoff PBPs to treat the first-flush runoff volume, to remove pollutants from storm and surface-water runoff, and to prevent pollutants from reaching the water table or coastal waters.

To the extent practicable and consistent with applicable laws, Petition shall implement landscaped areas, such as grassed or vegetated swales, grass filter strips, vegetated open space areas, check dams, and other compatible BMPs engineered to treat the first flush runoff volume including the removal of suspended solids and oils and greases from all streets and parking lots, and debris catch basins to allow the detention and periodic removal of rubbish and sediments deposited by runoff using current industry and engineering standards.

9. Emergency Management. Petitioner shall fund and install outdoor warning sirens serving the Petition Area as determined by the Kauai Emergency Management Agency and the State Department of Defense, Hawaii Emergency Management Agency.

Petitioner shall educate potential residents in the Petition Area of the hazards associated with Kapa Reservoir and shall work with the Kauai Emergency Management Agency and the owner of Kapa Reservoir on an acceptable protocol to ensure residents' safety and minimizing environmental damage from potential flooding attributable to Kapa Reservoir.

10.[11.] Best Management Practices. Petitioner shall implement applicable BMPs to minimize infiltration and runoff from construction and vehicle operations, reduce or eliminate the potential for soil erosion and ground water pollution, and

formulate dust control measures to be implemented during and after the development process in accordance with State Department of Health guidelines.

11.[12.] Compliance with Representations to the Commission. Petitioner shall develop the Petition Area in substantial compliance with the representations made to the Commission. Failure to develop the Petition Area in accordance with representations may result in reversion of the Reclassification Area to its former classification, or change to a more appropriate classification.

12.[13.] Petitioner shall give notice to the Commission of any intent to sell, lease, assign, place in trust, or otherwise voluntarily alter the ownership interests in the Petition area, at any time prior to completion of development of the Reclassification Area. The sale or lease of individual house lots/housing units to individual homeowners/occupants are exempted from this condition.

13.[14.] Automatic Order to Show Cause. If Petitioner fails to comply with the conditions and deadlines contained herein, the Commission shall issue and serve upon the Petitioner and Order to Show Cause as required by law and Petitioner shall appear before the Commission to explain why the Petition Area should not revert to its previous State Land Use Agricultural District classification, to be changed to a more appropriate classification.

14.[15.] Annual Reports. Petitioner shall timely provide without prior notice, annual reports to the Commission OP, County and Intervenor, and their respective successors, in connection with the status of the development of the Petition Area and Petitioner's progress in complying with the conditions imposed herein. The annual report shall be submitted in a form prescribed by the

Executive Officer of the Commission. The annual report shall be due on or before the anniversary date of the Decision and Order for the reclassification of the Petition Area.

15.[16.] Release of conditions. The Commission may fully or partially release the conditions provided herein as to all or any portion of the Reclassification Area upon timely motion and upon the provision of adequate assurance of satisfaction of these conditions by Petitioner or its successors and assigns.

Dated: Hanapepe, Hawaii: May 25, 2017

Errata Corrections Dated: Hanapepe, Hawaii, June 2, 2017

Respectfully submitted,



JEAN NISHIDA SOUZA
Intervenor

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing documents have been duly served upon the following by mailing said copy in a US Post Office ("Mail") or by hand delivery ("HD") on May 25, 2017 and the Errata Corrections by HD, Mail or E-mail on June 2, 2017:

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LAND USE COMMISSION
State of Hawaii
Daniel Orodener, Executive Officer
PO Box 2359
Honolulu, Hawaii 96804-2359

Mail and E-mail

DATED: Hanapepe, Hawaii, May 25, 2017
ERRATA CORRECTIONS DATED: Hanapepe, Hawaii, June 2, 2017



JEAN NISHIDA SOUZA
Intervenor