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Attorneys for Petitioner
County of Kaua'i Housing Agency

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In the Matter of the Petition of	)	Docket No. A17-802
)	
COUNTY OF KAUA'I HOUSING	)	PETITIONER'S CLARIFICATION AS
AGENCY	)	TO ITS EXHIBITS "1" – "25";
	)	REBUTTAL EXHIBITS "26" – "32";
To Amend the Agricultural Land Use	)	AND EXHIBITS "33" – "50" IN
District Boundaries into the Urban Land	)	SUPPORT OF COUNTY OF KAUA'I
Use District for certain lands situated at	)	HOUSING AGENCY'S PETITION FOR
'Ele'ele, Kaua'i, Hawai'i; consisting of	)	LAND USE DISTRICT BOUNDARY
approximately 75 acres, Tax Map Key	)	AMENDMENT; CERTIFICATE OF
No. (4) 2-1-001:054	)	SERVICE
_____)	

**PETITIONER'S CLARIFICATION AS TO ITS EXHIBITS "1" – "25";
REBUTTAL EXHIBITS "26" – "32"; AND EXHIBITS "33" – "50"
IN SUPPORT OF COUNTY OF KAUA'I HOUSING AGENCY'S
PETITION FOR LAND USE DISTRICT BOUNDARY AMENDMENT**

Petitioner COUNTY OF KAUA'I HOUSING AGENCY, by and through its attorneys,
McCorryston Miller Mukai MacKinnon LLP, hereby submits the following clarification as to its
(a) Exhibit List; (b) Exhibits "1" – "25"; (c) Rebuttal Exhibits "26" – "32"; and (d) Exhibits

“33” – “50”, in support of its Petition for Land Use District Boundary Amendment in the above-referenced matter.

True and correct paper copies and electronic copies of Exhibits “1” – “25,” except Exhibits 7-A, 8, 11-A, 11-C, and 22, are on file with the State of Hawai‘i Land Use Commission (“Commission”). Exhibits 7-A, 8, 11-A, 11-C, and 22 were amended since the earlier submission of the Exhibits. Exhibits 17 and 25 have been supplemented to include Exhibits 17-A and 25-A. Paper copies and electronic copies of Exhibits 7-A, 8, 11-A, 11-C, 22, 17-A, and 25-A are submitted with this filing.

True and correct paper copies and electronic copies of Rebuttal Exhibits “26” - “32”, except Rebuttal Exhibit “30”, are on file with the Commission. Rebuttal Exhibit “30” was amended since the earlier submission of the exhibits. Paper copies and an electronic copy of Rebuttal Exhibit “30” are submitted with this filing.

Exhibit “33” was received by Petitioner since the earlier submission of the exhibits. Exhibit “34” has been added to this Exhibit List for the convenience of the Commission. Paper copies and electronic copies of Exhibits “33” – “34” are submitted with this filing.

Exhibits “35” – “50” were previously marked as Exhibits “1” – “16” of Petitioner’s Witness List. Exhibits “35” – “50” have not been amended or altered since their earlier submission as Exhibits “1” – “16” of Petitioner’s Witness List. Paper copies and electronic copies of Exhibits “35” – “50”, which indicate the correct numbering of exhibits, are submitted with this filing.

PETITIONER’S EXHIBIT LIST

Exhibit 1	Warranty Deed with Restrictions and Covenants
Exhibit 2-A	License Agreement dated February 26, 2010 by and between the County of Kauai, as Licensor therein, and McBryde Sugar Company, Limited, as Licensee therein.
Exhibit 2-B	Consent to Sublicense

Exhibit 3	Final Environmental Assessment and Finding of No Significant Impact
Exhibit 4	Lima Ola 201H Application
Exhibit 5	Kaua'i County Council Resolution No. 2016-53 and Amendment
Exhibit 6	Status Report issued by Title Guaranty of Hawaii, Inc.
Exhibit 7-A	Amended Notice of Petition Filing
Exhibit 7-B	Notice of Intent to File a Land Use District Boundary Amendment Petition
Exhibit 7-C	Affidavit of Service of Notice of Intent to File a Land Use District Boundary Amendment Petition
Exhibit 7-D	Affidavit of Publication of Notice of Intent to File a Land Use District Boundary Amendment Petition
Exhibit 8	Amended Proposed Findings of Fact, Conclusions of Law and Decision and Order
Exhibit 9	Affidavit of Kanani Fu Attesting Petitioner met with Interested Community Groups
Exhibit 10	Certification of County of Kaua'i Housing Agency that Lima Ola Workforce Housing Development is a 201H-38 Affordable Housing Project
Exhibit 11-A	Tax Map (corrected)
Exhibit 11-B	Property Description
Exhibit 11-C	Amended Preliminary Zoning Map (corrected)
Exhibit 12	Grant of Petition for a Declaratory Order, dated February 8, 2017
Exhibit 13-A	Lima Ola Workforce Housing Development Master Plan
Exhibit 13-B	Lima Ola Workforce Housing Master Plan Update
Exhibit 14	Hawai'i Housing Planning Study 2016
Exhibit 15-A	Letter from Department of Education
Exhibit 15-B	Letters from DOE Principals
Exhibit 16	Kaua'i Parks and Recreation Master Plan (2013)
Exhibit 17	Letter from County Department of Public Works, Wastewater Management Division dated June 30, 2016
Exhibit 17-A	Letter from County Department of Public Works to Kanani Fu, dated May 26, 2017
Exhibit 18	Water Master Plan for Lima Ola Workforce Housing Development (September 2015)
Exhibit 19	Letter from County Department of Water, dated June 3, 2016
Exhibit 20	Letter from Kauai Emergency Management Agency, dated May 8, 2017
Exhibit 21	County of Kaua'i Important Agricultural Lands Study (August 2015)
Exhibit 22	County of Kaua'i General Plan (2000) (corrected)
Exhibit 23	Draft County of Kaua'i General Plan (Departmental Draft January 2017)
Exhibit 24	Hanapēpē-'Ele'ele Community Development Plan (December 1974)
Exhibit 25	Additional Comments
Exhibit 25-A	Letter from Kauai Coffee Company dated May 5, 2017
Rebuttal Exhibit 26	Written Rebuttal Testimony of Travis Braswell, P.E.
Rebuttal Exhibit 27	Written Rebuttal Testimony of Anson Murayama

Rebuttal Exhibit 28	Community Planning and Engineering, Inc.'s response on behalf of Petitioner to State Department of Transportation, dated March 22, 2017
Rebuttal Exhibit 29	Request to Approve a Memorandum of Agreement with the County of Kaua'i to Establish a Cooperative Relationship for the Lima Ola Workforce Housing Development, dated July 14, 2016
Rebuttal Exhibit 30	Market Study re Proposed Lima Ola Workforce Housing Development, prepared by Thomas W. Holliday of CBRE, Inc., dated May 25, 2017 (corrected)
Rebuttal Exhibit 31	Written Direct Testimony of Thomas W. Holliday
Rebuttal Exhibit 32	Resume of Thomas W. Holliday
Exhibit 33	State Historic Preservation Division letter to Kanani Fu, dated June 6, 2017
Exhibit 34	County of Kaua'i Ordinance 860
Exhibit 35	Resume of Marie Williams
Exhibit 36	Written Direct Testimony of Marie Williams
Exhibit 37	Resume of Michael Dahilig
Exhibit 38	Written Direct Testimony of Michael Dahilig
Exhibit 39	Resume of Jeffrey Melrose
Exhibit 40	Written Direct Testimony of Jeffrey Melrose
Exhibit 41	Resume of Anson Murayama
Exhibit 42	Written Direct Testimony of Anson Murayama
Exhibit 43	Resume of Gary Mackler
Exhibit 44	Written Direct Testimony of Gary Mackler
Exhibit 45	Resume of Cathleen Dagher
Exhibit 46	Written Direct Testimony of Cathleen Dagher
Exhibit 47	Resume of Max Solmssen
Exhibit 48	Written Direct Testimony of Max Solmssen
Exhibit 49	Resume of Travis Braswell
Exhibit 50	Written Direct Testimony of Travis Braswell

DATED: Honolulu, Hawai'i, June 13, 2017.



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COUNTY OF KAUA'I HOUSING)	CERTIFICATE OF SERVICE
AGENCY)	
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To Amend the Agricultural Land Use)	
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)	
_____)	

CERTIFICATE OF SERVICE

I hereby certify that on this date, a paper 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 (“MAIL”) or by hand delivery (“HD”):

COUNTY OF KAUA'I PLANNING DEPARTMENT 4444 Rice Street Līhu'e, Kaua'i, Hawai'i 96766	MAIL
STATE OF HAWAI'I OFFICE OF PLANNING 235 South Beretania Street 6th Floor, Leiopapa A Kamehameha Building Honolulu, Hawai'i 96813	HD
DAWN TAKEUCHI-APUNA, ESQ. Deputy Attorney General 425 Queen Street Honolulu, Hawai'i 96813	HD
KAUA'I COUNTY PLANNING COMMISSION c/o County of Kaua'i, Planning Department 4444 Rice Street Līhu'e, Kaua'i, Hawai'i 96766	MAIL

JEAN NISHIDA SOUZA
P.O. Box 450
Hanapēpē, Hawai‘i 96716
(Intervenor)

MAIL

I hereby further certify that on this date, an electronic copy of the foregoing document will be duly served upon the following by mailing said CD, postage prepaid, first class, in a United States post office (“MAIL”) or by hand delivery (“HD”):

KAUA‘I ISLAND UTILITY COOPERATIVE
4463 Pahee Street, Suite 1
Līhu‘e, Hawai‘i 96766-2000
(Utility easement and right-of-entry)

MAIL

BOARD OF WATER SUPPLY, COUNTY OF KAUA‘I
4398 Pua Loke Street
Līhu‘e, Hawai‘i 96766
(Water tank rights)

MAIL

KAUA‘I HABITAT FOR HUMANITY
P.O. Box 28
‘Ele‘ele, Hawai‘i 96716
(Easements for drainage and waterline purposes)

MAIL

MCBRYDE SUGAR COMPANY, LIMITED
P.O. Box 178
‘Ele‘ele, Hawai‘i 96705
(Reservation of easements for drainage and waterline purposes; License Agreement)

MAIL

KAUAI COFFEE COMPANY, LLC
1 Numila Road
Kalaheo, Hawai‘i 96741
(Sublicense Agreement from McBryde Sugar Company, Limited)

MAIL

DATED: Honolulu, Hawai‘i, June 13, 2017



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