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2017 APR 13 A 8:46
LAND USE COMMISSION
STATE OF HAWAII

Attorneys for
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)	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
Līhu'e, Hawai'i 96766-2000
(Utility easement and right-of-entry)

Board of Water Supply, County of Kaua'i
P.O. Box 1706
Līhu'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 capacity¹:

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

¹ 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 13th day of
April, 2017, in the 5th 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

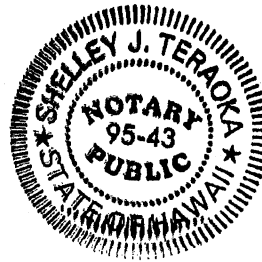


Exhibit "A"

H 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
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Hawaii Operating Engineers
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Exhibit "A"

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Commander, Marine Forces Pacific
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Camp H.M. Smith, Hawaii 96861-4118

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Updated: 11/22/16