

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of

HAWAII HOUSING FINANCE AND  
DEVELOPMENT CORPORATION and  
FOREST CITY HAWAII KONA, LLC

To Amend the Agricultural Land Use District  
Boundaries into the Urban Land Use District  
for certain lands situate at Keahuolu, North  
Kona; consisting of approximately 271.837  
acres, Tax Map Key Nos. (3) 7-4-021:020  
(por.), (3) 7-4-021:024, (3) 7-4-021:025,  
(3) 7-4-021:026, (3) 7-4-021:027

Docket No. [TBD]

AFFIDAVIT OF JENNIFER A. BENCK  
ATTESTING TO SERVICE OF THE NOTICE  
OF INTENT TO FILE A LAND USE  
DISTRICT BOUNDARY AMENDMENT  
PETITION; EXHIBITS A - B.

**AFFIDAVIT OF JENNIFER A. BENCK  
ATTESTING TO SERVICE OF THE NOTICE OF INTENT TO FILE A  
LAND USE DISTRICT BOUNDARY AMENDMENT PETITION**

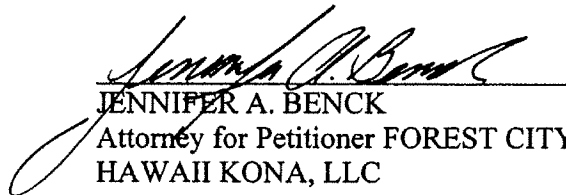
JENNIFER A. BENCK, being first sworn on oath, deposes and says that:

1. Affiant is one of the attorneys for Petitioner Forest City Hawaii Kona, LLC ("**Petitioner**"), is licensed to practice law in the State of Hawaii, is duly authorized to make this affidavit, and does so upon personal knowledge and belief.
2. This affidavit is made to comply with Section 15-15-97(b), Hawaii Administrative Rules ("**HAR**") for the State of Hawaii Land Use Commission ("**Commission**").
3. On July 7, 2010 Petitioner filed with the Commission a Notice of Intent to File a Land Use District Boundary Amendment Petition ("**Notice of Intent**").
4. On July 7, 2010, 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 File a Land Use District Boundary Amendment Petition to the parties specified by HAR Section 15-15-97(b)(3).

5. On July 7, 2010, 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 File a Land Use District Boundary Amendment Petition to persons included on the Statewide and Hawaii County mailing lists provided to Petitioner by the Commission on or about July 2, 2010, copies of which are attached hereto as Exhibits A and B, respectively.

Further affiant sayeth naught.

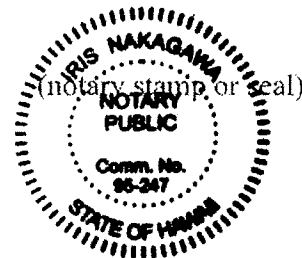
  
JENNIFER A. BENCK  
Attorney for Petitioner FOREST CITY  
HAWAII KONA, LLC

The attached document: Affidavit of Jennifer A. Benck Attesting to Service of the Notice of Intent to File a Land Use District Boundary Amendment Petition, dated July 7, 2010 which consists of two (2) pages (including this page), was executed by Jennifer A. Benck, Esq. who was subscribed and sworn to before me this 7th day of July, 2010, in the First Judicial Circuit of the State of Hawaii.

  
\_\_\_\_\_  
[Notary Signature]

Printed Name: Iris Nakagawa

My commission expires: 6-29-2011



UH Director of Capital Improvements  
1951 East West Road  
Honolulu, Hawaii 96822

Anthony J.H. Ching  
State of Hawaii  
Hawaii Community Development Authority  
677 Ala Moana Boulevard, Suite 1001  
Honolulu, Hawaii 96813

**STATEWIDE MAILING LIST**  
**Last Updated: 06/24/2010**

Earth Justice Legal Defense Fund  
Austin Building, Suite 400  
223 South King Street  
Honolulu HI 96813

Mr. Perry Artates  
Hawaii Operating Engineers  
95 Lono Avenue, Suite 104  
Kahului HI 96732-1610

Ashford & Wriston Library  
P. O. Box 131  
Honolulu HI 96810

Associated Press  
500 Ala Moana Boulevard, Suite 7-590  
Honolulu, Hawaii 96813

Rose Marie H. Duey  
Alu Like, Inc., Maui Island Center  
1977 Kaohu Street  
Wailuku HI 96793

Mr. Ikuto Taketa  
c/o Hawaii Irrigation & Supply  
803 Mapunapuna Street  
Honolulu HI 96819

Michael J. Belles, Esq.  
Belles Graham Proudfoot & Wilson  
4334 Rice Street, Suite 202  
Lihue HI 96766

Gene Zarro  
22 Ulunui Place  
Pukalani, HI 96768

Gary L. Blaich, M.D.  
P. O. Box 1434  
Kilauea HI 96754

Mr. James Garrigan  
P O Box 3143  
Kailua-Kona, Hawaii 96745

Mr. Kenneth Okamura  
641 Polipoli Road  
Kula, Hawaii 96790

James S. Greenwell  
Lanihau Partners L.P.  
3465 Waialae Avenue, Suite 260  
Honolulu HI 96816

Patrick Borge, Sr.  
536 Haawina Street  
Paia, Hawaii 96779-9609

P. Roy Catalani  
Young Brothers, Ltd.  
Pier 40 – P. O. Box 3288  
Honolulu, HI 96801

Building Industry Association of Hawaii  
P.O. Box 970967  
Waipahu, HI 96797

Building Trades Council  
Gentry Pacific Design Ctr. Ste. 215A  
560 N. Nimitz Hwy. #50  
Honolulu HI 96817

Roy A. Vitousek III  
Cades Schutte LLP  
75-170 Hualalai Road, Suite B-303  
Kaulua-Kona HI 96740

Ms. Phyllis Cayan  
99-060 Kauhale St, Apt. 607  
Aiea HI 96701

Mr. Charles Trembath  
4152 Palaumahu  
Lihue HI 96766

Surety Kohala Corporation  
P. O. Box 249  
Hawi HI 96719

Mr. Bruce Tsuchida  
Townscape  
900 Fort Street Mall, #1160  
Honolulu HI 96813

Ms. Meredith J. Ching  
Alexander & Baldwin, Inc.  
P. O. Box 3440  
Honolulu HI 96801

Council Services Administration  
Kauai County Council  
3371-A Wilcox Road  
Lihue, HI 96766

Ms. K. Chun  
P. O. Box 3705  
Honolulu HI 96811

City Desk Clerk-Public Hearings  
Honolulu Star Bulletin  
500 Ala Moana Boulevard, Unit 210  
Honolulu, Hawaii 96813-4914

Ms. Eleanor Mirikitani  
c/o Waikoloa Land Co.  
150 Waikoloa Beach Drive  
Waikoloa HI 96738

Mr. David Penn  
P. O. Box 62072  
Honolulu HI 96839

Castle & Cooke Hawaii  
100 Kahalu Avenue, 2<sup>nd</sup> Floor  
Milliani, Hawaii 96789

Mr. Lunakanawal Hauanio  
P. O. Box 871  
Capt. Cook HI 96704

Alan Kaufman, DVM  
P O Box 297  
Kula, HI 96790

Karen Piltz  
Chun Kerr Dodd Beaman & Wong  
745 Fort Street, 9<sup>th</sup> Floor  
Honolulu, HI 96813

Mr. David Rae  
The Estate of James Campbell  
1001 Kamokila Boulevard  
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

U.S. Fish and Wildlife Service  
300 Ala Moana Blvd., Rm. 3-122  
Honolulu HI 96813

Department of the Army  
Directorate of Public Works  
Attn: Planning Division  
Schofield Barracks, Hawaii 96857-5013

Mr. Albert K. Fukushima  
1841 Palamoi Street  
Pearl City HI 96782

Mr. Ian Costa, Director  
Planning Department - Kauai  
4444 Rice Street, Suite 473  
Lihue HI 96766

J. Gillmar  
P. O. Box 2902  
Honolulu HI 96802

Lynn Kaho'ohalahala  
124 A Fleming Road  
Lahaina, HI 96761

Isaac Hall, Esq.  
2087 Wells Street  
Wailuku HI 96763

The Hallstrom Group, Inc.  
Suite 1350  
1003 Bishop Street  
Honolulu HI 96813

Ms. Esther Ueda  
98-1784-B Kaahumanu Street  
Pearl City HI 96782

Real Property Division  
County of Kauai  
4444 Rice Street  
Lihue HI 96766

Mr. Randy Hara  
C&C Department of Planning & Permitting  
650 South King Street  
Honolulu HI 96813

Hawaii's Thousand Friends  
25 Malunui Ave., Suite 102, PMB 282  
Kailua HI 96734

Jacqui Hoover, President  
Hawaii Leeward Planning Conference  
P. O. Box 2159  
Kamuela HI 96743

Mr. Gordon Pang  
Honolulu Advertiser  
605 Kapiolani Boulevard  
Honolulu, HI 96813

Mr. Norman Hayashi  
563 West Kawaiiani Street  
Hilo HI 96720

Mrs. Jan Higa & Company  
3171 Waialae Avenue  
Honolulu HI 96816

Department of the Navy  
Commander in Chief, U.S. Pacific Fleet  
Commander in Chief  
250 Makalapa Drive  
Pearl Harbor, HI 96860-3131

U.S. Pacific Command  
Commander in Chief  
Box 64028  
Camp H.M. Smith, Hawaii 96861-4028

Commander  
Navy Region Hawaii  
850 Ticonderoga Street, Suite 110  
Pearl Harbor HI 96860-5101

Lawrence Ing, Esq.  
Ing, Horikawa & Jorgensen  
2145 Wells Street, Suite 204  
Wailuku, Hawaii 96793-2222

Mrs. Dora Horikawa  
99-645 Kaulainahee Place  
Alea HI 96701-3542

Ms. Sara Collins  
DLNR - Historical Preservation Division  
601 Kamokila Blvd., Room 555  
Kapolei HI 96707

Walter Mensching  
RSS Ltd.  
1658 Liholiho Street, Suite 306  
Honolulu, Hawaii 96822

Mr. Alexander C. Kinzler  
1100 Alakea Street Ste. 2900  
Honolulu, HI 96813-2833

Roy A. Vitousek, III  
Cades Schutte  
75-170 Hualalai Rd., Ste 303  
Kailua-Kona, HI 96740

Jill K. Veles, Legal Assistant  
Oshima, Chun, Fong & Chung  
841 Bishop Street, #400  
Honolulu HI 96813

Isaac Fiesta  
ILWU Local 142 - Hawaii Division  
100 W. Lanikaula Street  
Hilo, HI 96720

Libbie Kamisugi  
2500 Aha Aina Place  
Honolulu HI 96821

Collette M. Sakoda  
Environmental Planning Solutions LLC  
945 Makaiwa Street  
Honolulu, HI 96818

Dwight Kauahikaua  
Kawaiahao Plaza, Suite 108  
567 South King Street  
Honolulu HI 96813

PBR Hawaii  
1719 Haleloki Street  
Hilo, HI 96720

Verizon Hawaii, Inc.  
Attn: Real Property Section  
P O Box 2200  
Honolulu, HI 96841

Lynn Peters  
P.O. Box 11960  
Honolulu, HI 96828-0960

Cheryl Izuka, Senior Title Officer  
Title Guaranty of Hawaii, Inc.  
235 Queen Street  
Honolulu, Hawaii 96813

Attn.: Ms. Wanda Wehr  
KITV News 4  
801 S. King Street  
Honolulu HI 96813

West Hawaii Today  
Attn: Reed Flickinger  
P. O. Box 789  
Kailua-Kona HI 96745-0789

Mr. Chester Koga  
R.M. Towill Corporation  
2024 North King Street, Suite 200  
Honolulu, Hawaii 96819

Benjamin A. Kudo, Esq.  
Imanaka Kudo & Fujimoto  
745 Fort Street, 17<sup>th</sup> Floor  
Honolulu HI 96813

Mr. Kenneth Kupchak  
Damon Key Bocken Leong & Kupchak  
1003 Bishop Street, #1600  
Honolulu HI 96813

Burt Lau, Esq.  
999 Bishop St., Ste. 2600  
Honolulu HI 96813

Land Use Research Foundation of Hawaii  
700 Bishop Street, Suite 1928  
Honolulu HI 96813

Dain P. Kane  
Maui County Council  
200 South High Street  
Wailuku HI 96793

Pat Lee & Associates, Inc.  
45-248A Pahikaua Place  
Kaneohe HI 96744

League of Women Voters  
49 South Hotel Street, Rm. 314  
Honolulu HI 96813

Dickson C. H. Lee, Esq.  
Takushi Wong Lee & Yee  
841 Bishop Street, Suite 1540  
Honolulu, Hawaii 96813

Michael Y. M. Loo  
Princeville Corporation  
P. O. Box 223040  
Princeville HI 96722-3040

Life of the Land  
76 North King Street, Suite 203  
Honolulu HI 96817

Steven S.C. Lim, Esq.  
Carlsmith Ball  
121 Waiuanue Avenue  
Hilo HI 96720

Crockett & Nakamura  
38 S. Market Street  
Wailuku, Hawaii 96793

Mr. Greg Apa, President  
Leeward Land LLC  
P. O. Box 2862  
Waianae, Hawaii 96792

Benjamin M. Matsubara, Esq.  
C.R. Kendall Building, 8th Floor  
888 Milliani Street  
Honolulu HI 96813

Sue White  
1118 Maunawili Road  
Kailua HI 96734

Metro Calendar  
605 Kapiolani Blvd.  
Honolulu HI 96802

William W.L. Yuen, Esq.  
1001 Bishop Street, Suite 2700  
Honolulu HI 96813-7984

Attn: Bonnie Stifel  
McCorriston Miller Mukai MacKinnon  
P. O. Box 2800  
Honolulu HI 96803-2800

Bobby Jean Leithed-Todd Director  
County of Hawaii, Planning Department  
101 Pauahi Street, Suite 3  
Hilo, Hawaii 96720

Pat Tummons  
72 Kaplolani Street  
Hilo, Hawaii, 96720

Jesse K. Souki, Esq.  
Department of the Corporation Counsel  
City and County of Honolulu  
530 S. King Street, Rm. 110  
Honolulu, Hawaii 96813

Real Property Tax Division, Dept of Finance  
County of Hawaii  
101 Aupuni Street, Suite 4  
Hilo, HI 96720-4224

Frances Mossman  
P. O. Box 31069  
Honolulu HI 96820-1069

Franklin Mukai, Esq.  
McCorriston Miller Mukai MacKinnon  
P. O. Box 2800  
Honolulu HI 96803-2800

National Resources Conservation Svc.  
Attn: Chris Smith  
P. O. Box 50004  
Honolulu HI 96850

Ms. Helde Meeker  
Dept. of Education/Facilities & Support Svcs  
Kalani High School  
4680 Kalaniana'ole Hwy #TB1A  
Honolulu, Hawaii 96821

Native Hawaiian Legal Corporation  
1164 Bishop Street, #1205  
Honolulu HI 96813

Nathan Natori, Esq.  
1003 Bishop Street  
Suite #1360  
Honolulu HI 96813

Natural Resources Conservation Svc.  
300 Ala Moana Blvd., Room 4-118  
Honolulu HI 96850

Wilson Okamoto & Associates  
Attn: Earl Matsukawa  
1907 S. Beretania Street  
Honolulu, HI 96826

Julian Ng, Inc.  
P. O. Box 816  
Kaneohe HI 96744-0816

Mr. John M. White  
Hawaii Land Company  
P. O. Box 10  
Honolulu HI 96810

Ms. Donna Ann Kamehaiku Ono  
He'e'ia Historical Society  
46-522 Haiku Plantations Drive  
Kaneohe HI 96744

Peter Yukimura  
P. O. Box 1031  
Lihue, HI 96766

Mr. Kent Matsuo  
James Campbell Co., LLC  
1001 Kamokila Boulevard, Ste 200  
Kapolei HI 96707

Mr. Kyle Chock, Executive Director  
Pacific Resource Partnership  
1001 Bishop Street, Suite 1501  
Honolulu HI 96813

DOT Highways / Oahu District Office  
Engineer Program Manager  
727 Kakoi Street  
Honolulu, HI 96819

Ms. Rhoda Libre  
P. O. Box 246  
Kaunakani HI 96747

PBR Hawaii  
Pacific Tower, Suite 650  
1001 Bishop Street  
Honolulu HI 96813

The Pele Defense Fund  
P. O. Box 404  
Volcano HI 96785

Mr. Jeff Hunt, Director  
Planning Department - County of Maui  
250 South High Street  
Wailuku HI 96793

Mr. Mark Murakami  
Damon Key Leong Kupchak Hastert  
1003 Bishop Street, #1600  
Honolulu, HI 96813

Julie Ann Miyashiro  
3247 Catherine St.  
Honolulu, HI 96815

Real Property Tax Division  
Department of Finance - County of Hawaii  
101 Pauahi Street, Suite No. 4  
Hilo HI 96720

Mr. Richard Poirier  
95-584 Naholoholo  
Mililani HI 96789

Prosser Realty, Inc.  
4379 Rice Street  
Lihue HI 96766

Sierra Club, Kauai Group  
P. O. Box 3412  
Lihue HI 96766

Mr. Dan Yasui  
A & B Properties, Inc.  
P. O. Box 3440  
Honolulu HI 96801-3440

Ms. Holly Hackett  
P.O. Box 755  
Honolulu, Hawaii 96808

Mr. Abbey Seth Mayer, Director  
Office of Planning  
P. O. Box 2359  
Honolulu HI 96804-2359

Ms. Brenda Salgado  
KGMB  
420 Waiakamilo Road, Suite 205  
Honolulu, HI 97817

Sierra Club, Hawai'i Chapter  
P. O. Box 2577  
Honolulu HI 96803

Maurice Morita  
Hawaii LECET  
1617 Palama Street  
Honolulu, HI. 96817

Mr. Robert J. Smolenski  
841 Bishop Street, Ste. 1717  
Honolulu HI 96813-3970

Mr. Steven Strauss  
P. O. Box 11517  
Hilo HI 96720

Wesley R. Segawa & Associates  
736 South St. #206  
Honolulu, HI 96813

Mr. Bruce A. Coppa  
Communications Pacific  
TOPA Financial Center  
Fort Street Tower, Penthouse  
745 Fort Street  
Honolulu, HI 96813

Claudia Rohr  
369 Nene St.  
Hilo, HI 96720

Steven Lee Montgomery, Ph.D.  
94-610 Palai Street  
Waipahu, Hawaii 96797-4535

Frank Carlos  
398 Puiwa Road  
Honolulu, HI 96817

Randall Sakumoto, Esq.  
McCorriston Miller Mukai MacKinnon LLP  
P. O. Box 2800  
Honolulu, Hawaii 96803-2800

Brenda Luana Machado Lee  
P. O. Box 133  
Captain Cook, Kona, Hawaii 96704

Laura Kodama  
Castle and Cooke  
100 Kahelu Avenue, 2nd Floor  
Mililani, HI 96789

C. Mike Kido  
External Affairs  
The Pacific Resource Partnership  
1001 Bishop Street, ASB Tower #1501  
Honolulu, HI 96813

Irene Anzai  
Rush Moore LLP  
737 Bishop Street, Suite 2400  
Honolulu, HI 96813

Stanford S. Carr, President  
Stanford Carr Development LLC  
1100 Alakea Street, 27th Floor  
Honolulu, HI 96813

Bill Mills, Chairman  
The Mills Group  
1100 Alakea Street, Suite 2200  
Honolulu, HI 96813

DOT Highways / Hawaii District Office  
Engineer Program Manager  
50 Makaala Street  
Hilo, HI 96720

Kyong-Su Im  
Paul Johnson Park & Niles  
ASB Tower, Suite 1300  
1001 Bishop Street  
Honolulu, Hawaii 96813

DOT Highways / Maui District Office  
Engineer Program Manager  
650 Palapala Drive  
Kahului, HI 96732

Department of Transportation  
Highways Division  
Kauai District Office  
1720 Haleukana Street  
Lihue, Hawaii 96766

Michael Levine  
2754 Kuilei Street, Apt 606  
Honolulu, 96826

Curtis T. Tabata  
Matsubara - Kotaka  
A Law Corporation  
888 Millani Street, Eighth Floor  
Honolulu, Hawaii 96813

Chairman - Planning Commission  
County of Kauai  
4444 Rice Street, Suite 473  
Lihue HI 96766

Christopher J. Bennett, Esq.  
Watanabe Ing LLP  
999 Bishop Street, 23rd Floor  
Honolulu, HI 96813

DOT - Airports Administrator  
Inter-Island Terminal, Suite 700  
Honolulu International Airport  
400 Rodgers Blvd.  
Honolulu, HI 96819

Mr. Abe Mitsuda  
Office of Planning  
P. O. Box 2359  
Honolulu HI 96804-2359

Mary Lou Kobayashi  
Office of Planning  
P. O. Box 2359  
Honolulu HI 96804-2359

Lance Tauoa  
DOH-Environmental Planning, Rm. 312  
919 Ala Moana Boulevard  
Honolulu HI 96814

Department of Transportation  
Harbors Division  
79 South Nimitz Highway  
Honolulu HI 96813

Director - OEQC  
235 South Beretania St., Rm. 702  
Honolulu HI 96813

Mr. Theodore Liu, Director  
DBEDT  
P. O. Box 2359  
Honolulu HI 96804-2359

Mr. Ronald F. Tsuzuki  
Highways Division, Planning Branch  
869 Punchbowl Street  
Honolulu, HI 96813

Deputy Director  
Department of Transportation  
869 Punchbowl Street  
Honolulu HI 96813

Bryan Yee, Deputy Attorney General  
Commerce & Economic Development Div  
Department of Attorney General  
425 Queen Street  
Honolulu, Hawaii 96813

HIARNG Environmental Office  
3949 Diamond Head Road  
Honolulu, HI 96816-4495

Scot Urada  
DOT Design Branch, Highways Division  
601 Kamokila Blvd., Room 688-A  
Kapolei HI 96707

Glenn Soma  
DOT Transportation Planning Office  
869 Punchbowl Street  
Honolulu, HI 96813

Department of Land and Natural Resources  
Land Division, Coastal Lands Program  
P O Box 621  
Honolulu, HI 96809-0621

Executive Director  
HHFDC  
677 Queen Street, Suite 300  
Honolulu HI 96813

Mr. Gordon Matsuoka  
DAGS - Public Works Division  
P. O. Box 119  
Honolulu HI 96810

Chairman of the Board  
Dept of Agriculture  
1428 South King Street  
Honolulu HI 96814

HHFDC  
Planning & Evaluation Office  
677 Queen Street, Suite 300  
Honolulu HI 96813

Dwight Vicente  
2608 Ainaloa Dr.  
Hilo, HI 96720

Michael D. Fomby, Deputy Director  
DOT Harbors Division  
79 S. Nimitz Highway  
Honolulu, HI 96813-4898

Major General Edward L. Correa, Jr.  
Department of Defense  
3949 Diamond Head Road  
Honolulu HI 96816

Diane E. Erickson, Esq.  
Deputy Attorney General  
425 Queen Street  
Honolulu HI 96813

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  
1151 Punchbowl Street, Room 131  
Honolulu, HI 96813

Dept. of Land & Natural Resources  
Chairperson's Office  
1151 Punchbowl Street, Room 130  
Honolulu HI 96813

Deputy Director  
Department of Land and Natural Resources  
P.O. Box 621  
Honolulu, Hawaii 96809

Dept. of Hawaiian Home Lands  
P. O. Box 1879  
Honolulu HI 96805

The Honorable Linda Lingle  
Governor, State of Hawaii  
State Capitol  
Honolulu HI 96813

Jennifer Benck  
Carlsmith Ball LLP  
1001 Bishop St., Ste 2200  
Honolulu, Hawaii 96813

Iris Nakagawa  
Carlsmith Ball LLP  
1001 Bishop St., Ste 2200  
Honolulu, Hawaii 96813

Ikaika Hussey, Publisher  
The Hawaii Independent  
32 Merchant St. #204  
Honolulu, Hawaii 96813



Daryn Arai  
County of Hawaii, Planning Department  
101 Pauahi Street, Suite 3  
Hilo, Hawaii 96720

Lincoln Ashida, Esq.  
County of Hawaii  
101 Aupuni Street, Suite 325  
Hilo HI 96720

Geri Bell, Superintendent  
c/o Sallie Beavers  
Kaloko-Honokohau National Park  
73-4786 Kanalani Street #14  
Kailua-Kona HI 96740

Mr. Milton D. Pavao, Manager  
Hawaii County Dept of Water Supply  
345 Kekuanaoa Street, Suite 20  
Hilo, HI 96720-4388

Scott Carter  
P. O. Box 384031  
Waikoloa HI 96738

Anthony Ching Ako  
PO Box 943  
Kapaa, Hawaii 96755

Mr. Ralph Farmer  
75-5865 Wailua Road, #F-1  
Kailua-Kona HI 96740

Mr. H. Foster  
68-1723 Hulukoa Place  
Waikoloa HI 96738

Ms. Phyllis Fujimoto  
224 Haili Street  
Hilo HI 96720

Governor's Liaison Office-West Hawaii  
75-5722 Kuakini Hwy, Suite 215  
Kailua-Kona HI 96740-1723

Mr. Bill Graham  
Life of the Land  
P. O. Box 155  
Hawi HI 96719

Ms. Judith Graham  
P. O. Box 1366  
Kamuela HI 96743

Virginia Isbell  
P O Box 926  
Kealahou, HI 96750

George Robertson  
Puako Community Association  
P. O. Box 44490  
Kawaihae, HI 96743

Lisa Wong, GIS Analyst  
25 Aupuni St., Rm. 102  
Hilo, HI 96720

Hawaii County Civil Defense Agency  
920 Ululani Street  
Hilo HI 96720

Hawaii Tribune-Herald  
Attn: Jason Armstrong  
P. O. Box 767  
Hilo HI 96721

Ruth Bass  
P. O. Box 690  
Naalehu, HI 96772

Mr. Mahealani Pai  
Pai 'Ohana  
P. O. Box 251  
Kailua-Kona HI 96745

Ms. Ku'ulei Keakealani  
P. O. Box 6043  
Kamuela HI 96743

Jerry F. Halverson  
78-7206 Puuloa Road  
Kailua-Kona, HI 96740

Mr. Jack Kelly  
P. O. Box 917  
Capt. Cook HI 96704-0917

Planning Commission  
County of Hawaii  
101 Pauahi Street, Suite 3  
Hilo HI 96720

Kona Kohala Chamber of Commerce  
75-5737 Kuakini Highway, #208  
Kailua-Kona HI 96740

Bobby Jean Leithead-Todd  
HCCPH Community Assn.  
118 Lukia Street  
Hilo HI 96720

Ms. Leina'ala Lightner  
P. O. Box 684  
Kailua-Kona HI 96745

Mr. Myles Miyasato  
c/o H.O.E.I.S.F.  
50 Waiianuenue Avenue  
Hilo HI 96720

Ross Engineering, Inc.  
77-6219 A Kaunamalua  
Holualoa HI 96725

Ms. Amy G. Self  
Office of the Corporation Counsel  
101 Aupuni Street, Suite 325  
Hilo, HI 96720

**HAWAII MAILING LIST**  
**Updated: 03/18/2010**

Ms. Mikahala Roy  
P. O. Box 596  
Kailua-Kona HI 96745

Lukela Ruddle  
Office of Hawaiian Affairs  
162 Baker Ave. #A  
Hilo HI 96720-4869

Lesley Tyler  
73-1305 Hiolani Street  
Kailua-Kona HI 96740-9344

Aaron Ueno  
Hawaii District Health Office  
P O Box 916  
Hilo, HI 96721

Ms. Kim Magnuson  
P.O. Box 567  
Papaikou, Hawaii 96781

Julie Pasquale  
P. O. Box 743  
Naalehu, HI 96772

Council Member K. Angel Pilago  
Kailua Trade Center  
75-706 Hanama Place #109  
Kailua-Kona, HI 96740

Tsukazaki Yeh & Moore  
85 W. Lanikaula Street  
Hilo, HI 96720

Kahua Ranch, Ltd./Ponoholo Ranch, Ltd.  
P O Box 1879  
Kamuela, HI 96743

Hawaii Electric Light Co., Inc.  
Attn: Land Division  
P O Box 1027  
Hilo, HI 96720

Sharon Weisner  
Brooks Tom Porter & Quitiquit, LLP  
75-1000 Henry Street , Suite 208  
Kailua-Kona, Hawaii 96740

Dwight Vicente  
2608 Ainaola Drive  
Hilo, Hawaii 96720

McClellan Honokohau Properties  
P. O. Box 3000  
Kailua-Kona HI 96745-3000

Ms. Ruby McDonald  
Office of Hawaiian Affairs  
75-5706 Hanama Pl., #107  
Kailua-Kona HI 96740

Ms. Sunita Przewlocki  
27-2246 Hawaii Belt Road  
Papaikou HI 96781

Ms. Barbara McDonnell  
Palamanui, LLC  
P.O. Box 9007  
Kailua Kona, HI 96745

Michele Costa  
P O Box 593  
Papaikou, HI 96781

Ms. Margaret Johnson  
P.O. Box 551  
Papaikou, Hawaii 96881  
Ms. Kim Magnuson  
Box 567  
Papaikou, Hawaii 96781

Dana Remy  
P O Box 391060  
Keauhou, Hawaii 96739

Tracy Solomon  
P O Box 391060  
Keauhou, Hawaii 96739

Greg Gauthier  
ILWU  
100 W. Lanikaula Street  
Hilo, Hawaii 96720

Mr. John Bansemer  
Bansemer Realty  
P O Box 391172  
Kailua-Kona, Hawaii 96740

Sam Walker, Sr.  
P O Box 9031  
Kailua-Kona, Hawaii 96745

Mr. Keoni Paoa  
P O Box 469  
Holualoa, Hawaii 96725

Mr. Kulike Chong  
P O Box 6173  
Kamuela, HI 96743

Gene Paul Rivera  
74-4932 D Mamalahou Hwy  
Holualoa, HI 96725

Janice Palma-Glennie  
P O Box 4849  
Kailua-Kona, Hawaii 96745

George Robertson  
P O Box 44490  
Kamuela, Hawaii 96743

Albert A. Nakaji  
27-319 Kalele Homestead Rd.  
Papaikou, HI 96781

Howard Kihune  
2530 Kekaa Drive, C-1  
Lahaina, HI 96761

Ronny Repplingger  
77-106 Kalaniuka Street  
Holualoa, HI 96725

Jack Branco  
133 Awa Steet  
Hilo, Hawaii 96720

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of

HAWAII HOUSING FINANCE AND  
DEVELOPMENT CORPORATION and  
FOREST CITY HAWAII KONA, LLC

To Amend the Agricultural Land Use District  
Boundaries into the Urban Land Use District  
for certain lands situate at Keahuolu, North  
Kona; consisting of approximately 271.837  
acres, Tax Map Key Nos. (3) 7-4-021:020  
(por.), (3) 7-4-021:024, (3) 7-4-021:025,  
(3) 7-4-021:026, (3) 7-4-021:027

Docket No. [TBD]

AFFIDAVIT OF JENNIFER A. BENCK  
ATTESTING TO PUBLICATION OF THE  
NOTICE OF INTENT TO FILE A LAND USE  
DISTRICT BOUNDARY AMENDMENT  
PETITION

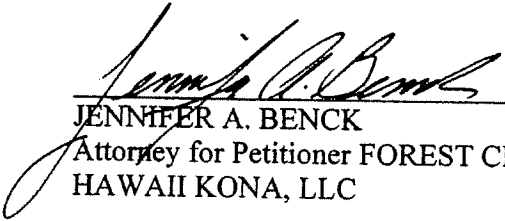
**AFFIDAVIT OF JENNIFER A. BENCK  
ATTESTING TO PUBLICATION OF THE NOTICE OF INTENT TO FILE A LAND  
USE DISTRICT BOUNDARY AMENDMENT PETITION**

JENNIFER A. BENCK, being first sworn on oath, deposes and says that:

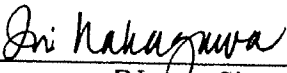
1. Affiant is one of the attorneys for Petitioner Forest City Hawaii Kona, LLC ("**Petitioner**"), is licensed to practice law in the State of Hawaii, is duly authorized to make this affidavit, and does so upon personal knowledge and belief.
2. This affidavit is made to comply with Section 15-15-97(b), Hawaii Administrative Rules ("**HAR**") for the State of Hawaii Land Use Commission ("**Commission**").
3. On July 7, 2010 Petitioner filed with the Commission a Notice of Intent to File a Land Use District Boundary Amendment Petition ("**Notice of Intent**").
4. On July 7, 2010, the same day that the Notice of Intent was submitted to the Commission, Petitioner published the Notice of Intent to File a Land Use District Boundary Amendment Petition in the Honolulu Star Advertiser, a newspaper of general circulation in the

State, and in West Hawaii Today, a county newspaper, as required by HAR Section 15-15-97(b)(2).

Further affiant sayeth naught.

  
JENNIFER A. BENCK  
Attorney for Petitioner FOREST CITY  
HAWAII KONA, LLC

The attached document: Affidavit of Jennifer A. Benck Attesting to Publication of the Notice of Intent to File a Land Use District Boundary Amendment Petition, dated July 7, 2010 which consists of two (2) pages (including this page), was executed by Jennifer A. Benck, Esq. who was subscribed and sworn to before me this 7th day of July, 2010, in the First Judicial Circuit of the State of Hawaii.

  
\_\_\_\_\_  
[Notary Signature]  
Printed Name: Iris Nakagawa  
\_\_\_\_\_  
My commission expires: 6-29-2011  
\_\_\_\_\_

