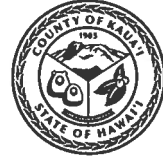


DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR

REIKO MATSUYAMA, MANAGING DIRECTOR

October 18, 2023

Public testimony and/or agency comments received by the Planning Department as of October 18, 2023, 1:30pm for the October 19, 2023, Kaua'i Historic Preservation Review Commission meeting regarding the following item:

H.1. Nomination to the State Historic Register

The Makai Golf Course at Princeville

Property Address: 4080 Lei O Papa Road

Tax Map Keys: (4) 5-4-005:022; (4) 5-4-005:049; (4) 5-4-005:054; (4) 5-4-006:003; (4) 5-4-006:005; (4) 5-4-006:006; (4) 5-4-012:001; (4) 5-4-012:006

Princeville, Hawai'i

From: Claiborne Jones <claibornej@me.com>
Sent: Monday, October 16, 2023 4:32 PM
To: Planning Department
Subject: Support for the nomination of the Princeville Makai Golf Course to the Hawaii State Historic Register at the Kauai Historic Preservation Review Commission Meeting, Oct. 19, 2023
Attachments: A CASE OF PARADISE IMPROVED - Princeville.docx

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Oct. 16, 2023

Please SUPPORT the nomination of the Makai Golf Course at Princeville to the Hawaii State Historic Register. Kauai Historic Preservation Review Commission meeting, October 19, 2023, agenda item H. New Business, item 1.

Historic events and Hawaiian context re:

The nomination to the State Historic Register of the 27 hole Makai Golf Course at Princeville

It is an honor to have it be given consideration. Of the more than 290 golf courses I have designed and built this was my first solo effort that set the trajectory of my design style that places the protection of the natural landscape, view plains and responsible water flow and containment as the central feature. Please see the May 15, 1972 Sports Illustrated article by Dan Jenkins, titled "A Case of Paradise Improved" which can be found in the Sports Illustrated archives and attached below.

Eagle County Development Corp., a subsidiary of Consolidated Oil and Gas, acquired the Princeville Ranch, approximately 1100 acres, from Amfac in 1968.

The plantation era of Hawaiian economy was in transition. The transition was a hand off from primarily sugar, pineapple and native taro as the source of jobs for local and Hawaiian labor. As the Kilauea sugar mill shut down, 450 sugar mill workers were re-employed as outdoor workers of the Princeville open space work force on a single weekend handshake deal sanctioned by the State Land Use Commission and the ILWU.

The deal was negotiated locally by Henry Gomes and civil engineer Donn Carswell. Jay Furfaro married Henry Gomes' daughter, Emma; she had worked for ECDC in Colorado from Princeville's inception and returned to Kauai with it. Both Jay and Emma continued the local understanding of the deal to protect the workers' security of their lifetime careers, by caring for the privately held open spaces of Princeville.

The golf course and the remaining ranch lands and wildlife reserve in Hanalei Valley were privately held open space for public good, protecting albatross, nene and other listed endangered species with oversight by the US. Interior Department.

The 27 hole Princeville Golf Course was the cornerstone beginning of the Princeville planned community masterplan, the first master planned community of Kauai and the second in the State of Hawaii. Within that plan, open space was a permanent 50% commitment of the total acreage of Princeville.

As the plantation culture of the North Shore of Kauai transitioned to the emerging visitor economy, it benefitted the local labor force including native Hawaiians and workers of Chinese, Japanese, Philippino and Portuguese ancestry. For

example, people like Yoshi Harada, oversaw the maintenance of the golf courses before he retired and passed away. Bobo Ham Young and other local workers who lived from Hanalei to Haena cared for the large privately held open spaces of the Princeville properties for more than half a century.

The 27 hole golf course provided an economic attraction as only the third golf course on Kauai. It was open to the public with special rates for kamaaina and became a World Cup Championship venue in 1978. It provided open views of the magnificent Hanalei Bay and mountains beyond and was designed with special features such as the Japanese inspired Zen bunker on the Woods nine. It was the beginning of my design concept of being sensitive to the geology of the land as well as the beauty of the surrounding location which has been the hallmark of my career. Princeville golf course has been considered a work of art by National Geographic which identified it as one of the five most beautiful golf courses in the world.

The Princeville 27 hole golf course was engineered also, like the County course at Wailua, to function as a waste water dispersal field for treated effluent so that it did not run into the protected Hanalei River or Bay. In addition, due to the heavy rain events of the North Shore, it also functions as a critical storm water drainage evacuation system, which, if altered, could cause dire unintended consequences. Also, as we recently learned from the Mauna Kea Golf Course on the Big Island, golf courses can serve as firebreaks on rare occasions.

It is important to protect all components of the Princeville masterplan. To do otherwise would break historic community trust, and disrupt the tax base of all property owners. The commitment to open space and caring for the land has been central in the community design and function for over fifty years and remains vital to the health of the entire community. Robert Trent Jones Inc. was one of the team of professionals which created the Princeville community masterplan. I know this because I participated in the design of the masterplan and have had a family home here since 1972. The Princeville Makai Golf Course was the first major accomplishment for me out of my whole career and holds great significance to me.

Mahalo,

Robert Trent Jones, Jr,

5470 Weke Rd., Hanalei

A CASE OF PARADISE IMPROVED

HAWAII'S PRINCEVILLE, WESTERNMOST GOLF COURSE IN THE U.S., IS A DEVELOPMENT IN TROPIC SPLENDOR TOUCHED BY GENIUS

BY DAN JENKINS

As a person who learned his golf in Texas, finding copperheads in the rough, having tee shots blown into the windshields of passing cars, with hardly anything more romantic to gaze at on the horizon than the rooftops of ranch-style houses, I was a natural mark for the Garden Island, Kauai, oldest and most exotic of the Hawaiian chain, and for all of the teasings of paradise that exist there, golf being only a part.

There is a place on the far side of the island called Hanalei Bay, near the end of the last paved road in the United States, so to speak, and this is where paradise awaits. Mount Waialeale seems always to be towering above you, dripping with waterfalls, moody with jungle. And almost everywhere else lies the ocean, heaving, enormous and blindingly blue. With all of this there are dramatic cliffs rising straight up to challenge a tidal wave, dark paths leading up or down to natural swimming holes set within lava rocks, trails where tribes have been lost, deserted beaches back dropped by botanical wonders of every kind, hidden caves, lurking rain forests, a meandering river straight out of literature, a canyon almost as devastating as the Grand and a nightly sunset that could awaken the soul in a mummy.

The place makes you want to do all the foolish things that are not a part of income tax, the phone company and Charga-Plates. To surf, swim, hike, fish or simply stroll. To climb, sail, sleep, strum or smoke. To breathe. To sit in the bar with the bamboo curtains and the ceiling fan, waiting for Jane Greer to walk in

with a plot to murder her husband. To think about the novel you'll never write, or ponder the mysteries of the ukulele. To look off where Japan is, or the Aleutians. To watch the splatter of waves and the cascade of waterfalls simultaneously. To be suspended by time.

If Hanalei or the entire island of Kauai had nothing else to offer but its rare beauty, that would be enough. But as an ancient volcano once coughed up this paradise, man has been inspired to give it his own brushstroke in the name of truth, progress and artistic achievement. Fortunately, the right men came along. And the result is not what one might normally expect, which would be a contest to see what developer could chop down the most hala trees, bulldoze the widest swath, build the ugliest condominiums and design the dullest golf course outside of Florida.

What has happened is a lesson for us all. Princeville at Hanalei has happened, and the resort is proof that if progress must invade paradise it can be done tastefully, even with a touch of genius. For right now on steep cliffs above the Pacific where cattle once grazed, looking back toward the mountains, there has bloomed a stunning new golf course the equal of any that ever pretended to make use of the natural assets of the land. And in this setting, Princeville Makai Golf Course is the most enthralling that I, for one, have ever seen.

We seem to have been getting a lot of brilliant new courses in recent years from all sorts of good architects. Among those that have already earned a sort of renown, or at least a general acknowledgment of their existence, to name only a few, are Harbour Town in Hilton Head, S.C. by Pete Dye (aided by Jack Nicklaus), Spyglass Hill on the Monterey Peninsula by Robert Trent Jones Sr., Jupiter Hills in Florida by George Fazio and Crockett Springs near Nashville by Robert Von Hagge (aided by Bruce Devlin). These are all courses struck with distinctiveness and charm, courses designed by men who have many other

credits, each of whom has talent and a high regard for his profession. But let's welcome now another man to the club, Robert Trent Jones Jr., a son of the most famous of all modern designers. It is Bobby, as he's called, who has given us Princeville Makai.

Nothing could have been more appropriate than for Bob Jones Jr. to get the job. He once discovered Hanalei on his own, and not because he had heard that Hanalei had been used as the principal location for the filming of the movie *South Pacific*. He spent his honeymoon in Hanalei and never recovered from the beauty of the island. Kauai does that to you.

When Jones learned that some 11,000 acres in and around Hanalei had been purchased for a "second home" resort community and "championship golf course"—the usual come-on, except that a lot of the acreage will become agricultural and forest preserves—he practically dived into the sea from his home near San Francisco and began swimming toward the 50th state. The developer was a company called Eagle County Development Corporation, out of Denver, headed by a man named Doug Hoyt. A businessman also, like any other golf architect, Jones wanted the job first, but secondly he was concerned about what ruin this man Hoyt would bring down on paradise.

"The general attitude of most developers, on our continent at least, is to use the golf course simply as a sales tool for the land," says Jones. "Doug Hoyt is different. He instantly had as great a feeling for the place as I had. He drove me straight to the prettiest land in the package and said, 'The course goes here.' He wanted to maintain the integrity of the place. I got truly nervous looking at that beauty and knowing it was mine to use."

Jones is armed with a fine education (Yale), a long apprenticeship under his father, an ability to play the game well and the experience of extensive world

travel. He has a lot of thoughts on land booms and golf architecture, and with Princeville Makai behind him, there is reason to listen to him.

"The best golf courses are being built at resorts—and outside the continental U.S.," he says. "The reason is simple. They give you better land. Just like Doug Hoyt. A fine golf course is a lure to the house buyer. But you can't have a fine course if you take the good terrain for sites."

Jones adds, "It's unfortunate that because of the boom in land development related to golf courses, some developers turn for advice either to land planners who have only a superficial knowledge of the game, or else to some golf pros who may have no more real knowledge about the architecture of the courses they tear apart than they do of the design of the golf balls they endorse."

Fancy wording for a harsh thought, but it rings brutally true.

Essentially, a golf architect is a defender, a man setting up defenses against a series of shots. He hopes to make a course challenging but not unfair, rugged but fun, and always memorable. Some defend with large greens and length, others with small greens and narrowness.

"The one thing I've learned through experience is not to emphasize one aspect. I like a mixture. Large and small greens, contoured and level, tightly and openly bunkered tee-shot targets. And all of it blending into the look of the area," says Jones.

Jones got to do all of this at Princeville, and more. He had three different nines to design, all of which were to be equally demanding. Ocean, Woods and Lake were to be their names. Each has the mood and feeling and look of its name. Each is a par 36. Thus, any two nines that the player selects give him a near-

7,000-yard course of par 72. And Jones offers no escape from unique shot-making in any direction.

On the Woods nine he placed the green of a par-3 on the other side of a jungle cavern. He fronted a par-4 with a lake. He put the green of another par-4 in a cluster of silver oaks after discovering that they were "anthrax trees," or trees planted nearly a century ago to mark the burial ground of some diseased cattle. At still another par-3, he invented a Zen bunker, chiefly to have a private joke. A Zen bunker, according to Jones, is a bunker with one huge and two semihuge stones sitting in the middle of the sand. It may please Zen and Jones, but it is no joke for high handicappers.

On the Lake nine Jones thought up a par-5 finisher that one almost needs to play with a motorboat. It is little more than a tee and a green with water in between, except for a couple of square feet where your tee shot and Second shot might land.

It was on the Ocean nine, however, that he really got going. It is a remarkable achievement on which the golfer feels that he might be playing through several different worlds, hitting every imaginable shot. There happen to be two or three prairie-type, wind-swept holes, a dainty pitch, cross-bunkering, doglegs, rolling greens, and still there are two holes falling into a deep valley of foliage with a lake. To top it off, there is a par-3 demanding a wood shot over the ocean from the brink of one high cliff to another—a hole that will surely take its place among the postcard par-3s in the world.

Standing on that tee one day, about 160 feet straight up from the Pacific, with mountains to the left, Japan to the right and the green way over there on another ledge, across the bashing waves and lava rocks, Bob Jones smiled and said,

"Most golf architects go an entire career without ever getting to design a hole over an ocean. It's quite a feeling."

So is the whole of Hanalei. Although it is only a little over an hour from Honolulu (by 30-minute flight and 45-minute drive), it's an eternity from Waikiki Beach, or traffic, or high-rise hotels. Or people, so far.

The people will come, of course. But they will be secluded at Princeville over there by the cliffs, away from Ching Young's general store, gas station and antique magazine rack, a school where children go barefoot and get days off to surf, a church, a couple of bars, a few homes. Not far away from the river and taro farms, from the beaches, palm groves, trails, caves, mountains and the one road leading almost to the very end of the U.S.

Somehow it doesn't seem so bad for paradise to have what could rightfully be called The Last Golf Course.

From: Bernard Markowicz <bmarkowicz@decisionanalysis.net>
Sent: Monday, October 16, 2023 4:34 PM
To: Planning Department
Subject: Testimonial regarding New Business #1. Nomination to the State Historic Register: The Makai Golf Course at Princeville

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Dear Chair, Vice Chair and Members of the Kauai Historic Preservation Review Commission,

My name is Bernard MARKOWICZ, a permanent resident of Princeville, representing myself as a concerned member of the Princeville community.

I would like to provide comments regarding the October 19 Meeting of the Commission's New Business Item #1 of the Agenda: **Nomination to the State Historic Register - The Makai Golf Course at Princeville.**

I have been a permanent resident of Princeville for 10 years, and active in a number of committees of the Princeville at Hanalei Community Association (PHCA), including the strategic planning committee. I am not representing the PHCA in any way. I was made aware of a petition filed by a Nevada limited liability company named the Albatross Alliance to add the Princeville Makai Golf Course to the register of historic places in Hawaii. I am told that this entity has no relationship to Princeville. I am also aware of separate efforts by individuals to try to influence the future of the Makai golf course for what I believe are ulterior motives.

As an urban planner by training, I am sensitive to the historical and cultural implications of each property, especially on the Hawaiian Islands. In this case, I am certain that the Makai Golf Course does not meet any criteria for being registered as a historical place:

- The golf course is not associated with events that have made a significant contribution to the broad patterns of history.
- The golf course is not associated with the lives of significant persons in the past.
- The golf course does not embody the distinctive characteristics of a type, period, or method of construction, or possess high artistic values.
- The golf course has not yielded, nor is it likely to yield, information important to history or prehistory.

Naming the Makai Golf Course on the Register of Historic Monument would denigrate the important contributions of key residents and structures of Kauai and the State of Hawaii to the history of our State and Nation. I personally believe that the petition filed in Nevada is designed to ultimately achieve ulterior motives by the petitioners. Moreover, I believe that these petitioners may be prepared to do anything to fulfill their personal objectives. I respectfully request that you consider my comments as part of your recommendations and decisions.

Best Regards,
Bernard Markowicz, PhD

From: Sam George <samgeorgellc@gmail.com>
Sent: Monday, October 16, 2023 8:08 PM
To: Planning Department
Subject: Testimonials regarding new business #1. Nomination to the State Historic Register
Makai Golf Course at Princeville
Attachments: Historical.pdf

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Sam George, JD, CHMM
812 701 9641

Sent from my iPhone.

**SAM AND LINDA GEORGE
4465 EMMALANI DRIVE
PRINCEVILLE. HI 96722
812 701 9641**

October 17, 2023

Marisa Valenciano
Kauai County Planning Department
4444 Rice Street Suite A473
Lihue, HI 96766

Re: Petition of Albatross Alliance

Dear Ms. Valenciano:

This letter is to express our OPPOSITION to the Petition for a designation of historical significance for the Makai Golf Course in Princeville. This petition is nothing more than a repetition of advertisements for the Makai Golf Course and an unwarranted celebration of golf course designer, Robert Trent Jones, Jr. There is simply nothing historically significant about a golf course built on former ranch land that the County enthusiastically identified as perfect for Urban Development. The County General Plan, the North Shore Development Plan, and the Comprehensive Zoning Ordinance all support the continued development of all of Princeville in accordance with the ordinance. No historical significance was attributed to the golf course lands prior to development. Indeed, identifying and avoiding historical sites was an important, and required step, in the planning process in 1970 leading to the creation of Princeville at Hanalei in 1972.

The petition is ludicrous. To think that the State or County would enshrine a golf course created in 1972 as an historical site mocks the history of Hawaii and the Hawaiian people. The petition represents another assault on Hawaiian culture by the latest wave of cultural invaders. Granting this designation would be the latest step in the ongoing attempts to eradicate Hawaiian culture and history. This petition celebrates the overthrow of the Hawaiian Kingdom, the glorification of something as trivial as golf, and the unbridled arrogance of the petitioners, whoever they might be.

I live in Princeville and my house is situated on the golf course. A few Princeville residents realize how we are viewed by the majority of Kauai citizens, i.e., rich, white, entitled and arrogant. Approving this Petition would be an appalling recognition of white supremacy and elitism that is repulsive to anyone with even the slightest bit of conscience. Princeville does not need more bad public relations with the rest of the island. Please reject the application for what it is, a blatant attempt at self-aggrandizement and self-promotion.

Please do not hesitate to contact me if you have questions. We request to submit this letter as testimony in the referenced action.

Very truly yours,

Sam George, JD
Linda A. George

From: Don Cunningham <islandgeezer@yahoo.com>
Sent: Tuesday, October 17, 2023 7:14 AM
To: Planning Department
Subject: New Business Item H

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha,

I am writing in support of Item H under New Business, pertaining to the application for the Hawaii State Historical Site designation for the 27-hole Princeville Makai Golf Course. I am a fifteen-year resident of Princeville, and for eight years have been a member of the Governing Committee of the Kane Club, Makai's resident Men's Club.

The Princeville Makai Course is an integral part of Princeville, and the centerpiece of the town. The Makai Course is literally a part of the community as it meanders through the community with all residents enjoying the benefit of the open space created by the golf course.

The Princeville Makai Golf Course was designed as the centerpiece of the community and has been in operation since Princeville was first developed. The open space of the golf course provides many benefits to the community, serving as a greenbelt, providing much-needed drainage in the community, and is irrigated with treated wastewater as a beneficial alternative to discharging waste into the ocean. In addition it provides a large area of grass, trees, and other vegetation where many endangered animal species live and care for their young, including Nene Geese and the Layson's Albatross.

I encourage you to approve the application and forward it to the State Historical Society for its consideration.

Mahalo for your consideration.

Don Cunningham
Princeville, HI

Ace Hodgin, M.D.
4228 Waileia Pl
Princeville, HI 86722

Personal cell: 813.334.9125
Home: 808.826.7952
Personal email: ace@aceandrose.com
PHCA email: ace@pcaonline.org

October 17, 2023

Marisa Valenciano
Kauai County Planning Department
4444 Rice Street Suite A473

Delivered via email

Re: Opposition to Petition of Albatross Alliance

Dear Ms. Valenciano:

This letter is to convey my strongest OPPOSITION to the Petition for the designation of historical significance for the 27-hole golf course in Princeville commonly referred to as the 18-hole Makai Course and the 9-hole Woods Course (collectively Golf Course). Please consider this letter testimony.

A plain reading of the proposal indicates the Golf Course fails to meet any reasonable test of historic significance. Frankly, I find the proposal preposterous, ill-conceived, possibly nefariously self-interested and insulting to the peoples and citizens of Hawaii.

This designation is fraught with problems. Among them are:

1. The landowner nor the Homeowners Association (HOA), namely, Princeville at Hanalei Community Association (PHCA) have been engaged in nor have approved this Petition;
2. The Petition is from a foreign Nevada LLC whose ownership is not clear nor is it clear what if any sincere interest it has in Hawaii or history;
3. Such a designation could play havoc with repair and maintenance of critical utilities whose lines run through and node boxes sit on the Golf Course property;
4. The single most used (by residents and visitors) amenity in PHCA could be impaired by this designation, or at a minimum its ongoing maintenance or expansion could be burdened. That amenity is NOT the Golf Course, it is our shared use path, build and

- maintained by PHCA that runs from Prince Albert Park along Ka Haku Road along and often sitting on (under a lease agreement) the Golf Course;
5. Working class citizens of Kauai would lose a potential opportunity for the development of work force housing on the Golf Course property by the existing landowner;
 6. PHCA member owners could lose out on great benefit from working cooperatively with the Golf Course owner that could both enhance our community amenities as well as our Association's financial position thereby somewhat offsetting member dues or the possibility of needing to reach out for County of Kauai resources;
 7. Loss of a possibility of the owner making a new land dedication to insure most of the Golf Course, including the entirety of the Makai Course, be kept open and functioning in perpetuity. Burdening the site with a historic designation could end the functions of the golf course including its pristine upkeep and maintenance;
 8. Finally, without any proof, but with some suspicion, this proposition could be being made by a small yet highly self-interested group who does not represent Princeville in any formal way. At a minimum before any action is taken, I think the County should investigate and understand who (i.e., which individuals) is behind the Petition, and what might be motivating them before any action is taken.

Now, Ms. Valenciano, please forgive my jumping right into the issue at hand. I hope your day is going well. I know you are fulfilling your duty to the citizens of Kauai. I appreciate that you make yourself available to take input and testimony on matters of importance.

Some background on me and my family. I've been a full-time resident of Kauai for the last 8.5 years (only off island 5 weeks in the last 5 years). My home in Princeville was purchased by my wife and me 11.5 years ago. I've been a frequent visitor to Kauai for over 25 years. Prior to our moving here full time my daughter and her family rented the property from us. My daughter has lived on Kauai for well over 20 years and met and married her husband here. His family has strong ties to Hawaii and Kauai going back 5 generations, counting their two children, both of whom were born here in Wilcox Hospital. As long as my granddaughters (9 y/o and 7 y/o) are here, my wife and I will be too.

Currently I serve my community as the Vice President of PHCA. Given the limited time frame to draft this letter I am responding solely as a homeowner and member of PHCA and not in an official PHCA capacity. PHCA and my role in it is mentioned by way of letting you know I am well informed on the needs of our Princeville Community. PHCA serves in many ways as a quasi-municipal agency and has ownership and responsibility among other things for maintaining roads and drainage infrastructure, a public use park, and a security patrol services that work closely with Kauai Police Department when necessary.

Now I'd like to address the concept of the Golf Course being given a historic designation. As I've mentioned, one would think such a proposal would come supported by various interested not for profit entities within the Princeville area. That is NOT the case. Conceptually, a historic designation for a barely 50-year-old golf course built in the 1970s by the land developer who

was also developing a resort community is beyond rational comprehension. It is an affront to the peoples of Hawaii whose own history is rich and storied. There are genuine historic sites in Hawaii and on Kauai, but Golf Course is NOT among them.

I and my wife understand that we are not from Kauai, nor will we ever be viewed so. We are interlopers here, just as are the majority of the overwhelmingly white affluent (as are we) other owners here. I feel fortunate to be able to live in such a wonderful place. But I know I'll never be viewed the same as those whose families literally built the culture and community here on Kauai. That is a fact I've accepted. The best I can do is be a good steward and respectful of those who came before me. Many I've met here feel the same way. Unfortunately, some take a different view. At times their behavior demonstrates an ingrained arrogance that is not compatible with life in Hawaii. It is an artifact from their time living on the mainland. Virtually all of us here in Princeville are mainland expatriates. Frankly, from time to time, their actions and statements make me feel shame (for them). One example from two years ago I've not been able to stop thinking about was the hostile opposition put forward by some towards a proposed Hawaiian Cultural Park in the Queen's Bath area. It was capped off by an embarrassing presentation made that was so demeaning and embarrassing that I won't even site the references it used. As outrageous as the claims were, a small yet vocal group, representing only their self-interest, and not the community as a whole, managed to kill the project. By the way, a Hawaiian Cultural Park was in Princeville's original plans from 50 years ago.

Let me address property rights, PHCA and the actual landowner of the Golf Course. I firmly hold that private property rights are fundamental and foundational to our way of life. It does not matter whether the owner is a large corporation or a new family starting out with their first home purchase. Either everyone has rights or eventually no one will have rights. The role of government is a delicate balance in assigning and overseeing these rights. I know the representatives of the Golf Course owner (also the 1Hotel owners) personally. They are good well-meaning people. Anyone who says they are not, is just wrong. Their interests are in alignment with the best interests of Princeville as a whole. After all, Princeville is a resort community and a visitor destination area (aka VDA). The 1Hotel (though not the Golf Course) is also a member of PHCA and has the same rights as any individual homeowner. The Golf Course is entirely surrounded by PHCA. More than half of the of property ownership in Princeville is used for vacation rentals. Many of our residents are part time residents. A smaller group yet chose to live here full time as have my wife and I and my daughter and her family. All our property owners have the same rights. To think or act otherwise flies in the face of the rule of law and our governing documents. There is no special status among PHCA membership.

In casual conversation with the Golf Course owners, they have spoken about their options and together we have floated ideas. They are interested in developing a portion of the currently unused Woods Course into low density high end large home lots along with some smaller, yet still low density lots and homes (any home in Princeville is pricey). They are confident doing so would not burden utilities nor traffic. They also have a need for work force housing and are willing to so build such a project in accordance with County guidelines. As everyone knows, housing for working families on Kauai is a dire situation. Anyone willing to so invest should be

given ample consideration for doing so. PHCA and our member owners could benefit first from the additional dues revenue if these properties come under PHCA management. The 1Hotel and Golf Course owners are also interested in community improvements that would enhance our overall community for residents and visitors alike. Among those ideas are:

1. A permanent land dedication for the Makai Golf Course;
2. Building expanded shared use paths for walking and bicycling;
3. Additional community park space for PHCA using the undeveloped portions of the Woods Course;
4. Enhancing and then turning over to PHCA a trail to Anini Beach;
5. Construction of a paid membership-based family pool at the Golf Club (currently the pool is NOT open to families, nor is there any other option for families other than purchasing a unit at one of the condo properties or building your own pool);
6. Adding a sit-down restaurant at the Golf Club to the benefit of residents and visitors alike;
7. Expanded parking capacity in the heart of Princeville (something sorely needed) through the building of a parking structure to replace the existing large surface parking lot at the golf club. Doing so would greatly also enhance the aesthetic appearance of that location;
8. The aforementioned workforce housing;
9. Also previously mentioned enhanced revenue stream based on new owner dues to allow PHCA to fulfill its duties and even perhaps slow the rate of dues increases (our dues are based on lot size, so large lots pay higher dues);
10. And any others we can find where mutual benefit occurs.

None of this could or would occur under the proposed Petition.

Likewise, none of it has yet to occur prior to the proposed petition because a small self-interested group of PHCA members who have taken on the Golf Course owners through litigation. PHCA has yet to take any position regarding that litigation though it has been monitoring the situation closely for more than 2 years.

In my personal opinion I think those self-interested residents have stirred up angst among additional owners, though still a small yet vocal and shrewd group. I know of what I believe to be a larger group of owners who are open to discussion and negotiation for community benefit with the Golf Course and hotel owners. A survey was conducted a couple years ago that supports that premise (though the data is often misquoted). The larger group of owners is either uninformed, apathetic, or disinterested, and has yet to take a side. I suspect that group is made up of the owners of individual properties used for vacation rentals.

Let me apologize for the length and intensity of my letter. The topic is important and one I take quite seriously. If you or anyone in the County Government wishes to reach out to me, please do not hesitate to do so anytime. My personal contact information has been provided. I really am quite down to earth and approachable and can be easily engaged in conversation.

Thank you for your time and attention to this matter.

Sincerely,


Ace Hodgkin, M.D.

From: MADELYNN FORGEY <madforgey@yahoo.com>
Sent: Tuesday, October 17, 2023 10:20 AM
To: Planning Department
Cc: Madelynn Forgey; Duncan Forgey
Subject: Testimony for October 19th KHPRC Meeting
Attachments: 10-19-23 KHPRC Itr re Makai Golf Course.pdf

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha Chairperson and Members,

Attached please find a 2-page testimony regarding the nomination of the Makai Golf Course at Princeville for listing onto the State Registry of Places for the October 19, 2023 meeting.

Mahalo nui loa,

MADELYNN FORGEY
808.827.8027 Cell | Text
MadForgey@yahoo.com

**Kaua'i Historical Preservation Review Commission
October 19, 2023 Meeting
The Maka'i Golf Course at Princeville
Nomination to the Hawai'i Register of Historic Places
Princeville, Kaua'i
HPRC-2014-1**

Dear Chairperson and Members,

I currently own two homes in Princeville, neither of which front the golf course and/or open spaces. As a former history teacher and author, the community of Princeville took my heart immediately. Princeville combines a modern lifestyle melted together with the gorgeous backdrop of old Hawai'i and its rugged beauty.

As active members in the community, my wife and I feel a need to write and ask for your support of the historical status request for Princeville. The timing of your decision is crucial due to a developmental expansion that is surrounding our placid area. In our lifetimes, the two of us have seen pristine areas of Southern California, Mexico, Costa Rica and Hawai'i allow development to drastically alter their environments. This action creates a future much different than its past history and robs future generations of living with the past in these areas. This type of growth is irreversible. North Shore Kaua'i and Princeville could, and should, set an example for the rest of Kaua'i and the state. The North Shore already has the Wai'oli Hui'ia Church, the Bridge to Hanalei and key structures with historical designations; and Princeville is deserving of the same status.

Princeville's Makai Golf Course and its open space are vital to the area for both commercial and recreational reasons. The 27-hole Makai Golf Course was built by one of the premier golf course designers in golf history, Robert Trent Jones Jr. The collaboration of Mr. Jones and the Eagle County Development Corporation in 1971 resulted in a planned community that hosts approximately 772 single family homes, 1154 condominiums, 827 timeshares and key hotels such as 1 Hotel and The Westin.

As an economic engine, Princeville is currently operating at its highest and best use. Even with this tremendous amount of residences, the ambiance remains as described in the original Declaration of Restrictions, Covenants and Conditions adopted in March of 1971:

"Declarant intends to develop the land with residences, apartments, hotels, parks, open areas and a variety of uses by means for a planned community development and the purpose of this declaration is to create and keep the community area desirable, attractive, beneficial and suitable in architectural design, materials and appearance; and to guard against unnecessary interference with the natural beauty of the community area; for all the mutual benefit and protection of the owners within the community area."

Dangers and risks will come by not protecting the historical importance of the area. There is a move to expand onto some or part of the open spaces. If allowed, a very fragile infrastructure and key natural habitats would be drastically affected.

The current water treatment plant would be inadequate. Runoff from construction would further damage the reefs below Princeville and threaten endangered species of birds along with other critters. There are five birds that use the ancillary areas of the Makai Golf Course as their home: The Laysan albatross's (Moli) breeding ground; it has 20% of the state bird's (Nene) total population and protects the Hawaiian ducks (Koloa Maoli), the Hawaiian Stilt (ae'o), and the Hawaiian Gallinule ('alae 'ula). Natural features of an area are indeed historical in their presence and of great value to future generations.

But a far greater concern for human residents comes with development where cement and hard scape replace natural ground cover. This transition will dramatically affect the plans of the original designers and engineers, who were very concerned about water events and water movement. The North Shore lives in the shadow of Mt. Wai'ale'ale summit which averages 450 inches of rain annually.

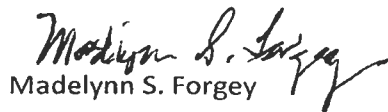
Princeville engineers and designers took this rainfall into consideration when building the community. Currently, streets and open spaces miraculously move great amounts of rain each year with little flooding. Interfering with this original design by further development would be a great risk to those properties down slope. Additionally, the golf course and open spaces were designed to act as a sponge for the rains, allowing water to seep into the earth instead of run uncontrolled downhill.

With beliefs about global warming, there are concerns about hotter and dryer times ahead. Much of Hawai'i is in a dangerous drought and we are all living with the tragedy on Maui. Golf courses and maintained open spaces act as fire blocks with dry conditions and heavy winds.

But the historical aspect is the most important reason for this request. Having relocated from coastal Southern California, Madelynn and I witnessed the slow creep of development that ran rampant in areas near the ocean. There was little done to stop unfettered building and expansion. Kaua'i must stand up for the historical importance of the Hawaiian culture and its āina. Plus, we need to have a great concern for our present environment for future generations. Princeville needs to be protected into perpetuity.

Ua Mau ke Ea o ka Āina i ka Pono – Hawai'i State Motto
"The life of the land is perpetuated in righteousness."


Duncan P. Forgey


Madelynn S. Forgey

3785 Moa'e Place
Princeville, HI 96722
808-755-5255

SOF-XI KAUAI PV HOTEL, L.P.
591 West Putnam Avenue
Greenwich, Connecticut 06830

October 17, 2023

Mr. Gerald Ida, Chair
Kauai Historic Preservation Review Commission
County of Kauai
4444 Rice Street, Suite A473
Lihue, Kauai, Hawaii 96766

VIA HAND DELIVERY

Re: **Notice of Opposition to Petition for Hawaii Register of Historic Places**
Makai Golf Course
Princeville, Hanalei, Kauai, Hawaii
Kauai Tax Map Key Nos. (4) 5-4-005:022, 049, 054;
(4) 5-4-006:003, 005, 006; and (4) 5-4-012:001, 006
Owner: SOF-XI Kauai PV Golf, L.P.

Dear Chair Ida and Commission Members:

This letter notifies the Kauai Historic Preservation Review Commission ("KHPRC") of SOF-XI Kauai PV Golf, L.P., a Delaware limited partnership ("Owner"), to the Petition to Nominate the above-described properties to the National Register of Historic Places and/or Hawaii Register of Historic Places and formally requests a contested case before any action is taken on the Petition.

A. **DESCRIPTION.**

The Makai Golf Course contains eight (8) lots, as described in the attached Makai Golf Course Land Use Index *[Exhibit "I"]*. These lots may be grouped into the following three (3) general categories as shown on the Index:

1. **Golf Course Lots.** There are five (5) Golf Course Lots which currently are used exclusively for golf course purposes. They are all subject to a Dedication of Golf Course Property dated May 19, 1972 recorded in the Bureau of Conveyances of the State of Hawaii ("Bureau") in Liber 8301 at Page 112 ("Golf Dedication"). The Golf Dedication provides that these lots are dedicated to golf course and ancillary recreational uses ("Golf/Recreational Uses") until February 28, 2026.

Mr. Gerald Ida, Chair
Kauai Historic Preservation Review Commission
County of Kauai
October 17, 2023
Page 2

The Golf Course Lots are shown on the following enclosed Exhibits:

a. Lot 1 (Portion of Lot 1-B) is designated as Parcel 22, as shown on Tax Map 5-4-05 *[Exhibit "2"]*. Lot 1 (Portion of Lot 1-B) is located on the makai side of Ka Haku Road and contains Holes 12-16 of the Makai Golf Course, as shown on the Makai Golf Course Map *[Exhibit "5"]*. It contains 55.475 acres.

b. Lot 2 (Portion of Lot 1-B) is designated as Parcel 49, as shown on Tax Map 5-4-05 *[Exhibit "2"]*. Lot 2 (Portion of Lot 1-B) is located on the mauka side of Ka Haku Road and contains Holes 10, 11, 17 and 18 of the Makai Golf Course and Holes 4-9 of the Woods Golf Course, as shown on the Makai Golf Course Map. It contains 102.635 acres.

c. Lot 7 (File Plan 1179) is shown on File Plan Map 1179 *[Exhibit "6"]*, and is designated as Parcel 3, as shown on Tax Map 5-4-06 *[Exhibit "3"]*. Lot 7 (File Plan 1179) is located on the mauka side of Ka Haku Road and contains Holes 1 and 9 of the Makai Golf Course and Holes 1-3 of the Woods Golf Course, as shown on the Makai Golf Course Map. It contains 51.955 acres.

d. Lot 1 (File Plan 1197) is shown on File Plan Map 1197 *[Exhibit "7"]*, and is designated as Parcel 1, as shown on Tax Map 5-4-12 *[Exhibit "4"]*. Lot 1 (File Plan 1197) is located on the mauka side of Ka Haku Road and contains Holes 2-5 of the Makai Golf Course, as shown on the Makai Golf Course Map. It contains 41.648 acres. *[Note: Lot 1 (File Plan 1197) was subsequently consolidated with adjacent property and resubdivided, as shown on File Plan 1303 [Exhibit "8"]. As a result, Lot 1 increased in size from 41.321 acres (on file Plan 1197) to 41.648 acres (on File Plan 1303).]*

e. Lot 5 (File Plan 1197) is shown on File Plan Map 1197 *[Exhibit "7"]*, and is designated as Parcel 6, as shown on Tax Map 5-4-12 *[Exhibit "4"]*. Lot 5 (File Plan 1197) is located on the makai side of Ka Haku Road and contains Holes 6-8 of the Makai Golf Course, as shown on the Makai Golf Course Map. It contains 25.626 acres.

2. Golf Amenities Lots. There are two (2) lots which are improved with facilities related to the Golf Course. They are both subject to the Golf Dedication.

Mr. Gerald Ida, Chair
Kauai Historic Preservation Review Commission
County of Kauai
October 17, 2023
Page 3

a. Parking Lot. The Parking Lot (identified by Kauai TMK No. (4) 5-4-006:006) contains 217 paved parking stalls which are spread over the entirety of the lot. The Parking Lot is subject to a Parking License Agreement as described in the Memorandum Of Parking License Agreement dated March 18, 2005 recorded in the Bureau as Document No. 2005-053780. The Parking License Agreement is a perpetual license for the use of 120 parking spaces on the Parking Lot in favor of the Princeville Hotel. The remaining parking spaces are used for the Clubhouse Lot and Golf Course Lots activities. Lot 6 (File Plan 1179), as shown on File Plan Map 1179 [*Exhibit "6"*], and is designated as Parcel 6, as shown on Tax Map 5-4-06 [*Exhibit "3"*]. It contains 4.569 acres.

b. Clubhouse Lot. The Clubhouse Lot contains amenities related to the Golf Course uses and other recreation activities, including: a Golf Clubhouse and restaurant; a Golf Barn (for golf carts); a swimming pool and athletic facilities; tennis courts; and a parking area. The Clubhouse Lot is also subject to the Parking License Agreement. Lot 5 (File Plan 1179), as shown on File Plan Map 1179 [*Exhibit "6"*], and is designated as Parcel 5, as shown on Tax Map 5-4-06 [*Exhibit "3"*]. It contains 7.041 acres.

3. Baseyard Lot. The Baseyard Lot contains warehouses and facilities used as the baseyard for the Golf Course operation. It is not subject to the Golf Reservation. It also contains two (2) warehouses used by Princeville Operating Company, LLC for baseyard purposes pursuant to a Grant Of Easement (Lot 54 Maintenance Yard) dated August 1, 2006 recorded in the Bureau as Document No. 2006-153727. It also contains a building and radio antenna used by Kekahu Foundation, Inc. for KKCR-FM, a community operated radio station. Lot B is designated as Parcel 54 as shown on Tax Map 5-4-05 [*Exhibit "2"*]. It contains 12.242 acres.

B. LAND USE DESIGNATIONS.

The Land Use Designations for the lots are as follows:

1. Golf Course Lots. The Golf Course Lots are located in the following land use districts: the State Land Use Commission ("SLUC") Urban District; the Kauai General Plan Golf Course Land Use Designation; the Comprehensive Zoning Ordinance of the County of Kauai ("CZO") Open District; and the CZO Visitor Destination Area ("VDA").

Mr. Gerald Ida, Chair
Kauai Historic Preservation Review Commission
County of Kauai
October 17, 2023
Page 4

2. Golf Amenities Lots.

a. Parking Lot. The Parking Lot is located in the following land use districts: SLUC Urban District; Kauai General Plan Golf Course Land Use Designation; CZO General Commercial District and Special Treatment - Public Facilities District; and the VDA.

b. Clubhouse Lot. The Clubhouse Lot is located in the following land use districts: SLUC Urban District; Kauai General Plan Golf Course Land Use Designation; a 1.2396-acre portion in the CZO General Commercial District and Special Treatment - Public Facilities District; a 5.8014 acre portion in the CZO Open District and Special Treatment - Public Facilities District; and the VDA.

3. Baseyard Lot. The Baseyard Lot is located in the following land use districts: SLUC Urban District; Kauai General Plan Natural Land Use Designation; CZO Open District; and the VDA.

C. OPPOSITION.

The Owner formally opposes the Petition and requests a contested case pursuant Hawaii Administrative Rules Section 13-198-15. It is our understanding that the HHPRB does not list properties in the Hawaii Register of Historic Places over the Owner's objections, and we request that the HHPRB consider this precedent in its deliberations on this matter.

There are certain individuals in the Princeville community whom we believe are pursuing this Petition via a veiled Nevada limited liability company given the expiration of the Golf Course Dedication. The Golf Dedication restricts certain uses on the Golf Course Lots and the Golf Amenities Lots to Golf/Recreational Uses until February 28, 2026. The Petition is a direct response to the expiring Golf Dedication and concerns surrounding the future uses of the Golf Dedication properties.

The Owner requests that the Petition be denied. The Makai Golf Course, while undoubtedly a beautiful and well-maintained facility, does not possess the historical significance or cultural value of other sites on the Hawaii Register of Historic Places. The Owner agrees that it is crucial to preserve sites of true historical significance, but it is equally important not to dilute the value of historic designations by including sites that are not deserving.

Mr. Gerald Ida, Chair
Kauai Historic Preservation Review Commission
County of Kauai
October 17, 2023
Page 5

Designating the Makai Golf Course on the Hawaii Register of Historic Places will limit future improvements to the facilities and its infrastructure. This could have a negative impact on Princeville and the greater North Shore's local economy, which heavily relies on such recreational facilities such as the Makai Golf Course and impair the ability to upgrade, improve, and maintain the site facilities for the Princeville community's use.

Moreover, the Petition focuses entirely on golf as a historic sport and several golf courses that established golf's presence in Hawaii. The Petition fails to reference any other golf course in Hawaii that is registered in the Hawaii Register of Historic Places. Further, the Petition notes the site, rather than any structures, as a significant contributing feature, yet fails to provide any archeological references to the site itself.

The Owner intends to vigorously contest the Petition and hereby requests a contested case hearing prior to any action being taken. In accordance with Hawaii Administrative Rules Section 13-198-4(d) the Owner hereby notifies the HHPRB that it objects to the nomination for listing on the Hawaii Register of Historic Places. Further, enclosed herein is an affidavit in accordance with C.F.R. Sec. 60.6, stating the Owner's opposition to the nomination of the Makai Golf Course to the National Register of Historic Places and/or Hawaii Register of Historic Places.

If you have any questions, please do not hesitate to contact me at (310) 800-4570 or via email at jcruce@starwood.com.

Thank you very much for your consideration of the above testimony.

Sincerely yours,

SOF-XI KAUAI PV GOLF, L.P.



Jason Cruce

Enclosures

EXHIBIT "1"

**MAKAI GOLF COURSE
LAND USE INDEX**

TMK (4)	LOT	FILE PLAN/ FORMER LOT	AREA (acres)	SLUC	GENERAL PLAN	CZO	NOTES
A. <u>Golf Course Lots</u>							
5-4-005:022	1	Portion Parcel 1-B Unit XVII	55.475 (53.350)	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 12-16.
5-4-005:049	2	Portion Parcel 1-B	102.635	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 10, 11, 17 and 18, and Woods Golf Course Holes 4-9.
5-4-006:003	7	1179	51.955	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 1 and 9, and Woods Golf Course Holes 1-3.

TMK (4)	LOT	FILE PLAN/ FORMER LOT	AREA (acres)	SLUC	GENERAL PLAN	CZO	NOTES
5-4-012:001	1	1303	41.468	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 2-5.
5-4-012:006	5	1197	25.626	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 6-8.
B. <u>Golf Amenities Lots</u>							
5-4-006:005 (Clubhouse Lot)	5	1179	7.041	Urban	Golf Course	General Commercial/Special Treatment-Public (1.2396 ac.) Open/Special Treatment-Public (5.8014 ac.)	1. Dedicated for Golf Course uses. 2. Contains: Golf Clubhouse; restaurant; pro shop; tennis courts; pool; and golf cart barn.
5-4-006:006 (Parking Lot)	6	1179	4.569	Urban	Golf Course	General Commercial/Special Treatment-Public	1. Dedicated for Golf Course uses. 2. Contains improved parking.

TMK (4)	LOT	FILE PLAN/ FORMER LOT	AREA (acres)	SLUC	GENERAL PLAN	CZO	NOTES
C. Baseyard Lot							
5-4-005:054 (Baseyard Lot)	B	----	12.242	Urban	Natural	Open	1. Contains: Golf Course Baseyard; KKCR Radio Station; and Princeville Operating Company Baseyard. 2. Not subject to Golf Course Dedication.

EXHIBIT "2"

"PRINCEVILLE AT HANA'LEI,"
POR. HANA'FI NA'IFIKA KAHU'U HAWAII.

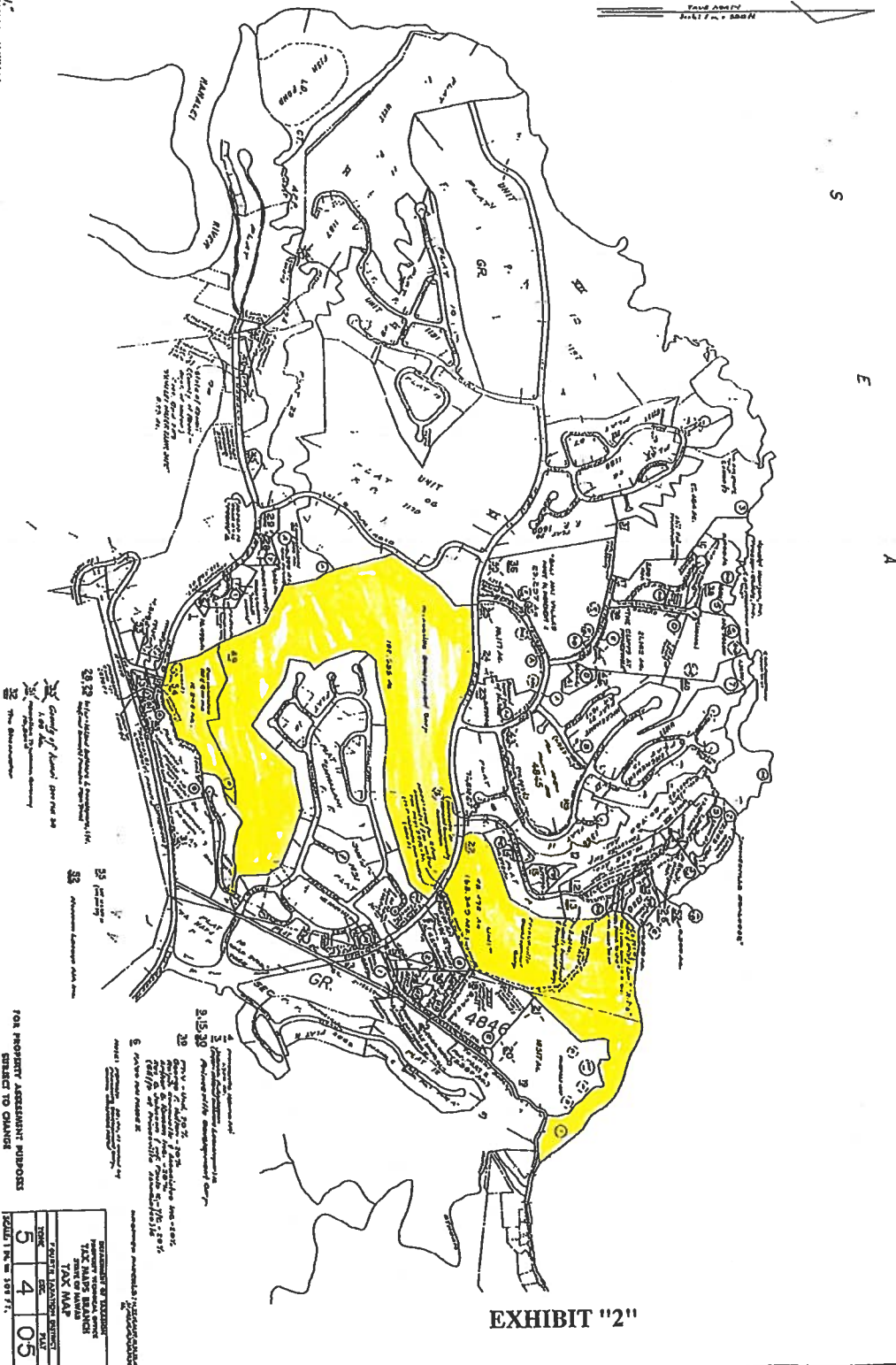


EXHIBIT "2"

EXHIBIT "3"

**FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE**



DEPARTMENT OF REVENUE			
PROPERTY TAXATION OFFICE			
TAX MAPS BRANCH			
STATE OF NEW YORK			
TAX MAP			
FURNISH EVALUATION DIRECT			
100	300	TAX	
5	4	06	

Parasit. Droppad: 4, 10, 11, 5

EXHIBIT "3"

EXHIBIT "4"

FOR PROPERTY ASSIGNMENT PURPOSES
OWNER TO FILL IN

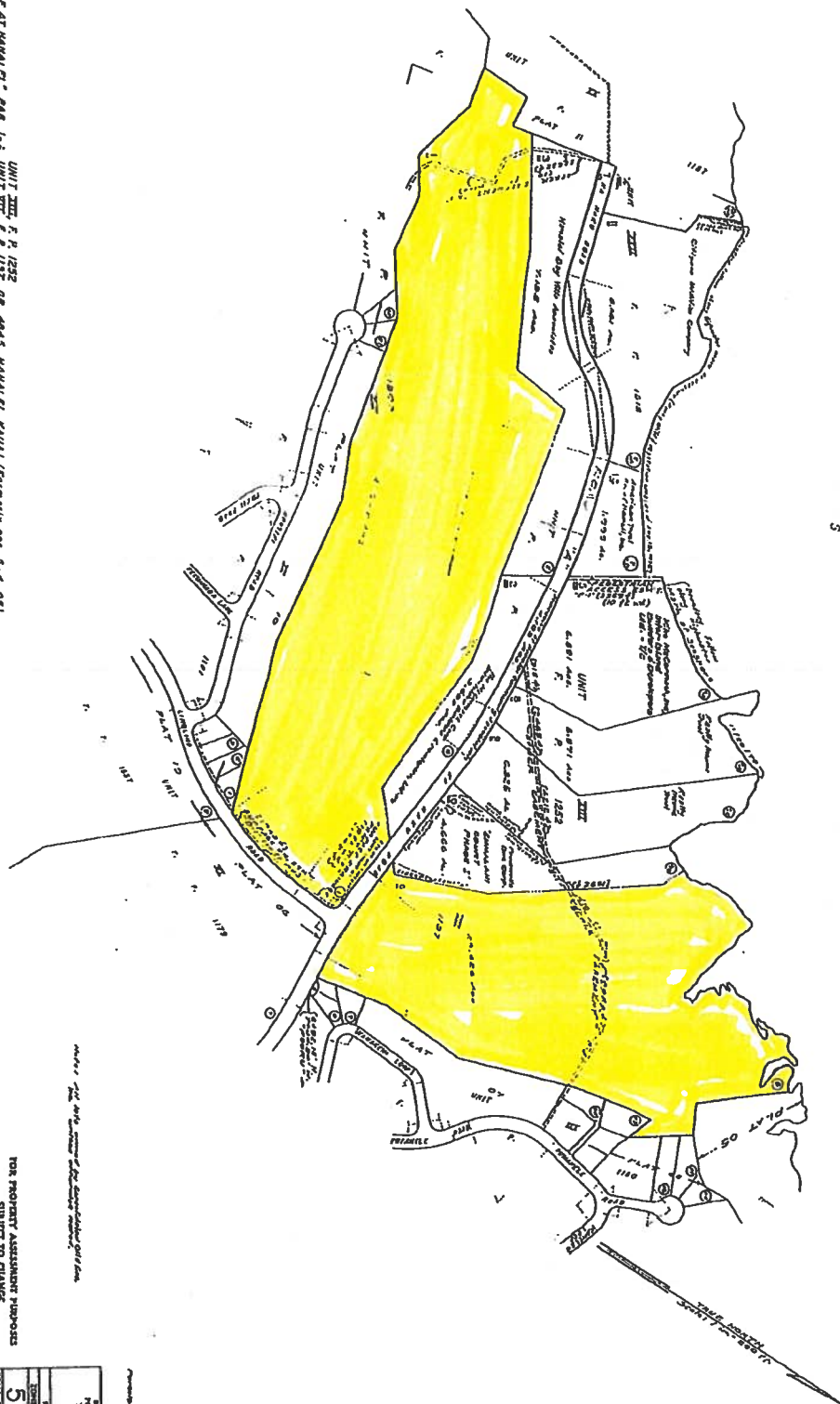


EXHIBIT "4"

EXHIBIT "5"

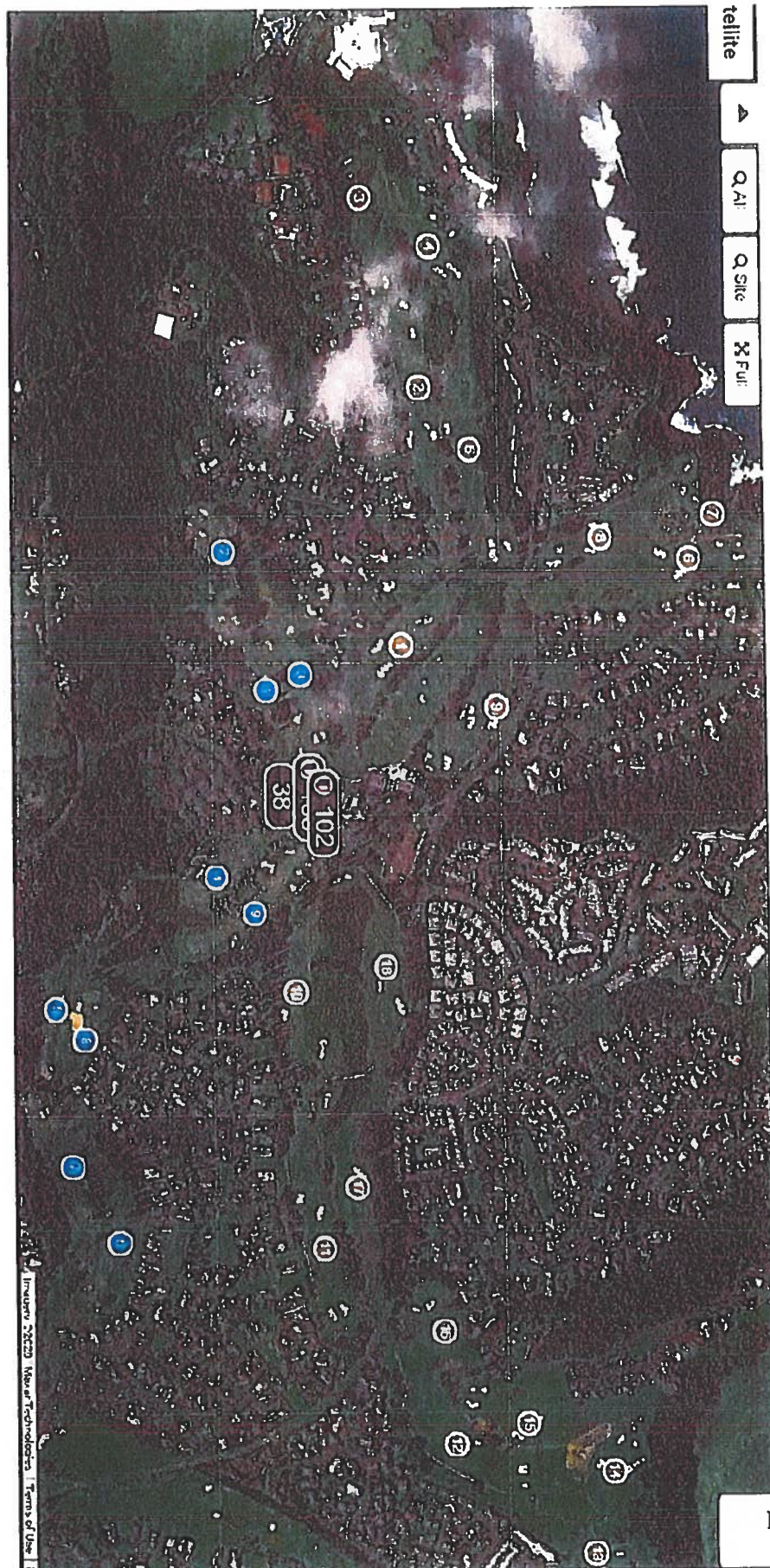
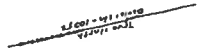


EXHIBIT "5"

EXHIBIT "6"



FUEFIAND 1779

AT HAHALEI, HALELEA, KAUAI, HAWAII

Being a portion of Grant 4045 to Albert C. Wilson

AREA = 113.689 ACRES

William K. Thirum
Regional Professional Supervisor
Confidential Number C7D

NOTES

I hereby certify that the description of service and the dates of such service are true and correct as to facts and that the person described is not now in the service and has never been so employed in connection with the service in which he is being furnished benefits.

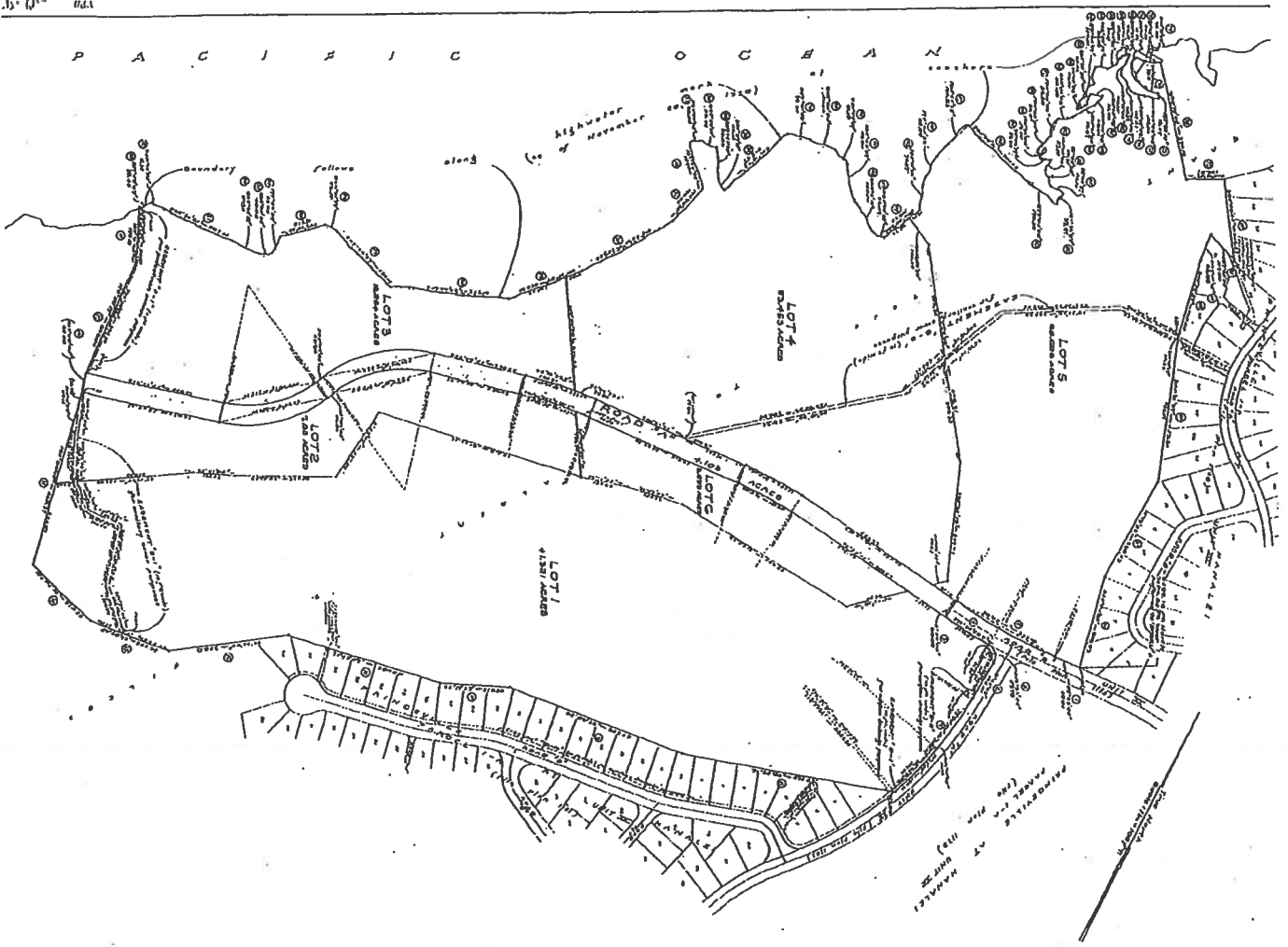
Witness my hand and seal this _____ day of _____, 1931.

George T. S. Smith
 Director of the Bureau

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EXHIBIT "7"

FILED MAR 11 1977



PRINCEVILLE AT HANAIEI

PARCEL 1-A UNIT XII

LINE GRANTED APPROXIMATELY 5000 FEET NORTHWEST
THENCE INTERSECTION OF WINDY HIGHWAY AND HONU ROAD

AT HANAIEI, HALELEA, KAUAI, HAWAII

OWNER: EAGLE COUNTY DEVELOPMENT CORPORATION
ADDRESS: P.O. BOX 181 HANAIEI, KAUAI, HAWAII 96741

Being a Portion of Grant 4645 to Albert S. Wilson

SUBDIVIDED INTO LOTS 1 TO 6, INCLUSIVE,
AND ROAD A
AND DESIGNATION OF EASEMENTS S-1 AND S-2
EASEMENTS D-1 AND D-2
AND EASEMENT P-1

AREA: 117,504 ACRES

This map is drawn to exhibit, survey and the ground
and by an authorized agent of the Surveyor General
under Grant 1,1750 and Feb. 6, 1971 and may be subject
to the State Engineer with any subdivision work. HAWAII
Kauai, Hawaii, 1971

February 6, 1971



Robert L. Williams
Surveyor General
Hawaii, U.S.A.

NOTES
1. The area shown on this map is subject to the provisions of the
Hawaii Land Use Law, Chapter 215, Hawaii Revised Statutes, and
the rules and regulations of the Department of Land and Natural Resources.
2. The area shown on this map is subject to the provisions of the
Hawaii Land Use Law, Chapter 215, Hawaii Revised Statutes, and
the rules and regulations of the Department of Land and Natural Resources.
3. The area shown on this map is subject to the provisions of the
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4. The area shown on this map is subject to the provisions of the
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9. The area shown on this map is subject to the provisions of the
Hawaii Land Use Law, Chapter 215, Hawaii Revised Statutes, and
the rules and regulations of the Department of Land and Natural Resources.
10. The area shown on this map is subject to the provisions of the
Hawaii Land Use Law, Chapter 215, Hawaii Revised Statutes, and
the rules and regulations of the Department of Land and Natural Resources.

AREA OF EASEMENTS

EXHIBIT "8"

LAND SITUATED ALONG THE SOUTHERLY BOUNDARY OF LOTS
2 AND 8 OF PRINCEDVILLE AT MANALAI, MARSH HILL, UNIT VII
(SILEX PLAN 1107)

AT HANALEI, HALELEA, KAUAI, HAWAII
OWNER: EAGLE COUNTY DEVELOPMENT CORPORATION
ADDRESS: PO BOX 121, HANALEI, KAUAI, HAWAII, 96714

Being a portion of Opment 4866 to Admont 5. Wilson
being one of lot 1 of PLINDENVILLE at MANALAI,
being parcel 1-A, UNIT IV (7110 Area 157)
being one of lot 3 of PLINDENVILLE at MANALAI
being parcel 1-A, UNIT IV (7110 Area 157)
being one of lot 25 of PLINDENVILLE at MANALAI,
being parcel 1-A, UNIT IV (7110 Area 158).

AREA = 60.822 ACRES

This map is from an aerial survey on the ground made by an under the direct supervision of the Under/Chief between July 7, 1978 and August 13, 1978 and is copied by the State Department with my Classification Code No. 114, November 1978 and Field Book No. 114.

A.O. 324 186
National, Annual
34714
August 13, 1976



I enclose herewith the description of surveying equipment that has been collected and retained at St. Paul, Minnesota, and the results of the examination of the equipment. The equipment was found to be in good condition and is being loaned to the Bureau for use in the survey of the St. Paul and Northern Pacific Railroad.

Very truly yours,
 J. M. Smith

AREA OF EASEMENTS

[illegible]

AFFIDAVIT OF JASON CRUCE

STATE OF Texas)
) SS:
COUNTY OF Bexar)

JASON CRUCE, being first duly sworn, on oath deposes and says:

1. I am the authorized signatory for SOF-XI Kauai PV Golf, L.P., a Delaware limited partnership.

2. SOF-XI Kauai PV Golf, L.P., a Delaware limited partnership, is the owner of the following properties:

a. The Golf Course Lots are shown on the following enclosed Exhibits:

(i) Lot 1 (Portion of Lot 1-B) is designated as Parcel 22, as shown on Tax Map 5-4-05 *[Exhibit "1"]*. Lot 1 (Portion of Lot 1-B) is located on the makai side of Ka Haku Road and contains Holes 12-16 of the Makai Golf Course, as shown on the Makai Golf Course Map *[Exhibit "4"]*. It contains 55.475 acres.

(ii) Lot 2 (Portion of Lot 1-B) is designated as Parcel 49, as shown on Tax Map 5-4-05. Lot 2 (Portion of Lot 1-B) is located on the mauka side of Ka Haku Road and contains Holes 10, 11, 17 and 18 of the Makai Golf Course and Holes 4-9 of the Woods Golf Course, as shown on the Makai Golf Course Map. It contains 102.635 acres.

(iii) Lot 7 (File Plan 1179) is shown on File Plan Map 1179 *[Exhibit "5"]*, and is designated as Parcel 3, as shown on Tax Map 5-4-06 *[Exhibit "2"]*. Lot 7 (File Plan 1179) is located on the mauka side of Ka Haku Road and contains Holes 1 and 9 of the Makai Golf Course and Holes 1-3 of the Woods Golf Course, as shown on the Makai Golf Course Map. It contains 51.955 acres.

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(v) Lot 5 (File Plan 1197) is shown on File Plan Map 1197, and is designated as Parcel 6, as shown on Tax Map 5-4-12. Lot 5 (File Plan 1197) is located on the

makai side of Ka Haku Road and contains Holes 6-8 of the Makai Golf Course, as shown on the Makai Golf Course Map. It contains 25.626 acres.

b. Golf Amenities Lots. There are two (2) lots which are improved with facilities related to the Golf Course. They are both subject to the Golf Dedication.

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(ii) Clubhouse Lot. The Clubhouse Lot contains amenities related to the Golf Course uses and other recreation activities, including: a Golf Clubhouse and restaurant; a Golf Barn (for golf carts); a swimming pool and athletic facilities; tennis courts; and a parking area. The Clubhouse Lot is also subject to the Parking License Agreement. Lot 5 (File Plan 1179), as shown on File Plan Map 1179, and is designated as Parcel 5, as shown on Tax Map 5-4-06. It contains 7.041 acres.

c. Baseyard Lot. The Baseyard Lot contains warehouses and facilities used as the baseyard for the Golf Course operation. It is not subject to the Golf Reservation. It also contains two (2) warehouses used by Princeville Operating Company, LLC for baseyard purposes pursuant to a Grant Of Easement (Lot 54 Maintenance Yard) dated August 1, 2006 recorded in the Bureau as Document No. 2006-153727. It contains a building and radio antenna used by Kekahu Foundation, Inc. for KKCR-FM, a community operated radio station. Lot B is designated as Parcel 54 as shown on Tax Map 5-4-05. It contains 12.242 acres.

3. On October 8, 2023, I received a letter dated October 4, 2023, from the State Historic Preservation Division notifying Princeville Development Corporation, and not SOF-XI Kauai PV Golf, L.P., a Delaware limited partnership, that the above identified properties would be presented to the Hawaii Historic Places Review Board for consideration to the Hawaii Register of Historic Places and recommendation to the National Register of Historic Places.

4. In accordance with Hawaii Administrative Rules Section 13-198(d), SOF-XI Kauai PV Golf, L.P., a Delaware limited partnership, hereby notifies the Hawaii Historic Places Review Board that it objects to the nomination of the properties for listing on to the Hawaii Register of Historic Places as provide under Chapter 198 of the Hawaii Administrative Rules.

5. In accordance with 36 C.F.R. Sec. 60.6, SOF-XI Kauai PV Golf, L.P., a Delaware limited partnership, hereby states its objections to the nomination of the properties on to the National Register of Historic Places.

Further affiant sayeth naught.

Jason Matthew Cruce
JASON CRUCE

Doc. Date: 10/17/2023 # Pages: 21

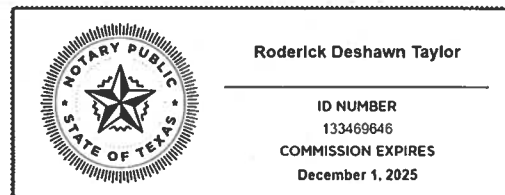
Doc. Description: Affidavit of Jason Cruce

Notary Name: Roderick Deshawn Taylor Circuit

Subscribed and sworn to before me this
17th day of October, 2023

Roderick Deshawn Taylor
Notary Public, State of Texas

My commission expires: 12/01/2025



Notarized online using audio-video communication

EXHIBIT "1"

**MAKAI GOLF COURSE
LAND USE INDEX**

TMK (4)	LOT	FILE PLAN/ FORMER LOT	AREA (acres)	SLUC	GENERAL PLAN	CZO	NOTES
A. <u>Golf Course Lots</u>							
5-4-005:022	1	Portion Parcel 1-B Unit XVII	55.475 (53.350)	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 12-16.
5-4-005:049	2	Portion Parcel 1-B	102.635	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 10, 11, 17 and 18, and Woods Golf Course Holes 4-9.
5-4-006:003	7	1179	51.955	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 1 and 9, and Woods Golf Course Holes 1-3.

TMK (4)	LOT	FILE PLAN/ FORMER LOT	AREA (acres)	SLUC	GENERAL PLAN	CZO	NOTES
5-4-012:001	1	1303	41.468	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 2-5.
5-4-012:006	5	1197	25.626	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 6-8.
B. <u>Golf Amenities Lots</u>							
5-4-006:005 (Clubhouse Lot)	5	1179	7.041	Urban	Golf Course	General Commercial/Special Treatment-Public (1.2396 ac.) Open/Special Treatment-Public (5.8014 ac.)	1. Dedicated for Golf Course uses. 2. Contains: Golf Clubhouse; restaurant; pro shop; tennis courts; pool; and golf cart barn.
5-4-006:006 (Parking Lot)	6	1179	4.569	Urban	Golf Course	General Commercial/Special Treatment-Public	1. Dedicated for Golf Course uses. 2. Contains improved parking.

TMK (4)	LOT	FILE PLAN/ FORMER LOT	AREA (acres)	SLUC	GENERAL PLAN	CZO	NOTES
C. <u>Baseyard Lot</u>							
5-4-005:054 (Baseyard Lot)	B	----	12.242	Urban	Natural	Open	1. Contains: Golf Course Baseyard; KKCR Radio Station; and Princeville Operating Company Baseyard. 2. Not subject to Golf Course Dedication.

EXHIBIT "2"

DATE: March 19, 1971
 REVISED: March 19, 1971
 DATE: March 19, 1971
 BY: H. H. H. S.
 FOR: P. H. H. H.
 SOURCE: Tax Maps, Bureau

DATE: March 19, 1971
 REVISED: March 19, 1971
 DATE: March 19, 1971
 BY: H. H. H. S.
 FOR: P. H. H. H.
 SOURCE: Tax Maps, Bureau

"PRINCEVILLE AT HANALEI,"
 FOR HANALEI NAIPFA KAHAI HAWAII.

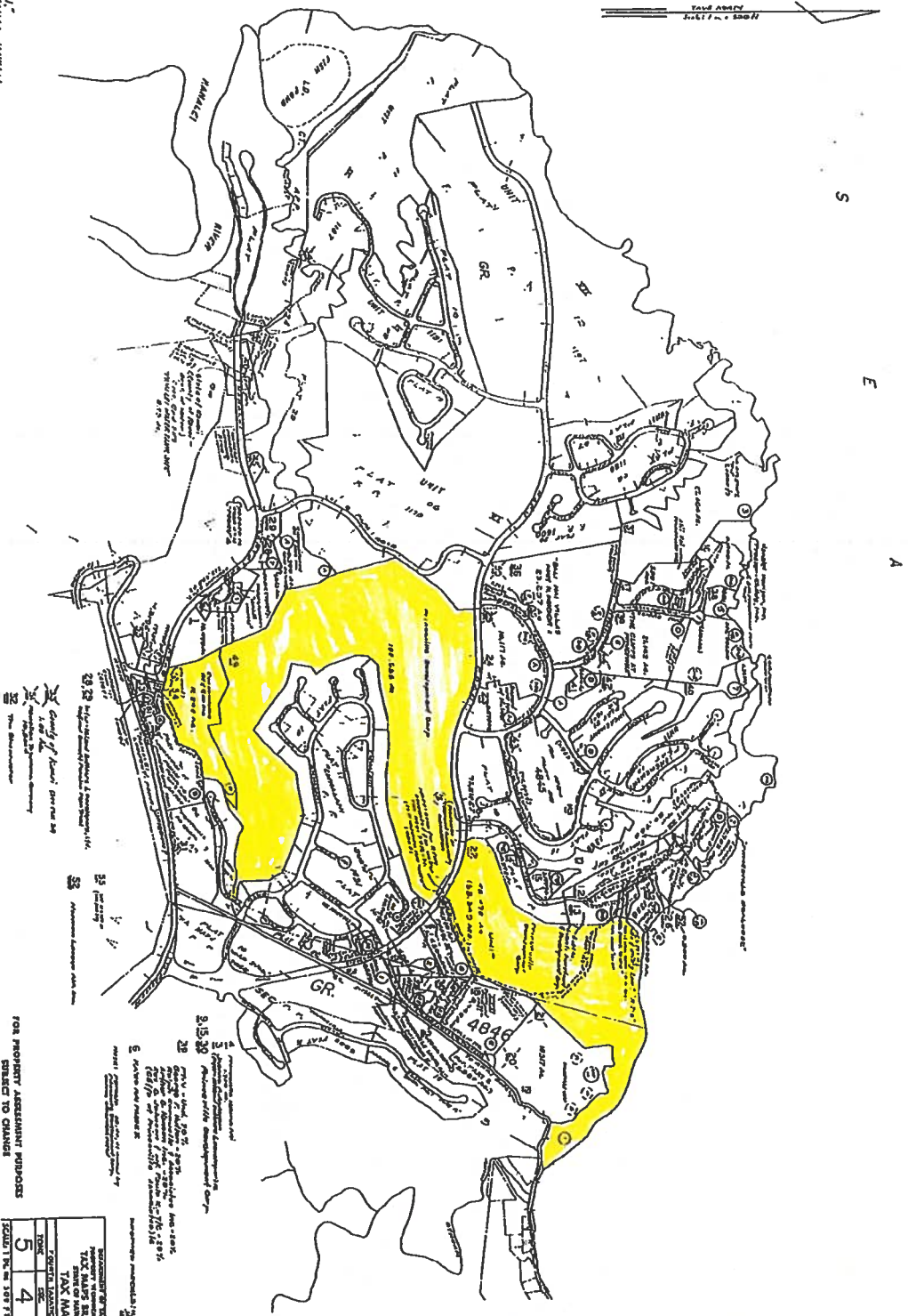
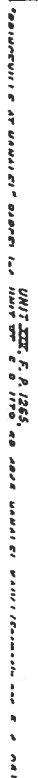


EXHIBIT "2"

FOR PROPERTY ASSISTANT PURPOSES			
SUBJECT TO CHANGE			
5	4	05	
TAX MAP			
TAX MAPS BRANCH			
TAX MAP			

EXHIBIT "3"



NOTES: 1. All notes must be completed with
Cogn. App. written above a note.

INFORMATION ON VALUATION PROPERTY THEORETICAL SERVICE TAX MAP BEACHES STATE OF MAINE TAX MAP		
FOURTH ELYTON DISTRICT		
TAX	INC	PAY
5	4	06

© 1991 by the State of Maine

EXHIBIT "3"

EXHIBIT "4"

**FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE**

GRANTING OF SALARIES		
PROPERTY TECHNICAL STAFF		
TAX MAPS BRANCH		
SCALE OF SALARIES		
TAX MAP		
1 MONTHS PAYMENT OBJECT		
2046	326	PAY
5.	4	12
TOTAL PAY OF 2007.		

EXHIBIT "4"

EXHIBIT "5"

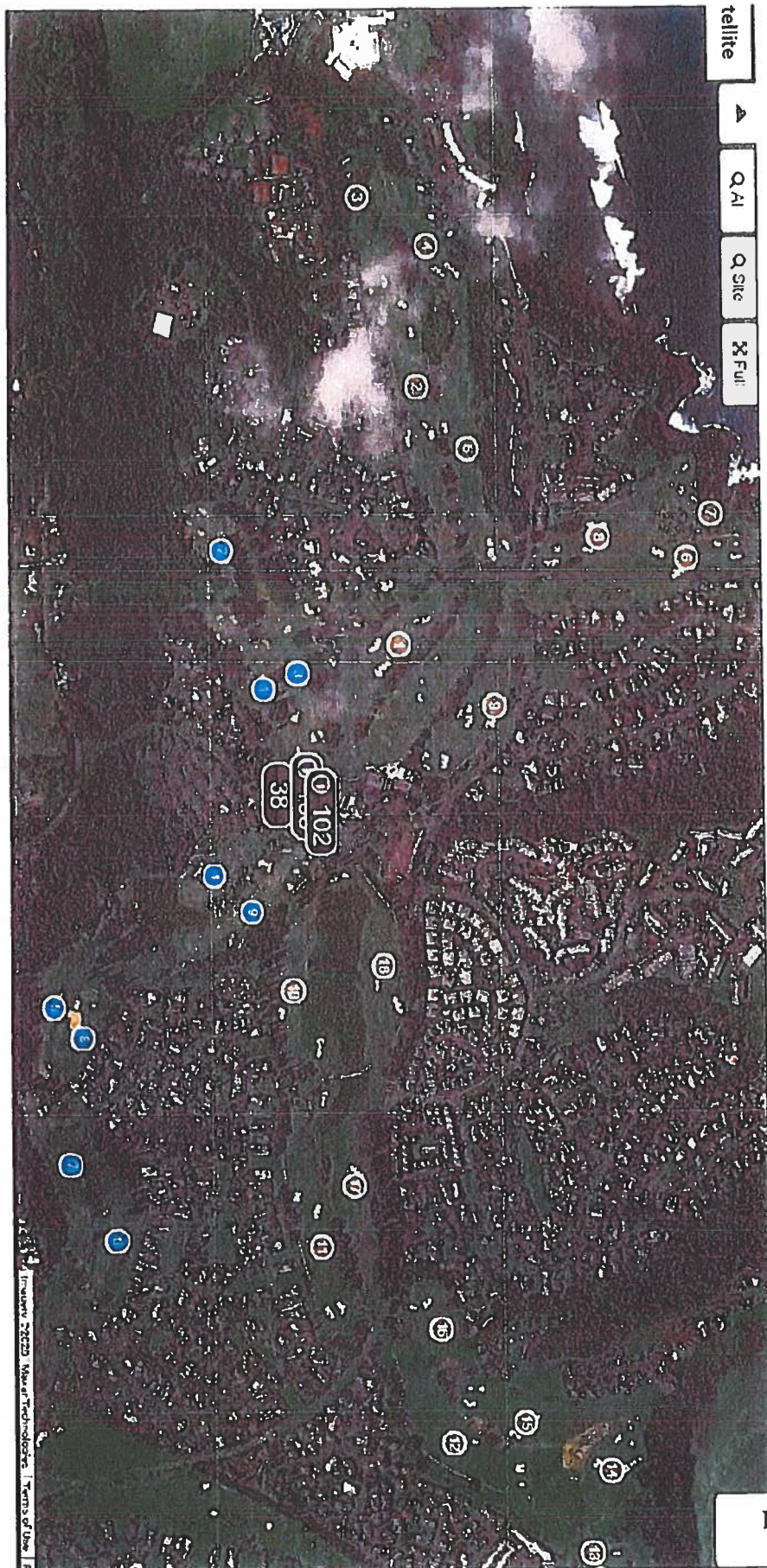


EXHIBIT "5"

EXHIBIT "6"

EXHIBIT "7"

FILED 1197

PRINCEVILLE AT HANALEI

PARCEL 1-A UNIT VII

LAND GRANTED APPROXIMATELY 5000 FEET NORTHWEST
THOSE INTERSECTION OF HAWAII HIGHWAY AND HONU ROAD--

AT HANALEI, HALELEA, KAUAI, HAWAII

OWNER: EAGLE COUNTY DEVELOPMENT CORPORATION
ADDRESS: P.O. BOX 181 HANALEI, KAUAI, HAWAII 96714

Being a portion of Grant 4645 to Albert S. Wilcox

SUBDIVIDED INTO LOTS 1 TO 6, INCLUSIVE--
AND ROAD A
AND DESIGNATION OF EASEMENTS S-1 AND S-2
EASEMENTS D-1 AND D-2
AND EASEMENT P-1

AREA: 117,504 ACRES

This map is drawn to actual survey and the ground
shown is as shown after above description of the underlying
land and is subject to the same. It is not to be construed
by the State Engineer with any subdivision book filed and
referred to in this map.

Prepared by
20714
February 6, 1971



State Engineer
Hawaii

I, the undersigned, being a duly qualified and licensed
surveyor, do hereby certify that the foregoing is a true and
correct copy of the original survey and map as filed in my
office.

Surveyor
Hawaii

NOTES

1. The map is drawn to actual survey and the ground shown is as shown after above description of the underlying land and is subject to the same.
2. The map is not to be construed by the State Engineer with any subdivision book filed and referred to in this map.
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AREA OF EASEMENTS

The area of easements is shown on the map and is subject to the same. It is not to be construed by the State Engineer with any subdivision book filed and referred to in this map.

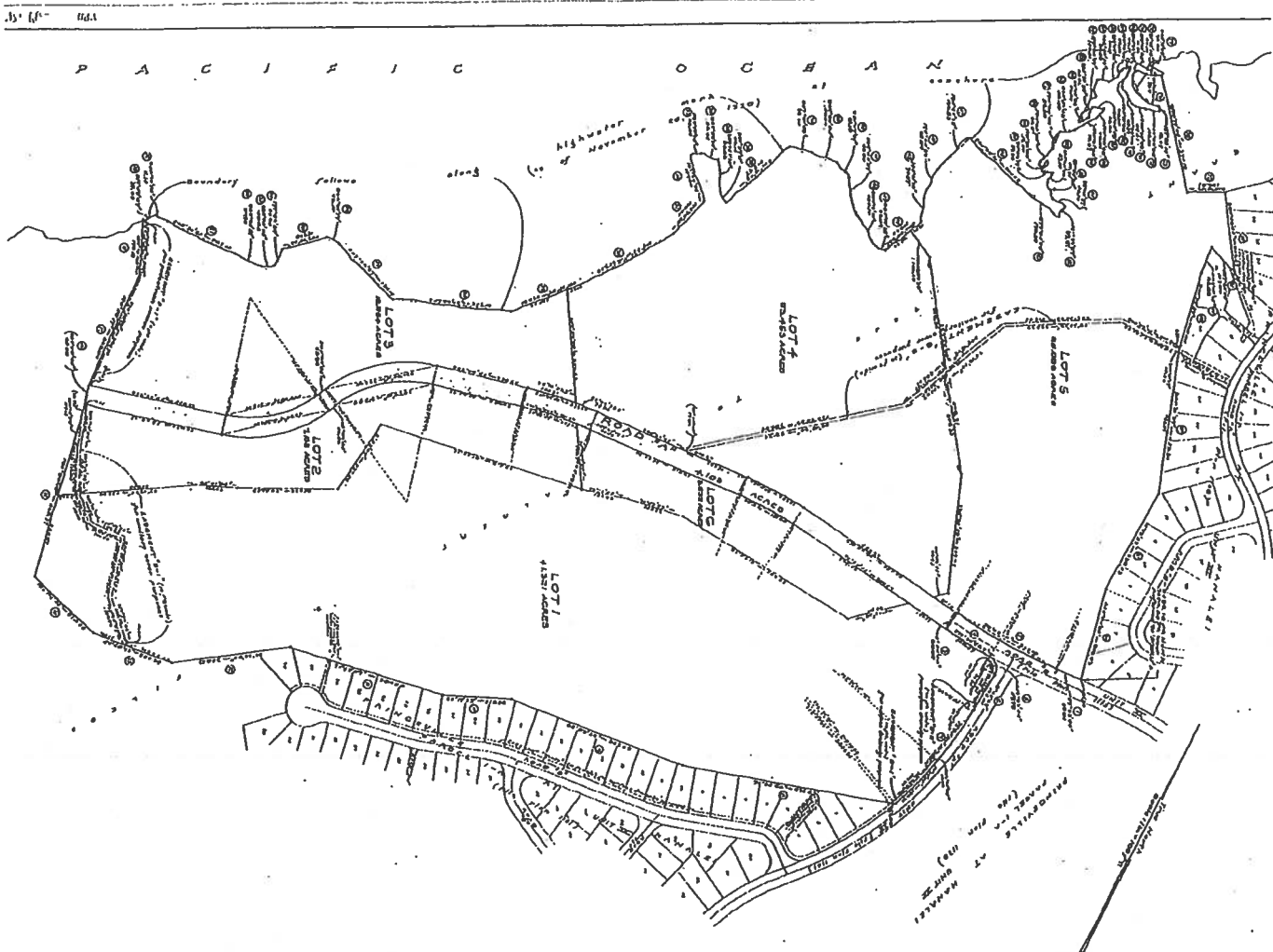


EXHIBIT "8"

PRINCEVILLE AT HANA'LEI PARCEL 1-A UNIT XV

LAND SITUATED ALONG THE SOUTHERLY BOUNDARY OF LOT 2 AND 3 OF PRINCEVILLE AT HANA'LEI, PARCEL 1-A, UNIT III (THIS PLAN 1073)

AT HANA'LEI, HALELEA, KAUAI, HAWAII
OWNER: EAGLE COUNTY DEVELOPMENT CORPORATION
ADDRESS: BOX 504 121, HANA'LEI, KAUAI, HAWAII, 96714

Being a portion of Grant 4845 to Albert S. Wilson and wife all of Lot 1 of PRINCEVILLE AT HANA'LEI, PARCEL 1-A, UNIT III (THIS PLAN 1073) being the all of Lot 3 of PRINCEVILLE AT HANA'LEI, PARCEL 1-A, UNIT III (THIS PLAN 1073) and the all of Lot 2 of PRINCEVILLE AT HANA'LEI, PARCEL 1-A, UNIT III (THIS PLAN 1073)

SUBDIVIDED INTO LOTS 1 AND 2
AND DESIGNATION OF EASEMENTS D-1 AND D-2
AND EASEMENT S-1

AREA = 60.822 ACRES

THIS MAP IS FROM AN ORIGINAL GRANT OF THE GRANTOR MADE BETWEEN JULY 3, 1978 AND AUGUST 12, 1978 AND MAY BE CHANGED BY THE STATE ENGINEER WITH HIS CERTIFICATION ON A 1/4" SCALE MAP AND FIELD BOOK No. 100.

AS TO THE 1/4" SCALE MAP
DESIGNED BY
August 12, 1978



State of Hawaii
Department of Land and Natural Resources
Office of the State Engineer
Honolulu, Hawaii 96813

1. This map is from an original grant of the grantor made between July 3, 1978 and August 12, 1978 and may be changed by the State Engineer with his certification on a 1/4" scale map and field book No. 100.

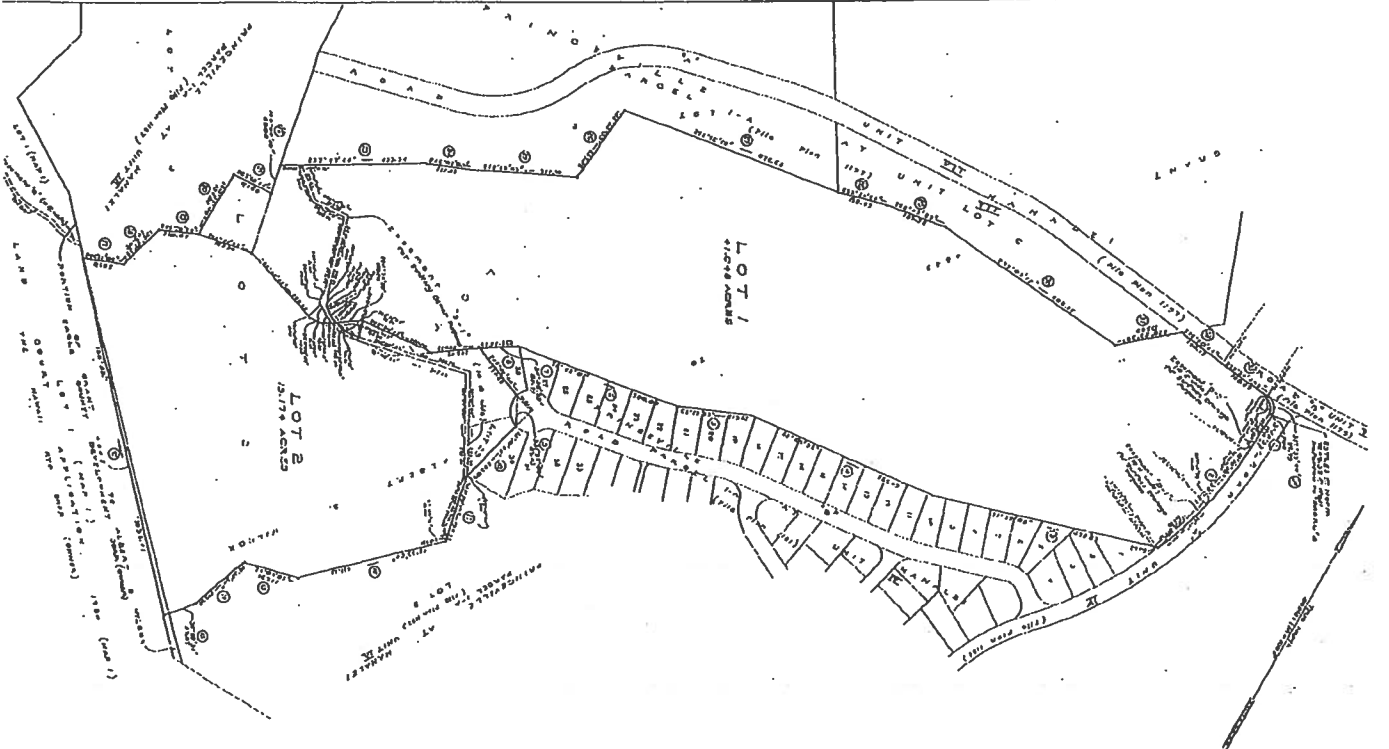
2. This map is from an original grant of the grantor made between July 3, 1978 and August 12, 1978 and may be changed by the State Engineer with his certification on a 1/4" scale map and field book No. 100.

NOTES

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AREA OF EASEMENTS

Grantee: D-1 affecting Lot 1-1000 sqm
Grantee: D-2 affecting Lot 1-1000 sqm
Grantee: D-3 affecting Lot 1-1000 sqm
Grantee: D-4 affecting Lot 1-1000 sqm
Grantee: D-5 affecting Lot 1-1000 sqm
Grantee: D-6 affecting Lot 1-1000 sqm
Grantee: D-7 affecting Lot 1-1000 sqm
Grantee: D-8 affecting Lot 1-1000 sqm
Grantee: D-9 affecting Lot 1-1000 sqm
Grantee: D-10 affecting Lot 1-1000 sqm
Grantee: D-11 affecting Lot 1-1000 sqm
Grantee: D-12 affecting Lot 1-1000 sqm
Grantee: D-13 affecting Lot 1-1000 sqm
Grantee: D-14 affecting Lot 1-1000 sqm
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Grantee: D-21 affecting Lot 1-1000 sqm
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Grantee: D-99 affecting Lot 1-1000 sqm
Grantee: D-100 affecting Lot 1-1000 sqm



From: Jim Oliver <jim@plantationhardwood.com>
Sent: Tuesday, October 17, 2023 5:34 PM
To: Planning Department
Subject: Kauai Historical Preservation Review Commission
Attachments: Oliver Open Space Letter 10-17-2023.pdf

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Please find attached the Oliver Open Space letter dated October 17, 2023 to Kauai Historical Preservation Review Commission.

James Oliver
Princeville, HI 96722

Kauai Historical Preservation Review Commission
October 19, 2023 Meeting
The Makai Golf Course at Princeville
Nomination to the Hawaii Register of Historic Places
Princeville, Kauai
HPRC-2014-1

October 17, 2023

Dear Chairperson and Members,

My wife and I moved from California to Princeville in 2018, and live here full time. We are committed citizens of Kauai's North Shore: purchased a Princeville home for our own exclusive use (not a vacation rental or empty part of the year); joined and serve a local church; and, as CEO relocated the headquarters and registration of our national scope enterprise from California to Hawaii, meaning we are now Hawaii taxpayers.

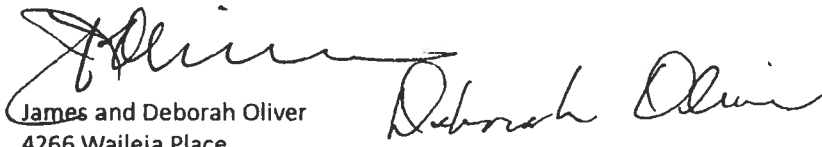
We don't claim personally to be Hawaiians or even locals. But we have quickly established roots and are making an economic and social contribution to Kauai. And why?

Because as we all know, Princeville is a world class combination of natural beauty and lifestyle. A great part of the attraction is the amount of beautiful open space presented by the Makai and Woods Golf Courses against the backdrop of Hanalei's mountain range. This exquisite element of Kauai's North Shore is a jewel of the present day and, because this open space was established over fifty years ago, it has historical significance.

In addition to historical significance, these open spaces have practical aspects. They not only attract residents and visitors, but we also now know from the Maui fire catastrophe that they can operate as a firebreak and escape route for the unthinkable devastating events that may haunt our climate-changing future. Also, we know from the April 2018 floods that Princeville's golf course design for water flow management worked – Princeville was spared the massive flooding of Hanalei and onward!

There is a threat to develop in 2026 these golf courses and open space lands into residential buildable lots, in spite of their evident value in their current state. This development aspiration is debatable under law, and in any case benefits a private few at the expense of many. We believe it is the natural function of the Commission to protect historically significant Hawaii elements in circumstances exactly like this, thus settling decisively the question of adverse commercial development.

We strongly encourage you to declare the Princeville open spaces and golf courses as historical protected and preserved spaces.


James and Deborah Oliver
4266 Waileia Place
Princeville, Hawaii 96722

From: Fran.Andy <frandyhome@gmail.com>
Sent: Tuesday, October 17, 2023 11:25 PM
To: Planning Department
Subject: Nomination to the State Historic Register The Makai Golf Course at Princeville

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

October 17, 2023

To: Kaua'i Historic Preservation Review Commission

c/o Kaua'i Planning Department

RE: Nomination to the State Historic Register The Makai Golf Course at Princeville

Dear Commissioners,

Please place all 27 holes of the original Makai Golf Course on the State Historic Register.

Preserving these lands for golf or open space is critical to the visitors, part-time and full-time residents of the North Shore of Kaua'i. It is a prime example of how thoughtful development has been done in the past with Princeville as one of Hawai'i's very first Master Planned Communities. Despite its being designed over 50 years ago, it is most forward-looking.

These approximately 300 acres of land are much more than just Open Space. These lands were identified in the original Princeville Master Plan (from the earliest County Planning Map PR-700 to its current implementation) BY THE DEVELOPER as the most beautiful in the 995 acres. The Princeville development team from Eagle County Development Corporation determined that this open space should be preserved for all to enjoy. They hired Golf Course Designer and Landscape Architect Mr. Robert Trent Jones, Jr. to develop these 27 holes of golf to preserve the beauty of this land, to make it work with the natural environment of the North Shore, to engineer great water management and to protect the birds and bats that would come to be protected under newer laws preserving endangered and threatened species.

To make the lands useful and functional beyond just beautiful, Mr. Jones developed a sophisticated design that could challenge golfers, but more important to the community, could manage the abundance of rainfall that the North Shore of Kaua'i usually receives. This land has a golf course laid on top of it, and that course is designed to direct the rainfall through natural channels to the Historic Hanalei River and on to the Ocean. It is a natural "sponge", with features

designed into the course itself to guide the excess rainfall appropriately. Any dramatic overflow goes into a three-layered parking lot. In addition, the golf course lakes are holding ponds for the partially treated effluent from the sewage plant that is used to water the golf course.

These courses have significant historical import – the design itself, the creativity involved in preserving and caring for the land, the important tournaments that have been played here, the importance of these open spaces for the community. The preservation of the beauty of this land and its availability to the larger community is of critical importance to all of Kauaʻi and to Hawaiʻi.

We clearly endorse your placing it on the State Historic Register as a way to honor Mr. Jones, the famous Golf Course and Landscape Architect, and to honor the people of this land.

Ua mau ke ea o ka aina i ka pono o Hawaiʻi

Mahalo nui loa,

Andrew and Frances White.

Kauaʻi residents.

From: Patrick Kendall <ptkendall@msn.com>
Sent: Wednesday, October 18, 2023 11:33 AM
To: Planning Department
Subject: "Makai Historial"

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha,

Please see my attached letter in strong support of H-1, designating the Princeville Golf Course a historical landmark. I believe this would serve the north shore residents, island of Kauai and state of Hawaii well. Plus tourism. Thank you for your consideration.

Patrick T Kendall
Managing Director and Partner
Ascentris
949.874-4653
PTKendall@msn.com

Open my shared document:



Makai Historial

Pages

Sent from my iPhone

X♠X

To Whom it may Concern,

Aloha!

It has come to my attention that the Princeville Golf course, Makai, on Kauai is being considered for historical designation in Hawaii. This is great news! And is consistent with previous landmarks being designated as historical landmarks.

The Princeville Golf Course when originally opened rocketed to the Top 100 Courses in America as designated by Golf Digest and Golf Magazine. It was the first golf designed by RE known architect Robert Trent Jones, Jr. His previous efforts were co-designed with his father, Robert Trent Jones. It was the first (and only) golf course on the north shore of Kauai and provided residents and tourists a great place to visit and play golf. That continues to this day. It remains the only golf course open to the public on the north shore of Kauai. The golf course has withstood hurricanes and countless storms.

I was fortunate to be involved with the Princeville resort and specifically the Makai golf course from 2006-2018. I was actively involved in the renovation of Makai in 2008. The renovation, spearheaded by Robert Trent Jones, Jr and his team, exceed our expectations. It brought back play to the golf course from both residents of the north shore, Kauai, the state of Hawaii and tourism. It has lifted tourism in the area. The sunset tours of the golf course remain popular with residents and tourists. There is no better place to watch a sunset in Hawaii than the 7th hole at Makai over looking Na Pali. It is not just for people that golf!

Designating Makai a historical landmark will continue to provide the beauty and experience to everyone that visits the north shore.

Thank you for your consideration. Best regards, Pat Kendall

October 18, 2023

Delivered via email

Marisa Valenciano
Planner
County of Kauai Planning Department
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Lihue, HI 96766
mvalenciano@kauai.gov

Re: Testimony on Petition to add Princeville Golf Courses to Register of Historic Places in Hawaii

Dear Ms. Valenciano:

Please accept this letter from me in my official capacity as a Princeville at Hanalei Community Association (PHCA) Board of Directors (BOD) member. Currently I serve as Vice President. Today I have communicated with two more of the 4 total BOD members but have not been able to reach our President. The two BOD members I did reach this morning share the thoughts I will express below. Please then accept this as testimony, representing a consensus among 3 of the 4 members, but due to my inability to marshal a BOD meeting on short notice it is not an official position of the PHCA BOD.

Three of four PHCA BOD members have not had discussions with Albatross Alliance about their petition. It was brought my attention yesterday and subsequently I communicated with 2 of the 3 remaining BOD members this morning.

The three of us would like the opportunity to speak with the Albatross Alliance so that we can learn more about their proposal. We all endeavor to be up to date and fully informed on matters of importance occurring within our community.

By way of background, PHCA is a homeowner's association (under HRS 421J) and represents approximately 3,000 residents and owners in Princeville. Beyond enforcement of our CC&Rs we also own and are responsible for the repair and maintenance of 11 miles of roads in Princeville and the drainage under them. Additionally, we own and maintain a public use park, Prince Albert Park, and provide security patrol services throughout the Community. All those activities are funded through the dues assessments of our member owners.

Thank you for your time and taking our testimony into consideration.

I did submit my own personal testimony letter yesterday.

Sincerely,


Ace Hodgins, Vice President
Princeville at Hanalei Community Association
Board of Directors