

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
)
 HONOKAA SUGAR COMPANY,)
)
 For Reclassification of Certain)
 Lands Situated at Honokaa, Island)
 of Hawaii)
)
 _____)

DOCKET NO. A75-404

DECISION AND ORDER

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	
)	
HONOKAA SUGAR COMPANY,)	
)	DOCKET NO. A75-404
For Reclassification of Certain)	
Lands Situated at Honokaa, Island)	
of Hawaii)	
_____)	

DECISION AND ORDER

This matter, being a proceeding initiated by Honokaa Sugar Company pursuant to Section 205-4 of the Hawaii Revised Statutes to consider a Petition to reclassify from Agricultural to Urban approximately 42 acres of land situated at Honokaa, Island of Hawaii, and amend District Boundaries, was heard by the Commission at Hilo, Hawaii, on February 12, 1976. Honokaa Sugar Company, the Hawaii County Planning Department, and the Department of Planning and Economic Development, State of Hawaii, were admitted as parties. The Commission having duly considered the record in this Docket, the Petitioner's Proposed Findings of Fact and Conclusions of Law, and the Objections and Comments to Petitioner's Proposed Findings of Fact and Conclusions of Law submitted by the Department of Planning and Economic Development, now makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. The subject property is owned in fee simple by the Petitioner and comprises a total land area of approximately 42 acres of land situated in Honokaa, Island of Hawaii, Hawaii, identified by Tax Map Key No. 4-5-10:80 and a portion of Tax Map Key No. 4-5-10:31, currently classified as within the Agricultural District. The subject property, which is contiguous with the existing Honokaa Urban District, is mauka of the Honokaa Hospital and is between the Hawaii Belt Highway and the old Mamalahoa Highway.

2. The Land Study Bureau productivity rating for soils in the area is "C", moderate production capability. The subject land lies at the 1400-foot contour and is approximately 2.5 miles mauka of the Honokaa coastline. According to the Soil Survey Report, December 1973, U.S. Department of Agriculture Soil Conservation Service, soils in the area consist of well-drained silky clay loam formed in volcanic ash. Surface layer and sub-soil are ten inches and approximately forty inches, respectively. Permeability is moderately rapid and runoff is slow to medium. The subject land slopes from 6 to 20 percent and is free from the dangers of flood, tsunamis, and other unstable soil conditions and adverse environment effects.

3. The subject land is in sugar cane production. The County of Hawaii zoning designation is Agricultural forty acres (A-40a). Surrounding land

uses include Honokaa School and Honokaa town to the north and northeast, Kao Homestead Residential Subdivision immediately to the east, and sugar cane land to the west and south. On the County of Hawaii General Plan Land Use Pattern Allocation Guide Map, the subject land is designated for Alternate Urban Expansion.

4. It is the policy of the Petitioner to provide an opportunity to own homes on its land in and around existing urban areas to Petitioner's employees who reside in rented plantation camp houses remote from existing urban centers, services, and activities. There is, however, a shortage of land classified as Urban and owned by the Petitioner in the Honokaa area which could be subdivided into houselots for sale to its current and future employees, including approximately 125 former Paaauhau Sugar Company employees and pensioners. There are 85 acres of land classified as Urban and owned by the Petitioner in the area of Honokaa which are not in urban use, but because of their topography the potential residential density of 20 of these 85 acres is minimal and only 58.6 acres of the 65 acres which were classified as within the Urban District by this Commission in 1974 in Docket No. H74-1 are actually usable for residential lots. Of the 42 acres which are the subject of this Petition, only 33 acres are actually usable for residential lots.

5. The Petitioner proposes to develop the subject land and the 85 acres of undeveloped Urban land which Petitioner owns in the area, including 65 acres which were classified as Urban by this Commission

in 1974 in Docket No. H74-1, into 280 residential lots (plus or minus three lots per acre) for sale primarily to its current and future employees and pensioners.

6. One hundred sixty-two (162) of the Petitioner's hourly employees who reside in rented plantation camp houses and thirty (30) supervisory and salaried employees have expressed interest in the purchase of houselots subdivided from these lands. Interest in such a subdivision has since 1974 been continuously expressed by a committee composed of representatives from Petitioner, Petitioner's employees and the employees' union.

7. Several independent cane growers in the Kalopa area who previously contracted with Honokaa Sugar Company to process cane have sold their cane land to persons who have neither grown nor intend to grow cane. The utilization of these cane lands for residences and the foreseeable sale of the approximate 2,000 acres of cane land owned by independent growers which remain in the area as a result of land values higher than agricultural land values, not only substantially reduces the cane production upon which Honokaa Sugar Company depends but also adversely affects continued cane production by Honokaa Sugar Company on its adjacent cane lands by reason of the inherent conflict between scattered spot residential uses and agricultural uses. A proposal by Petitioner to exchange some of the Urban classified lots subdivided from these lands for acreage in cane owned by independent growers in the Kalopa area in order to insure the continued utilization for cane production of some portion

of these 2,000 acres of land owned by independent growers has been favorably received by five of the independent growers.

8. The proposed development of the subject land and exchange of lands with independent growers will be accomplished within five years from the date of approval of this Petition. The requested Urban classification conforms with the County of Hawaii General Plan Land Use Pattern Allocation Guide Map wherein the subject land is designated for Alternate Urban Expansion.

10. The proposed development would conform to the County of Hawaii General Plan housing goal of providing needed housing for individuals of all income, age, and ethnic groups and would implement courses of action specified in housing elements of the General Plan by providing Petitioner's employees with centralized housing in and around an existing urban area. The County of Hawaii Planning Department recommends approval of the Petition.

11. All essential public services and facilities such as sanitation and police and fire protection which are necessary for urban development are or will be available to the subject land. An adequate water source will be provided either through an off-site well which the County of Hawaii is considering or through an on-site reserve tank system. A hospital, schools, and playground facilities are within walking distance of the subject land. Public agencies providing such services and facilities will not be unreasonably burdened by the proposed development.

12. While the subject land would be withdrawn from the production of cane, once the plantation camps are vacated the Petitioner intends to utilize the lands on which they are situated for production of cane which would result in return to agricultural use of approximately 30 acres presently used for residential purposes although classified as Agricultural.

13. The proposed development will not have any adverse effect upon the environment, agriculture, historic, scenic or other resources in the area.

14. As design permits, and in accordance with State of Hawaii Department of Transportation recommendations, direct access to the subject land will be provided from old Mamalahoa Highway only.

15. The proposed development will provide needed housing accessible to existing employment centers and will assist in providing a balanced housing supply for all economic and social groups.

16. Reclassification will not substantially impair actual or potential agricultural production in the vicinity of such lands and reclassification is reasonably necessary to accommodate urban growth in Honokaa.

CONCLUSIONS OF LAW

Reclassification of the subject property, approximately 42 acres situated at Honokaa, Island of Hawaii, from Agricultural to Urban and amendment of the District Boundaries accordingly to permit the proposed

development is reasonable, not violative of Section 205-2, HRS, and consistent with the interim policies and criteria established pursuant to Section 205-16.1, HRS, particularly subsection (5) thereof which provides a preference for petitions which will provide needed housing accessible to existing employment centers, and with the State's Land Use District Regulations.

ORDER

IT IS HEREBY ORDERED:

That subject to the following conditions the property which is the subject of the petition in this Docket No. A75-404, approximately 42 acres situated at Honokaa, Island of Hawaii, identified by Tax Map Key No. 4-5-10:80 and a portion of Tax Map Key No. 4-5-10:31, shall be and hereby is reclassified from Agricultural to Urban and the District Boundaries are amended accordingly:

1. Only Theo. H. Davies Company, Limited, Honokaa Sugar Company, or a wholly owned subsidiary of either may develop the land as proposed by the Petitioner;

2. All other conditions being equal, preferences should be given to the existing employees and pensioners as to the location and the time of sale of the proposed development lots;

3. Development phasing should occur in the direction makai to mauka, thereby insuring that lands above the improved Mamalahoa Highway will remain in cane as long as feasible, subject to crop cycling and development plans and other conditions of economy;

4. That Petitioner convert the lands upon which the plantation camps are situated to agricultural use as soon as practicable, and that until all of the lots subdivided from the subject property and the 85 acres already classified as Urban have been sold or exchanged, the Petitioner shall each and every year following the date of this order submit to the Commission a report disclosing for the proceeding year the number of such lots on to which the Petitioner's employees and pensioners have moved, the number of acres of Petitioner's land which have been converted from employee camp housing to cane and contributory uses, the number of such lots which have been exchanged with independent growers for acreage in cane, and the number of acres of land in cane acquired by Petitioner by exchange with independent cane growers.

Done at Honolulu, Hawaii, this 28th day of May, 1976, by Motion passed by the Commission in Hilo, Hawaii, on April 14, 1976.

LAND USE COMMISSION
STATE OF HAWAII

By

Eddie Tengen

Commissioner Tengen, Chairman

Stan Sakahashi

Commissioner Sakahashi, Vice-Chairman

James R. Carras

Commissioner Carras

Bill Duke

Commissioner Duke

Commissioner Machado



Commissioner Oura



Commissioner Whitesell



Commissioner Yamamura

Commissioner Yanai

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)

HONOKAA SUGAR COMPANY)

DOCKET NO. A75-404

For the Reclassification of)
Certain Lands situated at)
Honokaa, Island of Hawaii)
_____)

This is to certify that this is a true and correct copy of the
Decision and Order on file in the office of the State Land Use
Commission, Honolulu, Hawaii.

July 5, 1978
Date

by

[Signature]
Executive Officer

DECISION AND ORDER ON
MOTION TO MODIFY CONDITION

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	
HONOKAA SUGAR COMPANY)	DOCKET NO. A75-404
For the Reclassification of)	
Certain Lands Situated at)	
Honokaa, Island of Hawaii)	
_____)	

DECISION AND ORDER ON
MOTION TO MODIFY CONDITION

On Motion made by Honokaa Sugar Company on May 11, 1978, pursuant to Part VII, Section 7-4 of the Land Use District Regulations and Part VII, Section 7-3, and Part III, Section 3-13 of the Rules of Practice and Procedure of the Land Use Commission to modify and amend Condition No. 3, at Page 7 of the Land Use Commission's Decision and Order dated May 28, 1976, and the Commission having heard oral argument on May 11, 1978 and having duly considered the entire record in this matter, and good cause having been shown by the Petitioner, now makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. In 1974 in Docket No. H74-1, 65 acres of land owned by the Petitioner were reclassified from Agricultural to Urban by this Commission.

2. In 1976 in Docket No. A75-404, approximately 42 acres of land owned by the Petitioner, situated mauka of the 65 acres reclassified in H74-1 and above the improved

Mamalahoa Highway, were reclassified from Agricultural to Urban by this Commission.

3. In both Dockets, Petitioner proposed to develop the subject lands into residential lots for sale primarily to its current and future employees and pensioners.

4. As a condition to reclassification of the approximately 42 acres reclassified to Urban in A75-404, this Commission ordered that:

"Development phasing should occur in the direction makai to mauka, thereby insuring that lands above the improved Mamalahoa Highway will remain in cane as long as feasible, subject to crop cycling and development plans and other conditions of economy."

5. The Petitioner plans to continue growing sugarcane on portions of the subject lands while the subdivision of these lands into residential lots is being completed in order to insure that the subject lands will remain in agricultural use as long as is feasible. The sugarcane harvested from the subject lands has to be hauled downhill, resulting in hauling through the makai phase of the subdivision should development phasing occur in the direction makai to mauka. Hauling sugarcane through a residential area is noisy and dusty for the occupants, especially since the Petitioner operates on a schedule of 24 hours a day and 7 days a week.

6. No motion or memorandum in opposition to the Petitioner's Motion was filed by the Hawaii County Planning Department or the Department of Planning and Economic Development, State of Hawaii, who were originally admitted as parties in this Docket. Furthermore, no appearance at the hearing was made by the Hawaii County Planning Department. No objection to the Motion was made by the Department of Planning and Economic

Development, State of Hawaii at the hearing on the Motion.

CONCLUSIONS OF LAW

1. The required Notices of Motion were served upon each of the necessary parties in this matter, to-wit: the Hawaii County Planning Department and the Department of Planning and Economic Development, State of Hawaii.

2. The Land Use Commission may modify or amend any condition imposed on the granting of a boundary amendment upon showing of good cause pursuant to Part VII, 7-4 of its District Regulations and Part VII, 7-3 of its Rules of Practice and Procedure.

3. The Petitioner has shown good cause for Condition No. 3, at page 7 of the Decision and Order of the Land Use Commission in Docket No. A75-404 dated May 28, 1976, to be modified as requested in the Motion of the Petitioner.

ORDER


1. The Motion of the Petitioner in Docket No. A75-404 is hereby granted.


2. Condition No. 3, at page 7 of this Commission's Decision and Order dated May 28, 1976 is hereby modified and amended to read as follows:

"Development phasing should occur in the direction mauka to makai, thereby insuring that lands will remain in cane as long as feasible, subject to crop cycling and development plans and other conditions of economy."

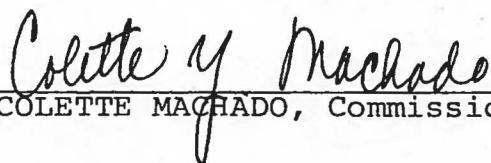
DATED at Honolulu, Hawaii this 3rd day of
July, 1978, by Motion passed by the Commission
at Honolulu, Hawaii, on May 11, 1978.

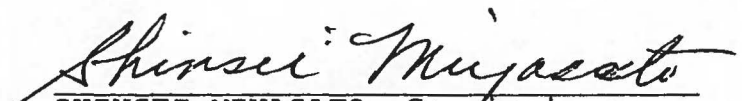
LAND USE COMMISSION
STATE OF HAWAII

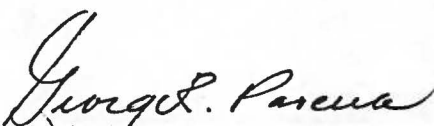

C. W. DUKE, Chairman and
Commissioner


SHINYCHI NAKAGAWA, Vice Chairman
and Commissioner

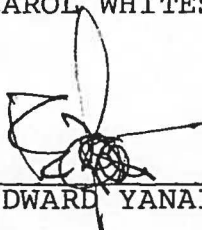

JAMES CARRAS, Commissioner


COLETTE MACHADO, Commissioner


SHINSEI MIYASATO, Commissioner


GEORGE PASCUA, Commissioner


CAROL WHITESELL, Commissioner


EDWARD YANAI, Commissioner

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
HONOKAA SUGAR COMPANY, for the)
reclassification of certain lands)
situated at Honokaa, Island of)
Hawaii)
_____)

DOCKET NO. A75-404

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Decision
and Order on Motion to Modify Condition was served upon
the following by either hand delivery or depositing the
same in the U. S. Postal Service by certified mail:

HIDETO KONO, Director
Department of Planning & Economic Development
250 South King Street
Honolulu, Hawaii 96813


MAURICE KATO, Deputy Attorney General
Department of Attorney General
4th Floor, State Capitol
Honolulu, Hawaii 96813

SIDNEY FUKU, Planning Director
Hawaii Planning Department
25 Aupuni Street
Hilo, Hawaii 96720

STEPHEN BESS, Corporation Counsel
Office of the Corporation Counsel
25 Aupuni Street
Hilo, Hawaii 96720

E. M. BUSH, Land Administrator
Theo. H. Davies & Co., Ltd.
P. O. Box 3020
Honolulu, Hawaii 96802

Dated: Honolulu, Hawaii, this 5th day of July, 1978.



GORDON Y. FURUTANI
Executive Officer
Land Use Commission



STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 548-4611

September 25, 1990

MEMORANDUM

TO: All Parties

FROM: *Esther Ueda*
Esther Ueda, Executive Officer
Land Use Commission

SUBJECT: Amended Decision and Order For LUC Docket No.
A75-404/Honokaa Sugar Company

Attached is an errata sheet for the subject Decision and Order filed on July 18, 1990.

DOCKET NO. A75-404 - HONOKAA SUGAR COMPANY

Page 2, Findings of Fact No. 4 of the Decision and Order should read as follows:

4. Subsequent to the issuance of the Commission's June 3, 1976 Decision and Order, the subject property and former Tax Map Key Number: 4-5-10: parcel 82 (containing approximately 0.731 acres which was reclassified from Agricultural to Urban by the Commission under Docket Number A78-439/Honokaa Sugar Company), was consolidated and resubdivided into Tax Map Key Numbers: 31, 80, 82 (new), 115, 116, 118, and 119, with a total area of approximately 49.227 acres.

Page 3, Findings of Fact No. 7 of the Decision and Order should read as follows:

7. Petitioner's motion to modify Decision and Order proposes to clarify the size and configuration of the subject property reclassified by the Commission, excluding former parcel 82, to be approximately 48.496 acres and that the configuration of the subject property to follow the property lines as reflected by the current tax map parcels: 31, 80, 82 [(new) but excluding the area of former parcel 82], 115, 116, 118, and 119.

Page 3, the Conclusions of Law of the Decision and Order should read as follows:

CONCLUSIONS OF LAW

The Commission finds that based upon the preponderance of the evidence submitted and the arguments of the parties, the correct description of the Petition area as reclassified by the Commission in its Decision and Order filed on June 3, 1976, is approximately 48.496 acres in size and the configuration of the Petition area follows the property lines of current Tax Map Key Numbers: 31, 80, 82 [(new) but excluding the area of former parcel 82], 115, 116, 118, and 119.

Page 4, the Order of the Decision and Order should read as follows:

ORDER

IT IS HEREBY ORDERED that the Decision and Order of June 3, 1976, in this matter, is amended by correcting all references to the Petition area from 42 acres to 48.496 acres; and

That the State Land Use Commission's official maps be amended to reflect the configuration of the Petition area following the property lines of current Tax Map Key Numbers: 4-5-10: parcels 31, 80, 82 [(new) but excluding the area of former parcel 82], 115, 116, 118, and 119.

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A75-404
HONOKAA SUGAR COMPANY)	
For Reclassification of Certain)	
Lands Situated at Honokaa,)	
Island of Hawaii)	
_____)	

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Errata Sheet for the Amended Decision and Order was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:


	HAROLD S. MASUMOTO, Director Office of State Planning State Capitol, Room 410 Honolulu, Hawaii 96813
CERT.	DUANE KANUHA, Planning Director Planning Department, County of Hawaii 25 Aupuni Street Hilo, Hawaii 96720
CERT.	STEVEN S.C. LIM, ESQ., Attorney for Petitioner Case & Lynch 275 Ponahawai Street, Suite 201 Hilo, Hawaii 96720
CERT.	HAMAKUA OCEAN VIEW ESTATES TAKESHI HAGIWARA c/o Alan Okamoto, Esq. Nakamoto, Yoshioka & Okamoto 187 Kapiolani Street Hilo, Hawaii 96720
CERT.	MILTON HAGIWARA LESLIE K. HAGIWARA c/o Alan Okamoto, Esq. Nakamoto, Yoshioka & Okamoto 187 Kapiolani Street Hilo, Hawaii 96720

CERT. LORRAINE B. PARESA TRUST
MARY M.A. NACBAR TRUST
EVELYN R. VALLON TRUST
c/o Roy Nakamoto, Esq.
187 Kapiolani Street
Hilo, Hawaii 96720

CERT. ERNEST TEXEIRA
P. O. Box 1710
Honokaa, Hawaii 96727

CERT. ESTATE OF CAROLINE A. KIRBY
c/o Kenneth W. Pickens, Esq.
Parkview Professional Center
1055 North 115th Street
Omaha, Nebraska 68154

DATED: Honolulu, Hawaii, this 26th day of September 1990.



ESTHER UEDA
Executive Officer

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
HONOKAA SUGAR COMPANY)
For Reclassification of Certain)
Lands Situated at Honokaa,)
Island of Hawaii)
_____)

DOCKET NO. A75-404

LAND USE COMMISSION
STATE OF HAWAII
JUL 18 2 19 PM '90

AMENDED DECISION AND ORDER

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A75-404
HONOKAA SUGAR COMPANY)	
For Reclassification of Certain)	
Lands Situated at Honokaa,)	
Island of Hawaii)	
_____)	

AMENDED DECISION AND ORDER

This matter, being a proceeding to consider the Motion of Petitioner Hamakua Sugar Company, Inc., successor in interest to Honokaa Sugar Company to Modify Decision and Order For Interpretation of District Boundaries and Modification of June 3, 1976 Decision and Order, concerning certain lands situate at Honokaa, Island of Hawaii, was heard by the Land Use Commission on June 28, 1990. The Land Use Commission, having considered the record and the arguments of the parties listed in the minutes of the meeting, hereby makes the following findings of facts and conclusions of law:

FINDINGS OF FACTS

1. The Decision and Order dated June 3, 1976, in Docket No. A75-404, reclassified approximately 42 acres described as Tax Map Key Number 4-5-10: parcel 80 and portion of parcel 31, from the Agricultural District into the Urban District.

Petitioner's Exhibit 2 submitted at the time of the hearing, indicated the 42 acres was intended to mean 42 "usable" acres; "usable" acres meaning the exclusion of Lehua Street, major drainage areas, and slopes over 25 percent.

2. The application for amendment of the district boundaries for the subject 42 acres included a map and text descriptions of the subject property reflecting that the subject 42-acre Petition area was triangular in shape, bounded by Mamalahoa Highway to the north, Old Mamalahoa Highway to the south, and a boundary line connecting Old Mamalahoa Highway to Mamalahoa Highway located approximately in the middle of Land Grant 1155.

3. On June 3, 1976, the Commission filed its Order approving the reclassification of approximately 42 acres from the Agricultural District to the Urban District, subject to four conditions.

4. Subsequent to the issuance of the Commission's June 3, 1976 Decision and Order, the subject property and former Tax Map Key Number: 4-5-10: parcel 82 (containing approximately 0.731 acres which was reclassified from Agricultural to Urban by the Commission under Docket Number A78-439/Honokaa Sugar Company), was consolidated and resubdivided into Tax Map Key Numbers: 31, 82 (new), 115, 116, 117, 118, and 119, with a total area of approximately 49.227 acres.

5. On April 14, 1990, the Commission informed Petitioner of a discrepancy in the acreage reclassified and in the configuration of the approved area as reflected in the Petition, the Commission's Decision and Order and the Commission's Official Map.

6. In support of its Motion, Petitioner presented evidence that the area reclassified by said Decision and Order, as reflected on the maps attached to the original application, and the Official Map, actually contained approximately 51 acres and included major drainage areas and slopes over 25 percent.

7. Petitioner's motion to modify Decision and Order proposes to clarify the size and configuration of the subject property reclassified by the Commission, excluding former parcel 82, to be approximately 48.496 acres and that the configuration of the subject property to follow the property lines as reflected by the current tax map parcels: 31, 82 (new), 115, 116, 117, 118, and 119.

CONCLUSIONS OF LAW

The Commission finds that based upon the preponderance of the evidence submitted and the arguments of the parties, the correct description of the Petition area as reclassified by the Commission in its Decision and Order filed on June 3, 1976, is approximately 48.496 acres in size and the configuration of the Petition area follows the property lines of current Tax Map Key Numbers: 31, 82 (new), 115, 116, 117, 118, and 119.

ORDER

IT IS HEREBY ORDERED that the Decision and Order of June 3, 1976, in this matter, is amended by correcting all references to the Petition area from 42 acres to 48.496 acres; and

That the State Land Use Commission's official maps be amended to reflect the configuration of the Petition area following the property lines of current Tax Map Key Numbers:
4-5-10: parcels 31, 82 (new), 115, 116, 117, 118, and 119.

Done at Honolulu, Hawaii, this 18th day of July 1990,
per motion on June 28, 1990.

LAND USE COMMISSION
STATE OF HAWAII

By _____ (excused)

RENTON L. K. NIP
Chairman and Commissioner

By _____

FREDERICK P. WHITTEMORE
Vice Chairman and Commissioner

By _____

LAWRENCE F. CHUN
Commissioner

By _____

SHARON R. HIMENO
Commissioner

By _____ (absent)

ALLEN K. HOE
Commissioner

By _____

ALLEN Y. KAJIOKA
Commissioner

By _____

EUSEBIO LAPENIA, JR.
Commissioner

By _____

JAMES M. SHINNO
Commissioner

By _____

ELTON WADA
Commissioner

Filed and effective on
July 18, 1990

Certified by:

Executive Officer

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A75-404
HONOKAA SUGAR COMPANY)	
For Reclassification of Certain)	
Lands Situated at Honokaa,)	
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_____)	

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Amended Decision and Order was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

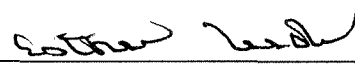
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Honokaa, Hawaii 96727

CERT. ESTATE OF CAROLINE A. KIRBY
c/o Kenneth W. Pickens, Esq.
Parkview Professional Center
1055 North 115th Street
Omaha, Nebraska 68154

DATED: Honolulu, Hawaii, this 18th day of July 1990.



ESTHER UEDA
Executive Officer