

TESTIMONY
GM 397

Keith R. Yap

P.O. Box 1571
Kapaa, Hawaii 96746

February 12, 2009

Mr. Clayton Hee, Chair
Water, Land, Agriculture and Hawaiian Affairs Committee

Re: Nomination to the Kauai/Niihau Burial Council.

I have been asked by my Company to serve on the Kauai Island Burial Council. I feel honored and believe I am qualified to represent Grove Farm, a large landowner, and would like to outline the reasons I wish to serve.

I am a CPA with over 26 years of progressive management and accounting experience. In addition to having a strong background in accounting, finance, and human resources, I have also held leadership positions in Hawaii/Kauai companies, including Embassy Resorts, Hanalei Bay Resort, and Kukui'ula Development Company. I am a kama'aina born and raised on Oahu, in a small plantation town called Wahiawa but have been a resident of Kauai since 1995. I have had the pleasure of growing up with and learning to develop good relationships with people of varied cultural backgrounds.

I received my Bachelor's degree in Business Administration from the University of Hawaii, am a member of the American Institute of CPAs and the Hawaii Society of CPAs, and graduated in the 2007 Class of Leadership Kauai, where I honed my skills to effectively work in a group toward a common goal. I also firmly believe in the strength of community service and have served as Board member for non-profits and more recently am serving as a Board Member and Treasurer of Kauai Hospice since January 2007. I also participate whenever I can in non-profit events to help raise awareness and funding for needy organizations.

While I have not had the pleasure of working with a similar focused commission in the past, I am confident that my experience towards addressing complex and sometimes emotional issues will serve me to keep things in perspective and will allow me to quickly engage myself with the commission's current challenges.

If confirmed, I will welcome the challenging and hard work, be willing to learn the issues and challenges facing the Burial Council, be mindful of details and stay on top of the latest events with regard to the topics at hand. I pride myself on my dependability and ability to work well with others.

As Grove Farm Company, Inc.'s Director of Finance, I am responsible for the Company's long-term financial projections as well as for overseeing financial due diligence on potential acquisitions and/or investments. In addition to representing Grove Farm at financial presentations, I am also the primary contact for banking relationships and I develop internal control and corporate government compliance procedures. My position requires well thought out presentations to identify issues and results of our activities which I believe may serve the council well in dealing with the public.

With approximately 40,000 acres of land, Grove Farm is one of Kauai's largest, private landowners. In its transition from a sugar plantation to an economic development firm and community developer, Grove Farm continues to maintain its keen focus and commitment to our island organizations. Grove Farm is also committed to preserving and enhancing the unique qualities that make Kaua'i our beloved island home and I believe that I am well-qualified to represent the interests of a large property owner.

Since Grove Farm Lands are mostly inland and not coastal, I do not feel there will be many conflicts of interest situations. However, my personal feeling is that if there is an appearance of conflict I would still engage all in dialogue but remove myself from voting on the subject.

I wish to continue to serve on the Kauai Island Burial Council as a large property owner representative because I feel that I will bring a balanced perspective to the existing council. While I certainly appreciate the views of others, I feel that my knowledge of current best practices in finance, real estate and other related fields will allow me to share such information in the best interest of the Council's purpose and allow the council to be well informed while making decisions. I understand that the Kauai/Niihau Island Burial Council sometimes hears passionate and heated testimony on certain issues. I believe that it's important to hear all sides of the issue in a respectful manner and I feel that I can help contribute to furthering the purpose of the Council. I consider myself to be patient, detail oriented and fair, three qualities that will serve me well in this capacity.

Recently I have been appointed to the Vice-Chair position of the council by the council members. I believe this is because I have shown knowledge and advised our acting chair John Kruse during recent meetings and have shown leadership in engaging all members in our decision making process on a recent very controversial case.

I would welcome the opportunity to discuss my qualifications with you should you require further information on my confirmation, my direct line is

Lastly, I regret that I will not be able to attend the hearing in person due to the short notice and the cost to travel due to the Holiday. I think you can understand the economics especially during these times. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Keith R. Yap', written over a large, loopy flourish that extends to the left and right.

Keith R. Yap

Testimony before the Senate Committee on
Water, Land, Agriculture and Hawaiian Affairs
February 16, 2009
Keith R. Yap

Chairman Clayton Hee
Water, Land, Agriculture and Hawaiian Affairs Committee

Chairman Hee and the members of the Senate Committee on Water, Land, Agriculture & Hawaiian Affairs; thank you for the opportunity to present my background and present my testimony regarding your consideration of my confirmation to the Kauai/Niihau Burial Council.

Being a Kama'aina born and raised on Oahu, in a small plantation town called Wahiawa, I've had the pleasure of growing up with and learning to develop good relationships with people of varied cultural backgrounds. I graduated from Leilehua High School and went on to the University of Hawaii where I received my Bachelor's Degree in Business Administration, with a major in Accounting. I worked in Honolulu until I moved to Kauai in 1995, where I have been a resident ever since.

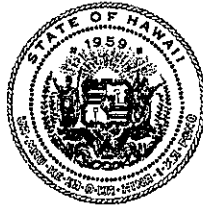
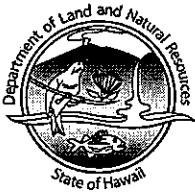
I am currently the Director of Finance for an old Kama'aina company, Grove Farm in Kauai and am a Certified Public Accountant with over 26 years of progressive management experience in areas of accounting, finance, and human resources. This strong background has given me experience which I believe may serve the council well in dealing with the public.

As well as being a member of the American Institute of CPAs, the Hawaii Society of CPAs, and the Urban Land Institute, I am also a graduate of the 2007 Class of Leadership Kauai, where I honed my skills to effectively work in a group toward a common goal. I also firmly believe in the strength of community service and have served as Board member for non-profits and am currently serving as a Board Member and Treasurer of Kauai Hospice since January 2007. I also participate whenever I can in non-profit events to help raise awareness and funding for needy organizations.

While I have not had the pleasure of working with a similar focused commission in the past, I am confident that my experience towards addressing complex and sometimes emotional issues will serve me to keep things in perspective and will allow me to quickly engage myself with the commission's current challenges.

I understand that the Kauai/Niihau Island Burial Council sometimes hears passionate and heated testimony on certain issues. I believe that it's important to hear all sides of the issue in a respectful manner and I feel that I can help contribute to furthering the purpose of the Council. I welcome the opportunity to address challenging and difficult decisions and wish to serve on the Kauai Island Burial Council because I appreciate the views of others, am mindful of the sensitive cultural nature of the responsibilities at hand and feel that I will bring a balanced perspective to the existing council. My knowledge and experience of current best practices in finance, real estate and other related fields will allow me to share such information to help contribute to a well informed Council during the decision making process. Thank you.

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
LAURA H. THIELEN
Chairperson

Before the Senate Committee on
WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS

Monday, February 16, 2009
11:00 AM
State Capitol, Conference Room 229

GOVERNOR'S MESSAGE 397 - SUBMITTING FOR CONSIDERATION TO THE
ISLAND BURIAL COUNCIL, ISLANDS OF KAUAI AND NIIHAU, GUBERNATORIAL
NOMINEE, KEITH R. YAP

It is with pleasure that the Department of Land and Natural Resources (Department) recommends Senate confirmation of the appointment of Keith R. Yap to the Kauai/Niihau Island Burial Council.

The Island Burial Councils were established under Section 6E-43.5, Hawaii Revised Statutes, to determine the preservation in place or relocation of previously identified native Hawaiian burial sites and to determine Hawaiian cultural and lineal descendancy claims for specific burials. State law requires that Island Burial Councils be established for Hawaii, Maui/Lanai, Molokai, Oahu and Kauai/Niihau islands, comprised of representatives from specific geographic regions and representatives of developer/large property owners.

Keith R. Yap was nominated to serve as a Landowner/Developer representative on the Kauai/Niihau Island Burial Council. If confirmed, Keith R. Yap will serve until June 30, 2012.

Keith R. Yap is currently employed with Groves Farm. He brings excellent communication skills and a keen sense of fairness to his council duties. The Department notes that Keith R. Yap currently serves as an interim appointment and has become a valued member earning a vote of confidence by his peers to be their new vice-chairman of the Kauai/Niihau Island Burial Council.

The Department greatly appreciates your consideration of Keith R. Yap and strongly recommends his confirmation to the Kauai/Niihau Island Burial Council.

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS



February 12, 2009

Honorable Clayton Hee
23rd Senatorial District
Hawaii State Capitol, Room 228
415 South Beretania Street
Honolulu, HI 96813

Dear Senator Hee: *clayton GM 397*

I would like to offer my recommendation for Keith Yap as an ideal candidate for the Kaua'i/Ni'ihau Island Burial Council. Keith has been an important member of our Grove Farm 'ohana and we have seen firsthand the positive impact he has had on our company.

As Grove Farm Company, Inc.'s Director of Finance, Keith is responsible for our long-term financial projects as well as for overseeing financial due diligence on potential acquisitions and investments. Keith will be an exemplary large property owner representative on the Council as he is honest, tactful and a team player.

I firmly believe that Keith exhibits many of the qualities that are essential to serving as a respected commission member. By serving on the Kaua'i/Ni'ihau Island Burial Council, Keith will be able to enhance our island community through his service. I highly recommend Keith Yap for the Kaua'i/Ni'ihau Island Burial Council.

Throughout our transition from a sugar plantation to community development and property management, Grove Farm has remained focused on building a more sustainable island community. With approximately 40,000 acres of land, Grove Farm is one of Kauai's largest, private landowners. We continue to explore opportunities in renewable energy, aquaculture, economic development and agriculture while enhancing the unique qualities that make Kaua'i our beloved island home.

If you have any questions, please contact us at 245-3678.

Sincerely,

Warren

Warren H. Haruki
President & CEO

3-1850 Kaunua III Highway Lihue, HI 96766-8609

☎ 808.245.3678 ☎ 808.246.9470

www.grovesfarm.com



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Clayton Hee, Chair
Water, Land Agriculture and Hawaiian Affairs
State of Hawaii Senate

Dear Senator Hee,

GM397

As a former member of the Kauai-Niihau Burial Council, I am writing this endorsement for Mr. Keith Yap to allow him to continue serving as a member. I have known Keith for five (5) years as an associate for a joint venture partner in the Kukui'ula development in Poipu. He is now employed by Grove Farm Company as a comptroller and is very familiar with the culture and traditions of our islands. Keith is originally from Oahu but has been on Kauai for the past 14 years. Being local he is extremely sensitive and totally respectful of the Hawaiian culture, especially in the treatment of inadvertent discovery of ancient Iwi. He became indoctrinated to the dealings with the Kauai-Niihau Burial Council as an employee with Kukui'ula as some ancient Iwi were uncovered during the course of construction. He certainly has to deal with these matters as a manager for Grove Farm.

The State statutes provide for certain members of the burial council to be a major landowner/developer and it is difficult to find respected and qualified representatives that understand the processes and the laws governing ancient burials. Keith is highly regarded in his role with Grove Farm Company and I am positive that his understanding of the laws will ensure that the rights of the landowner, the descendants of the Iwi and the people of Kauai are protected.

I ask for your kind consideration of this man as a member of the Kauai-Niihau Burial Council. Thank you.

Tom H. Shigemoto
Vice President
A&B Properties, Inc.

COUNTY COUNCIL
Bill "Kaipo" Asing, Chair
Jay Furfaro, Vice Chair
Tim Bynum
Dickie Chang
Daryl W. Kaneshiro
Lani T. Kawahara
Derek S. K. Kawakami



OFFICE OF THE COUNTY CLERK

Peter A. Nakamura, County Clerk
Ernesto G. Pasion, Deputy County Clerk

Telephone (808) 241-6371
Fax (808) 241-6349
Email cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Room 206
Lihue, Kaua'i, Hawai'i 96766-1371

February 13, 2009

TESTIMONY OF JAY FURFARO
KAUA'I COUNTY COUNCIL
ON
GM 397, CONFIRMATION OF GUBERNATORIAL NOMINEE KEITH R. YAP
TO THE ISLAND BURIAL COUNCIL, ISLANDS OF KAUA'I AND NI'HAU
Senate Committee on Water, Land, Agriculture and Hawaiian Affairs
February 16, 2009
11:00 a.m.
Conference Room 229

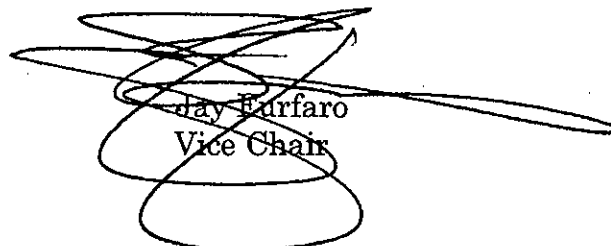
Dear Chair Hee and Members:

This letter is being submitted on behalf of Mr. Keith Yap, Director of Finance for Grove Farm on the Island of Kaua'i.

I have known Keith Yap for more than 20 years. I have had the pleasure of working with him as a resort financial controller several times within the visitor industry. I have always been impressed with his ability to remain objective and sincere in his dealing with his staff. Keith is an individual who understands our island heritage with a deep respect for our Hawaiian values. He is an individual that recognizes the importance and duty of the potential appointment to this Council, its major responsibility and sensitivity.

I would not hesitate to recommend your favorable consideration for his appointment to the Burial Council. He is a compassionate individual who will listen with empathy.

Sincerely,



Jay Furfaro
Vice Chair

JF/wa

Bernard P. Carvalho Jr.
Mayor



Gary K. Heu
Administrative Assistant

OFFICE OF THE MAYOR

County of Kaua'i, State of Hawai'i
4444 Rice Street, Suite 235, Līhu'e, Hawai'i 96766
TEL (808) 241-4900 FAX (808) 241-6877

**TESTIMONY OF THE
COUNTY OF KAUA'I
OFFICE OF THE MAYOR**

**TO THE SENATE COMMITTEE
ON WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS**

**TWENTY-FIFTH LEGISLATURE
REGULAR SESSION OF 2009**

February 16, 2009
11:00 a.m.

TESTIMONY ON GM 397, RELATING TO GUBERNATORIAL NOMINEE KEITH R. YAP.

TO THE HONORABLE CLAYTON HEE, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Bernard P. Carvalho, Jr., Mayor, providing testimony in support of Gubernatorial Nominee Keith R. Yap to the Island Burial Council, Islands of Kaua'i and Ni'ihau (Council).

The Council determines the preservation or relocation of previously identified Native Hawaiian burial sites, assists in identifying these sites, and makes recommendations regarding appropriate management, treatment, and protection of the sites.

Mr. Yap is nominated for a term to expire on June 30, 2012. He is well-qualified to serve, as he has an understanding of Hawaiian culture, history, customs, practices, and knowledge of the beliefs and practices relating to the care and protection of Native Hawaiian burial sites.

We ask you to confirm his nomination, and thank you for the opportunity to present testimony on this matter.

TESTIMONY
GM 397
(END)