

# The Nukolii chess game

## Anti-developers favor hotel trust fund

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LIHUE — The Committee to Save Nukolii yesterday announced a counteroffensive to the new Kauaians for Nukolii effort to allow development of the Nukolii resort site.

Committee to Save Nukolii's proposal: Allow completion of the 350-room hotel, but have 10 percent of hotel gross revenues put in a trust fund. The fund would be used to develop housing, educational programs, employment opportunities and the like.

The committee, in a press release, said it has corresponded with the San Francisco polling firm of Field Research about "a scientific and comprehensive poll" on the proposal.

The committee said its own random telephone poll of 90 persons showed that of those 66 who responded to whether to build the hotel with no restrictions or with the 10 percent trust fund requirement, 60 favored the latter.

The committee said that if a scientific poll of the voters shows support for the 10 percent idea, it will consider its own referendum aimed at blocking unconditional building approval.

That might give Kauai's voters a range of options on the issue rather than simple black and white proposals.

The pro-development Kauaians for Nukolii, created earlier this month, wants the Nukolii developers to be allowed to complete the hotel, now 30 percent finished. A 150-unit condominium project already is completed and in use at Nukolii.

Kauaians for Nukolii is circulating peti-

tions for an initiative or referendum that would reverse the 1980 referendum blocking the project.

Kauaians for Nukolii co-chairman Ezra Kanoho has said he feels the public did not fully understand the issues in 1980, and that in any case, the public perception has changed and now favors finishing the resort.

If both the Committee to Save Nukolii and the Kauaians for Nukolii get sufficient signatures on petitions, the voters conceivably could have three choices: build the hotel as originally approved; build the hotel with 10 percent of the gross going to a trust fund; make no change in the situation.

The voters in 1980 by a 2-1 margin reversed a Kauai County council zoning decision and reverted the resort site to agriculture. But the developers, relying on a Circuit Court decision that they had vested rights to continue, built the condominiums and started the hotel.

The Hawaii Supreme Court overturned the judge's decision, and the U.S. Supreme Court has let the Hawaii court's reversal stand. And Judge Kei Hirano, in the 5th Circuit Court, has been ordered to hold hearings on what to do with the site now. No hearing date has been scheduled.

A new referendum could make moot the existing court case.

The Committee to Save Nukolii has held

a series of recent meetings designed to develop a strategy in the situation.

Among recent developments are the creation of Kauaians for Nukolii and the results of a Kauai Chamber of Commerce poll of its members. The chamber's members by an 80 to 20 margin supported completion of the hotel.

Members of the Committee to Save Nukolii would not expand on the reasons behind their counteroffensive, but it appears the group feels there is a constituency for the middle ground between unrestricted completion and razing the site.

Kauaians for Nukolii say they believe the public sentiment has shifted in favor of the development. But members of the Committee to Save Nukolii continue to argue the public's wishes in the 1980 referendum were ignored by the developers and some government officials.

The committee to Save Nukolii has been portrayed by many in government as the voice of a radical fringe in the community. But in the latest move, the committee could find itself representing a position seen as moderate, while painting the Kauaians for Nukolii into being seen as stridently pro-development.

Neither organization wants to be viewed as anything but the voice of the majority, and the chess game maneuvering for the public's sympathies will continue.

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