

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



LAND USE COMMISSION
STATE OF HAWAII

COUNTY OF MAUI

2015 APR 30 A 7:52

DEPARTMENT OF PLANNING

April 27, 2015

MEMO TO: DANIEL ORODENKER
Executive Director
Land Use Commission
State of Hawaii
P. O. Box 2359
Honolulu, Hawaii 96804

FROM: Department of Planning, County of Maui
William R. Spence, Director of Planning *WRS*

SUBJECT: **DOCKET No. A15-798 / WAIKAPU PROPERTIES, LLC**

TRANSMITTED ARE THE FOLLOWING:

COPIES	DATE	DESCRIPTION
Original	4/27/15	Position Statement, Department of Planning, County of Maui, In Petitioner's Motion to Designate the Land Use Commission as Approving Agency for Environmental Impact Statement Under HRS Chapter 343 and for Authority to Prepare Environmental Impact Statement; Certificate of Service

- () For your information & files
() For approval & signature
() Per your request
() For your review and approval
() See REMARKS below
(X) For filing

Attachments

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2015 APR 30 A 7:52

DEPARTMENT OF PLANNING
COUNTY OF MAUI
One Main Plaza
2200 Main Street, Suite 315
Wailuku, Hawaii 96793
Telephone: (808) 270-7735
Facsimile: (808) 270-7634

**BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII**

In the Matter of the Petition of:)	Docket No. A15-798
)	
WAIKAPU PROPERTIES, LLC; MTP)	POSITION STATEMENT OF THE
LAND PARTNERS, LLC; WILLIAM S.)	DEPARTMENT OF PLANNING, COUNTY
FILIOS, Trustee of the William)	OF MAUI; CERTIFICATE OF SERVICE
S. Filios Separate Property)	
Trust dated APRIL 3, 2000; and)	
WAIALE 905 PARTNERS, LLC,)	
)	
To Amend the Agricultural Land Use District)	
Boundaries into the Rural Land Use District)	
for certain lands situate at Waikapu, District)	
of Wailuku, Island and County of Maui,)	
State of Hawaii, consisting of 92.394 acres)	
and 57.454 acres, bearing Tax Map Key)	
No. (2) 3-6-004:003 (por) and to Amend the)	
Agricultural Land Use District Boundaries)	
into the Urban Land Use District for certain)	
lands situate at Waikapu, District of)	
Wailuku, Island and County of Maui,)	
State of Hawaii, consisting of 236.326 acres,)	
53.775 acres, and 45.054 acres, bearing)	
Tax Map Key No. (2) 3-6-002:003 (por),)	
(2) 3-6-004:006 and (2) 3-6-005:007 (por).)	

POSITION STATEMENT OF THE DEPARTMENT OF PLANNING, COUNTY OF MAUI

COMMENTS ON WAIKAPU PROPERTIES, LLC, MTP LAND PARTNERS, LLC, AND WILLIAM S. FILIOS, TRUSTEE OF THE WILLIAM S. FILIOS SEPARATE PROPERTY TRUST DATED APRIL 3, 2000, AND WAIALE 905 PARTNERS, LLC (COLLECTIVELY KNOWN AS PETITIONERS) MOTION TO DESIGNATE THE LAND USE COMMISSION AS APPROVING AUTHORITY FOR ENVIRONMENTAL IMPACT STATEMENT UNDER HRS CHAPTER 343 AND FOR AUTHORITY

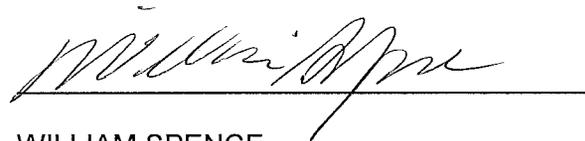
TO PREPARE ENVIRONMENTAL IMPACT STATEMENT FOR A STATE LAND USE DISTRICT BOUNDARY AMENDMENT AND ANTICIPATED APPLICATIONS FOR A COMMUNITY PLAN AMENDMENT, CHANGE IN ZONING, AND PROJECT DISTRICT FOR THE PROPOSED WAIKAPU COUNTRY TOWN, LOCATED AT WAIKAPU, ISLAND OF MAUI, HAWAII; TMK: (2) 3-6-002:003 (POR), (2) 3-6-004:003 (POR), (2) 3-6-004:006 (POR), AND (2) 3-6-005:007 (POR) (A15-798) (RFC 2015/0049)

The Department of Planning (Department) is in receipt of the above-referenced document for the proposed Waikapu County Town (Project). The Department concurs with the Petitioner that the State of Hawaii Land Use Commission shall be the Approving Agency for an environmental document and that an Environmental Impact Statement is the appropriate document and that the Petitioner should proceed in the preparation of an Environmental Impact Statement Preparation Notice.

The Department shall provide additional comments regarding the proposed Project upon formal receipt of the Environmental Impact Statement Preparation Notice.

Thank you for the opportunity to comment on this Project of considerable magnitude and impact to the Maui Island community. The complexity of this Project is reflected in the decision to move forward on an Environmental Impact Statement. The Department appreciates your anticipated responsiveness to the above comments regarding the proposed EISPN and will be reviewing the Draft EIS in detail along with submitting the Draft EIS for review and comment by the Maui Planning Commission prior to deliberations by the State Land Use Commission. Should you have any questions about the comments in this letter, please contact Staff Planner Kurt Wollenhaupt by email at kurt.wollenhaupt@mauicounty.gov or by phone at (808) 270-1789.

DATED: Wailuku, Hawaii, 4/27, 2015.



WILLIAM SPENCE
Planning Director
Department of Planning

xc: Parties Served on Certificate of Service for A15-798
Clayton I. Yoshida, AICP, Planning Program Administrator (PDF)
John F. Summers, Planning Program Administrator (PDF)
John S. Rapacz, Planning Program Administrator (PDF)
Kurt F. Wollenhaupt, Staff Planner (PDF)
Project File
General File

WRS:KFW:xx
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In the Matter of the Petition of:)
)
WAIKAPU PROPERTIES, LLC; MTP)
LAND PARTNERS, LLC; WILLIAM S.)
FILIOS, Trustee of the William)
S. Filios Separate Property)
Trust dated APRIL 3, 2000; and)
WAIALE 905 PARTNERS, LLC,)
)

Docket No. A15-798

CERTIFICATE OF SERVICE

To Amend the Agricultural Land Use District)
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for certain lands situate at Waikapu, District)
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53.775 acres, and 45.054 acres, bearing)
Tax Map Key No. (2) 3-6-002:003 (por),)
(2) 3-6-004:006 and (2) 3-6-005:007 (por).)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on the following on the date indicated below:

Digital Copy to State Land Use Commission, luc@dbedt.hawaii.gov

LEO R. ASUNCION
leo.asuncion@dbedt.hawaii.gov
Acting Director
Office of Planning
235 Beretania Street, 6th Floor
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Electronic Mail

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Department of the Attorney General
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Mail

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JAMES W. GEIGER
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(Attorney for Petitioner)

Mail

MICHAEL SUMMERS
msummers@planningconsultantshawaii.com
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Wailuku, HI 96793

Electronic Mail

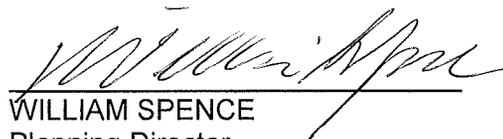
MICHAEL HOPPER
Deputy Corporation Counsel
Department of the Corporation Counsel
County of Maui
200 South High Street
Wailuku, Hawaii 96793

Hand Delivery

MAUI PLANNING COMMISSION
County of Maui
250 South High Street
Wailuku, Maui, Hawaii 96793

Hand Delivery

DATED: Wailuku, Hawaii, 4/27, 2015.


WILLIAM SPENCE
Planning Director
Department of Planning