

# MCCORRISTON MILLER MUKAI MACKINNON LLP

ATTORNEYS AT LAW

May 9, 2017

## Via Email and Hand-Delivery

Mr. Daniel Orodener  
Executive Officer  
State Land Use Commission  
235 South Beretania Street, Suite 406  
Honolulu, Hawai'i 96813

Re: In the Matter of the Petition of Ka'ono'ulu Ranch  
Docket No. A-94-706  
Final Environment Impact Statement

2017 MAY -9 A 10: 26  
LAND USE COMMISSION  
STATE OF HAWAII

Dear Mr. Orodener:

This firm represents Piilani Promenade South, LLC and Piilani Promenade North, LLC, the petitioners in the above-referenced docket. The petitioners hereby notify the State Land Use Commission ("LUC") that they are retracting the submission of the Final Environmental Impact Statement ("FEIS") previously submitted to the LUC and Office of Environmental Quality Control on April 26, 2017, and will resubmit the FEIS at a later date. As discussed with you yesterday, and as also confirmed with Deputy Attorney General Diane Agor on May 8, 2017, this retraction is not a withdrawal under HAR Section 11-200-23(F).

In light of the foregoing, the petitioners hereby request that this item be removed from the LUC's agenda for its meeting on May 18 and 19, 2017, and that it be rescheduled for a later LUC meeting based upon the date the FEIS is resubmitted.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

MCCORRISTON MILLER MUKAI MacKINNON LLP



Randall F. Sakumoto  
Lisa W. Cataldo

RFS:dkc

cc: State Office of Planning (Attn: Leo R. Asuncion, Jr., Director)  
Maui County Planning Department (Attn: William Spence, Director)  
Dawn Apuna, Esq.  
Michael Hopper, Esq.  
Tom Pierce, Esq.  
Honua'ula Partners, LLC (Attn: Benjamin Matsubara, Esq. and Curtis Tabata, Esq.)  
Piilani Promenade North, LLC and Piilani Promenade South, LLC