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BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

2013 JUL 16 P 3:11
LAND USE COMMISSION
STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A10-787
)	
MAUI R&T PARTNERS, LLC)	OFFICE OF PLANNING’S TESTIMONY
)	IN SUPPORT OF PETITION WITH
)	CONDITIONS; CERTIFICATE OF
To Amend the Land Use District Boundary)	SERVICE
of Approximately 253.05 Acres of Land)	
from the Agricultural District into the Urban)	
District at Kihei, Island of Maui, State of)	
Hawaii, Tax Map Key (2) 2-2-024: 016 and)	
017, and (2) 2-2-002:084 (por.))	

OFFICE OF PLANNING’S TESTIMONY
IN SUPPORT OF PETITION WITH CONDITIONS

The Office of Planning (“OP”) recommends approval, subject to conditions, of the Maui R&T Partners, LLC (“Petitioner”) Petition to reclassify approximately 253.05 acres of land from the State Agricultural District to the Urban District in Kihei, Maui, for the development of the Maui Research and Technology Park. OP’s recommendation is based on the representations of the Petitioner and documents filed to-date in these proceedings, consultation with affected government agencies, and the statutes and regulations applicable to these proceedings.

PETITION OVERVIEW

General Information

Maui R&T Partners, LLC (“Petitioner”) requests that the Land Use Commission (“Commission”) reclassify approximately 253.05 acres of land in Kihei, Maui from the State Agricultural District to the State Urban District. The Petitioner is the owner in fee simple of the

Petition Area consisting of Tax Map Key (“TMK”) Nos. (2) 2-2-024: 016 and 017, which consist of approximately 129.207 acres. Haleakala Ranch is the owner of TMK (2) 2-2-002:054 (por.) which consists of approximately 123.843 acres. Haleakala Ranch has authorized the Petitioner to file this Petition. (See *Map 1*, OP Exhibit No. 3)

The Maui Research and Technology Park (“Project”) is an existing, operational technology industry park. On July 15, 1985, the Commission approved Docket No. A84-585 reclassifying approximately 150 acres to the State Urban District, and also approved 150 acres for incremental districting pursuant to Hawaii Administrative Rules (“HAR”) § 15-15-78. On February 25, 1986, an amended Decision and Order modified the Petition Area by shifting the location of the Urban District lands and incremental district lands.

The Petitioner now seeks to expand the Project by reclassifying 253.05 acres of adjacent lands to the existing 150.032 acres of Urban lands to consolidate and create a 403.082-acre multi-use employment and residential community. The Petitioner has submitted a motion to amend the Amended Findings of Fact, Conclusions of Law and Decision and Order dated February 25, 1986 in Docket No. A84-585 to allow for the change in uses that will include a village center and housing, as well as an expansion of the industrial and employment component. A separate motion was also submitted to consolidate the hearings for Docket Nos. A84-585 and A10-787.

Proposed Use of the Petition Area

The 253.05-acre Petition Area, located on three separate parcels, will be consolidated with the existing and adjoining 150.032-acre technology park. The Petitioner proposes to develop the Petition Area and the existing 150-acre technology park into an employment center with a sustainable and walkable community where people can live, work and play. The Project Master Plan proposes to include the following components: employment core; knowledge industry expansion accommodating up to 2 million square feet of building area on a diversity of lot sizes; a 64-acre mixed-use village center including housing, office, civic, park, and neighborhood serving retail; 1,250 single-family and multi-family residential units; and an open space network and parks.

Phase 1 includes approximately 750 residential units and 700,000 square feet of commercial and industrial floor area. Phase 2 to begin in 2025 will include approximately 500 residential units and 1,300,000 square feet of commercial and industrial floor area. Major infrastructure improvements include the sewer system, potable water system, non-potable water system, storm drainage system, and roadways.

Petition Area Description and County Land Use Designations

The Petition Area is situated in Kihei, east of Piilani Highway, and accessed via Lipoa Parkway. The Petition Area consists of three distinct parcels located adjacent to the south, east, and north of the existing Maui Research and Technology Park. The current land use consists of undeveloped lands dominated by kiawe trees and buffelgrass, and has historically been used as grazing land for domestic cattle. Adjoining the Petition Area to the north is the Waipuilani Gulch and proposed Kihei High School; to the west is the Elleair Maui Golf Club. The remainder of surrounding adjoining properties consists of undeveloped grazing land.

The Petition Area is within the County of Maui's *Kihei-Makena Community Plan*, designated as "Project District 6 (R&T Park)" and "Public/Quasi-public" use, and is zoned by the County as "Agricultural." Both a Community Plan Amendment and Change-in-Zoning will be sought to bring the entire Project site into a newly proposed, "Maui Research and Technology Park District." The *Maui Island Plan's Directed Growth Map* indicates the Petition Area is within the urban growth boundary.

An Environmental Impact Statement was prepared pursuant to Hawaii Revised Statutes ("HRS") Chapter 343, and HAR Chapter 11-200, due to the proposed amendment to the *Kihei-Makena Community Plan*. On April 19, 2013, the *Final Environmental Impact Statement* ("FEIS") filed by Maui R&T Partners, LLC was accepted by the Commission.

DISCUSSION OF ISSUES OF CONCERN TO THE STATE

The following discusses Project impacts and recommendations to avoid, minimize, or mitigate adverse impacts caused by the proposed Project with respect to the areas of State concern in HRS §§ 205-16 and 205-17.

Impacts on Areas of State Concern

Natural Systems and Habitats

Water resources. The Petition Area will require the development of a potable water source. The existing water supply is delivered to the project area via a waterline along Lipoa Parkway. The County Department of Water Supply (“DWS”) cannot commit to providing potable water beyond the 18 lots within the existing technology park without further improvements. Petitioner estimates that the Project (including both Phase 1 and 2 of development, and not including the area already supplied water by the DWS) will have a potable water demand of 798,065 gallons-per-day (“gpd”), and a non-potable demand of approximately 373,329 gpd for landscape irrigation.

To meet the Project’s water demand, five off-site or on-site brackish wells are proposed with the use of a Reverse Osmosis (“RO”) filtration process to obtain potable water. Non-potable water used for irrigation purposes will primarily be supplied by R-1 reclaimed wastewater from the Kihei Wastewater Treatment Plant (“WWTP”). The County’s Wastewater Reclamation Division has indicated there may be periods where the R-1 supply may not be sufficient to accommodate the landscape irrigation needs.

The Commission on Water Resource Management (“CWRM”) has expressed concerns regarding the RO process as follows:

“This application presents an issue of first impression for Hawaii. To date, desalinization (with its attendant waste disposal problems and very high energy requirements) has not been the basis for supplying potable water for a major urban use, especially a project involving 750 single family houses and 500 multi-family units. It is a potentially risky action. Even though the technology is used elsewhere in the world, there are major implications for the County, especially if the plant should cease operation.”

CWRM also noted that the Petition Area has an existing well (no. 6-4426-003) that is owned by the Petitioner and it yields water that exceeds the Environmental Protection Agency’s secondary potable guideline which sets non-mandatory water quality standards for 15 contaminants; a well completion report for this well has yet to be submitted as required by its permit; and prior to any new well construction related activities, the Petitioner will need to

secure all necessary permits for well construction and pump installation. (See OP Exhibit 1, Attachment A).

OP is concerned about the associated impacts of the proposed desalination process on the underlying aquifer and any nearby wells, and the viability of the system as raised by CWRM. A condition to address this issue will depend on facts presented by party experts during these proceedings.

Flora and Fauna. Botanical and biological surveys were conducted for the Petition Area and no federal or State threatened or endangered species, or species of concern were identified during the course of the field surveys. The survey indicated it is possible that small numbers of the endangered endemic Hawaiian Petrel bird and threatened Newell's Shearwater bird will fly over the project area between the months of May and November. If night time construction activity occurs during these months, the survey recommends consideration given to lights being shielded to reduce the potential interaction with the nocturnal birds.

OP recommends a condition requiring that exterior lighting be down-shielded to minimize the harmful effects of lighting on avifauna.

Archaeological, Historic, and Cultural Resources

The *Cultural Impact Assessment* concluded that development of the site will not impact cultural resources within the Petition Area. Based on general archaeological and historical research, the area was not subject to permanent or expansive population due to the lack of productive natural resources. The FEIS recommends that a qualified cultural specialist should provide for a cultural orientation for construction personnel, and provide advice for cultural concerns during the length of the project.

The *Archaeological Inventory Survey* ("AIS") found five historic sites featuring historic modified outcroppings, a traditional or historic boundary wall, a military training feature, and three mounds which are traditional location markers. Subsurface testing was not conducted due to extremely shallow soil deposits and site locations over bedrock. The features were given a significance assessment of Criterion D - a site that has yielded, or has the potential to yield, information important to prehistory.

The AIS does not recommend archaeological monitoring. However, the State Historic Preservation Division ("SHPD") indicates that *Site #50-50-10-6241*, which is identified as a

traditional or historic boundary wall located in the Waipuiani Gulch, should be bordered by a protective orange construction fence prior to ground altering disturbances within TMK No. (2) 2-2-024:017. On October 27, 2008, the SHPD accepted the AIS.

OP recommends a condition be imposed to protect Waipuiani Gulch and ensure that appropriate mitigation measures are undertaken if any cultural, historic or archaeological findings occur during construction-related activities.

Natural Resources Relevant to Hawaii's Economy

Agricultural lands. The Petition Area has high solar radiation but poor soils, and lack of irrigation water indicate the property is poorly suited for growing commercial field crops. The proposed Project would eliminate 102 acres of grazing land from the Haleakala Ranch, which the Ranch anticipates will not have a significant impact on cattle operations.

The project will not adversely affect the existing agricultural activities or agricultural resources of the area. The Land Study Bureau rates the overall productivity of the soils as "E - not suitable" for agricultural production. Under the Agricultural Lands of Importance to the State of Hawaii ("ALISH"), the Petition Area land is not classified in the ALISH agricultural productivity rating system.

Sustainability, energy and resource. Act 181, Session Laws of Hawaii, 2011, established priority guidelines for sustainability in the Hawaii State Plan. The Petitioner's *Sustainability Plan* applies sustainable elements in the project design, including: compact designed road networks with bicycle and pedestrian paths, use of recycled water, encouragement of renewable energy use, providing a diverse and balanced mix of uses, creating a safe and friendly pedestrian environment, and providing a variety of connections to surrounding developments, including the use of an efficient and effective transit system.

OP commends the Petitioner for pursuing smart growth and sustainability principles in the Project's master plan concept and design.

Commitment of State Funds and Resources

Transportation. The Petition Area is accessed directly from Lipoa Parkway from the Piilani Highway. Project related transportation congestion in the area poses significant challenges to the Piilani Highway if impacts are not mitigated appropriately. The FEIS and *Traffic Impact Analysis Report* ("TIAR") have identified alternative measures to alleviate

congestion on the Highway and local roads. New ingress and egress roads from the State highway are proposed both to the north and south of Lipoa Parkway and new internal roadways are planned within the Petition Area. The Petitioner has proposed several options to alleviate or mitigate traffic congestion including completion of the north/south makai collector road and a new mauka collector road.

The State Department of Transportation (“DOT”) is requesting the submittal of a revised TIAR which addresses the concerns and conditions detailed in its June 20, 2013 Memorandum (See OP Exhibit 1, Attachment C). DOT concerns include:

- The TIAR’s internal capture rates and reductions appear high and should be further justified. The estimated trip generation volumes for the future committed developments in the Kihei area should be indicated in the traffic forecast analysis. Mode reduction for pedestrians and bicycles may not be allowed.
- The operating level of service (“LOS”) with the project should reflect mitigation of all transportation impacts to maintain the without project scenario operating LOS and delay levels for the horizon years.
- Mitigation improvements should maintain or improve the highways LOS to “D” or better. A LOS lower than the No Build Scenario is not acceptable to DOT.
- DOT is concerned that the Liloa Drive Extension and Mauka Collector are not in the Statewide Transportation Improvement Program and will not be completed.
- Several of the turn movements at the highway intersection with Kaonoulu Street are projected to operate at a LOS of “F” during the p.m. peak, and several other highway intersection turning movements within the study area are projected to operate at LOS “E”.

OP will recommend conditions to ensure that DOT concerns with the TIAR and related impacts to the State highway are addressed to ensure appropriate and timely mitigation of transportation impacts for all users.

Civil defense. Although the bulk of the proposed development has siren coverage from the Kihei Community Center siren, State Civil Defense recommends that one omni-directional 121 db(c) siren be installed on the northeast section of the Petition Area. Since the project will increase the residential population in an area with limited safe room options, State Civil Defense

recommends incorporation of hardening measures for safe rooms within planned residential facilities, and the hardening of proposed community facilities so as to withstand high wind and seismic events. (See OP Exhibit 1, Attachment D).

OP recommends a condition be imposed to address the provision of a siren system and safe rooms.

Schools. Within the mixed use center area of the Project, provisions are made to accommodate a ten-acre public or private elementary or intermediate school. Adjacent to the Petition Area is the proposed Kihei High School (Docket No. A11-794). The Petitioner has projected that the Project could increase the student population by 479.

The DOE has indicated that the Project's residential development will be required to pay school impact fees, and that the developer should be aware of the appropriate time to enter into an impact fee agreement as provided in HRS § 302A-1603. The school impact fees will mitigate the impact on school facilities from new students who are expected to reside within the Petition Area. (See OP Exhibit 1, Attachment E).

OP recommends a condition be imposed requiring compliance with school impact fees.

Other Issues of Concern

Housing. The Project proposes to construct 1,250 residential units; 750 units in Phase I and 500 units in Phase 2 of development. Housing options will consist of a mix of multi-family homes, single-family homes, and townhouse units. The estimated price range of the proposed units will be between \$280,000 and \$1,000,000 with the units being targeted for a range of homeowners, including workforce affordable homes in compliance with Maui County Code Chapter 2.96.

Wastewater. The existing technology park is served by a privately owned and maintained wastewater system which collects and conveys water to the Kihei WWTP. Expansion of service within the Petition Area will consist of new gravity sewer mains to be conveyed to new or existing sewer pump stations and then to the Kihei WWTP.

The Kihei WWTP currently treats an average daily flow of approximately 3.4 mgd, and has a treatment capacity of 8 mgd. Based on allocated wastewater flows, the amount available is 1.2 mgd which should be sufficient to accommodate the Project.

Drainage. The Petition Area is located between major drainage ways: Waipuilani Gulch to the north, and Keokea Gulch to the south. The area east, or mauka, of the Petition Area consists of higher elevated undeveloped lands which create an east-to-west directional runoff, situating the Petition Area in the drainage path. Flows draining westerly enter the Petition Area, flow through the Project site, through the Elleair Golf Course to culverts under Piilani Highway, and then to the ocean. Flows generated within the Petition Area enter into minor drainage areas before joining with off-site generated flows. Off-site runoff will be allowed to pass through the Project site without further mitigation.

Project development is expected to increase the peak flow rate of runoff. However, the increase in drainage caused by the project will be retained on-site in accordance with the County of Maui's Drainage Rules. An on-site drainage plan has been prepared to mitigate surface runoff caused by seasonal storm events. Facility design for peak post-development runoffs are based on a 50-year, 1-hour storm. The collective result of all land uses in the Petition Area employing peak runoff mitigation will be a no increase in peak runoff downstream of the Petition Area.

Notable elements of the drainage system may include: drainage detention basins distributed among internal drainage areas for roads and residential areas; commercial and institutional lots that will be required to mitigate its own increase in runoff by constructing subsurface storage chambers, or above ground drainage ponds within each lot; drainage reserve areas that include modification of existing natural drainage ways with bank stabilization and erosion control measures; use of vegetated surface drainage facilities to treat and infiltrate stormwater in order to control water pollution, reduce peak flows and runoff volumes, and promote groundwater recharge; use of porous pavements on pedestrian and bike paths to promote infiltration; and encouragement for residential, commercial, and institutional building occupants to utilize vegetated drainage facilities in their building site planning.

OP appreciates the Petitioner's consideration of low impact development ("LID") measures and recommends a condition that the Petitioner incorporate LID techniques and technologies in the design and construction of the Project's drainage or stormwater management system.

Provision for Employment Opportunities and Economic Development.

The proposed Project will immediately provide for the creation of local construction related jobs lasting over the course of its build-out. The economy will be strengthened by attracting technology and knowledge-based industries that create high paying jobs as well as other service and support-related jobs. The *Economic Impact Analysis* indicates that the construction of the Project and ongoing operations/maintenance of the residences, on-site commercial and industrial/businesses, and community facilities, will provide approximately 3,300 jobs per year over a 19-year period. After stabilization, the Project will support some 5,800 permanent jobs on-site.

SUMMARY DISCUSSION OF CONFORMITY WITH DECISION-MAKING CRITERIA FOR BOUNDARY AMENDMENTS

The following summarizes OP's assessment of the Petition's conformity with applicable district standards, planning statutes, plans and other criteria the Commission must consider in decision-making for a district boundary amendment petition.

Conformance with State Urban District Standards

The Petition meets the standards for determining State Urban District boundaries as set forth in HAR § 15-15-18. The Petition Area is surrounded by existing and proposed urban uses and is adjacent to lands within the Urban District. West of the Petition Area, across Piilani Highway, is the existing Kihei commercial-residential area consistent with "city-like" concentrations of people, structures, streets, and urban levels of service. To the north of the Petition Area is the recently approved 77.2-acre Kihei High School and proposed 88-acre Kaonoulu/Piilani Promenade commercial and light industrial project. Minimal impacts are anticipated from natural hazards due to existing topography and the inland location of the Petition Area.

Conformance with the Hawaii State Plan, Priority Guidelines, and State Functional Plans

With appropriate mitigation, the proposed reclassification is generally consistent with one or more objectives, policies, and priority guidelines of HRS Chapter 226, the Hawaii State Plan. In particular, the proposal supports State goals of desired physical, social, and economic well-being; socio-cultural advancements with regard to housing; supports objectives and policies for

the economy including the information industry; provides for potential economic growth activities; and complements the Administration's priorities in its *New Day Comprehensive Plan* by supporting education, the economy, and jobs.

Conformance with the Coastal Zone Management Objectives and Policies

The Petition Area lies within the State Coastal Zone Management ("CZM") Area which includes all lands of the State and the area extending seaward from the shoreline to the territorial limit. The Petition generally conforms to the CZM objectives and policies set forth in HRS § 205A-2. The Petition Area is not located within the County's Special Management Area.

Areas of State Concern

With respect to areas of State concern, the Project contributes favorably to the creation of jobs and business opportunities. With appropriate mitigation measures, Petitioner can minimize impacts on the commitment of State funds and resources with respect to State transportation infrastructure. The Petition Area does not meet the criteria for important agricultural lands as specified in HRS § 205-42.

County Plans

The Petition Area is consistent with infill development policies in the County *General Plan: Countywide Policy Plan* adopted by Ordinance No. 3732 on March 24, 2010, and lies within the urban growth boundary of the *Maui Island Plan* adopted by Ordinance 4004 on December 28, 2012. The *Kihei-Makena Community Plan* was adopted by Ordinance No. 2641, and became effective on March 6, 1998. The Petition Area will require an amendment to the *Community Plan* from "Agriculture", "Public/Quasi-Public" and "Project District 6" to "Maui Research and Technology Park District", and a change in zoning from "Agricultural" to "Maui Research and Technology Park District".

Petitioner Representations and Commitments; Petitioner's Financial Capability

In general the Petitioner has represented that Project impacts will be mitigated as requested by impacted State and County agencies. The FEIS identifies and discusses a number of mitigation measures to be taken to minimize potential adverse impacts of the Project. Additionally, Petitioner will be held accountable for compliance with the representation made in all submittals provided on behalf of this Docket. Petitioner has submitted its financial capability

and indicates pre-development financing has been identified and secured. Development will be financed by a combination of sales of entitled, master-planned parcels and construction financing.

Public Trust Resources

HRS § 205-4 and § 225M-2(b)(5) authorizes OP to develop and present the position of the State in all boundary change petitions and proceedings before the Commission. We note that the Hawaii Intermediate Court of Appeals recently decided *Kauai Springs v. Planning Commission of the County of Kauai*, dated April 30, 2013, which required that decision-makers specifically consider the applicant's use of public trust resources pursuant to Article XI, section 1 of the Hawaii Constitution. Although the appellate process was not yet concluded at the time this testimony was submitted, OP has made "appropriate assessments" and "require(d) reasonable measures" to protect public trust resources. This public trust evaluation has been integrated into the analysis and recommendations provided herein.

RECOMMENDATION

Based on the foregoing information and analysis, OP recommends the approval of the Petition subject to Petitioner's commitments to avoid, minimize, or mitigate Project impacts as represented herein and in this proceeding, and the imposition of the following conditions of approval in addition to the standard conditions of the Commission.

1. **Highway and Road Improvements.** The Petitioner shall abide by, complete and/or submit the following:
 - A. The TIAR shall be revised and resubmitted to the DOT for review and acceptance prior to zone change approval.
 - B. Petitioner shall fund and provide for the planning, design and construction of all recommended transportation improvements required to mitigate local and direct project generated and/or related transportation impacts, in accordance with the Revised TIAR and required updates to the TIAR, as accepted by DOT, at no cost to the State. Petitioner shall also dedicate land to accommodate auxiliary lanes on Piilani Highway, as required.

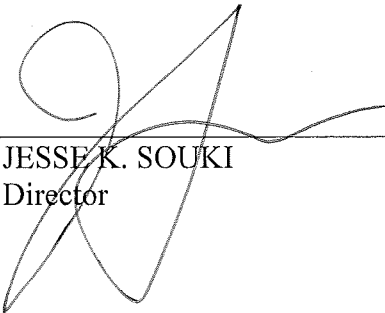
- C. Petitioner shall provide its fair share contribution toward the cost of regional transportation improvements to State highways, as determined by Petitioner and DOT. Regional improvements may also include the reservation and contribution of land for such improvements.
 - D. Petitioner shall pay to DOT the fair market value for access rights to Piilani Highway at the proposed Hookena Street/Piilani Highway intersection, in addition to the recommended and required transportation mitigation measures for project-related traffic impacts on State facilities.
 - E. Petitioner shall address traffic noise levels along Piilani Highway with noise compatible planning and sound abatement measures to comply with DOT's Highway Noise Policy and Abatement Guidelines, at no cost to DOT.
 - F. A Memorandum of Agreement (MOA) between Petitioner and DOT shall be prepared based on the concerns and conditions in the Petition and shall include the recommendations contained in a Revised TIAR accepted by DOT. The MOA shall be executed prior to any tentative subdivision approval being granted. The executed MOA shall contain language that ensures that identified transportation improvements will be constructed concurrently with the development of the residential, commercial and other multi-uses, as acceptable to DOT.
2. **Water Conservation.** Petitioner shall implement water conservation measures including water efficient plumbing fixtures, high efficiency or drip irrigation systems, and drought tolerant landscaping.
3. **Stormwater Management and Drainage.** Petitioner shall design, construct and maintain stormwater and drainage system improvements in compliance with applicable federal, State, and County laws and rules. To the extent feasible, Petitioner shall implement Best Management Practices and incorporate Low Impact Development ("LID") practices for onsite stormwater capture and reuse into Petition Area's site design and landscaping to control water quality and mitigate nonpoint sources of pollution.

4. **Civil Defense.** Petitioner shall fund and install one (1) civil defense warning siren as specified by and in a location identified by the State Civil Defense agency. To the extent feasible, the Petitioner should incorporate hardening measures for safe rooms within planned residential facilities, and the hardening of community facilities so as to withstand high wind and seismic events.
5. **Schools.** Petitioner shall enter into an impact fee agreement with the Department of Education prior to county subdivision approval.
6. **Archaeological and Historic Preservation.** The Petitioner shall prepare and implement an archaeological monitoring plan approved by SHPD. Archaeological features identified in the Waipuilani Gulch shall be protected from any construction related activities. A report of monitoring activities shall be submitted to SHPD upon completion of fieldwork.
7. **Flora and Fauna.** Petitioner shall ensure that all exterior lighting fixtures are down-shielded to minimize the harmful effects of lighting on endangered avifauna.
8. **Previously Unidentified Burials and Archaeological/Historic Sites.** In the event that historic resources, including human skeletal remains, are identified during construction activities, all work shall cease in the immediate vicinity of the find, the find shall be protected from additional disturbance, and the SHPD, Maui Island Section, shall be contacted immediately. Without any limitation to any other condition found herein, if any burials or archaeological or historic sites are discovered during the course of construction of the Project, all construction activity in the vicinity of the discovery shall stop until the issuance of an archaeological clearance from the SHPD that mitigation measures have been implemented to its satisfaction.
9. **Infrastructure Deadline.** The Petitioner shall complete construction of the proposed backbone infrastructure, which consists of the primary roadways and access points, internal roadways, on- and offsite water and electrical system improvements, and stormwater/drainage and other utility system improvements, within fifteen (15) years from the date of the Decision and Order approving the Petition.

10. **Compliance with Representations.** The Petitioner shall develop the Petition Area in substantial compliance with the representations made to the Commission as reflected in the Findings of Fact, Conclusions of Law, and Decision and Order. Failure to so develop the Petition Area may result in reversion of the Petition Area to its former classification, or change to a more appropriate classification.

DATED: Honolulu, Hawaii, this 16th day of July 2013.

OFFICE OF PLANNING
STATE OF HAWAII



JESSE K. SOUKI
Director

Docket No. A11-794

CERTIFICATE OF SERVICE

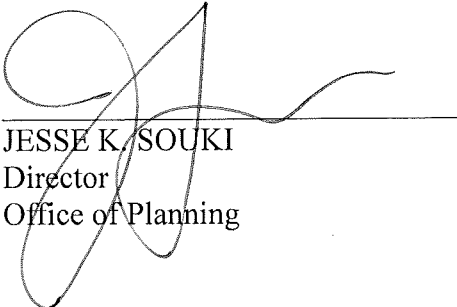
I hereby certify that a copy of the foregoing was served upon the following by either hand delivery or depositing the same in the U.S. Postal Service by regular mail.

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DATED: Honolulu, Hawaii, this 16th day of July 2013.



JESSE K. SOUKI
Director
Office of Planning