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OFFICE OF THE MAYOR

Ke'ena O Ka Maie

COUNTY OF MAUI - Kalana O Maui

September 27, 2013

Via E-Mail: luc@dbedt.hawaii.gov and

Via Facsimile: (808) 587-3827

Ronald I. Heller
Chairperson and Commissioner
Land Use Commission
State of Hawaii
235 S. Beretania Street, Room 406
Honolulu, Hawaii 96813

Chad McDonald
Vice Chair and Commissioner
Land Use Commission
State of Hawaii
235 S. Beretania Street, Room 406
Honolulu, Hawaii 96813

Commissioners:
Kyle Chock
Sheldon R. Biga
Dennis M. Esaki
Lance M. Inouye
Jaye Napua Makua
Ernest Matsumura
Carol Torigoe
Land Use Commission
State of Hawaii
235 S. Beretania Street, Room 406
Honolulu, Hawaii 96813

2013 SEP 27 P 3: 29

LAND USE COMMISSION
STATE OF HAWAII

RE: Docket No. A13-797, CMBY 2011 Investment, LLC (Petitioner)

Dear Chairperson, Vice Chair and Members of the Commission:

The County of Maui owns approximately 222.626 acres of land, located at TMK No. (2) 3-8-008: 037. As shown on the enclosed map, the County property is adjacent to the land proposed for urban reclassification in the above referenced Docket. The Maui Raceway Park and Hawaii National Guard Armory are located within the County property.

We are providing this written testimony to confirm to the Commission that the County of Maui is aware of the fact that Petitioner CMBY 2011 Investment, LLC, intends to develop a potable water system within the CMBY property, and that the development of the proposed water system will impose certain limitations on the County property. One such limitation is the prohibition against any new injection wells being sited within one-quarter mile from CMBY's drinking water source(s). Another possible limitation is that any new Individual Wastewater System (IWS) located on County property and permitted by the Department of Health will need to be a minimum of 1,000 feet from CMBY's potable water source(s) as shown on the attached map.

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The County does not have, and does not intend to have, injection wells within the County property. Should injection wells be desired in the future, there is ample space within the County property that is outside of the one-quarter mile radius of CMBY's property. Similarly, taking into account the above limitations, there is ample space within the County property for the siting of any new wastewater systems.

The County continues to express its support of the proposed development of the Puhunene Heavy Industrial Subdivision. Thank you for the opportunity to provide this testimony.

Sincerely,

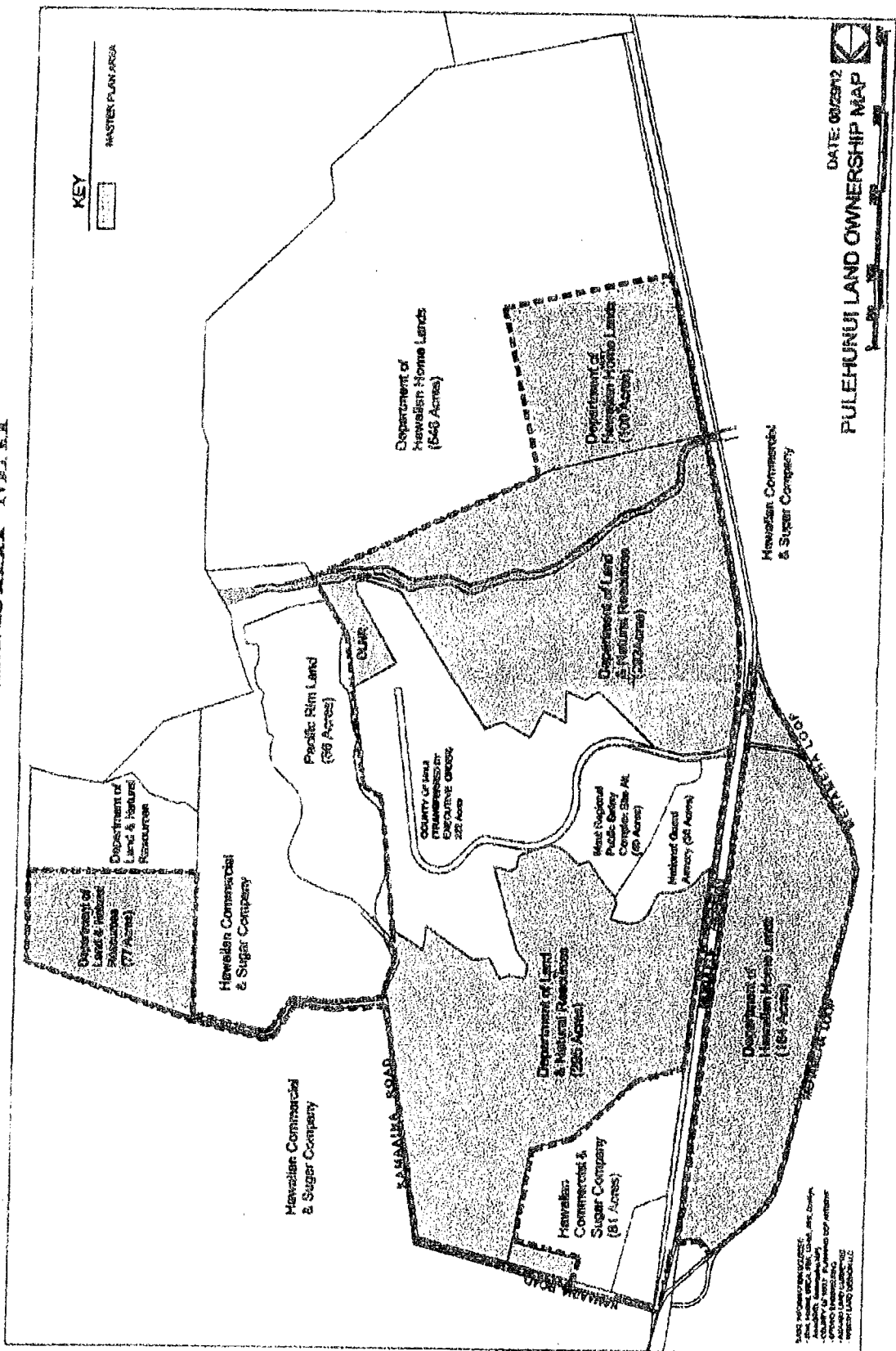


ALAN M. ARAKAWA
Mayor, County of Maui

Enclosure

cc: Charlie Jencks, Pacific Rim Land, Inc.
Blaise Lafolette, Pacific Rim Land, Inc.

LAND OWNERSHIP MAP



THIS MAP WAS PREPARED BY THE COUNTY OF MAUI, HAWAII, AND THE HAWAIIAN COMMERCIAL & SUGAR COMPANY. THE COUNTY OF MAUI AND THE HAWAIIAN COMMERCIAL & SUGAR COMPANY ARE NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY APPEAR HEREIN.