

BENJAMIN J. CAYETANO
GOVERNOR



ESTHER UEDA
EXECUTIVE OFFICER

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 587-3822

February 27, 1996

Sandra Pechter Schutte, Esq.
101 Aupuni Street, Suite 1014A
Hilo, Hawaii 96720

Dear Ms. Schutte:

Subject: Filing of 1996 Annual Report for LUC Docket No. A89-645/Haseko (Hawaii), Inc.

Please be apprised that according to our records, the required annual report for the subject docket has not been filed with the Commission. The annual report is required to be filed with the Commission pursuant to Condition No. 14 of the Findings of Fact, Conclusions of Law, and Decision and Order issued on February 6, 1990. An annual report covering the period from February 6, 1995 to February 6, 1996 was due on February 6, 1996.

YOU ARE HEREBY INFORMED that unless we receive your annual report covering the above-mentioned period by March 15, 1996, the Petitioner will be scheduled to appear before the Commission to provide testimony regarding the status of the development proposed under the subject docket. Additionally, pursuant to §15-15-93, Hawaii Administrative Rules, the Commission may initiate an Order to Show Cause proceeding if there is reason to believe that there has been a failure to comply with the Commission's Decision and Order according to the conditions imposed therein.

The format of the annual report should be composed of two sections: the first section should briefly discuss the general progress of the project, including any regulatory approvals pending/obtained; the second section should state verbatim, all conditions imposed by the Commission and followed by a brief report on all efforts to comply with each stated condition.

Please include, when possible, the dates of any required regulatory approval obtained or expected, the specific areas of the redistricted lands to which the compliance activity relates (maps may be helpful), and any other new information regarding the project (i.e., photos, future plans, etc.).

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We require that an original and twelve copies of the annual report be filed with the Commission. We also note that Findings of Fact, Conclusions of Law, and Decision and Order requires the annual report to be served upon the County of Hawaii Planning Department and the Office of State Planning. Please note that we will be asking these agencies to review and comment on the annual report.

You are further informed that this is the final reminder letter to be transmitted for the filing of this annual report and subsequent annual reports in this docket, as responsibility for the submission of annual reports by the anniversary due date lies with the Petitioner. In the event that subsequent annual reports are not submitted in a timely manner, the Commission will require the Petitioner to appear before the Commission to present its status report.

Please note that effective March 5, 1996, our mailing address and office location will be the following:

Mailing Address

State Land Use Commission
Department of Business, Economic Development & Tourism
P.O. Box 2359
Honolulu, Hawaii 96804

Office Location

Leiopapa A Kamehameha Building
(State Office Tower)
235 South Beretania Street
4th Floor
Honolulu, Hawaii

If you have any questions on this matter, please feel free to contact me or Leo Asuncion of my staff at 587-3822.

Sincerely,



ESTHER UEDA
Executive Officer

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cc: Mr. Henry Sheldon
County of Hawaii Planning Dept.
OSP

