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LAND USE COMMISSION
Department of Business, Economic Development & Tourism
State of Hawai'i

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Chief Clerk/Planner

June 9, 2017

James W. Geiger, Esq.
Mancini, Welch & Geiger
305 East Wākea Avenue, Suite 200
Kahului, Hawai'i 96732

Dear Mr. Geiger:

Subject : Land Use Commission (LUC) Docket No. A15-798 Waikapu Properties LLC,
et.al.

This is to acknowledge receipt of the subject Petition for State Land Use District Boundary Amendment seeking to reclassify approximately 335.155 acres of land from the State Land Use Agricultural District to the State Urban District for the and 149.848 acres from the State Land Use Agricultural District to the State Rural District for the development of a master-planned, small town community centered around the existing Maui Tropical Plantation ("Project") situated at Waikapū, Maui, TMK Nos. (2) 3-6-004: 003 (por.); (2) 3-6-002:003 (por.); (2) 3-6-004:006; and (2) 3-6-005:007(por.) ("Petition Area") filed in the subject docket on May 1, 2017.

The following documents in the subject docket were filed on April 16, 2015:

- 1) Petition for Land Use District Boundary Amendment ("Petition");
- 2) Exhibits "1" through "18";
- 3) Affidavit of Sending of the Notification of Petition Filing;
- 4) Certificate of Service;
- 5) \$5,000 filing fee;
- 6) Verification of James W. Geiger, Esq.;
- 7) Affidavit of Service of Petition for Land Use District Boundary Amendment;
- 8) Digital copy of the filing on a compact disc; and,

- 9) Petitioner's Motion to Designate the Land Use Commission as Approving Agency for Environmental Statement under HRS Chapter 343 and For Authority to Prepare Environmental Impact Statement, Memorandum in Support of Motion, Appendix "1", and Certificate of Service.

The following documents in the subject docket were filed on April 23, 2015:

- 1) Petitioner's Affidavit of Notice of Filing Petition;
- 2) Exhibits "1" through "3"; and,
- 3) Certificate of Service.

The following documents in the subject docket were filed on May 1, 2017:

- 1) Amended Petition for Land Use District Boundary Amendment;
- 2) Exhibits "1" through "24";
- 3) Verification of Michael Atherton;
- 4) Affidavit of Mailing; and,
- 5) Certificate of Service.

The following documents in the subject docket were filed on June 9, 2017:

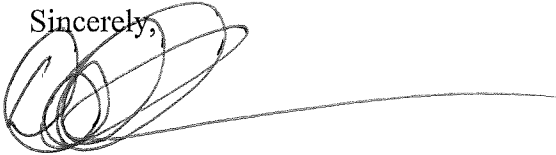
- 1) Updates to Exhibits 12 and 13 with metes and bounds descriptions of the subject petition boundaries signed and stamped by a licensed surveyor.

With the filing of the above documents the Petition for Land Use District Boundary Amendment is hereby deemed a proper filing and accepted for processing as of June 9, 2017.

Please be advised that in the event a notice of intent to intervene is filed with the LUC pursuant to §15-15-52(b), Hawai'i Administrative Rules (HAR), the Petitioner is required to serve a copy of the Petition upon the potential intervener and file an affidavit of Petitioner or its agent attesting to its compliance with §15-15-48(b), HAR.

Should you require clarification or further assistance in this matter, please contact Scott A.K. Derrickson, AICP, of my staff at 587-3921.

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Daniel E. Orodener
Executive Officer

cc: Leo Asuncion, State Office of Planning
Dawn Takeuchi-Apuna, State Attorney General
William Spence, County of Maui Planning Department