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**LAND USE COMMISSION**

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

January 23, 2017

Mr. Scott Glenn, Director  
Office of Environmental Quality Control  
235 South Beretania Street, Room 702  
Honolulu, Hawai'i 96813-2437

Dear Mr. Glenn:

Subject: Docket No. A15-798/Waikapū Properties, LLC.  
Final Environmental Impact Statement (FEIS) – Waikapū Country Town  
Waikapū, Maui, Hawai'i; Tax Map Keys: (2) 3-6-02:003 (por.); (2) 3-6-04:003  
(por.); (2) 3-6-04:006 (por.); and (2) 3-6-05:007 (por.)

At its meeting on January 18, 2017, the Land Use Commission accepted the FEIS for the subject project. We respectfully request the publication of this acceptance in the next available issue of *The Environmental Notice*.

Enclosed please find the following:

1. One hard copy of the Commission's Decision and Order Accepting the Final Environmental Impact Statement;
2. One hard copy of the OEQC Publication.

In addition, electronic pdf versions of this letter and the Commission's Decision and Order; and a Word version of the OEQC Publication Form have been sent via e-mail to your office.

Please feel free to contact Scott A.K. Derrickson, AICP, of my office at 587-3822, should you require clarification or any further assistance.

Sincerely,

DANIEL E. ORODENKER  
Executive Officer

Enclosures

cc: James W. Geiger, Esq. (w/ enclosures)  
Michael Summers, Planning Consultants Hawai'i, LLC (w/ enclosures)

## APPLICANT PUBLICATION FORM

Project Name:	Waikapu Country Town
Project Short Name:	Waikapu Country Town
HRS §343-5 Trigger(s):	Use of state or county lands or funds, a county plan amendment, and a wastewater treatment unit
Island(s):	Maui
Judicial District(s):	Wailuku
TMK(s):	(2) 3-6-002:001 & 003; (2) 3-6-004:003 & 006; (2) 3-6-005:007; and (2) 3-6-006:036
Permit(s)/Approval(s):	State Land Use District Boundary Amendment; various
Approving/Accepting Agency:	Department of Business, Economic Development & Tourism, Land Use Commission
<i>Contact Name, Email, Telephone, Address</i>	Daniel E. Orodener, Executive Officer, (808) 587-3822, <a href="mailto:dbedt.luc.web@hawaii.gov">dbedt.luc.web@hawaii.gov</a> P.O. Box 2359, Honolulu, HI 96804-2359
Applicant:	Waikapu Properties, LLC.
<i>Contact Name, Email, Telephone, Address</i>	Mike Atherton, 1670 Honoapiʻilani Highway Wailuku, HI 96793
Consultant:	Planning Consultants Hawaii, LLC
<i>Contact Name, Email, Telephone, Address</i>	Michael Summers, President, (808) 224-6231, <a href="mailto:msummers@planningconsultantshawaii.com">msummers@planningconsultantshawaii.com</a> 2331 W. Main Street, Wailuku, HI 96793

**Status (select one)** DEA-AFNSI**Submittal Requirements**

Submit 1) the approving agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the DEA, and 4) a searchable PDF of the DEA; a 30-day comment period follows from the date of publication in the Notice.

 FEA-FONSI

Submit 1) the approving agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEA, and 4) a searchable PDF of the FEA; no comment period follows from publication in the Notice.

 FEA-EISPN

Submit 1) the approving agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEA, and 4) a searchable PDF of the FEA; a 30-day comment period follows from the date of publication in the Notice.

 Act 172-12 EISPN  
("Direct to EIS")

Submit 1) the approving agency notice of determination letter on agency letterhead and 2) this completed OEQC publication form as a Word file; no EA is required and a 30-day comment period follows from the date of publication in the Notice.

 DEIS

Submit 1) a transmittal letter to the OEQC and to the approving agency, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the DEIS, 4) a searchable PDF of the DEIS, and 5) a searchable PDF of the distribution list; a 45-day comment period follows from the date of publication in the Notice.

 FEIS

Submit 1) a transmittal letter to the OEQC and to the approving agency, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEIS, 4) a searchable PDF of the FEIS, and 5) a searchable PDF of the distribution list; no comment period follows from publication in the Notice.

 FEIS Acceptance  
Determination

The approving agency simultaneously transmits to both the OEQC and the applicant a letter of its determination of acceptance or nonacceptance (pursuant to Section 11-200-23, HAR) of the FEIS; no comment period ensues upon publication in the Notice.

 FEIS Statutory  
Acceptance

The approving agency simultaneously transmits to both the OEQC and the applicant a notice that it did not make a timely determination on the acceptance or nonacceptance of the applicant's FEIS under Section 343-5(c), HRS, and therefore the applicant's FEIS is deemed accepted as a matter of law.

 Supplemental EIS  
Determination

The approving agency simultaneously transmits its notice to both the applicant and the OEQC that it has reviewed (pursuant to Section 11-200-27, HAR) the previously accepted FEIS and determines that

a supplemental EIS is or is not required; no EA is required and no comment period ensues upon publication in the Notice.

- Withdrawal Identify the specific document(s) to withdraw and explain in the project summary section.
- Other Contact the OEQC if your action is not one of the above items.

**Project Summary**

Provide a description of the proposed action and purpose and need in 200 words or less.

Waikapu Country Town is a mixed-use residential community proposed for development on approximately 499 acres within and around the Maui Tropical Plantation in Wailuku. The project site is about 2 miles south of Wailuku and adjacent to the southern boundary of Waikapu. 485 of the subject acres are in the State Land Use Agricultural District. Entitlement changes will be sought to bring State Land Use and County zoning designations into appropriate State and County urban and rural designations. Waikapu Country Town is designated a "Planned Growth Area" in the Maui Island Plan, December 2012.

The project includes a diversity of housing types, neighborhood commercial, employment uses, an elementary school, private water and wastewater systems, parks and open space. The project will comprise about 1,433 residential units and nearly 200,000 square-feet of commercial. The project includes an approximate 8-mile network of pedestrian and bicycle paths. The project's agricultural component encompasses about 1,077 acres which will remain in the State Agricultural District. The bulk of the agricultural lands, approximately 800 acres, will be dedicated in perpetuity to agricultural use. The Applicant desires to establish an agricultural park, a limited amount of renewable energy production and other permissible uses on these lands.