

ORIGINAL

**OFFICE OF PLANNING**

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LAND USE COMMISSION  
STATE OF HAWAII

2017 OCT 31 P 1:43

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of	)	DOCKET NO. A17-803
	)	
KEALIA PROPERTIES, LLC	)	OFFICE OF PLANNING'S RESPONSE
	)	TO PETITIONER'S MOTION TO
To Amend The Agricultural Land Use	)	DESIGNATE THE LAND USE
District Boundary Into The Urban Land Use	)	COMMISSION AS APPROVING
District For Approximately 53.361 Acres Of	)	AGENCY FOR ENVIRONMENTAL
Land At Kealia, Kawaihau, Puna, Island Of	)	STATEMENT UNDER HRS 343 AND
Kauai, State of Hawaii,	)	FOR AUTHORITY TO PREPARE
Tax Map No: (4) 4-7-004: por. 001	)	ENVIRONMENTAL IMPACT
	)	STATEMENT PREPARATION NOTICE;
	)	CERTIFICATE OF SERVICE

**OFFICE OF PLANNING'S RESPONSE TO PETITIONER'S MOTION TO DESIGNATE  
THE LAND USE COMMISSION AS APPROVING AGENCY FOR ENVIRONMENTAL  
STATEMENT UNDER HRS 343 AND FOR AUTHORITY TO PREPARE  
ENVIRONMENTAL IMPACT  
STATEMENT PREPARATION NOTICE**

THE OFFICE OF PLANNING, STATE OF HAWAII, has no objections to  
Petitioner Kealia Properties, LLC's request of the Land Use Commission  
("LUC") for the following:

1. Determine that the LUC will be the accepting authority and the approving  
agency for the Environmental Statement under Chapter 343, the Hawaii  
Revised Statutes;

2. Determine that an Environmental Impact Statement is likely to be required; and
3. Authorize Petitioner to prepare an Environmental Impact Statement Preparation Notice.

DATED: Honolulu, Hawaii, October 31, 2017.

OFFICE OF PLANNING  
STATE OF HAWAII

  
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LEO R. ASUNCION  
Director

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of	)	DOCKET NO. A17-803
	)	
KEALIA PROPERTIES, LLC	)	CERTIFICATE OF SERVICE
	)	
To Amend The Agricultural Land Use	)	
District Boundary Into The Urban Land Use	)	
District For Approximately 53.361 Acres Of	)	
Land At Kealia, Kawaihau, Puna, Island Of	)	
Kauai, State of Hawaii,	)	
<u>Tax Map No: (4) 4-7-004: por. 001.</u>	)	

**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.

BENJAMIN M. MATSUBARA  
CURTIS T. TABATA  
MATSUBARA, KOTAKE & TABATA  
88 Mililani Street, Suite 308  
Honolulu, Hawaii 96813

JODI HIGUCHI, ESQ.  
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Office of the County Attorney  
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MICHAEL DAHILIG, DIRECTOR  
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4444 Rice Street  
Lihue, Kauai, Hawaii 96766

KAUAI COUNTY PLANNING COMMISSION  
c/o Planning Department, County of Kauai  
4444 Rice Street  
Lihue, Kauai, Hawaii 96766

DATED: Honolulu, Hawaii, October 31, 2017.

OFFICE OF PLANNING  
STATE OF HAWAII

  
\_\_\_\_\_  
LEO R. ASUNCION  
Director