BEFORE THE LAND USE COMMISSION OF THE STATE OF HAWAII

In the Matter of the Petition of  
WAIKOLOA MAUKA, LLC

To Amend the Agricultural Land Use District Boundary Into the Rural Land Use District For Approximately 731.581 Acres Of Land in South Kohala District, Island Of Hawaii, State of Hawaii, Tax Map No: (3) 6-8-02: 016 (por.)

DOCKET NO. A06-767

OFFICE OF PLANNING’S COMMENTS TO LAND USE COMMISSION’S PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION AND ORDER REVERTING THE PETITION AREA

OFFICE OF PLANNING’S COMMENTS TO LAND USE COMMISSION’S PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION AND ORDER REVERTING THE PETITION AREA

On June 3, 2019, the Land Use Commission (hereinafter referred to as “LUC”) transmitted the proposed Findings of Fact, Conclusions of Law, and Decision and Order (hereinafter “Proposed D&O”) to the Office of Planning (hereinafter “OP”).

Except as set forth, OP has no comments or objections to the Proposed D&O.

I. PROCEDURAL HISTORY

1. No. 45. Last line has a typo. Rodney Funakoshi’s name is misspelled.
2. No. 66. Similarly, there is a typo and error in the last and second to the last line of this FOF. This should be corrected to Rodney Funakoshi (OP Land Use Division Administrator)

II. Finding of Fact
1. Page 28 Finding of Fact (FOF) no. 98. Condition 22. There is a typo in this sentence. The Commission may {folly} fully or...
2. Page 29 FOF 101. Revision suggested. Rather than “has not used” throughout, replaced with “failed to show it.”

III. CONCLUSIONS OF LAW
1. Page 51. No. 1. The last sentence has the number “48.” This might be a typo.
2. Page 59. No. 20. HAR 15-15-63 should also be cited

DATED: Honolulu, Hawaii, June 21, 2019

OFFICE OF PLANNING
STATE OF HAWAII

RODNEY FUNAKOSHI
Planning Program Administrator
BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of
) DOCKET NO. A06-767
WAIKOLOA MAUKA, LLC ) CERTIFICATE OF SERVICE
)
To Amend The Agricultural Land Use )
District Boundary Into The Rural Land Use )
District For Approximately 731.581 Acres )
Of Land At South Kohala, Island Of Hawaii, )
State of Hawaii, Tax Map No: (3) 6-8-02: 16 )
(por.)

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.

STEVEN S.C. LIM, Esq.
DEREK B. SIMON, Esq.
ASB Tower, Suite 2100
1001 Bishop Street
Honolulu, Hawaii 96813

JOSEPH K. KAMELAMELA, Esq.
Corporation Counsel
Department of the Corporation Counsel
County of Hawaii
Hilo Lagoon Centre
101 Aupuni Street, Unit 325
Hilo, Hawaii 96720

MICHAEL YEE, DIRECTOR
County of Hawaii
Department of Planning
Aupuni Center
101 Pauahi Street, Suite 3
Hilo, Hawaii 96720

OFFICE OF PLANNING
STATE OF HAWAII

[Signature]

RODNEY FUNAKOSHI
Planning Program Administrator