

# CARLSMITH BALL LLP

A LIMITED LIABILITY LAW PARTNERSHIP

121 WAIANUENUE AVENUE

P.O. Box 686

HILO, HAWAII 96721-0686

TELEPHONE 808.935.6644 FAX 808.935.7975

WWW.CARLSMITH.COM

KGARSON@CARLSMITH.COM

DSIMON@CARLSMITH.COM

August 6, 2020

LAND USE COMMISSION  
STATE OF HAWAII

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## VIA HAND DELIVERY

Mr. Daniel E. Orodenker  
Executive Officer  
State of Hawai'i Land Use Commission  
P.O. Box 2359  
Honolulu, Hawai'i 96804-2359

Re: LUC Docket No. A02-737 (U of N Bencorp)  
2020 Annual Report  
Tax Map Key Nos. (3) 7-5-010:085 & (3) 7-5-017:006

Dear Executive Officer Orodenker:

The Land Use Commission ("**Commission**") issued its *Findings of Fact, Conclusions of Law, and Decision and Order for a State Land Use District Boundary Amendment* ("**D&O**") in Docket No. A02-737 on August 8, 2003. The Petitioner under the D&O was the U of N Bencorp ("**UNB**"). The University of the Nations, Kona, Inc., a Hawai'i nonprofit corporation ("**UNK**"), is the successor-in-interest to UNB and the owner of those certain parcels of land reclassified under the D&O, presently identified by Tax Map Key Nos. (3) 7-5-010:085 and (3) 7-5-017:006 ("**Petition Area**"). UNK hereby submits its 2020 Annual Report in compliance with Condition No. 17 of the D&O.

In the past year and a half UNK has appeared numerous times before the Commission regarding its plans to pursue an amendment to the D&O to allow for the development of the Petition Area as an expansion of UNK's existing campus ("**2020 Master Plan**"). On March 23, 2020, UNK filed its *Motion to Amend the Findings of Fact, Conclusions of Law, and Decision and Order* ("**Motion to Amend**"), which seeks formal authorization from the Commission to proceed with developing the 2020 Master Plan. Most recently, on July 23, 2020, UNK provided a Status Report to the Commission, and the Commission subsequently dismissed the *Order to Show Cause*, filed in this Docket on March 29, 2019, without prejudice.

At the July 23rd Status Report, UNK informed the Commission that it will be conducting Chapter 343, Hawai'i Revised Statutes environmental review in connection with the Motion to Amend, with the Commission acting as the approving agency or accepting authority, as

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appropriate. UNK has since met with the Commission's staff, counsel for the State of Hawai'i Office of Planning, and the County of Hawai'i Planning Department to discuss Chapter 343 compliance for the Motion to Amend. In short order, UNK will return to the Commission with the appropriate motion to initiate the Chapter 343 process.

With respect to its compliance with the various other conditions of approval under the D&O, UNK incorporates by reference its responses in its 2008-2019 Annual Report, filed March 28, 2019, the Motion to Amend, and its other pleadings and filings in this Docket.

UNK greatly appreciates the Commission's willingness to work with UNK in moving forward with the 2020 Master Plan.

Sincerely,

A handwritten signature in black ink, appearing to read 'Derek B. Simon', with a stylized, flowing script.

Derek B. Simon

cc: Office of State Planning  
County of Hawaii, Planning Department  
client