

CADES SCHUTTE  
A Limited Liability Law Partnership

CALVERT G. CHIPCHASE 7757-0  
CHRISTOPHER T. GOODIN 8562-0  
STACEY F. GRAY 11125-0

Cades Schutte Building  
1000 Bishop Street, Suite 1200  
Honolulu, HI 96813-4212  
Telephone: (808) 521-9200  
Fax: (808) 521-9210  
Email: [cchipchase@cades.com](mailto:cchipchase@cades.com)  
[cgoodin@cades.com](mailto:cgoodin@cades.com)  
[sgray@cades.com](mailto:sgray@cades.com)

Attorneys for Applicant  
LĀNA‘I RESORTS, LLC dba PŪLAMA  
LĀNA‘I



BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of  
  
LĀNA‘I RESORTS, LLC dba PŪLAMA  
LĀNA‘I,

To Amend the Land Use District  
Boundaries of certain land situated at  
Lāna‘i City, Island of Lāna‘i, consisting  
of approximately 200 acres from the  
Agricultural District to the Urban  
District, Tax Map Key No. (2) 4-9-  
002:061 (por.)

Defendant.

DOCKET NO. A19-809

**MOTION TO ISSUE NOTICE OF A  
FINDING OF NO SIGNIFICANT  
IMPACT**

**EXHIBIT 1**

**CERTIFICATE OF SERVICE**

**MOTION TO ISSUE NOTICE OF A  
FINDING OF NO SIGNIFICANT IMPACT**

On September 6, 2019, Petitioner filed an Amended Motion Requesting the Land  
Use Commission to be the Approving Agency for an Environmental Assessment and

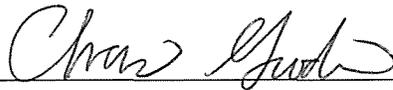
for Issuance of Anticipated Negative Declaration or Anticipated Finding of No Significant Impact (“FONSI”). In its December 13, 2019 Order granting the Motion, the Commission agreed to be the accepting authority pursuant to Hawai‘i Revised Statutes (“HRS”) chapter 343; determined that there was an anticipated FONSI; and directed Petitioner to prepare and file an Environmental Assessment with the State Department of Health, Office of Quality Control.

Thereafter, a Final Environmental Assessment was filed with the Commission. The Final Environmental Assessment concludes that the development will not have a significant effect in the context of HRS chapter 343 and Hawai‘i Administrative Rules (“HAR”) § 11-200.1-13.

Pursuant to HAR § 11-200.1-23 and 15-15-70 and based on the Final Environmental Assessment, Petitioner now moves for the Commission to issue notice of a FONSI. Attached hereto as Exhibit 1 is a proposed form of notice.

DATED: Honolulu, Hawai‘i, October 30, 2020.

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CALVERT G. CHIPCHASE  
CHRISTOPHER T. GOODIN  
STACEY F. GRAY

Appearing Counsel for Applicant  
LĀNA‘I RESORTS, LLC dba PŪLAMA  
LĀNA‘I

Director Kathleen Ho  
Office of Environmental Quality Control  
State of Hawai'i Department of Health  
235 S. Beretania Street, Room 702  
Honolulu, Hawai'i 96813

Subject: Notice of Finding of No Significant Impact (FONSI)  
Miki Basin Industrial Park,  
Tax Map Key: (2) 4-9-002:061 (portion),  
Lāna'i, Hawai'i

Dear Director Ho:

The Land Use Commission hereby issues a Finding Of No Significant Impact ("FONSI") for the Miki Basin Industrial Park situated at Tax Map Key ("TMK") (2) 4-9-002:061 (portion), Lāna'i, Hawai'i, pursuant to the Final Environmental Assessment ("FEA") by applicant Pūlama Lāna'i. Please publish the Miki Basin Industrial Park, TMK (2) 4-9-002:061 (portion), Lāna'i, Hawai'i (FEA/FONSI) in the next available edition of the Environmental Notice.

The Miki Basin Industrial Park is a 200-acre master-planned light and heavy industrial development on land adjoining the Lāna'i Airport, the Maui Electric Company 5-acre power plant, and the existing 20-acre Miki Basin Industrial Condominium. The project site is located on TMK (2) 4-9-002:061 (portion), approximately 3.2-miles south of Kamālapa'u Highway in Lāna'i City, Maui County, Hawai'i.

The following is a short summary of the proposed action. The project will provide 100-acres for light industrial uses and 100-acres for heavy industrial uses. The project expands much-needed industrially-zoned land as called for in the Lāna'i Community Plan. The 200-acre Miki Basin Industrial Park is anticipated to be developed incrementally over a period of thirty years.

As the approving agency, the Land Use Commission made the determination that the Miki Basin Industrial Park is not likely to have any significant effects and that an Environmental Impact Statement is not required. The Land Use Commission accepted the FEA/FONSI at the November 18, 2020 meeting for the Miki Basin Industrial Park by applicant Pūlama Lāna'i. This determination is supported by the testimony of expert witnesses, extensive research, and reporting conducted as part

## EXHIBIT 1

of the Land Use Commission proceedings and the Hawai'i Revised Statute Chapter 343 process by Pūlama Lāna'i's consultant Ho'okuleana LLC.

Sincerely,

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Chairman Jonathan Scheuer  
State of Hawai'i Land Use Commission  
Department of Business, Economic Development & Tourism  
235 S. Beretania Street, Room 406  
Honolulu, Hawai'i 96804  
Telephone: (808) 587-3822  
Fax: (808) 587-3827  
Email: [dbedt.luc.web@hawaii.gov](mailto:dbedt.luc.web@hawaii.gov)

Copy to:  
Pūlama Lāna'i  
Ho'okuleana LLC

BEFORE THE LAND USE COMMISSION  
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Defendant.

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**CERTIFICATE OF SERVICE**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served upon the  
following by depositing the same in the U.S. Postal Service.

OFFICE OF PLANNING  
State Office Tower  
235 S. Beretania Street  
Suite 600  
Honolulu, Hawai‘i 96813

COUNTY OF MAUI PLANNING DEPARTMENT  
2200 Main Street  
One Main Plaza, Suite 315  
Wailuku, Hawai‘i 96793

DATED: Honolulu, Hawai'i, October 30, 2020.

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A handwritten signature in black ink, appearing to read "Calvert G. Chipchase", written over a horizontal line.

CALVERT G. CHIPCHASE  
CHRISTOPHER T. GOODIN  
STACEY F. GRAY

Attorneys for Applicant

LĀNA'I RESORTS, LLC dba PŪLAMA  
LĀNA'I