

CADES SCHUTTE
A Limited Liability Law Partnership

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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.

On June 10, 2020, a Final Environmental Assessment (“**FEA**”) was filed with the Commission. The FEA was withdrawn on November 18, 2020 and a Second Draft Environmental Assessment was filed on November 17, 2021. Thereafter, a FEA was filed with the Land Use Commission. The FEA 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 FEA, 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, February 4, 2022.

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

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.

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 over a period of twenty 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 February 16, 2022 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 of the Land Use Commission proceedings and the Hawai'i Revised Statute Chapter 343 process by Pūlama Lāna'i's consultant Munekiyo Hiraga.

EXHIBIT 1

Sincerely,

Chairman Jonathan Scheuer
State of Hawai'i Land Use Commission

Tessa Munekiyo Ng, Environmental Professional
Munekiyo Hiraga

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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, February 4, 2022.

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