



LAND USE COMMISSION

Komikina Ho'ohana 'Āina

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

Ka 'Oihana Ho'omōhala Pā'oihana, 'Imi Wai wai a Ho'omāka'ika'i

235 S. Beretania Street, RM 406, Honolulu, Hawai'i 96813

Mailing Address: P.O. Box 2359, Honolulu, Hawai'i 96804

Email Address: dbedt.luc.web@hawaii.gov

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

DANIEL ORODENKER
LUC EXECUTIVE OFFICER

Telephone: (808) 587-3822

Fax: (808) 587-3827

Website: luc.hawaii.gov

August 7, 2023

Peggy Farias, President
W.H. Shipman, Limited
16-127 Lapa'au Road
Kea'au, Hawai'i 96749

SUBJECT: A84-570 - Delinquent Annual Reports and Status Report

Dear Ms. Farias:

Please be apprised that according to our records, the required annual reports for the Docket No. A84-570 have not been filed with the Commission.

Annual reports for the Docket are required to be filed by the Petitioner, in this case W.H. Shipman Limited, with the Commission pursuant to Condition No. 5 of the Findings of Fact, Conclusions of Law, and Decision and Order issued on July 02, 1993 (the "D&O"). Condition 5 reads:

"Petitioner shall provide annual reports to the Land Use Commission, the Office of State Planning, and the County of Hawai'i Planning Department in connection with the status of the subject property and the Petitioner's progress in complying with the conditions imposed."

In accordance with the D&O, annual reports are due prior to or on July 2nd of each year. Please note the D&O is available for review on the LUC website at:

<http://www.luc.hawaii.gov/a84-570>.

The Commission must receive the annual reports covering the entire Petition area, including the parcels of land in the Docket owned by various landowners, by January 2, 2024.

The format of the annual report should be composed of two sections. The first section should briefly discuss the general progress of the Petition area by Increment I and II, including any regulatory approvals pending/obtained. The second section should state verbatim, all conditions imposed by the Commission, followed by a brief report on all landowners' efforts to comply with each stated condition.

Please include, when possible, the dates of any required regulatory approval obtained or expected, the specific areas of the redistricted lands to which the compliance activity relates, and any other new information regarding the project (i.e., photos, future plans, etc.).

We require that an original of the annual report be filed with the Commission. An electronic copy must be filed, please be sure the file is ADA compliant. We also note that the D&O requires the annual report to be served upon the Office of Planning and Sustainable Development and the County of Hawai'i Planning Department.

Should you have any questions, please contact Scott Derrickson, at (808) 587-3921 or via email at scott.a.derrickson@hawaii.gov.

Sincerely,



Daniel Orodener
Executive Officer
Land Use Commission
State of Hawai'i

CC: Katia Balassiano and Alison Kato Esq. - State of Hawai'i *Office of Planning and Sustainable Development*
Zendo Kern and Jeff Darrow – County of Hawai'i *Planning Department*