

# SCHNEIDER TANAKA RADOVICH

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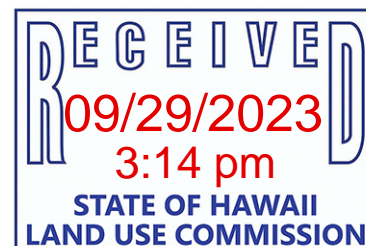
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September 29, 2023

Mr. Daniel E. Orodener, Executive Officer  
State of Hawaii Land Use Commission  
Department of Business, Economic Development &  
Tourism  
P.O. Box 2359  
Honolulu, Hawaii 96804-2359



Re: Supplemental Annual Report for 2022  
LUC Docket No. A92-686 – Pu'ukoli'i Mauka and Pu'ukoli'i Triangle

Dear Mr. Orodener:

We are the attorneys for Kaanapali Land Management Corp. ("KLMC"), a petitioner in the above-referenced docket (the "Docket").

On behalf of KLMC and pursuant to Condition 28 of that certain Findings Of Fact, Conclusions Of Law, And Decision And Order, entered on May 5, 1993, as amended by that certain Order Granting Motion To Substitute Parties And Modify Certain Conditions And Other Matters In The Findings Of Fact, Conclusions Of Law, And Decision And Order Dated May 5, 1993, entered on March 5, 2009, we submitted an Annual Report for the year 2022 by letter to you dated July 14, 2023 (a copy of which is enclosed) ("2022 Annual Report").

By letter to us dated August 28, 2023, and modified by email from Martina T. Segura to Diane Praywell on August 30, 2023, you requested a Supplemental 2022 Annual Report to include certain specifically listed additional information. This letter is submitted as such Supplemental 2022 Annual Report.

Requested Additional Information:

1. *Please submit the Ka'anapali 2020 Master Plan to the Commission. We require that an original electronic copy be filed. Upon submission please be sure the file is ADA compliant.*

KLMC Response:

Enclosed, and separately filed, in electronic form, directly to the Commission for the Docket in accordance with applicable regulations, is the Ka'anapali 2020 ("K2020") Master Plan (dated June 26, 2012) ("K2020 Master Plan"). As discussed in the 2022 Annual Report (with respect to Condition No. 1, as to Pu'ukoli'i Triangle), KLMC will need to obtain various entitlements in order to implement the K2020 Master Plan (including portions therein comprising the Pu'ukoli'i Triangle lands), including changing the State land use classification of certain lands covered by the K2020 Master Plan to the urban land district, obtaining or confirming appropriate County of Maui community plan and zoning designations, and confirming or clarifying affordable housing requirements with the Hawaii Housing Finance and Development Corporation ("HHFDC") and the County of Maui.

2. *Regarding Condition No. 22, please provide an expected date when KLMC expects to complete the conveyance of the School Site as required by this condition.*

KLMC Response:

As discussed in the 2022 Annual Report (with respect to Condition No. 22), KLMC expects to complete conveyance of the School Site, as required by Condition No. 22, in coordination with the State of Hawaii Department of Education and development of Pu'ukoli'i Mauka. KLMC is continuing efforts towards development of Pu'ukoli'i Mauka through third-party developers, which will include necessary development approvals for the first phase of homesites, including all infrastructure. An estimated date for conveyance of the School Site can and will be provided once such development approvals are obtained.

3. *Please provide the dates of any required regulatory approvals 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.). Be sure to include the expected development date for Pu'ukoli'i Triangle.*

KLMC Response:

See KLMC Response for item 2 above. As discussed in the 2022 Annual Report (with respect to Condition No. 1), on June 9, 2011 HHFDC approved the decertification of Pu'ukoli'i Triangle from Act 15. The recently updated West Maui Community Plan (effective January 31, 2022) established land use designations for the K2020 planning area, including Pu'ukoli'i Triangle. These land use designations are not entirely consistent with the K2020 Master Plan, and additional efforts will take place to continue with revised planning and with permitting and other regulatory approvals. Except as discussed in the 2022 Annual Report, no regulatory approvals relating to the Project have been obtained or are pending. Due to uncertainties in the regulatory environment and planning processes, an expected development date for Pu'ukoli'i Triangle cannot yet be provided.

Mr. Daniel E. Orodener, Executive Officer  
State of Hawaii Land Use Commission  
September 29, 2023  
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Please contact us if you have any questions or require further information.

Very truly yours,

SCHNEIDER TANAKA RADOVICH  
ANDREW & TANAKA,  
A Limited Liability Law Company

A handwritten signature in black ink that reads "Scott D. Radovich / RA". The signature is written in a cursive, flowing style.

Scott D. Radovich

Enclosures: 2022 Annual Report LUC Docket No. A92-686 (Pu'ukoli'i Mauka and Pu'ukoli'i  
Triangle), dated July 14, 2023

Ka'anapali 2020 Master Plan, dated June 26, 2012

cc: Aliko Biniaris and Ann Cua - County of Maui, Department of Planning (*via U.S. Mail*)  
Katia Balassiano and Mary Alice Evans - Office of Planning and Sustainable Development,  
State of Hawaii (*via U.S. Mail*)  
Chad Fukunaga - Kaanapali Land Management Corporation (*via E-mail*)