



LAND USE COMMISSION

Komikina Ho'ohana 'Āina

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

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November 27, 2023

Scott D. Radovich
Schneider Tanaka Radovich Andrew & Tanaka, LLLC.
1100 Alakea St., Suite 2100
Honolulu, Hawai'i 96813

SUBJECT: A92-686 – Pu'ukoli'i Mauka and Pu'ukoli'i Triangle
Status Report

Dear Mr. Radovich:

Pursuant to the Commission's request for a supplemental annual report and Condition No. 28 of the Commission's Original Findings of Fact, Conclusions of Law, and [Decision and Order](#) for a State Land Use District Boundary Amendment, filed on May 5th, 1993, and as amended by the [2009 Order of Amendment](#). On September 29, 2023, the Land Use Commission ("Commission") received the 2022 Supplemental Annual Report for A92-686 – Pu'ukoli'i Mauka and Pu'ukoli'i Triangle.

Please be advised due to inadequacies in the Supplemental Annual Report, the Petitioner, Hawai'i Housing and Financing and Development Corporation, County of Maui, and the Office of Planning and Sustainable Development are to appear before the Commission with a comprehensive status report on February 21, 2024.

Specifically, in review of the 2022 Annual Report, Supplemental Annual Report, and County Comment letter, the Land Use Commission has questions about the following:

- 1) The decertification and applicability of Act 15 (SLH 1988) S.B. NO.3287
- 2) The requirements of the Development Agreement, and the role of HHFDC in the K2020 Master Plan.
- 3) The overall status of complying with the 31 Conditions. The status explanations in the 2022 Annual Report and the 2022 Supplemental Annual Report are insufficient, often stating "This condition is acknowledged". Please provide milestone dates and a discussion of concrete steps being taken to comply with each condition.

A92-686 – Pu'ukoli'i Mauka and Pu'ukoli'i Triangle

November 27, 2023

Page 2

- 4) When reviewing the County of Maui Real Property Assessment for the property the 2023 tax class is listed as Agricultural.

In addition, in a letter dated August 28, 2023, the Land Use Commission requested the Kā'anapali 2020 Master Plan be submitted to the Commission, however, the Petitioner only sent the 2020 Master Plan Map. Please send an original ADA compliant electronic copy to the Commission at dbedt.luc.web@hawaii.gov .

Should you have any questions, please contact Martina Segura via email at martina.t.segura@hawaii.gov.

Sincerely,



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

CC: Katia Balassiano - Land Use Division Administrator, OPSD
Alison Kato, Esq. - OPSD Attorney General
Dean Minakami - HHFDC Executive Director
Kathleen Aoki - County of Maui Planning Director
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