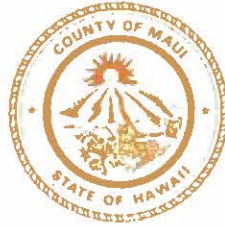


RICHARD T. BISSEN, JR.  
Mayor

KATE L. K. BLYSTONE  
Acting Planning Director



DEPARTMENT OF PLANNING  
COUNTY OF MAUI  
ONE MAIN PLAZA  
2200 MAIN STREET, SUITE 315  
WAILUKU, MAUI, HAWAII 96793

February 13, 2024



Mr. Paul Cheng  
Maui Oceanview LP  
4950 Westgrove Drive, Suite 105  
Dallas, Texas 75248

Dear Mr. Cheng:

**SUBJECT: 2021 AND 2022 ANNUAL REPORT FOR LUC DOCKET NO. A04-751 PULELEHUA, TMK: (2) 4-3-001: 082 AND 083 (PREVIOUSLY (2) 4-3-001: POR 31)**

The Department of Planning (Department) has reviewed the 2021 and 2022 Annual Report (Report) dated December 20, 2023 pursuant to Condition No. 31 of the Amended Decision and Order for Docket A04-751 from the State Land Use Commission. The Department recognizes the profound impact of the Lahaina Fire of August 8, 2023.

Upon review of the Report the Department learned of a legal filing in the Second Circuit Court numbered 2CCV-23-0000446 and dated December 29, 2023 in regards to fugitive dust control and the implementation of Best Management Practices in order to control such particulate. Therefore the Department requests additional information on compliance with Condition No. 24 of the Amended D&O for Docket A04-751 as it relates to the matter of implementation of dust control measures and an update on the aforementioned legal matter. **The Department requests that the Petitioner resubmit the compliance Report addressing dust mitigation matters.**

Should further clarification be necessary, please contact Staff Planner Kurt Wollenhaupt at [kurt.wollenhaupt@mauicounty.gov](mailto:kurt.wollenhaupt@mauicounty.gov) or at (808) 270-8205.

Sincerely,

A blue handwritten signature of Danny A. Dias.

DANNY A. DIAS  
Planning Program Administrator

for KATE L. K. BLYSTONE  
Acting Planning Director

xc: Jordan E. Hart, Planning Program Administrator (PDF)  
Kurt Wollenhaupt, Staff Planner (PDF)  
Daniel Orodnenker, Executive Officer, State Land Use Commission (PDF)  
Mary Alice Evans, Director, State Office of Planning (PDF)  
Paul Cheng, President, Maui Oceanview GP Inc. (PDF)  
Gilbert S. C. Keith-Agaran, Esquire (Mail)  
Earleen Tianio, Legal Assistant (Mail)  
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