

JASON McFARLIN

Attorney At Law

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MEMORANDUM

To: Property Owners in Wailuku-Kahului Project District 3 (aka Kehalani)

From: Jason McFarlin, Esq.

Date: August 14, 2020

Re: State Land Use Commission Docket No. A89-642

Dear Kehalani Property Owners,

The reason you are receiving this memo and the enclosed document is because you are listed as one of the current property owners of record in the Wailuku-Kahului Project District 3 subdivision (or "**Kehalani**"). In 1990, the lands that comprise Kehalani were owned by the same company (C. Brewer Properties) that owned the lands that comprise the Wailuku-Kahului Project District 2 (or "**Piihana**") subdivision. When C. Brewer Properties sought approval of the State Land Use Commission ("**LUC**") to reclassify the Kehalani and Piihana lands from the Agricultural land use district to the Urban land use district, they processed a single land use reclassification petition for both properties. While this might have been more efficient and cost-effective at the time, the result of this is that Kehalani and Piihana – two separate and unrelated projects - are covered by a single LUC approval entitled *Findings of Fact, Conclusions of Law, and Decision and Order*, dated January 30, 1990 (the "**Decision and Order**").

I represent the current property owners in Piihana and have filed the attached request (or motion) with the LUC to create a separate Decision and Order for each of Piihana and Kehalani¹. Because there is no longer any common ownership or connection between Piihana and Kehalani, this process (technically called "bifurcation") was recommended by the LUC. It will not result in any changes to the rights of any property owner in either Piihana or Kehalani. My understanding is that the bifurcation process was explained to the Kehalani Community Association board of directors in November of last year, and the board had no objections. A copy of the enclosed document will also be posted on the Kehalani Community Association's website (www.kehalani.org).

The LUC has tentatively scheduled a hearing for the bifurcation request for September 9-10, 2020. At this point, the LUC has not indicated whether this hearing will be an in-person hearing held on Maui, or whether it will be a virtual hearing conducted online. You are not required to attend or participate in the hearing. However, if you are interested, details as to the specific date and time of the hearing, and the means of participating should be available on the LUC's website (www.luc.hawaii.gov) by September 3, 2020. Go to the "Calendar" tab, and drop down to [LUC Meeting Agendas and Minutes](#).

Mahalo,
Jason McFarlin

Cc: Kehalani Community Association
c/o Hawaiian Management Company (Attn: Ms. Kathy Wong)

¹ In the interest of privacy, I have omitted from the attached document the addresses of the Piihana property owners, and the names and addresses of the Kehalani property owners.

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Attorney for Petitioners
WAILUKU PLANTATION LLC,
EDGAR SOMERA, FAY SOMERA,
LARRY S. SKY, DAYONG ZHAO,
XIU XIANG FANG, BONG HWA
SHI JORDAN; WENXIAO LIU and
ELISE TRAVIS

BEFORE THE LAND USE COMMISSION

STATE OF HAWAI'I

In the Matter of the Petition of) DOCKET NO. A89-642
)
C. BREWER PROPERTIES, INC.) PETITIONERS WAILUKU PLANTATION
) LLC, EDGAR SOMERA, FAY SOMERA,
To Amend the Agricultural Land Use District) LARRY S. SKY, DAYONG ZHAO, XIU
Boundary into the Urban Land Use District) XIANG FANG, BONG HWA SHI
for approximately 626 Acres Situate at) JORDAN; WENXIAO LIU and ELISE
Wailuku and Piihana, Maui, Hawaii, Tax) TRAVIS' MOTION FOR ORDER
Map Key Nos.: 3-5-01: Portion 01, Portion) BIFURCATING DOCKET NO. A89-642;
17; 3-4-07:02; 3-3-01:33, 39, and Portion 16;) MEMORANDUM IN SUPPORT OF
3-4-32:10, 18 and Portion 01) MOTION; AFFIDAVIT OF JASON
) MCFARLIN; NOTICE OF HEARING ON
) MOTION; CERTIFICATE OF SERVICE
)
) Hearing Date: September 9 - 10, 2020
) Hearing Time:
)
)
)

**PETITIONERS WAILUKU PLANTATION LLC, EDGAR SOMERA, FAY SOMERA,
LARRY S. SKY, DAYONG ZHAO, XIU XIANG FANG; BONG HWA SHI JORDAN;
WENXIAO LIU and ELISE TRAVIS' MOTION FOR ORDER
BIFURCATING DOCKET NO. A89-642**

Petitioners WAILUKU PLANTATION LLC ("Petitioner WP"), EDGAR SOMERA and
FAY SOMERA (collectively, "Petitioner Somera"), LARRY S. SKY ("Petitioner Sky"),

DAYONG ZHAO and XIU XIANG FANG (collectively, "Petitioner Zhao"), BONG HWA SHI JORDAN ("Petitioner Jordan"), WENXIAO LIU ("Petitioner Liu") and ELISE TRAVIS ("Petitioner Travis") together with Petitioner WP, Petitioner Somera, Petitioner Sky, Petitioner Zhao, Petitioner Jordan, Petitioner Liu and Petitioner Travis, (the "Petitioners"), by and through their undersigned counsel, hereby move the Land Use Commission of the State of Hawai'i (the "Commission") to:

(i) substitute Petitioner WP for the original petitioner in this Docket, C. Brewer Properties, Inc. (the "Original Petitioner"), with respect to the portion of the original Petition Area (as defined below) designated by TMK Nos. (2) 3-3-001:033, :039, and :016 (portion); (2) 3-4-032:010, :018, and :001 (portion) (the "Piihana Parcel"), and formally recognize Petitioner WP as a party to this Docket;

(ii) substitute Petitioner Somera for the Original Petitioner with respect to the portion of the Piihana Parcel designated by TMK No. (2) 3-4-032:018, and formally recognize Petitioner Somera as a party to this Docket;

(iii) substitute Petitioner Sky for the Original Petitioner with respect to the portion of the Piihana Parcel designated by TMK No. (2) 3-4-032:001 (portion), and formally recognize Petitioner Sky as a party to this Docket;

(iv) substitute Petitioner Zhao for the Original Petitioner with respect to the portion of the Piihana Parcel designated by TMK No. (2) 3-4-032:001 (portion), and formally recognize Petitioner Zhao as a party to this Docket;

(v) substitute Petitioner Jordan for the Original Petitioner with respect to the portion of the Piihana Parcel designated by TMK No. (2) 3-4-032:001 (portion), and formally recognize Petitioner Jordan as a party to this Docket;

(vi) substitute Petitioner Liu for the Original Petitioner with respect to the portion of the Piihana Parcel designated by TMK No. (2)-3-4-032-001 (portion), and formally recognize Petitioner Liu as a party to this Docket;

(vii) substitute Petitioner Travis for the Original Petitioner with respect to the portion of the Piihana Parcel designated by TMK No. (2) 3-4-032-001 (portion), and formally recognize Petitioner Travis as a party to this Docket;

(viii) bifurcate this Docket and issue a new docket number for the Piihana Parcel;

(ix) incorporate by reference all other pleadings, papers, legal memoranda, exhibits, and filings in Docket No. A89-642 into this matter; and

(x) confirm that although Petitioners and the Piihana Parcel shall remain subject to the same conditions as set forth in that certain Findings of Fact, Conclusions of Law, and Decision and Order dated January 30, 1990 (the “1990 D&O”), following issuance of a new docket number for the Piihana Parcel, Petitioners and the Piihana Parcel shall not be subject to any decision and/or order that may be issued by the Commission in this Docket, and likewise that any decision and/or order that may be issued by the Commission under the new docket number shall not affect or apply to any petitioners or property remaining in this Docket.

This Motion is brought pursuant to Hawai‘i Administrative Rules (“HAR”) sections 15-15-1, 15-15-70, and 15-15-71, and is supported by the attached memorandum of law, affidavit of Jason McFarlin, and the records and files contained in this docket.

Pursuant to HAR section 15-15-70(c), Petitioners hereby request a hearing on this Motion.

DATED: Wailuku, Hawai'i, 5/30/20.

Jason McFarlin

JASON MCFARLIN

Attorney for Petitioners WAILUKU
PLANTATION LLC, EDGAR SOMERA,
FAY SOMERA, LARRY S. SKY,
DAYONG ZHAO, XIU XIANG FANG,
BONG HWA SHI JORDAN, WENXIAO
LIU and ELISE TRAVIS

BEFORE THE LAND USE COMMISSION

STATE OF HAWAI'I

In the Matter of the Petition of) DOCKET NO. A89-642
)
C. BREWER PROPERTIES, INC.) MEMORANDUM IN SUPPORT OF
) MOTION
To Amend the Agricultural Land Use District)
Boundary into the Urban Land Use District)
for approximately 626 Acres Situate at)
Wailuku and Piihana, Maui, Hawaii, Tax)
Map Key Nos.: 3-5-01: Portion 01, Portion)
17; 3-4-07:02; 3-3-01:33, 39, and Portion 16;)
3-4-32:10, 18 and Portion 01)
)
_____)

MEMORANDUM IN SUPPORT OF MOTION

I. INTRODUCTION

Petitioners WAILUKU PLANTATION LLC (“Petitioner WP”), EDGAR SOMERA and FAY SOMERA (collectively, “Petitioner Somera”), LARRY S. SKY (“Petitioner Sky”), DAYONG ZHAO and XIU XIANG FANG (collectively, “Petitioner Zhao”), BONG HWA SHI JORDAN, (“Petitioner Jordan”), WENXIAO LIU, (“Petitioner Liu”) and ELISE TRAVIS (“Petitioner Travis”), together with Petitioner WP, Petitioner Somera, Petitioner Sky, Petitioner Zhao, Petitioner Jordan, Petitioner Liu and Petitioner Travis, (the “Petitioners”), move for an order (1) substituting Petitioners for the original petitioner in this Docket, C. Brewer Properties, Inc. (the “Original Petitioner”) with respect to the portions of the original Petition Area (as defined below) designated by TMK Nos. (2) 3-3-001:033, :039, and :016 (portion); (2) 3-4-032:010, :018, and :001 (portion) (the “Piihana Parcel”) owned by the Petitioners as described herein, and (2) bifurcating this Docket and issuing a new docket number for the Piihana Parcel.

Good cause exists for the substitution of the Petitioners for the Original Petitioner with respect to the Piihana Parcel as the Petitioners are the current fee owners of the Piihana Parcel. Moreover, bifurcation is appropriate because the owners of the Piihana Parcel and the Kehalani Parcel (as defined herein below) are not affiliated, do not have related plans of development for the respective parcels, and bifurcation will support just and efficient proceedings before the Land Use Commission of the State of Hawai‘i (the “Commission”). Accordingly, Petitioners respectfully request that the Commission grant their Motion to Bifurcate Docket No. A89-642 (the “Motion”).

II. RELEVANT BACKGROUND

In 1989, the Original Petitioner filed a Petition for District Boundary Amendment to amend the Land Use District Boundary to reclassify approximately 626 Acres situate at Wailuku and Piihana, Maui, Hawai‘i, specifically identified at the time as TMK Nos. (2) 3-5-001:001 (portion) and :017 (portion); (2) 3-4-007:002; (2) 3-3-001:033, :039, and :016 (portion); (2) 3-4-032:010, :018, and :001 (portion) (the “Petition Area”) from the Agricultural District to the Urban District. On January 30, 1990, the Commission issued that certain Findings of Fact, Conclusions of Law, and Decision and Order dated January 30, 1990 (the “1990 D&O”) reclassifying the Petition Area to the Urban District subject to certain conditions specified therein.

The Petition Area is comprised of two non-contiguous parcels, the Piihana Parcel and the Wailuku Project District No. 3, which is comprised of parcels formerly identified as TMK Nos. (2) 3-5-001:001 (portion) and :017 (portion); and (2) 3-4-007:002 (the “Kehalani Parcel”).

The Original Petitioner, through mesne assignments, conveyed the Piihana Parcel and the Kehalani Parcel to Kehalani Holdings Company, Inc. (“Kehalani Holdings”) and Kehalani Mauka LLC (“Kehalani Mauka”). In or around 2013, Kehalani Holdings and Kehalani Mauka conveyed

all of their interest in the Kehalani Parcel to RCFC Kehalani, LLC and all of their interest in the Piihana Parcel to RCFC Piihana, LLC (“RCFC Piihana”).

Then, through a series of conveyances in 2017, 2018, and 2019, RCFC Piihana conveyed the Piihana Parcel to Petitioner WP as follows:

- In 2017, 11.731 acres of the Piihana Parcel identified as TMK Nos. (2) 3-4-032:010, :001 (portion), and :018 (portion).
- In 2018, 41.706 acres of the Piihana Parcel identified as TMK Nos. (2) 3-3-001:016, :033, and :039.
- In 2019, 25.056 acres of the Piihana Parcel identified as TMK No. (2) 3-3-001:105.

Through these transactions, RCFC Piihana conveyed its entire ownership interest in the Piihana Parcel to Petitioner WP.

Following Petitioner WP’s acquisition of the Piihana Parcel, Petitioner WP sold portions of the Piihana Parcel to different landowners. The present ownership of the Piihana Parcel is as follows:

- Petitioner Sky, 0.56 acres, TMK No. (2) 3-4-032:001 (portion)
- Petitioner Somera, TMK No. (2) 3-4-032:018
- Petitioner Zhao, 0.764 acres and 0.833 acres, TMK No. (2) 3-4-032:001 (portion)
- Petitioner Jordan, 0.34 acres, TMK No. (2) 3-4-032:001 (portion)
- Petitioner Liu, 6,727 sq. ft, TMK No. (2) 3-4-032-001
- Petitioner Liu, 0.377 acre, TMK No. (2) 3-4-032-001
- Petitioner Travis, 0.525 acre TMK No. (2) 3-4-032-001

The Piihana Parcel is not yet developed. There are a number of exactions that Petitioner WP must fulfill before it can move forward with development. Petitioner WP continues to make meaningful progress towards developing the Piihana Parcel. Petitioner WP is currently working on obtaining financing for affordable housing units on the Piihana Parcel. Additionally, it is seeking bids for materials and construction for, among other things, offsite roadway

improvements, affordable housing, and construction of a bridge across Iao Stream. In comparison to the Piihana Parcel, the Kehalani Parcel is predominately developed. To date, there are over 1,500 completed residential units on the Kehalani Parcel, including affordable housing units.

III. ANALYSIS

A. SUBSTITUTION OF PARTY

Substitution of the Original Petitioner with the Petitioners is appropriate. HAR section 15-15-71 provides as follows:

Upon motion and for good cause shown, the commission may order substitution of parties, except that in the case of death of a party, substitution may be ordered without the filing of a motion.

The Petitioners respectfully request the Commission order substitution of the parties and recognize Petitioners as formal parties in this Docket as follows:

- substitute Petitioner WP for the Original Petitioner with respect to the Piihana Parcel identified as TMK Nos. (2) 3-3-001:033, :039, and :016 (portion); (2) 3-4-032:010, :018, and :001 (portion), and formally recognize Petitioner WP as a party to this Docket;
- substitute Petitioner Somera for the Original Petitioner with respect to the portion of the Piihana Parcel identified as TMK No. (2) 3-4-032:018, and formally recognize Petitioner Somera as a party to this Docket;
- substitute Petitioner Sky for the Original Petitioner with respect to the portion of the Piihana Parcel identified as TMK No. (2) 3-4-032:001 (portion), and formally recognize Petitioner Sky as a party to this Docket;
- substitute Petitioner Zhao for the Original Petitioner with respect to the portion of the Piihana Parcel identified as TMK No. (2) 3-4-032:001 (portion), and formally recognize Petitioner Zhao as a party to this Docket; and
- substitute Petitioner Jordan for the Original Petitioner with respect to the portion of the Piihana Parcel identified as TMK No. (2) 3-4-032:001 (portion), and formally recognize Petitioner Jordan as a party to this Docket.
- substitute Petitioner Liu for the Original Petitioner with respect to the portion of the Piihana Parcel identified as TMK No. (2) 3-4-032:001 (portion), and formally recognize Petitioner Liu as a party to this Docket.

- Substitute Petitioner Travis for the Original Petitioner with respect to the portion of the Piihana Parcel identified as TMK No. (2) 3-4-032-001 (portion), and formally recognize Petitioner Travis as a party to this Docket.

Good cause exists to substitute the Petitioners for the Original Petitioner with respect to the Piihana Parcel because the Petitioners are the current fee owners of the Piihana Parcel.

B. BIFURCATION OF DOCKET

The Commission has the inherent authority to manage proceedings before it in a just and efficient manner. HAR § 15-15-01. Bifurcation would support just and efficient proceedings before the Commission. A bifurcation is appropriate for the following reasons:

First, although the Piihana Parcel and the Kehalani Parcel originally had a common owner, that is no longer the case. The owners of the Piihana Parcel and the Kehalani Parcel are not related or affiliated entities. Further, the owners of each parcel do not have related plans of development. Bifurcation will allow the respective owners of the Piihana Parcel and the Kehalani Parcel to move forward without being encumbered by unrelated and unaffiliated parties.

Second, bifurcation will allow the Commission to consider the Piihana Parcel separately from the Kehalani Parcel. As discussed above, although the Piihana Parcel is not yet developed, Petitioner WP has been continuously working to develop the Piihana Parcel and obtain the requisite entitlements and financing. Bifurcation will allow the Commission to consider Petitioner WP's proposed development project on its own merits without consideration of the Kehalani Parcel and the development thereon. Bifurcation will thus allow Petitioner WP's project to move forward without unnecessary barriers to success.

Given the substantial differences between development on the Piihana Parcel and Kehalani Parcel, it would be grossly unjust and inefficient for the Commission to consider the two parcels under one docket. None of the parties involved would suffer any prejudice from the bifurcation

as the Petitioners are not moving to amend the conditions applicable to the Piihana Parcel under the 1990 D&O. Petitioners are also not proposing to bifurcate the Docket for each tax map key parcel contained within the Piihana Parcel. By this Motion, Petitioners are merely asking the Commission to bifurcate this Docket and issue a new docket number for the Piihana Parcel.

C. INSULATION FROM ORIGINAL DOCKET

Because the 1990 D&O will continue to affect the Piihana Parcel even if this Motion is granted, the Petitioners request that the Commission confirm in the order that the Petitioners and the Piihana Parcel will be insulated from any decision and/or order that may be issued by the Commission in the original Docket, and likewise that any decision and/or order that may be issued by the Commission under the new docket number shall not affect or apply to any petitioners or property remaining in the original Docket. This will help to clarify that the fate of the Piihana Parcel and the Kehalani Parcel will be determined by the actions of their respective owners, notwithstanding that the parcels may be covered by the conditions of the same 1990 D&O.

IV. CONCLUSION

Based upon the foregoing, the Petitioners respectfully request that the Commission grant the Motion.

DATED: Wailuku, Hawai'i, 5/30/20

JASON MCFARLIN
JASON MCFARLIN
Attorney for Petitioners WAILUKU
PLANTATION LLC, EDGAR SOMERA,
FAY SOMERA, LARRY S. SKY,
DAYONG ZHAO, XIU XIANG FANG,
BONG HWA SHI JORDAN, WENXIAO
LIU and ELISE TRAVIS

BEFORE THE LAND USE COMMISSION

STATE OF HAWAI'I

In the Matter of the Petition of) DOCKET NO. A89-642
)
C. BREWER PROPERTIES, INC.) AFFIDAVIT OF JASON MCFARLIN
)
To Amend the Agricultural Land Use District)
Boundary into the Urban Land Use District)
for approximately 626 Acres Situate at)
Wailuku and Piihana, Maui, Hawaii, Tax)
Map Key Nos.: 3-5-01: Portion 01, Portion)
17; 3-4-07:02; 3-3-01:33, 39, and Portion 16;)
3-4-32:10, 18 and Portion 01)

AFFIDAVIT OF JASON MCFARLIN

JASON MCFARLIN, being duly sworn on oath, deposes and says:

1. I am duly admitted to practice law in the State of Hawai'i and am the attorney for Petitioners WAILUKU PLANTATION LLC, EDGAR SOMERA, FAY SOMERA, LARRY S. SKY, DAYONG ZHAO, XIU XIANG FANG, BONG HWA SHI JORDAN, WENXIAO LIU and ELISE TRAVIS, in the above-referenced Docket.

2. I have read *Petitioners Wailuku Plantation LLC, Edgar Somera, Fay Somera, Larry S. Sky, Dayong Zhao, Xiu Xiang Fang, Bong Hwa Shi Jordan, WenXiao Liu and Elise Travis' Motion for Order Bifurcating Docket No. A89-642*, know the contents thereof, and that the contents therein are true to the best of my knowledge, information, and belief.

3. I have personal knowledge of the matters set forth in the foregoing Motion and am qualified and competent to make this Affidavit.

4. I make this Affidavit pursuant to Section 15-15-39 of the Hawai'i Administrative Rules.

Further Affiant sayeth naught.

Jason McFarlin
JASON B. MCFARLIN

This 2 page Affidavit of Jason B. McFarlin dated 5/29/2020, was subscribed and sworn to before me by Jason B. McFarlin on 5/29/2020, in the 2nd Circuit of the State of Hawai'i.

Melen Agcolicol
Name: Melen Agcolicol
Notary Public, State of Hawai'i

My commission expires: 4/19/2021



BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A89-642
)	
C. BREWER PROPERTIES, INC.)	NOTICE OF HEARING ON MOTION
)	
To Amend the Agricultural Land Use District)	
Boundary into the Urban Land Use District)	
for approximately 626 Acres Situate at)	
Wailuku and Piihana, Maui, Hawaii, Tax)	
Map Key Nos.: 3-5-01: Portion 01, Portion)	
17; 3-4-07:02; 3-3-01:33, 39, and Portion 16;)	
<u>3-4-32:10, 18 and Portion 01</u>)	

NOTICE OF HEARING ON MOTION

PLEASE TAKE NOTICE that the foregoing motion will be presented before the Land Use Commission, State of Hawaii on September 9-10, 2020, or as soon thereafter as counsel may be heard, PETITIONERS WAILUKU PLANTATION LLC, EDGAR SOMERA, FAY SOMERA, LARRY S. SKY, DAYONG ZHAO, XIU XIANG FANG, BONG HWA SHI JORDAN; WENXIAO LIU and ELISE TRAVIS', will bring on for hearing its MOTION FOR ORDER BIFURCATING DOCKET NO. A89-642.

Contact the Land Use Commission, State of Hawaii 1 week before the scheduled hearing to obtain time and Location at: (1) Website: luc.hawaii.gov ; (2) Phone (808) 462-1311 or (3) Email: riley.k.hakoda@hawaii.gov

DATED: Wailuku, Maui, Hawaii July 15, 2020.

/s/ Jason McFarlin

JASON MCFARLIN
Attorney for Petitioners WAILUKU
PLANTATION LLC, EDGAR
SOMERA, FAY SOMERA, LARRY S.
SKY, DAYONG ZHAO, XIU XIANG
FANG, BONG HWA SHI JORDAN,
WENXIAO LIU and ELISE TRAVIS

TO:

Office of the Lieutenant Governor
THE HONORABLE JOSH GREEN
Lieutenant Governor, State of Hawaii
State Capital
Honolulu, Hawaii 96813

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EDGAR & FAY SOMERA

BONG HWA SHI
JORDAN

ELISE TRAVIS

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Wailuku, Hawai'i 96793

DAYONG ZHAO

WENXIAO LIU

LARRY S. SKY

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition of) DOCKET NO. A89-642
)
C. BREWER PROPERTIES, INC.) CERTIFICATE OF SERVICE
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To Amend the Agricultural Land Use District)
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17; 3-4-07:02; 3-3-01:33, 39, and Portion 16;)
3-4-32:10, 18 and Portion 01)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document will be duly served upon the following persons in the manner indicated, by mailing said copy, postage prepaid, first class, in a United States post office (“M”), by hand delivery (“HD”), or by email (“E”) addressed as set forth below:

Office of the Lieutenant Governor (M,E)
THE HONORABLE JOSH GREEN
Lieutenant Governor, State of Hawaii
State Capital
Honolulu, Hawaii 96813

DANIEL ORODENKER, Executive Officer (M,E)
Land Use Commission, State of Hawai'i
235 South Beretania Street
Room 406, Leiopapa A Kamehameha Bldg.
Honolulu, Hawai'i 96813

DAWN T. APUNA, Esq. (M,E)
Deputy Attorney General
Department of the Attorney General
425 Queen Street
Honolulu, Hawai'i 96813

MARY ALICE EVANS, Director RODNEY FUNAKOSHI Office of Planning, State of Hawai'i 235 South Beretania Street Room 600, Leiopapa A Kamehameha Bldg. Honolulu, Hawai'i 96813	(M,E)
MICHELE CHOUTEAU MCLEAN, Director Planning Department, County of Maui One Main Plaza 2200 Main Street, Suite 315 Wailuku, Hawai'i 96793	(M,E)
MOANA LUTEY, Esq. MICHAEL HOPPER, Esq. Department of Corporation Counsel 200 South High Street, Room 322 Wailuku, Hawai'i 96793	(M,E)
RANDALL F. SAKUMOTO, Esq. KELSEY S. YAMAGUCHI, Esq. Five Waterfront Plaza, 4th Floor 500 Ala Moana Boulevard Honolulu, Hawai'i 96813	(M,E)
EVERETT DOWLING BRIAN IGE RCFC Kehalani, LLC 2005 Main Street Wailuku, Hawai'i 96793	(M)
EDGAR & FAY SOMERA	(M)
DAYONG ZHAO	(M)
BONG HWA SHI JORDAN	(M)

WENXIAO LIU

(M)

ELISE TRAVIS

(M)

LARRY S. SKY

(M)

DATED: Wailuku, Hawai'i, 08/14/2020.

/s/ Jason McFarlin

JASON MCFARLIN
Attorney for Petitioners WAILUKU
PLANTATION LLC, EDGAR SOMERA,
FAY SOMERA, LARRY S. SKY,
DAYONG ZHAO, XIU XIANG FANG,
BONG HWA SHI JORDAN, WENXIAO
LIU and ELISE TRAVIS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document will be duly served upon the following person(s) in the manner indicated, by mailing said copy, postage prepaid, first class, in a United States post office, addressed as set forth below:

DATED: Wailuku, Hawaii, 08/14, 2020.

/s/ Jason McFarlin

JASON MCFARLIN
Attorney for Petitioners WAILUKU
PLANTATION LLC, EDGAR SOMERA,
FAY SOMERA, LARRY S. SKY,
DAYONG ZHAO, XIU XIANG FANG,
BONG HWA SHI JORDAN, WENXIAO
LIU and ELISE TRAVIS