

DAVID Y. IGE  
Governor

SHAN S. TSUTSUI  
Lieutenant Governor

LUIS P. SALAVERIA  
Director

MARY ALICE EVANS  
Deputy Director



**LAND USE COMMISSION**  
Department of Business, Economic Development & Tourism  
State of Hawai'i

**FILE COPY**

**MAY 08 2016**

DANIEL E. ORODENKER  
Executive Officer

BERT K. SARUWATARI  
Planner

SCOTT A.K. DERRICKSON, AICP  
Planner

FRED A. TALON  
Drafting Technician

RILEY K. HAKODA  
Chief Clerk/Planner

April 19, 2016

Mr. Scott Glenn, Interim Director  
Office of Environmental Quality Control  
State Department of Health  
235 South Beretania Street, Suite 702  
Honolulu, Hawai'i 96813

Dear Mr. Glenn:

With this letter, the State Land Use Commission (LUC), transmits notice to withdraw the Environmental Impact Statement Preparation Notice (EISPN) titled Makila Rural Community Environment Impact Statement Preparation Notice. We transmitted this EISPN to your office for publication on October 27, 2015. Public notice of the EISPN was issued in the November 8, 2015 edition of The Environmental Notice. Enclosed is a completed OEQC Publication Form.

The applicant, Makila Land Co., LLC, has decided not to pursue the Makila Rural Community project at this time.

Therefore, the LUC requests the withdrawal of the subject EISPN for the Makila Rural Community project, previously proposed to be situated at TMK Nos. (2) 4-7-0013: 001 to 012, Lahaina District, Island of Maui, and terminate the HRS Chapter 343 review process.

Sincerely,

Daniel E. Orodener  
Executive Officer

Cc: PBR Hawai'i & Associates, Inc.  
Jennifer Lim, Esq. Carlsmith Ball LLP

OFF. OF ENVIRONMENTAL  
QUALITY CONTROL

16 APR 21 P1:52

RECEIVED

16-292

FILE COPY

APPLICANT PUBLICATION FORM

MAY 08 2016

Table with 2 columns: Field Name and Value. Fields include Project Name, Project Short Name, HRS §343-5 Trigger(s), Island(s), Judicial District(s), TMK(s), Permit(s)/Approval(s), Approving Agency, Contact Name, Email, Telephone, Address, Applicant, and Consultant.

Status (select one)

\_\_\_ DEA-AFNSI

Submittal Requirements

Submit 1) the approving agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the DEA, and 4) a searchable PDF of the DEA; a 30-day comment period follows from the date of publication in the Notice.

\_\_\_ FEA-FONSI

Submit 1) the approving agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEA, and 4) a searchable PDF of the FEA; no comment period follows from publication in the Notice.

\_\_\_ FEA-EISPN

Submit 1) the approving agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEA, and 4) a searchable PDF of the FEA; a 30-day comment period follows from the date of publication in the Notice.

\_\_\_ Act 172-12 EISPN ("Direct to EIS")

Submit 1) the approving agency notice of determination letter on agency letterhead and 2) this completed OEQC publication form as a Word file; no EA is required and a 30-day comment period follows from the date of publication in the Notice.

- DEIS Submit 1) a transmittal letter to the OEQC and to the approving agency, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the DEIS, 4) a searchable PDF of the DEIS, and 5) a searchable PDF of the distribution list; a 45-day comment period follows from the date of publication in the Notice.
- FEIS Submit 1) a transmittal letter to the OEQC and to the approving agency, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEIS, 4) a searchable PDF of the FEIS, and 5) a searchable PDF of the distribution list; no comment period follows from publication in the Notice.
- FEIS Acceptance Determination The approving agency simultaneously transmits to both the OEQC and the applicant a letter of its determination of acceptance or nonacceptance (pursuant to Section 11-200-23, HAR) of the FEIS; no comment period ensues upon publication in the Notice.
- FEIS Statutory Acceptance The approving agency simultaneously transmits to both the OEQC and the applicant a notice that it did not make a timely determination on the acceptance or nonacceptance of the applicant's FEIS under Section 343-5(c), HRS, and therefore the applicant's FEIS is deemed accepted as a matter of law.
- Supplemental EIS Determination The approving agency simultaneously transmits its notice to both the applicant and the OEQC that it has reviewed (pursuant to Section 11-200-27, HAR) the previously accepted FEIS and determines that a supplemental EIS is or is not required; no EA is required and no comment period ensues upon publication in the Notice.
- X Withdrawal Identify the specific document(s) to withdraw and explain in the project summary section.
- Other Contact the OEQC if your action is not one of the above items.

### Project Summary

NOTICE TO WITHDRAW: Makila Rural Community Environmental Impact Statement Preparation Notice. Public notice of the EISPN was issued in the November 8, 2015 edition of *The Environmental Notice*. The Applicant, Makila Land Co., LLC, has decided not to pursue the Makila Rural Community project at this time, and therefore wishes to terminate the HRS Chapter 343 review process for the Makila Rural Community project.

As proposed, the Makila Rural Community would have been located on approximately 271 acres in West Maui. Elements of the community may have included: 150 rural residential lots; 50 to 75 single-family workforce housing units; a central "village core" with a park; limited commercial space; and a community center.