



July 1, 2026

Land Use Commission  
Mr. Daniel Orodener  
State of Hawaii  
P.O. Box 2359  
Honolulu, HI 96804

RE: 2026 Annual Progress Report  
LUC Docket No. A84-570 W.H. Shipman, Limited  
(W.H. Shipman Business Park)

Dear Mr. Orodener,

Submitted herewith is our progress report.

**General Progress of Project**

The last Annual Report was submitted July 1, 2025.

We have completed subdivision and construction of Phase 1E consisting of 8 lots of approximately one-half acre in size each. We also completed a consolidation and resubdivision process to expand an existing Business Park lot in the vicinity of Phase 1E. Phase 1E is entirely contained within Increment I. We have no immediate plans for development in Increment II of the Business Park.

We anticipate closing the sale of the 8 lots within Phase 1E as well as the consolidated/resubdivided lot prior to the end of 2026.

16-127 Lapa'au Rd - Keaau, Hawaii 96749  
tel: 808-966-9325 \* fax: 808-966-8522  
[www.whshipman.com](http://www.whshipman.com)



### **Conditions and efforts to comply**

**Condition 1:** *Petitioner shall coordinate with the County of Hawaii and the State Department of Health regarding the establishment of appropriate systems to contain spills and prevent materials associated with industrial uses such as petroleum products, chemical or other pollutants, from adversely affecting the groundwater.*

**Response:** As mentioned in earlier reports, we recorded an additional amendment to the Covenants using language recommended by the State Health Department requiring improvements by each lot owner to mitigate against groundwater contamination. To our knowledge, all of our purchasers have complied with these requirements for groundwater protection.

**Condition 2:** *Petitioner shall comply with the requirements of the State Department of Health and the County of Hawaii Department of Public Works with respect to the installation of the projects sewage system.*

**Response:** Plans and specifications have been approved and constructed in accordance the State Department of Health and the County of Hawaii Department of Public Works with respect to the installation of wastewater treatment systems for each lot as it has been further developed by the purchaser. To our knowledge all purchasers have complied and have approved sewage systems.

**Condition 3:** *Storage and/or disposal of hazardous wastes shall be approved by the Department of Health prior to their establishment on the Property.*

**Response:** We will comply with Condition 3.

**Condition 4:** *Petitioner shall complete the proposed project in substantial compliance with the representations made before the Land Use Commission. Failure to so develop the Property may result in reversion of the Property to its former land use classification, or change to a more appropriate classification.*

**Response:** We are continuing to develop the Property in substantial compliance with our representations before the Land Use Commission. Below is the projected schedule:

- Year 2026: 8 lots, approximately 25,000 square feet, will be sold. Engineering plans for the next phase of 8 lots, approximately 25,000 square feet, will be developed.
- Year 2027: Construction and sale of 8 lots. Engineering plans for the next 8 lots will be developed.

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We plan to develop the Business Park in 8-lot increments, depending on market conditions.

**Condition 5:** *Petitioner shall provide annual reports to the Land Use Commission, the Office of State Planning, and the County of Hawaii Planning Department in connection with the status of the subject property and the Petitioner's progress in complying with the conditions imposed.*

**Response:** Reports will be submitted annually.

**Condition 6:** *The Land Use Commission may fully or partially release these conditions as to all or any portion of the Property upon timely motion and upon the provision of adequate assurance of satisfaction of these conditions by the Petitioner.*

**Response:** We have not requested any such release.

**Condition 7:** *The conditions imposed by the Land Use Commission shall be recorded with the Bureau of Conveyances and Land Court of the State of Hawaii, if applicable, pursuant to Section 15-15-92, H.A.R.*

**Response:** These have been recorded, as mentioned in earlier reports.

**Condition 8:** *Within 7 days of the issuance of the Commission's Decision and Order for the subject reclassification, Petitioner shall (a) record with the Bureau of Conveyances or Land Court of the State of Hawaii, whichever is appropriate, a Statement to the effect that the Property is subject to conditions imposed by the Land Use Commission in the reclassification of the Property, and (b) shall file a copy of such recorded statement with the Commission.*

**Response:** This was done, as mentioned in earlier reports.

Sincerely,

Margaret E.M. Farias  
*President*

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cc: Office of Planning  
Planning Department, County of Hawaii

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