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Attorneys for COUNTY OF HAWAII

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of

HONOIPU HIDEAWAY, LLC

For Boundary Interpretation of certain land consisting of approximately 17.5470 acres situated at 56-102 Old Coast Guard Road, Tax Map Key No. (3) 5-6-001:074, Kapaa-Upolu, North Kohala, County of Hawai'i, State of Hawai'i.

DOCKET NO. DR21-73

**COUNTY OF HAWAII'S STATEMENT OF NO POSITION AND NOTICE OF NON-APPEARANCE; CERTIFICATE OF SERVICE**

HEARING

Date: April 22, 2026

Time: TBD

**COUNTY OF HAWAII'S STATEMENT OF NO POSITION AND NOTICE OF NON-APPEARANCE**

COUNTY OF HAWAII ("County"), by and through its undersigned counsel, pursuant to Land Use Commission Rules, Hawai'i Administrative Rules § 15-15-55, states that, following a review of the records of the Planning Department, the County's interaction with the Petitioner remains limited to Special Management Area review. The County continues to believe that a determination regarding changes to state land use boundaries, whether by boundary amendment

procedure or by the correction of an error through a boundary interpretation, is the jurisdiction of the Land Use Commission and not the County. Therefore, the County takes no position regarding Petitioner's petition for Declaratory Order for Boundary Interpretation filed on June 25, 2021, as remanded by the Hawai'i Supreme Court in their opinion Honoipu Hideaway, LLC v State of Hawai'i, Land Use Commission issued on August 28, 2025.

Unless otherwise ordered by the Land Use Commission, the County will not appear at the scheduled hearing nor will the County file any further documents in this matter.

Dated: Hilo, Hawai'i February 25, 2026

COUNTY OF HAWAI'I

/s/ Jean K. Campbel  
JEAN K. CAMPBELL  
Deputy Corporation Counsel  
Its Attorney

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CERTIFICATE OF SERVICE

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served upon the following parties identified below at their respective addresses by depositing the same in the United States Postal Service (USPS), postage prepaid on February 25, 2026.

TO:

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Dated: Hilo, Hawai'i, February 25, 2026.

/s/Jean K. Campbell  
JEAN K. CAMPBELL  
Deputy Corporation Counsel