

permitted only by and requires a District Boundary Amendment, or whether it may be permitted by a Special Use Permit.

I. NAME, ADDRESS, AND TELEPHONE NUMBER OF PETITIONER

Komar is a Hawaii limited liability company. Komar's mailing address is 23 Corporate Plaza Drive, Suite 247, Newport Beach, California 92660, and its telephone number is (949) 718-4844.

The law firm of Starn O'Toole Marcus & Fisher has been retained to represent Komar in accordance with HAR § 15-15-35(b).

Komar respectfully requests that all correspondence and communication regarding this Petition be addressed to and served upon the undersigned counsel at:

Starn O'Toole Marcus & Fisher
A Law Corporation
Pacific Guardian Center, Makai Tower
733 Bishop Street, Suite 1900
Honolulu, HI 96813

In connection with the filing of this Petition, Komar has authorized the undersigned counsel to act on their behalf with respect to this matter.

II. STATEMENT OF PETITIONER'S INTEREST IN THE SUBJECT MATTER

Komar owns and manages the Property and therefore has a direct and substantial interest in the subject matter of this Petition sufficient to request a declaratory order.

Komar intends to pursue development of the Property as a landfill and seeks clarification from the LUC regarding the appropriate land use approval process applicable to such use. The determination of whether a District Boundary Amendment or Special Use Permit is required materially affects the scope, timing, and cost of the entitlement process. Because landfill development entails substantial environmental review, engineering analysis, and regulatory

permitting, Komar seeks this declaratory ruling prior to initiating formal proceedings in order to avoid expending significant resources under an incorrect procedural framework.

Whether a landfill may properly be authorized through the Special Use Permit process has been a recurring topic of discussion in LUC proceedings in matters involving landfill expansion and modification, with commissioners in several matters questioning whether such activity, given its scale, permanence, and impact on Agricultural District lands, is more appropriately addressed through a District Boundary Amendment.¹ Notwithstanding those concerns, and largely as a matter of historical practice and previously issued approvals, landfill operations have continued to be processed through special permit amendments, and the LUC has not squarely resolved the procedural question.² This Petition is therefore submitted to obtain clarity and certainty from the LUC and to ensure that the appropriate statutory mechanism is followed, rather than continuing a potentially inconsistent practice.

¹ Most recently, in 2020, the County of Maui sought a fourth amendment to its Special Use Permit for the Central Maui Landfill to allow expansion of the landfill and extension of the permit term. During the proceedings, commissioners discussed whether a landfill of such scale and permanence is more appropriately addressed through a District Boundary Amendment rather than continued reliance on the Special Use Permit process. See Transcript of Proceedings, In re County of Maui, No. SP97-390, Land Use Comm'n, State of Hawai'i (July 8–9, 2020). The amendment to the Special Use Permit was ultimately approved; however, **the approval was expressly conditioned upon the County “commenc[ing] the process to seek a district boundary amendment with the LUC for the approximately 95.659 acres of the total permitted area of the [Central Maui Landfill] within five years of the LUC’s Decision and Order for the [County]’s Fourth Amendment Request.”** See In re County of Maui, No. SP97-390 (Haw. Land Use Comm’n, Aug. 13, 2020) (Order Granting Land Use Commission Staff’s Request to Issue an Errata to the Findings of Fact, Conclusions of Law, and Decision and Order Approving with Modifications the Recommendation of the County of Maui Planning Commission to Approve a Fourth Amendment to the Land Use Commission Special Permit).

² The County of Maui currently operates various landfill facilities within the Agricultural District authorized through the State Special Use Permit process, including, without limitation, the Central Maui Landfill (SP97-390) and Hana Landfill (SP08-402).

III. RELEVANT FACTS

The Property is owned in fee simple by Komar. The Property is situated along Pūlehu Road and is identified as TMK No. (2) 3-8-003-020, at Pu‘unēnē, Wailuku, Maui, Hawai‘i. The Property consists of approximately 19.66 acres of land within the State Land Use Agricultural District.

The Property is surrounded by land classified within the Agricultural District, including the Central Maui Landfill (which is currently authorized to operate as a landfill pursuant to a Special Use Permit). One parcel located southeast of the Property is currently utilized for Maui Electric Company, Ltd.’s Waena Battery Energy Storage System project. That parcel was reclassified from the State Land Use Agricultural District to the State Land Use Urban District through a District Boundary Amendment to accommodate that use.

The figure below from the State GIS map shows the State Land Use District boundaries applicable to the Property and surrounding parcels, with the lands classified within the Agricultural District highlighted in green and the lands classified within the Urban District highlighted in red.



The figure below³ depicts the Property (highlighted in red) and the area currently permitted for landfill use as part of the Central Maui Landfill pursuant to State Special Use Permit No. SP97-390 (highlighted in yellow).



The Property contains lands with soils classified by the Land Study Bureau's ("*LSB*") detailed land classification as overall (master) productivity rating class "A," which is the highest productivity rating. The Property is classified as Prime Agricultural Land under the Agricultural Lands of Importance to the State of Hawai'i system, indicating that it has the soil quality, growing season, and moisture supply necessary to produce sustained, high crop yields economically when treated and managed in accordance with modern farming methods.

³ This is an excerpt of Exhibit "A" of the Findings of Fact, Conclusions of Law, and Decision and Order Approving with Modifications the Recommendation of the County of Maui Planning Commission to Approve a Fourth Amendment to the Land Use Commission Special Permit for the Central Maui Landfill. The highlighting and annotations were added here for illustrative purposes.

The Property is currently vacant. Komar plans to develop the Property as a landfill and seeks clarification regarding the appropriate land use approval process applicable to such use prior to pursuing land use entitlements.

IV. STATUTORY PROVISIONS AND RULES IN QUESTION

HRS § 205-2(a), governing the establishment of Agricultural District boundaries, provides in relevant part:

(3) In the establishment of boundaries of agricultural districts the greatest possible protection shall be given to those lands with a high capacity for intensive cultivation

For lands classified as Class “A” under the Land Study Bureau’s detailed land classification, HAR § 15-15-25(a) provides that “[p]ermissible uses within agricultural district land classified by the land study bureau’s detailed land classification as overall (master) productivity rating class A . . . shall be those uses set forth in section 205-4.5, HRS.”

HRS § 205-4.5(a) provides:

Within the agricultural district, all lands with soil classified by the land study bureau’s detailed land classification as overall (master) productivity rating class A or B, . . . shall be restricted to the following permitted uses:

- (1) Cultivation of crops, including crops for bioenergy, flowers, vegetables, foliage, fruits, forage, and timber;
- (2) Game and fish propagation;
- (3) Raising of livestock . . . ;
- (4) Farm dwellings, employee housing, farm buildings, or activities or uses related to farming and animal husbandry . . . ;
- (5) Public institutions and buildings that are necessary for agricultural practices;
- (6) Public and private open area types of recreational uses, including day camps, picnic grounds, parks, and riding stables, but not including dragstrips, airports, drive-in theaters, golf courses, golf driving ranges, country clubs, and overnight camps;
- (7) Public, private, and quasi-public utility lines and roadways, transformer stations, communications equipment buildings, solid waste transfer stations, major water storage tanks, and appurtenant small buildings such as booster pumping stations, but not including

offices or yards for equipment, material, vehicle storage, repair or maintenance, treatment plants, corporation yards, or other similar structures;

- (8) Retention, restoration, rehabilitation, or improvement of buildings or sites of historic or scenic interest;
- (9) Agricultural-based commercial operations as described in section 205-2(d)(15);
- (10) Buildings and uses, including mills, storage, and processing facilities, maintenance facilities, photovoltaic, biogas, and other small-scale renewable energy systems producing energy solely for use in the agricultural activities of the fee or leasehold owner of the property, and vehicle and equipment storage areas that are normally considered directly accessory to the above-mentioned uses and are permitted under section 205-2(d);
- (11) Agricultural parks;
- (12) Plantation community subdivisions, which as used in this chapter means an established subdivision or cluster of employee housing, community buildings, and agricultural support buildings on land currently or formerly owned, leased, or operated by a sugar or pineapple plantation; . . .
- (13) Agricultural tourism conducted on a working farm, or a farming operation as defined in section 165-2, for the enjoyment, education, or involvement of visitors; provided that the agricultural tourism activity is accessory and secondary to the principal agricultural use and does not interfere with surrounding farm operations; . . .
- (14) Agricultural tourism activities, including overnight accommodations of twenty-one days or less, for any one stay within a county; . . .
- (15) Wind energy facilities . . . ;
- (16) Biofuel processing facilities . . . ;
- (17) Agricultural-energy facilities . . . ;
- (18) Construction and operation of wireless communication antennas . . . ;
- (19) Agricultural education programs conducted on a farming operation as defined in section 165-2, for the education and participation of the general public; provided that the agricultural education programs are accessory and secondary to the principal agricultural use of the parcels or lots on which the agricultural education programs are to occur and do not interfere with surrounding farm operations . . . ;
. . .
- (22) Geothermal resources exploration and geothermal resources development, as defined under section 182-1;
- (23) Hydroelectric facilities . . . ;
- (24) Notwithstanding any other law to the contrary, composting and co-composting operations; provided that operations that process their own green waste and do not require permits from the department of

health shall use the finished composting product only on the operation's own premises to minimize the potential spread of invasive species.

HRS § 205-4.5(b) further governs the scope of permissible uses within the Agricultural District and provides, in relevant part, that:

Within agricultural districts, uses compatible to the activities described in section 205-2 as determined by the commission shall be permitted; provided that accessory agricultural uses and services described in sections 205-2 and 205-4.5 may be further defined by each county by zoning ordinance.⁴

Under HRS § 205-4.5(b), “[u]ses not expressly permitted in subsection (a) shall be prohibited, except the uses permitted as provided in section 205-6 and 205-8,⁵ and construction of single-family dwellings on lots existing before June 4, 1976.”

HRS § 205-6 sets forth the standards applicable to the Special Use Permit process and provides, in relevant part:

(a) Subject to this section, the county planning commission may permit certain unusual and reasonable uses within agricultural and rural districts other than those for which the district is classified. Any person who desires to use the person’s land within an agricultural . . . district other than for an agricultural . . . use . . . may petition the planning commission of the county within which the person’s land is located for permission to use the person’s land in the manner desired. . . .

(c) The county planning commission may, under such protective restrictions as may be deemed necessary, permit the desired use, but only when the use would promote the effectiveness and objectives of this chapter.

(d) Special permits for land the area of which is greater than fifteen acres . . . shall be subject to approval by the land use commission. The land use commission may impose additional restrictions as may be necessary or appropriate in granting the approval, including the adherence to representations made by the applicant.

⁴ The County of Maui has no ordinance allowing landfill as an accessory use in an agricultural district.

⁵ HRS § 205-8 governs nonconforming uses and does not apply to the proposed landfill use.

HAR § 15-15-95 provides the following guidelines for determining whether a use is “unusual and reasonable”:

- (1) The use shall not be contrary to the objectives sought to be accomplished by chapters 205 and 205A, HRS, and the rules of the commission;
- (2) The proposed use would not adversely affect surrounding property;
- (3) The proposed use would not unreasonably burden public agencies to provide roads and streets, sewers, water drainage and school improvements, and police and fire protection;
- (4) Unusual conditions, trends, and needs have arisen since the district, boundaries and rules were established; and
- (5) The land upon which the proposed use is sought is unsuited for the uses permitted within the district.

HRS § 205-3.1(a) provides: “District boundary amendments involving . . . land areas greater than fifteen acres . . . shall be processed by the land use commission pursuant to section 205-4.”

V. STATEMENT OF PETITIONER’S INTERPRETATION OF THE STATUTE OR RULE

The proposed landfill appears to require a District Boundary Amendment. A landfill is not a permitted use within the Agricultural District under HRS § 205-4.5(a), and while certain non-permitted uses may be allowed by special permit, this mechanism is intended to address only “unusual and reasonable” uses that do not alter the essential character of the Agricultural District and that promote the effectiveness and objectives of Chapter 205. A landfill is neither incidental nor compatible with agricultural use. Rather, it is a long-term, intensive, and fundamentally non-agricultural activity that permanently alters the character and utility of the land. As such, it exceeds the limited scope of a special permit and instead requires formal reclassification through a District Boundary Amendment.

VI. MEMORANDUM OF AUTHORITIES

a. The LUC Has Jurisdiction

Under HAR § 15-15-98(a), “[o]n petition of an interested person, the commission may issue a declaratory order as to the applicability of any statutory provision or of any rule or order of the commission to a specific factual situation.” In addition, HAR § 15-15-98(c) provides that the Commission may issue a declaratory order “to terminate a controversy or to remove uncertainty.” Thus, the LUC has jurisdiction to issue a declaratory order addressing the applicability of the approval processes set forth in HRS Chapter 205, including whether the proposed use is subject to the Special Use Permit process under HRS § 205-6 or instead requires a District Boundary Amendment under HRS § 205-4, and to remove uncertainty regarding the appropriate approval process. See HAR § 15-15-98(a), (c); see also HRS § 91-8 (“Any interested person may petition an agency for a declaratory order as to the applicability of any statutory provision or of any rule or order of the agency. Each agency shall adopt rules prescribing the form of the petitions and the procedure for their submission, consideration, and prompt disposition.”).

HAR § 15-15-100 provides that, upon submission of a petition for declaratory order, the LUC must either: (1) deny the petition on grounds set forth in the rule; (2) issue a declaratory order on the matters contained in the petition; or (3) set the petition for hearing before the LUC or a hearings officer. HAR § 15-15-100 provides that the LUC shall deny a petition where:

- (A) The question is speculative or purely hypothetical and does not involve an existing situation or one which may reasonably be expected to occur in the near future; or
- (B) The petitioner’s interest is not of the type which confers sufficient standing to maintain an action in a court of law; or
- (C) The issuance of the declaratory order may adversely affect the interest of the State, the commission, or any of the officers or employees in any litigation which is pending or may be reasonably be expected to arise; or
- (D) The petitioner requests a ruling on a statutory provision not administered by the

commission or the matter is not otherwise within the jurisdiction of the commission”

None of the grounds for denial set forth in HAR § § 15-15-100 are present here. First, the question presented is not speculative or hypothetical. Petitioner owns the Property and, in order to proceed with the use of the Property proposed herein and pursue the appropriate approvals, and given the history of the LUC not squarely resolving whether a special use permit or district boundary amendment is required, seeks a declaratory order regarding the applicable approval process. Second, Petitioner has a direct interest in the matter because it owns the Property that is the subject of this Petition and intends to develop the Property as a landfill. Third, Petitioner is not aware of any pending or reasonably anticipated litigation involving the State, the LUC, or any of their officers or employees that would be adversely affected by issuance of the requested declaratory order. Finally, the Petition seeks a ruling on the applicability of provisions of HRS Chapter 205, which are administered by the LUC, and therefore fall within its jurisdiction. Accordingly, the Petition satisfies the requirements for consideration of a declaratory order under HAR § 15-15-98, et seq., and does not trigger any grounds to deny issuance of such an order under HAR § 15-15-100.

b. HRS Chapter 205 Establishes a Framework Intended to Protect Agricultural Lands for Agricultural Use

Hawai‘i’s land use system is grounded in a longstanding legislative commitment to preserve and protect agricultural lands, particularly those capable of productive cultivation. In 1961, the Legislature enacted HRS Chapter 205, establishing the State Land Use District system “to preserve, protect and encourage the development of the lands in the State for those uses to which they are best suited for the public welfare.” See Curtis v. Board of Appeals, County of Hawai‘i, 90 Hawai‘i 384, 396, 978 P.2d 822, 834 (1999) (quoting 1961 Haw. Sess. Laws Act 187,

§ 1); see also Ho‘omoana Foundation v. Land Use Commission, 152 Hawai‘i 337, 345, 526 P.3d 314, 322 (2023) (“The ‘overarching purpose’ of HRS chapter 205 is to ‘protect and conserve natural resources and foster intelligent, effective, and orderly land allocation and development.’”); In re Haw. Elec. Light Co., 152 Hawai‘i 352, 359, 526 P.3d 329, 336 (2023) (“[A]n agency must perform its statutory function in a manner that fulfills the State’s affirmative constitutional obligations” (internal quotation marks omitted)). The statute reflects the State’s policy to safeguard lands suited for agriculture from conversion to incompatible uses.

In implementing this framework, the Legislature further directed that, in establishing Agricultural District boundaries, “the greatest possible protection shall be given to those lands with a high capacity for intensive cultivation.” HRS § 205-2(a).

This policy commitment was later reinforced at the constitutional level. Specifically, Article XI, Section 3 of the Hawaii Constitution mandates that “[t]he State shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands.”

Taken together, Chapter 205 and Article XI establish a clear and enduring principle: Agricultural District lands, especially those suitable for intensive cultivation, are to be conserved for agricultural purposes and may not be converted to fundamentally incompatible uses absent strict compliance with the statutory procedures governing district boundaries and permitted uses.

c. A Landfill is Not a Permitted Use Within the Agricultural District

A landfill is not a permitted use within the Agricultural District and, by its nature, is inconsistent with the agricultural purposes for which the district was established. HRS § 205-4.5(a) sets forth the specific uses allowed within the Agricultural District and specifically land classified as “A” in the LSB’s detailed land classification system. Under HAR § 15-15-23, uses

not expressly permitted within a district are prohibited. Certain accessory uses are permitted but they must be compatible with the already described statutory uses. HAR § 15-15-03 defines an “accessory building or use” as a “subordinate building or use which is incidental to and customary with a permitted use of the land.”

Landfill use does not appear among the enumerated uses in HRS § 205-4.5(a), and it does not fit as a use accessory to any of the enumerated uses. A landfill is made up of infrastructure designed to serve population growth and urban development. Its function is to manage municipal and construction waste generated by residential, commercial, and industrial activity. Unlike agricultural uses, which derive productivity from the soil itself, a landfill does not generate output from the land; it uses the land as a site for waste containment. In that respect, it is more characteristic of the Urban District than of the Agricultural District.

d. A Landfill Exceeds the Narrow Scope of the Special Permit Exception Under HRS § 205-6 and Requires a District Boundary Amendment

HRS § 205-6 authorizes the county planning commission and the LUC to issue special permits for “certain unusual and reasonable uses within agricultural . . . districts other than those for which the district is classified,” but only if the proposed use would “promote the effectiveness and objectives of [HRS Chapter 205].”

In interpreting this provision, the Hawai‘i Supreme Court has clarified both the purpose and the limits of the special permit process as follows:

Its essential purpose . . . is to provide landowners relief in exceptional situations where the use desired would not change the essential character of the district nor be inconsistent therewith. . . . By the use of the special use permits, the broad division of uses in terms of residential, commercial, and industrial, and subdivisions of each, can be supplemented by requiring a use which falls conveniently within a class assigned to a particular district, but which has singular characteristics which may be incompatible with some uses of such class, to submit the administrative scrutiny, to meet certain standards, and to comply with conditions.

See Neighborhood Bd. No. 24 (Waianae Coast) v. State Land Use Comm’n, 64 Haw. 265, 270, 639 P.2d 1097, 1102 (1982) (citing 1963 Op. Att’y Gen. 63-67) (quotations omitted); see also Save Sunset Beach Coalition v. City & Cnty. Of Honolulu, 102 Hawai‘i 465, 482, 78 P.3d 1, 18 (2003) (observing that “the ‘reasonable and unusual’ exception permitted by HRS § 205–6 cannot be utilized to circumvent the essential purpose of the agricultural district”).

In Neighborhood Board No. 24 (Waianae Coast), the Hawai‘i Supreme Court found that a proposed amusement park on a 103 acres lot within an Agricultural District was not an “unusual and reasonable use” qualified for a special permit because it “fail[ed] to comply with the first and critical requirement that the proposed use not run contrary to the objectives sought to be accomplished by the Land Use Laws and Regulations, the counterpart of the statutory mandate that the proposed use promote the effectiveness and objectives of HRS ch. 205.” Id. at 272, 639 P.2d at 1103. The Court explained that the “unlimited use of the special permit to effectuate essentially what amounts to a boundary change would undermine the protection from piecemeal changes to the zoning scheme guaranteed landowners by the more extensive procedural protections of boundary amendment statutes.” Id.

The Hawai‘i Supreme Court further distinguished the Special Use Permit mechanism from the District Boundary Amendment, stating that “[t]he essential distinction between the special permit and district boundary amendment as vehicles of land use change is reflected in the statutory provisions and Land Use District Regulations governing the administrative process for each.” Id. at 271, 639 P.2d at 1102. Whereas boundary amendments are subject to detailed procedural safeguards, special permits provide an “expedited review.” Id. at 272, 639 P.2d at 1102. This structural distinction reflects the underlying purpose of Chapter 205 to prevent piecemeal land use conversions and to ensure that substantial shifts in land classification occur only through

comprehensive review and procedural safeguards, protections the Legislature deemed necessary in light of “[i]nadequate controls [that] have caused many of Hawaii’s limited and valuable lands to be used for purposes that may have a short-term gain to a few but result in a long-term loss to the income and growth potential of our economy.” *Id.* at 272, 639 P.2d at 1103 (citation omitted).

Landfill use does not fall within the narrow class of “unusual and reasonable” uses contemplated by HRS § 205-6. Unlike temporary or removable facilities that can operate without fundamentally altering the land, a landfill entails the placement of waste, long-term operational controls, closure requirements, and post-closure monitoring that persist well beyond active operations. As a practical matter, the land cannot simply be restored to agricultural productivity by removing equipment; the use permanently alters soil capacity and forecloses cultivation.

A use that alters the soil structure and substantially impairs the land’s agricultural productivity cannot be said to “promote the effectiveness and objectives” of Chapter 205, which include the preservation and protection of agriculturally suitable lands. Nor can such a use reasonably be characterized as one that does not change the essential character of the Agricultural District.

Because of its scale, permanence, and character-altering effects, a landfill implicates the type of land use change the Legislature reserved for the District Boundary Amendment process. The District Boundary Amendment mechanism provides the comprehensive procedural safeguards required when Agricultural District land, particularly land entitled to the “greatest possible protection” under HRS § 205-2(a), is proposed to be converted to a fundamentally different use. Authorizing such an intensive, population-serving infrastructure use through the expedited special permit process would risk precisely the piecemeal reallocation of agricultural lands that Chapter 205 was enacted to prevent.

Accordingly, authorizing a landfill within the Agricultural District through the special permit process would exceed the narrow authority granted by HRS § 205-6 and would effectively accomplish a district boundary change without compliance with the statutory procedures governing such reclassification. Under Chapter 205 and the constitutional mandate of Article XI, Section 3, such a conversion requires formal reclassification through a District Boundary Amendment.

VII. OTHER POTENTIAL PARTIES

The following are identified as potential parties. These entities will be served by Komar at the time of filing this Petition:

- County of Maui and the County of Maui Planning Department
- The State of Hawai‘i and the State of Hawai‘i Office of Planning and Sustainable Development

VIII. RELATION TO ANY OTHER COMMISSION DOCKET FOR DISTRICT BOUNDARY AMENDMENT OR SPECIAL PERMIT

Komar is not aware of any other docket for a District Boundary Amendment or for a Special Use Permit that is related to this Petition.

IX. CONCLUSION

For the foregoing reasons, Komar respectfully requests that the LUC grant the declaratory relief requested herein.

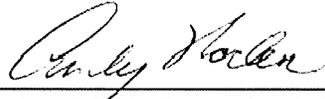
DATED: Honolulu, Hawai‘i, March 16, 2026.



SHARON V. LOVEJOY
NORMAN H.Y. CHENG

Attorneys for Petitioner
KOMAR MAUI PROPERTIES I LLC

KOMAR MAUI PROPERTIES I LLC
A Hawaii limited liability company



ANDY NADEN, Executive Vice President

Petitioner

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

In the Matter of:

KOMAR MAUI PROPERTIES I LLC,
Petitioner.

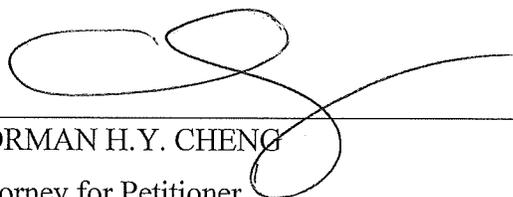
DOCKET NO. DR26-79

VERIFICATION OF PETITION

VERIFICATION OF PETITION

NORMAN H. Y. CHENG, being duly sworn on oath, deposes and says that I am an attorney for KOMAR MAUI PROPERTIES I LLC, and as such am authorized to make this verification on behalf of KOMAR MAUI PROPERTIES I LLC. I have reviewed the foregoing Petition and have full knowledge of the contents thereof, and the same is true to the best of my knowledge and belief.

DATED: Honolulu, Hawai'i, March 16, 2026.



NORMAN H. Y. CHENG

Attorney for Petitioner
KOMAR MAUI PROPERTIES I LLC

Subscribed and sworn to before me this
16th day of March, 2026.

Bernadette A. Lee
Notary Public, State of Hawaii
My commission expires: 6/29/2027



Doc. Date: <u>March 16, 2026</u>	# of pages: <u>21</u>
Notary Name: <u>BERNADETTE A. LEE</u>	
Doc. Description: <u>Verification of Petition for Declaratory Order - In the Matter of Kamae Maui Properties I LLC</u>	
<u>Bernadette A. Lee</u> Notary Signature	<u>March 16, 2026</u> Date

NOTARY CERTIFICATION



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

In the Matter of:

KOMAR MAUI PROPERTIES I LLC,

Petitioner.

DOCKET NO. DR26-79
CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document will be duly served upon the following parties notified herein by U.S. Mail, postage prepaid, at their last known address:

COUNTY OF MAUI
Department of the Corporation Counsel
200 South High Street
Kalana O Maui Building, 3rd Floor
Wailuku, Hawai'i 96793
Attn: Victoria J. Takayesu, Corporation Counsel

COUNTY OF MAUI
PLANNING DEPARTMENT
2200 Main Street
One Main Plaza, Suite 315
Wailuku, Hawai'i 96793
Attn: Jacky Takakura, Acting Director

STATE OF HAWAI'I
Department of the Attorney General
425 Queen Street
Honolulu, Hawai'i 96813
Attn: Anne E. Lopez, Attorney General

STATE OF HAWAI'I
OFFICE OF PLANNING AND SUSTAINABLE DEVELOPMENT
P. O. Box 2359
Honolulu, Hawai'i 96804-2359
Attn: Mary Alice Evans, Director

DATED: Honolulu, Hawai'i, March 16, 2026.



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