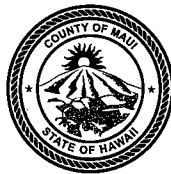


ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

October 28, 2016

RECEIVED

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OFFICE OF THE MAYOR

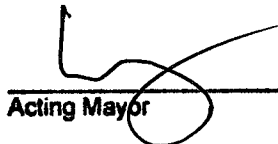
Honorable Alan M. Arakawa
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

For Transmittal to:

Honorable Mike White, Chair
and Members of the Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Chair White and Members:

APPROVED FOR TRANSMITTAL


Acting Mayor
10/28/16
Date

OFFICE OF THE
COUNTY CLERK

2016 OCT 31 PM 2:33

RECEIVED

**SUBJECT: APPLICATION FOR A CONDITIONAL PERMIT (CP) FOR THE
CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS,
LOCATED AT 150 CHALLENGE DRIVE, MANELE, ISLAND OF
LANAI, HAWAII; TMK: (2) 4-9-017:008 (POR.) (CP 2015/0005)**

The Department of Planning (Department) is transmitting for your review and action the CP application to allow special events at the Challenge Manele Golf Course filed by Lanai Resorts, LLC, dba Pulama Lanai. A summary of the application is as follows:

APPLICATION SUMMARY	
Application - CP	The CP is to allow for up to 40 special events per year at the Challenge at Manele Golf Course on property located at 150 Challenge Drive at Manele
Applicant	Lanai Resorts, LLC, dba Pulama Lanai
Owner	Lanai Resorts, LLC dba Pulama Lanai
Tax Map Key	(2) 4-9-017:008 (POR.)
Address	150 Challenge Drive at Manele, Lanai
Land Use Designations	State Land Use District: Urban Lanai Community Plan: Lanai Project District 1 (Manele) Title 19, Zoning: PD-L/1 Golf Course Located in the Special Management Area (SMA)

COUNTY COMMUNICATION NO. 16-295

ONE MAIN PLAZA BUILDING / 2200 MAIN STREET, SUITE 315 / WAILUKU, MAUI, HAWAII 96793

MAIN LINE (808) 270-7735 / FACSIMILE (808) 270-7634

CURRENT DIVISION (808) 270-8205 / LONG RANGE DIVISION (808) 270-7214 / ZONING DIVISION (808) 270-7253

Honorable Alan M. Arakawa, Mayor
For Transmittal to:
Honorable Mike White, Chair
October 28, 2016
Page 2

APPLICATION SUMMARY	
Brief Description	The Applicant is requesting a County Conditional Permit to host up to 40 special events per year at the Challenge at Manele Golf Course.
Public Hearing	Held by Lanai Planning Commission (Commission) on February 17, 2016, in Lanai City, Lanai, Hawaii.
Testimony	Verbal and written testimony were given on this application. Testimony was in general favorable towards allowing the events to take place at Challenge Manele Golf Course.
Recommendation	The Commission recommended approval of the CP for specials events at the Challenge Manele Golf Course subject to the eight (8) conditions with a unanimous vote in favor by the five (5) Commissioners present, and four (4) Commissioners absent.

The Commission reviewed the above-cited application and held a public hearing at its regularly scheduled February 17, 2016 meeting. The Commission recommended approval of the CP to the Maui County Council (Council). The Commission recommended approval of the CP subject to the following conditions stated as follows:

1. That the Conditional Permit (CP) shall be valid for a period of five (5) years from the effective date of this ordinance, provided that an extension of this permit beyond this period may be granted pursuant to Section 19.40.090, MCC.
2. That the CP shall be nontransferable unless approved by the Planning Director (Director). The Director may forward the request to the Commission.
3. That the Applicant and its successors and permitted assigns shall exercise reasonable due care as to third parties with respect to all areas affected by subject CP and shall procure at his/her/their own cost and expense, and shall maintain during the entire period of this CP, a policy or policies of comprehensive liability insurance in the minimum amount of ONE MILLION AND NO/100 DOLLARS (\$1,000,000) naming the County of Maui as an additional insured, insuring and defending the Applicant and County of Maui against any and all claims or demands for property damage, personal injury and/or death arising out of this CP, including, but not limited to: (1) claims from any accident in connection with the permitted use, or occasioned by any act or nuisance made or suffered in connection with the permitted use in the exercise by the Applicant of said rights; and (2) all actions, suits, damages and claims by whomsoever brought or made by reason of the non-observance or non-performance of any of the terms and conditions of this CP. A copy of the certificate of insurance naming the County of Maui as an additional insured shall be submitted to the Department within

Honorable Alan M. Arakawa, Mayor
For Transmittal to:
Honorable Mike White, Chair
October 28, 2016
Page 3

ninety (90) calendar days from the date of approval of this CP, or prior to starting operations, whichever is first. The proof of insurance and all subsequent certifications of insurance coverage shall be submitted directly by the insurance carrier to the Department and shall include the applicable Tax Map Key (TMK) and permit numbers.

4. That Pulama Lanai shall develop the property in substantial compliance with the representations made to the Council in obtaining the CP. Failure to so develop the property may result in the revocation of the CP pursuant to Section 19.40.080, MCC.
5. That full compliance with all applicable governmental requirements shall be rendered.
6. That events utilizing tents and/or canopies larger than 700 square feet (sq. ft.) are required to apply for a Temporary Membrane Structures permit from the Department of Fire and Public Safety, Fire Prevention Bureau. A site plan detailing the event setup and locations of tents must be submitted to the Fire Prevention Bureau with the permit application for review and approval of the permit.
7. That tents and canopies larger than 700 sq. ft. require flame-resistance certifications. Tents/canopies less than 10 feet apart are considered as non-separated and total square footage applies. Said flame-resistance certifications shall be submitted to the Fire Prevention Bureau.
8. That noise generating activities or amplified music shall not occur past 10:00 p.m.

As Council approval is required for the CP, the Department respectfully transmits the subject application to the Council for consideration. Accordingly, attached for your review are the following documents:

1. Proposed bill entitled, "A BILL FOR AN ORDINANCE GRANTING LANAI RESORTS, LLC, DBA AS PULAMA LANAI, A CONDITIONAL PERMIT TO ALLOW UP TO 40 SPECIAL EVENTS PER YEAR AT THE CHALLENGE AT MANELE GOLF COURSE, WITHIN THE COUNTY LANAI PROJECT DISTRICT 1 (MANELE), FOR PROPERTY IDENTIFIED AS A PORTIONS OF TAX MAP KEY NUMBER (2) 4-9-017:008, MANELE, LANAI, HAWAII";

Honorable Alan M. Arakawa, Mayor
For Transmittal to:
Honorable Mike White, Chair
October 28, 2016
Page 4

2. Letter from William Spence, Planning Director, to Mr. Bryan Esmeralda, dated June 21, 2016, with Commission's recommendation for Council approval of the CP for the Manele Golf Course special events with eight (8) conditions;
3. Department's Recommendation to the Commission, dated February 17, 2016;
4. Department's Staff Report to the Commission, dated February 17, 2016;
5. Powerpoint presentation to the Commission dated February 17, 2016;
6. Adopted Minutes of the February 17, 2016, Commission meeting; and
7. CP Application dated August 2015.

Should you have any questions, please feel free to transmit them to the Department via transmittal through the Office of the Mayor.

Sincerely,



 WILLIAM SPENCE
Planning Director

Attachments

xc: Clayton I. Yoshida, AICP, Planning Program Administrator (PDF)
Candace R. Thackerson, Staff Planner (PDF)
Maui Planning Commission (PDF)
Bryan Esmeralda, Munekiyo Hiraga (PDF)
Karlynn Fukuda, Munekiyo Hiraga (PDF)
Lynn McCrory, SVP, Pulama Lanai (PDF)

WRS:CRT:lk

Project File
General File

K:\WP_DOCS\PLANNING\CP\2015\0005_ManeleGolfCourse\CouncilTransmittalGolfCourse.doc

ORDINANCE NO. _____

BILL NO. _____ (2016)

A BILL FOR AN ORDINANCE GRANTING LANA'I RESORTS, LLC,
DBA PULAMA LANA'I, A CONDITIONAL PERMIT TO ALLOW UP TO 40 SPECIAL
EVENTS PER YEAR AT THE CHALLENGE AT MANELE GOLF COURSE,
WITHIN THE COUNTY LANAI PROJECT DISTRICT 1 (MANELE),
FOR PROPERTY IDENTIFIED AS PORTIONS OF
TAX MAP KEY NUMBER (2) 4-9-017:008, MANELE, LANAI, HAWAII

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Pursuant to Chapter 19.40, Maui County Code, and subject to the conditions imposed in Section 2 of this ordinance, a Conditional Permit is hereby granted to Lana'i Resorts, LLC, dba Pulama Lana'i, to allow up to 40 special events per year at the Challenge at Manele Golf Course within the County Lanai Project District 1 (Manele). The special event sites are identified for real property tax purposes as portions of tax map key number (2) 4-9-017:008, comprising a portion of 162.42 acres of land situated at Manele, Lanai, Hawaii, and generally described in Exhibit "A", attached hereto and incorporated herein by reference.

SECTION 2. The granting of this Conditional Permit is subject to the following conditions:

1. That full compliance with all applicable governmental requirements shall be rendered in a timely manner.
2. That the Conditional Permit shall be valid for a period of five years from the effective date of this ordinance; provided, that an extension of this Conditional Permit beyond this five-year period may be granted pursuant to Section 19.40.090, Maui County Code.
3. That the Conditional Permit shall be nontransferable unless the Maui County Council approves a transfer by ordinance.
4. That Lana'i Resorts, LLC, dba Pulama Lana'i, shall exercise reasonable due care as to third parties with respect to all areas affected by this subject Conditional Permit and shall procure at its own cost and expense, and shall maintain during the entire period of this Conditional Permit, a policy or policies of

comprehensive liability insurance in the minimum amount of \$1,000,000 naming the County of Maui as an additional insured, insuring and defending Lana'i Resorts, LLC, dba Pulama Lana'i, and the County of Maui against any and all claims or demands for property damage, personal injury and/or death arising out of this Conditional Permit, including, but not limited to: (1) claims from any accident in connection with the permitted use, or occasioned by any act or nuisance made or suffered in connection with the permitted use in the exercise by Lana'i Resorts, LLC, dba Pulama Lana'i, of said rights; and (2) all actions, suits, damages and claims by whomsoever brought or made by reason of the nonobservance or nonperformance of any of the terms and conditions of this Conditional Permit. A copy of the certificate of insurance naming the County of Maui as an additional insured shall be submitted to the Department of Planning within 90 calendar days from the effective date of this ordinance, or prior to starting operations, whichever occurs first. The proof of insurance and all subsequent certifications of insurance coverage shall be submitted directly by the insurance carrier to the Department of Planning and shall include the applicable tax map key and permit numbers.

5. That Lana'i Resorts, LLC, dba Pulama Lana'i, shall develop the property in substantial compliance with the representations made to the Maui County Council in obtaining the Conditional Permit. Failure to so develop the property may result in the revocation of the Conditional Permit pursuant to Section 19.40.080, Maui County Code.
6. That events utilizing tents or canopies larger than 700 square feet are required to apply for a Temporary Membrane Structure permit from the Department of Fire and Public Safety, Fire Prevention Bureau. A site plan detailing the event set-up and locations of tents must be submitted to the Fire Prevention Bureau with the permit application for review and approval of the permit.
7. That tents and canopies larger than 700 square feet require flame-resistance certifications. Tents and canopies less than 10 feet apart are considered as non-separated and if the combined square footage of non-separated tents and canopies is 700 square feet or more, said tents and canopies require flame-resistance certifications. Said flame-resistance certifications shall be submitted to the Fire Prevention Bureau.
8. That noise generating activities and amplified music shall not

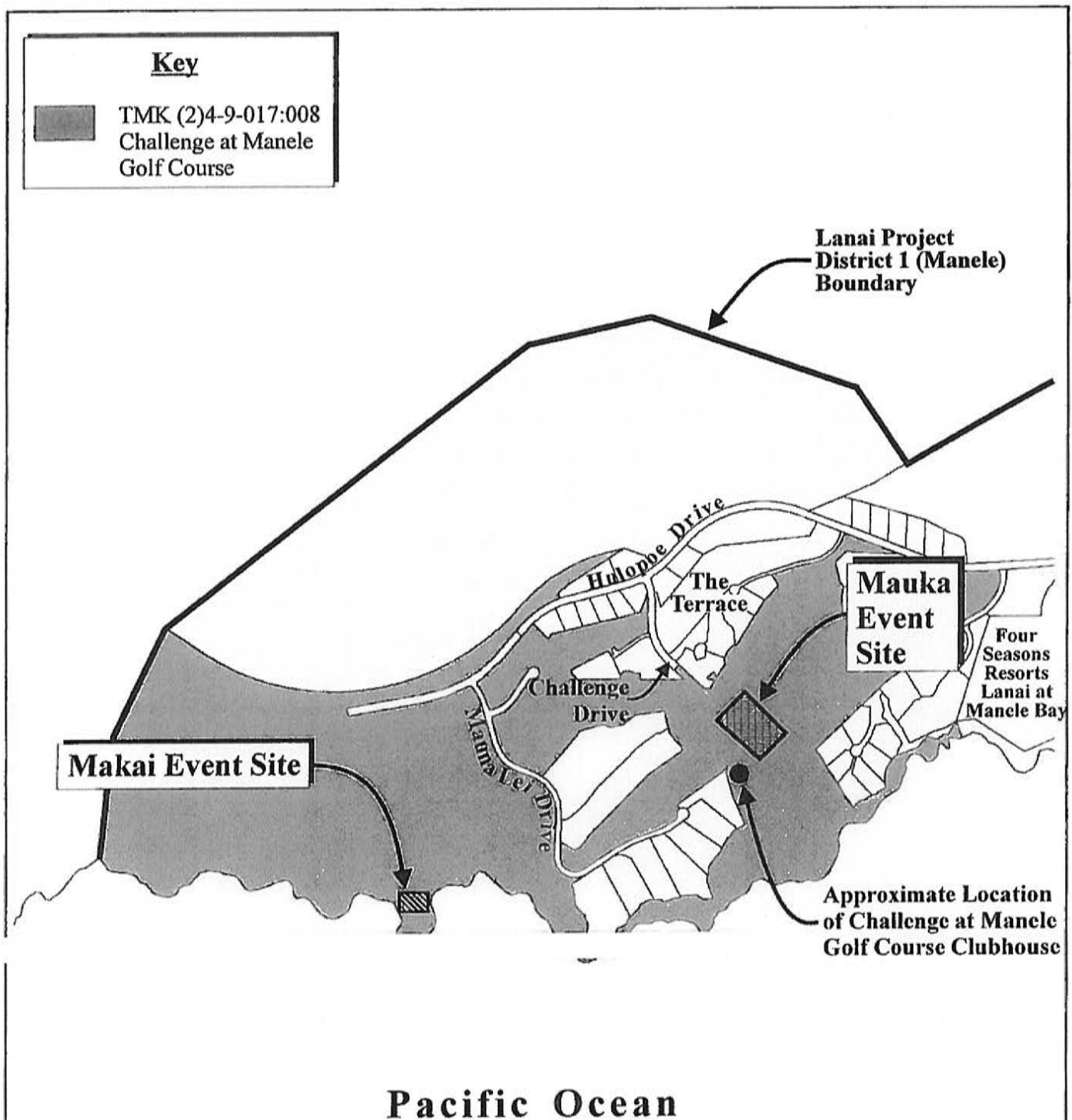
occur past 10:00 p.m.

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:

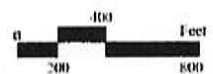
A handwritten signature in black ink, appearing to read 'J. Oana', is written over a horizontal line.

JENNIFER M.P.E. OANA
Deputy Corporation Counsel
County of Maui
2016-0846



Source: County of Maui, Department of Planning

Figure 2 Challenge at Manele Golf
Course Special Events
Property Location Map



Prepared for: Lanai Resorts, LLC, a Hawaii Limited Liability
Company doing business as Pōlana Lānaʻi

EXHIBIT A  **MUNEKIYO HIRAGA**

F:\Lanai\Food Bev\Events\Challenge\Property Location

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

June 21, 2016

CERTIFIED MAIL # 7015-0640-0002-6767-4771

Mr. Bryan Esmeralda
Munekiyo Hiraga
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Mr. Esmeralda:

SUBJECT: CONDITIONAL PERMIT FOR THE CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS, LOCATED AT 150 CHALLENGE DRIVE, MANELE, ISLAND OF LANAI, HAWAII; TMK: (2) 4-9-017:008 (POR) (CP 2015/0005)

At its regular meeting on February 17, 2016, the Lanai Planning Commission (Commission) reviewed the above application, conducted the public hearing, and after due deliberation, recommended the Maui County Council's (Council) approval of the Conditional Permit with the following conditions:

CONDITIONAL PERMIT

1. That the Conditional Permit (CP) shall be valid for a period of five (5) years from the effective date of this ordinance; provided, that an extension of this permit beyond this period may be granted pursuant to Section 19.40.090, Maui County Code.
2. That the CP shall be nontransferable unless approved by the Planning Director (Director). The Director may forward the request to the Commission.
3. That the Applicant and its successors and permitted assigns shall exercise reasonable due care as to third parties with respect to all areas affected by subject CP and shall procure at his/her/their own cost and expense, and shall maintain during the entire period of this CP, a policy or policies of comprehensive liability insurance in the minimum amount of ONE MILLION AND NO/100 DOLLARS (\$1,000,000) naming the County of Maui as an additional insured, insuring and defending the Applicant and County of Maui against any and all claims or demands for property damage, personal injury and/or death arising out of this CP, including, but not limited to: (1) claims from any accident in connection with the permitted use, or occasioned by any act or nuisance made or suffered in connection with the permitted use in the exercise by the Applicant of said rights; and (2) all actions, suits, damages and claims by whomsoever brought or made by reason of the non-observance or non-performance of any of the terms and conditions

Mr. Bryan Esmeralda
June 21, 2016
Page 2

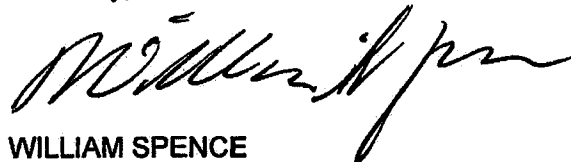
of this CP. A copy of the certificate of insurance naming County of Maui as an additional insured shall be submitted to the Department of Planning within ninety (90) calendar days from the date of approval of this CP, or prior to starting operations, whichever is first. The proof of insurance and all subsequent certifications of insurance coverage shall be submitted directly by the insurance carrier to the Department and shall include the applicable TMK and permit numbers.

4. That Pūlama Lāna'i shall develop the property in substantial compliance with the representations made to the Council in obtaining the CP. Failure to so develop the property may result in the revocation of the CP pursuant to Section 19.40.080, Maui County Code.
5. That full compliance with all applicable governmental requirements shall be rendered.
6. That events utilizing tents and/or canopies larger than 700 square feet are required to apply for a Temporary Membrane Structures permit from the Fire Prevention Bureau. A site plan detailing the event set up and locations of tents must be submitted to the Fire Prevention Bureau with the permit application for review and approval of the permit.
7. That tents and canopies larger than 700 square feet require flame-resistance certifications. Tents/canopies less than 10 feet apart are considered as non-separated and total square footage applies. Said flame-resistance certifications shall be submitted to the Fire Prevention Bureau.
8. That noise generating activities or amplified music shall not occur past 10:00 p.m.

The CP conditions will be enforced pursuant to the provisions of Chapter 19.530, Sections 19.530.030 of the Maui County Code, as amended, 1980; and the *Rules for Administrative Procedures and Civil Fines for Violations of Titles 12, 14, 16, 19, and 20 of the Maui County Code*.

Thank you for your cooperation. If additional clarification is required, please contact Staff Planner Kurt Wollenhaupt at kurt.wollenhaupt@mauicounty.gov or at (808) 270-1789.

Sincerely,



WILLIAM SPENCE
Planning Director

Mr. Bryan Esmeralda
June 21, 2016
Page 3

xc: Clayton I. Yoshida, AICP, Planning Program Administrator (PDF)
John S. Rapacz, Planning Program Administrator (PDF)
Kurt F. Wollenhaupt, Staff Planner (PDF)
Richelle Thomson, Corporation Counsel (PDF)
Leilani Ramoran-Quemado, Secretary to Boards & Commissions, (PDF)
Lynn McCrory, Senior Vice President (PDF)
Project File
General File

WRS:KFW:ela

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BEFORE THE LANAI PLANNING COMMISSION

COUNTY OF MAUI

STATE OF HAWAII

In the Matter of the Application of

MUNEKIYO HIRAGA, INC, ON BEHALF OF
PŪLAMA LĀNA'I

To Obtain a Conditional Permit to allow for up to
40 special events per year at the Challenge at
Manele Golf Course on property located at 150
Challenge Drive at Manele on the island of Lanai,
Tax Map Key (2) 4-9-017:008 (por.), Hawaii

DOCKET NO.: CP 2015/0005

Munekiyo Hiraga, Inc, on behalf of Pūlama
Lāna'i
(CRT)

MAUI COUNTY DEPARTMENT OF PLANNING'S REPORT
TO THE LANAI PLANNING COMMISSION
FEBRUARY 17, 2016 MEETING

DEPARTMENT OF PLANNING
COUNTY OF MAUI
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HI 96793

Conditional Permit

K:\WP_DOCS\PLANNING\CP\2015\0005_ManeleGolfCourse\StaffReporttoApproval\MPCreport.doc

BEFORE THE LANAI PLANNING COMMISSION

COUNTY OF MAUI

STATE OF HAWAII

In the Matter of the Application of

MUNEKIYO HIRAGA, INC, ON BEHALF OF
PŪLAMA LĀNA'I

To Obtain a Conditional Permit to allow for up to
40 special events per year at the Challenge at
Manele Golf Course on property located at 150
Challenge Drive at Manele on the island of Lanai,
Tax Map Key (2) 4-9-017:008 (por.), Hawaii

DOCKET NO.: CP 2015/0005

Munekiyo Hiraga, Inc, on behalf of Pūlama
Lāna'i
(CRT)

DESCRIPTION OF THE PROJECT

This matter arises from an application for Conditional Permit filed on August 17, 2015. The application was filed by Munekiyo Hiraga, Inc., on behalf of Lanai Resorts, LLC, a Hawaii limited liability company doing business as Pūlama Lāna'i, ("Applicant"), pursuant to Chapter 19.40, Maui County Code regarding Conditional Permits.

The Applicant is requesting a County Conditional Permit to host up to 40 special events per year at the Challenge at Manele Golf Course ("Golf Course"). The Golf Course is an 18-hole championship course located at 150 Challenge Drive at Manele, island of Lanai. The Golf Course is located amidst luxury single-family and multi-family residential units, as well as in proximity to the Four Seasons Resort Lanai at Manele Bay ("Resort"). The special events will be located at two (2) locations on the Golf Course. The Applicant is requesting the duration of the permit to be for five (5) years (**exhibits 1-3**).

Event sites

There are two (2) special Event sites proposed for use on the golf course property (**exhibit 4a, 4b**). They are described as follows:

- a. **Mauka Event Site**: This special event site is located on the golf course driving range and is approximately 45,000 square feet in area. This event site is used for large events which can include sit down dinners and evening performances accommodating between 75 and 300 guests (**exhibit 5a, 5b, 5c**)
- b. **Makai Event Site**: This special event site is located on the Hole No. 12 tee box of the golf course near the shoreline. This event site is used for private functions, such as weddings, for approximately 25 to 100 guests attending a typical event (**exhibit 6a, 6b**).

Special Events

The type of special events can be categorized as follows:

- 1. Large corporate sponsored dinners and performances.** Many large corporations book blocks of rooms at the Four Seasons Resort Lanai at Manele and host large group social functions for their attendees. These events, with up to 1300 attendees, are too large for the Resort to accommodate their needs. As such, the meeting sponsor(s) often look for an outdoor venue that can hold large group functions and accommodate a sit down dinner and a stage for entertainment.
- 2. Private events.** Often times, Resort guests like to take advantage of Manele's pristine weather and look to the Golf Course as a venue for private functions such as weddings. These events are usually smaller, in the 25 to 100 guest range.

Special Event Operations

Most of the special events on the golf course are hosted by guests of or groups staying at the Four Seasons Resorts on Lanai. As such, the guests are usually bussed or walk from the Resort to the special event site. The food served for the special events is prepared at the Resort or catered by professional caterers and brought to the event site to be served. When sponsored by the Resort, the security and admittance is generally provided by the Resort personnel. The special event area is fenced off from the rest of the golf course and secured by the Resort security or private security personnel. Portable toilets are brought onto the site, as required, depending on the function.

Setup is carried out by the party booking the special event. For the larger events, the setup can take up to three (3) days, where staging and lighting are set up. Breakdown of the stage and clean-up of the site can take up to three (3) days after the event. Temporary lighting is provided by portable generators. Noise generating activities or amplified music do not occur past 10:00 p.m. Parking, if needed, is provided on the approximately 133 stall parking lot next to the clubhouse. Events at either the Makai or Mauka location may result in necessary modifications to the normal operation of the golf course, usually in the closing of the affected hole or area while allowing play to resume on the other areas of the golf course. Closures are triggered by the complexity and timing of these events.

If temporary structures such as tents are needed, the Applicant will apply for applicable building permits. It is unlikely that the golf course will be used for more than one (1) special event at a time.

Furthermore, each event organizer is required to execute a code of conduct agreement with Four Seasons Resort Lanai. The code of conduct outlines rules and regulations for holding events at the Golf Course. The code of conduct covers such items as proof of insurance, set up and break down procedures, health and safety restrictions, and general care and restrictions provisions.

Project Need

The special events function at the Golf Course provides a needed and important visitor meeting facility in the Manele area. The ability for the Resort to accommodate those types of special events in Manele is important in meeting the needs and expectations of the Resort guests. The opportunity

to host special events is a substantial economic contributor, not only for the Resort, which would experience longer lodging stays for event guests, but for the local businesses on Lanai and statewide economies by promoting tourism and encouraging further spending through contracting event vendors and service providers.

DESCRIPTION OF THE PROPERTY

1. The Property is located at 150 Challenge Drive at Manele, Tax Map Keys (2) 4-9-017:008 (por.), Lanai City, Island of Lanai, Hawaii.
2. Land Use Designations (for event areas)
 - a. State Land Use District: Urban
 - b. Maui Island Plan: Urban Growth Boundary
 - c. Lanai Community Plan: Lanai Project District 1 (Manele)
 - d. County Zoning: PD-L/1 Golf Course
 - e. Other: Located in the SMA
3. Surrounding Uses

North --	Golf Course
East --	Single Family Homes, Four Seasons Manele, Hulopoe Beach
South --	Pacific Ocean
West --	Single Family Homes, Golf Course
4. The project area is developed as the Challenge at Manele Golf Course. The existing improvements on the golf course properties include the clubhouse, landscaped fairways, water features and greens. The special event sites are characterized by level terrain within the Challenge at Manele Golf Course. The U.S. Department of Agriculture Soil Conservation Service classifies the soil underlying the vents sites as very stony land (rVS). rVS soil consists of stones and boulders over soft weathered rock and bedrock; soil material has been stripped away by erosion. The dominant slope is 10 to 15 percent, and commonly features lava outcrops. The erosion hazard is slight. The Flood Insurance Rate Map (FIRM) shows the special event sites in Flood Zone X and VE, an area with minimal flooding. Therefore a Flood Development Permit will be required (**exhibit 7**).

APPLICABLE REGULATIONS

CONDITIONAL PERMIT

A conditional permit is reviewed pursuant to Title 19, Zoning, Chapter 19.40 Conditional Permits; Maui County Code, 1980, as amended.

Chapter - 19.40.010 Intent:

The intent of the conditional permit is to provide the opportunity to consider establishing uses not specifically permitted within a given use zone where the proposed use is similar, related or compatible to those permitted uses and which has some special impact or uniqueness such that its effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location. (Ord. 1684 § 2 (part), 1988)

Chapter - 19.40.070 Establishment:

1. Upon finding by the appropriate planning commission that reasons justifying granting of a conditional permit exist, and that the proposed use would not be significantly detrimental to the public interest, convenience and welfare, and will be in harmony with the area in which it is to be located; issuance of a conditional permit may be recommended, subject to such terms and conditions and for such period of time as the facts may warrant.
2. Should the commission determine that the permit requested is for a use which is substantially different from those uses permitted in the use zone, the commission shall recommend denial of the request and may instruct the applicant to seek a change in zoning should the facts warrant such an application.
3. Every conditional permit shall be conditioned upon the proposed development fully complying with all requirements of this title and other applicable governmental requirements.
4. Approval of a conditional permit shall be through enactment of an ordinance by the council, in accordance with the provisions of the charter. (Ord. 1985 § 1, 1991: Ord. 1684 § 2 (part), 1988)

Chapter 19.40.080 - Conditions, amendments, modifications:

- A. Conditional permits may be issued subject to such terms and conditions deemed reasonable and necessary to fulfill the intent and purposes of this title. All changes in the use or appearance of land or buildings allowed by the permit shall be in accordance with the specified conditions and the proposal as approved. Such permit shall be issued subject to compliance with and/or fulfillment of such terms and conditions and shall so state.
- B. Any person who has been issued a conditional permit may request the commission to review a request to amend or delete any terms and conditions imposed upon such permit.
- C. The commission on request or on its own initiative may recommend action to revoke any conditional permit or amend or delete any terms, conditions, and time stipulations of such conditional permit if such action is deemed necessary to effectuate the purpose and intent of this chapter. The commission shall provide due notice in writing to the applicant/permittee and an opportunity for a hearing.
- D. The planning director may approve amendments to the conditional permit if the amendments are not substantive and do not result in significant impacts above what would result from the approved conditional permit. Before approving any such amendments, the planning director shall notify the respective planning commission of the proposed non-substantive amendments. The commission may review the proposed non-substantive amendments and take action or waive review. (Ord. 3827 § 1 (part), April 2011)

PROCEDURAL MATTERS

1. On **October 19, 2015** the Department of Planning transmitted the applications to various government agencies for review and comment.
2. On **January 12, 2016**, 36 days prior to the hearing, the Maui County Planning Department

mailed a notice to the applicant and appropriate state and county agencies notifying them of the scheduled public hearing.

3. On **January 14, 2016**, the applicant mailed letters of notification and location map to all owners and recorded lessees within 500 feet of the subject property describing the applications and notifying them of the scheduled hearing date for the Conditional Permit, time and place by either certified or registered mail receipt.
4. On **January 16, 2016**, a notice of hearing on the application was published in the Maui News by the Maui County Planning Department.
5. The subject application involves "use of a shoreline area" an action that triggers compliance with Chapter 343, Hawaii Revised Statutes, relating to Environmental Impact Statements. However, the project qualifies for exemption category #4 "Minor alterations in the conditions of land, water, or vegetation" and therefore is considered exempt.
6. The Applicant has applied for a Special Management Area assessment for this project which is being processed by the Maui County Planning Department.
6. The Lanai Planning Commission shall make its recommendation to the County Council on the Conditional Permit.

REVIEWING AGENCIES

County Agencies:	Comment	Exhibit Number
Department of Environmental Management	No	8
Applicant Response		8a
Department of Public Works	No	9
Applicant Response		9a
Police Department	No	10
Applicant Response		10a
Department of Water Supply	No	11
Applicant Response		11a
State Agencies:		
Department of Health	Yes	12
Applicant Response		12a

ANALYSIS

LAND USE

1. The project is in conformance with the goals, objectives and policies of the Hawaii State Plan.
2. The proposed project is in the State Urban District. The proposed uses conform to the State

Urban designation of the property.

3. As stated in the Maui County Charter, as amended in 2002:

"The General Plan shall indicate desired population and physical development patterns for each island and region within the county; shall address the unique problems and needs of each island and region; shall explain the opportunities and the social, economic, and environmental consequences related to potential developments; and shall set forth the desired sequence, patterns, and characteristics of future developments. The general plan shall identify objectives to be achieved, and priorities, policies, and implementing actions to be pursued with respect to population density, land use maps, land use regulations, transportation systems, public and community facility locations, water and sewage systems, visitor destinations, urban design, and other matters related to development."

The County of Maui 2030 General Plan Countywide Policy Plan, adopted by the Maui County Council on March 19, 2010, is the first component of the decennial General Plan update. The Countywide Policy Plan replaces the General Plan as adopted in 1990 and amended in 2002. The Countywide Policy Plan acts as an over-arching values statement and umbrella policy document for the Maui Island Plan and the nine Community Plans that provides broad goals, objectives, policies, and implementing actions that portray the desired direction of the County's future. The plan includes:

1. A vision statement and core values for the County to the year 2030
2. An explanation of the plan-making process
3. A description and background information regarding Maui County today
4. Identification of guiding principles
5. A list of countywide goals, objectives, policies, and implementing actions related to the following core themes:
 - A. Protect the Natural Environment
 - B. Preserve Local Cultures and Traditions
 - C. Improve Education
 - D. Strengthen Social and Healthcare Services
 - E. Expand Housing Opportunities for Residents
 - F. Strengthen the Local Economy
 - G. Improve Parks and Public Facilities
 - H. Diversify Transportation Options
 - I. Improve Physical Infrastructure
 - J. Promote Sustainable Land Use and Growth Management
 - K. Strive for Good Governance

The proposed action is in keeping with the following Countywide Policy goals, objectives, policies and actions:

- F. Strengthen the Local Economy

Objective:

Promote an economic climate that will encourage diversification of the County's economic base and a sustainable rate of economic growth.

Objective:

Support a visitor industry that respects the resident culture and the environment.

Policies:

Recognize the important contributions that the visitor industry makes to the County's economy, and support a healthy and vibrant visitor industry.

4. According to the Lanai Community Plan the parcels are identified as Lanai Project District 1 (Manele). The proposed project is in keeping with the following community plan goals, objectives and policies:

ECONOMIC ACTIVITY

Goal

Create a stable and diverse economic climate which is consistent and compatible with Lanai's rural island lifestyle.

Objectives and Policies

1. Ensure the long-term viability of the island's visitor industry and maintain its position as the island's primary economic stimulus.

5. County Zoning. The parcel is zoned Lanai PD1 (Manele) Golf Course. Special events are not permitted uses in these districts, therefore, a Conditional Permit is required.

As set forth in Chapter 19.40 of the Maui County Code, the intent of the conditional permit is to provide the opportunity to establish uses that are not specifically permitted within the subject zoning district where the proposed use is similar, related or compatible to those permitted uses and which has some special impact or uniqueness such that its effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location. The Lanai Planning Commission may recommend approval for a conditional permit if it finds that the proposed use would not be significantly detrimental to the public interest, convenience and welfare, and will be in harmony with the area in which it is to be located.

Holding a maximum of 40 special events per year on the Challenge at Manele Golf Course is not anticipated to be significantly detrimental to the public interest, convenience or welfare. Potential adverse impacts on the existing physical environment are not anticipated. The events and their associated parking are not anticipated to adversely impact environmental conditions, the area's current public infrastructure, nor public services. The area proposed for the events are located on the existing golf course. Noise impacts are mitigated by limiting the hours of the special events. Traffic and parking impacts are mitigated by onsite parking already provided.

The special event sites are located adjacent to the existing Four Seasons Manele Resort. The special events are primarily related to group activities organized as part of convention or meeting functions located at the adjacent Four Seasons Resort Lanai at Manele Bay. As such, oversight and operational management of these events are carried out in coordination with the Resort Staff. The special events and associated parking are considered compatible with the surrounding hotel use of the resort. With conditions requiring that noise generating activities and/or amplified music not occur past 10:00 p.m., the events can be considered compatible with the adjacent hotel and residential uses. It is anticipated that the special events use of the property will continue to exist in harmony with the surrounding area.

6. The subject property is located within the Special Management Area of the Island of Maui. The project will be required to obtain a SMA permit for the use of the events. The proposed development meets the goals and objectives of Chapter 205A, Hawaii Revised Statutes (HRS) as follows:

Recreational Resources: The proposed development will not impact coastal recreational resources. The event sites located within the existing golf course area.

Historic Resources: There are no known historic resources located on the property. The property has been developed as a golf course for over 50 years.

Scenic and Open Space Resources: The area is developed as a golf course and will not impact scenic or open space resources.

Coastal Ecosystems: The use of the golf course should have no significant effect on coastal ecosystems of biological or economic importance. The events are temporary in nature and no ground altering activities are proposed.

Economic Uses: The project will support event related employment for local residents and businesses.

Coastal Hazards: The event sites are located in Flood hazard Zone X and VE, an area of minimal flooding.

Managing Development: Through permit processes agency review and public participation will occur.

Public Participation: Through permit processes agency review and public participation will occur.

Beach Protection: The use of the golf courses for temporary special events is not anticipated not to interfere or affect natural shoreline processes or improvements along the shoreline.

Marine Resources: Marine Resources are not anticipated to be affected by the use of the property for special events.

In addition to the foregoing objectives and policies, SMA permit review criteria pursuant to Act 224 (2005) provides that:

No special management area use permit or special management area minor permit shall be granted for structures that allow artificial light from floodlights, uplights, or spotlights used for decorative or aesthetic purposes when the light:

- (1) *Directly illuminates the shoreline and ocean waters; or*
- (2) *Is directed to travel across property boundaries toward the shoreline and ocean waters.*

The proposed project's lighting design will specify the shielding of all lights and use of directional down lighting. These design considerations will mitigate light pollution and prevent lighting from traveling across property boundaries. All exterior lighting will comply with the County's outdoor lighting ordinance.

AGRICULTURE

The proposed project is not located on lands zoned as agricultural.

ARCHAEOLOGICAL, HISTORIC AND CULTURAL RESOURCES

There are no known archaeological, historic or cultural resources on this site. The project site is developed as the Challenge at Manele Golf Course and has been used as such for over twenty years. Furthermore, the events are temporary and do not require the construction of any permanent structures. Although no ground-altering activities are proposed, should any cultural or historical materials be inadvertently discovered in the area, the State Historic Preservation Division (SHPD) will be contacted for implementation of appropriate protocols. However, it is not anticipated that the proposed action will have any adverse impacts on archaeological, historic or cultural resources.

INFRASTRUCTURE AND PUBLIC FACILITIES AND SERVICES

1. **Water:** The water system for Lanai is owned and operated by the Lanai Water Company and is divided into nine (9) water systems for the island. The proposed events are temporary, thus do not require their own water source. As such, the Department of Water Supply did not have any comments, nor any objection to the permit being granted. If water is needed, the applicant states that the existing clubhouse has potable water for guest use. For fire protection, the Department of Fire and Public Safety requires that events utilizing tents and/or canopies larger than 700 feet in size require flame-resistance certificates and must apply for a Temporary Membrane Structures Permit from the Fire Prevention Bureau.
2. **Sewers:** Special events will utilize portable toilets and wash basins. Portable toilets are bought onto the site depending on the function. The units are either the portable toilets that are freestanding fiberglass units, or executive type restrooms that are housed in a trailer. The Department of Health did not have any comments.
3. **Drainage:** The special event sites are characterized by level terrain within the Challenge at Manele Golf Course. The U.S. Department of Agriculture Soil Conservation Service classifies the soil underlying the vents sites as very stony land (rVS). rVS soil consists of stones and boulders over soft weathered rock and bedrock; soil material has been stripped away by erosion. The dominant slope is 10 to 15 percent, and commonly features lava outcrops. The erosion hazard is slight.
As the events are temporary requiring no construction or ground alteration, the proposed action

will not alter drainage characteristics or patterns. The Flood Insurance Rate Map (FIRM) shows the special event sites in Flood Zone X and VE, an area with minimal flooding. Therefore a Flood Development Permit will be required. No adverse effects are anticipated to adjacent and downstream properties

4. **Roadways, Curbs, Gutters and Sidewalks:** The golf course is located at 150 Challenge Drive at Manele. Traffic levels are fairly low and there are no traffic problems in the area. As such, group transportation is arranged and the guests are shuttled or walk to the special event site. The traffic produced from the special events is temporary.
5. **Electrical and Telephone:** Electric service is currently provided to the golf course by Maui Electric. Events needing electricity use portable generators. Telephone service is also available at the clubhouse. With the use of the golf course for special events and related parking, electrical and telephone services will not be detrimentally affected.
6. **Parks:** Public parks and recreational facilities are administered and maintained by the Maui County Department of Parks and Recreation (DPR). DPR parks and facilities in Lanai City include: the Lanai Community Center, the Lanai Gym and Tennis Courts, and the Lanai Little League Field, Frasier Avenue Park, and Kaumalapau Highway/Frasier Avenue Park.

There are also a number of privately-owned and maintained recreational facilities that are available for public use. Situated in Lanai City, Dole Park is a privately owned park utilized by the public. Additional privately owned parks utilized by the public include Waialua Park and Hulopoe Beach Park. Olopuia Woods Park and Waialua Park are located in Lanai City, while Hulopoe Beach Park is located near the Manele Small Boat Harbor. Other beaches on Lanai include: Kaiolohia (Shipwreck Beach), Lopa Beach, Polihua Beach, and Sharks Bay.

The Lanai Recreation Center is a privately-owned and maintained recreational complex which is utilized by the public. The Center encompasses a heated swimming pool, basketball court, exercise track, fitness course, softball fields, recreational building, and playground.

Other privately operated recreational facilities on Lanai include two (2) 18-hole championship golf courses and a 9-hole golf course. The Experience at Koele and the Challenge at Manele adjoin the Lodge at Koele and the Manele Bay resorts, respectively. In addition to guests, these privately operated facilities are also available for use by the public. The 9-hole Cavendish Golf Course is a privately operated facility in Lanai City which provides recreational opportunities for Lanai residents at no cost.

The proposed project is meant to enhance resort facilities and guest experience at the Resort and is not anticipated to adversely impact the existing recreational facilities.

7. **Schools:** Located in Lanai City, Lanai High and Elementary School (LHES) provides elementary and secondary educational facilities and services for children from kindergarten through the twelfth grade. Educational facilities will not be adversely affected by the use of the golf course for special events.
8. **Solid Waste:** Single-family solid waste disposal on Lanai is provided by the Maui County Department of Environmental Management (DEM), while commercial disposal service is provided by a private disposal service. Opened in 1974, approximately 17 acres of the Lanai landfill's 35.67-acre site is currently utilized as a landfill. The existing landfill is anticipated to reach capacity in approximately 7 to 8 years.

No adverse impacts to the County's solid waste collection system and disposal facilities are anticipated from the use of the property for up to 40 special events. Solid Waste disposal for the events will be provided by a private company and according to the applicant waste disposal is done by each event's coordinator.

9. **Public Services:** Police and security services for island residents are provided by the Maui County Police Department (MPD). The Lanai Police Station is situated in Lanai City.

Fire prevention, protection, and suppression services for the island of Lanai are provided by the Maui County Department of Fire and Public Safety. Located in Lanai City, the Lanai Fire Station is staffed by fire fighters on alternating work shifts and is equipped with two (2) vehicles with a water storage capacity of 700 gallons per vehicle. A fire station is also located at the Lanai Airport.

The Lanai Community Hospital is the major medical facility on the island. The 14-bed facility provides acute and long-term medical care, as well as 24-hour emergency medical service. Also in Lanai City are the Lanai Health Center and Straub Clinic which provide outpatient medical care for the island's residents.

The proposed project is not anticipated to affect police, fire, medical services or create a need for an extension beyond existing service area limits.

SOCIO-ECONOMIC IMPACTS

The use of the golf course for resort events provides positive impacts to Four Seasons Manele Resort and its visitors. The ability to host special events at the golf course properties would provide a positive benefit to the local Lanai economy by allowing for increased and longer durations for resort bookings, as well as by encouraging more spending on goods and services. If the special event sites were not available, meeting organizers may look to other resort areas off island to book their meetings or conferences.

ENVIRONMENTAL IMPACTS

The special event sites are located on improved lands associated with golf course uses. The existing improvements on the golf course properties include landscaped fairways, water features, clubhouse and greens. Potential adverse impacts on the existing physical environment are not anticipated as the events are held on an already developed golf course and are temporary in nature.

OTHER GOVERNMENTAL APPROVALS THAT MAY BE REQUIRED

An SMA Assessment was submitted for the events. A building permit is required for overnight tents and staging. Liquor and Fire Department permits may also be required on a per event basis.

TESTIMONY

As of February 9, 2016, the Department of Planning has received no letters of support or letters of concern or protest.

ALTERNATIVES

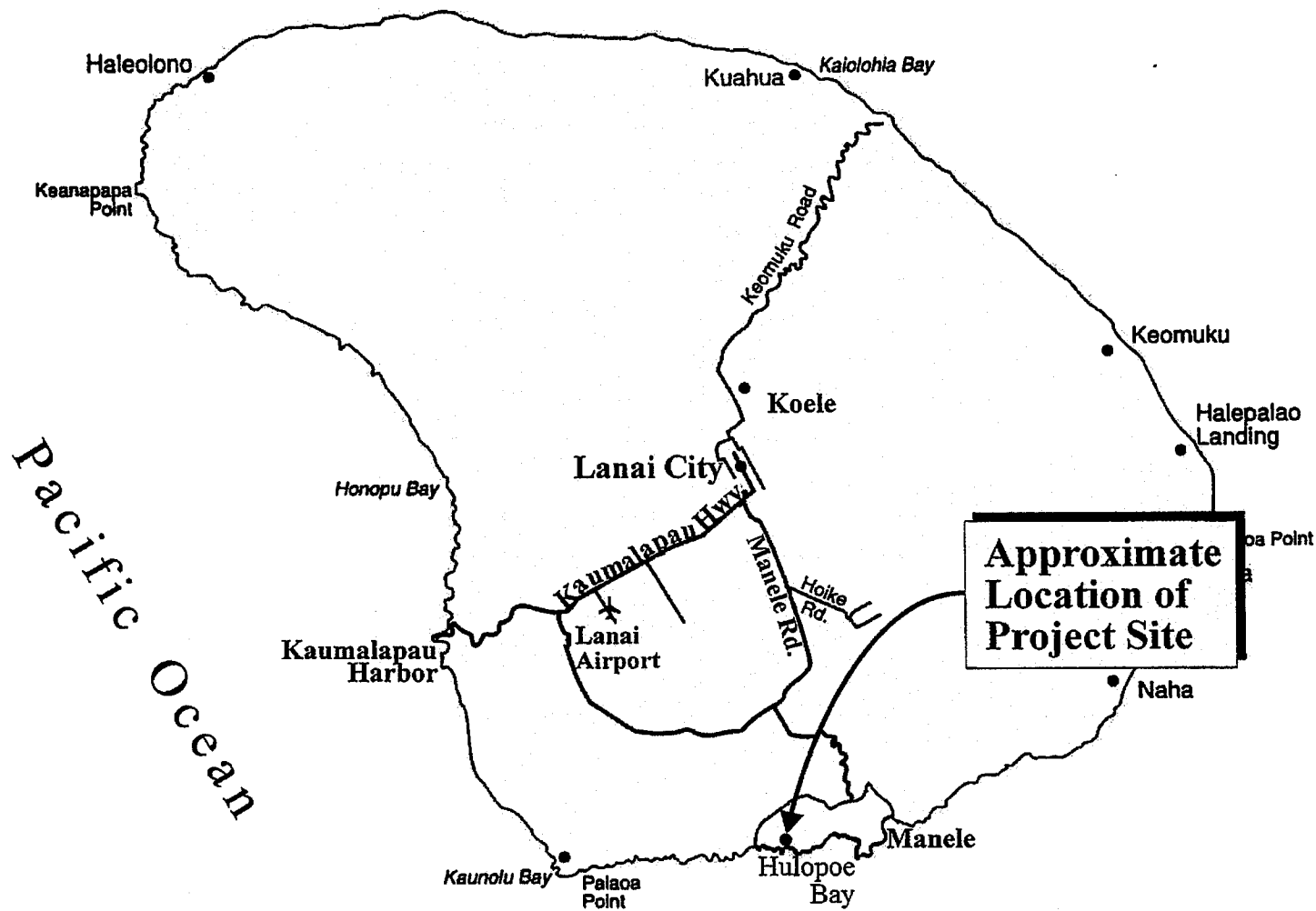
1. **Deferral.** The Commission may defer action to another meeting date in order to obtain additional information that will assist in their deliberations on the request.

2. Approve with no Conditions. The Commission may take action to recommend to the Maui County Council approval of the Conditional Permit without imposing any conditions.
3. Approve with Conditions. The Commission may take action to recommend to the Maui County Council approval of the Conditional Permit with conditions.
4. Denial. The Commission may take action to recommend to the Maui County Council denial of the Conditional Permit.

APPROVED:

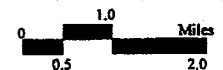


 WILLIAM SPENCE
Planning Director



Source: Belt Collins Hawaii

Figure 1 Challenge at Manele Golf Course Special Events
Regional Location Map



Prepared for: Lanai Resorts, LLC, a Hawaii Limited Liability
Company doing business as Pūlama Lānaʻi

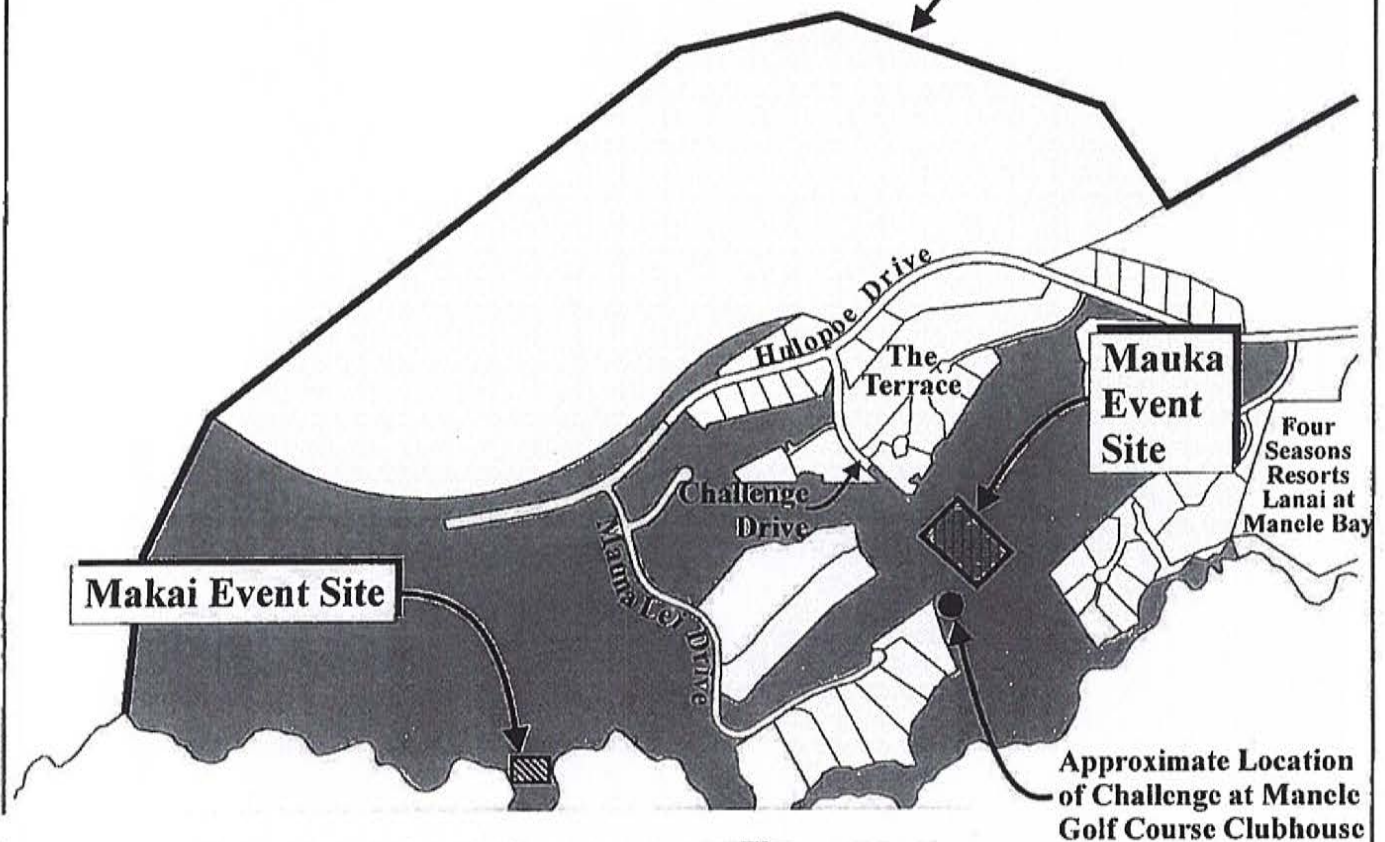
 MUNEKIYO HIRAGA

Key



TMK (2)4-9-017:008
Challenge at Manele
Golf Course

Lanai Project
District 1 (Manele)
Boundary

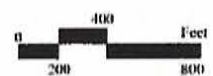


Pacific Ocean


Source: County of Maui, Department of Planning

Figure 2

Challenge at Manele Golf Course Special Events Property Location Map



Prepared for: Lanai Resorts, LLC, a Hawaii Limited Liability
Company doing business as Pōlana Lānaʻi

EXHIBIT 2  MUNEKIYO HIRAGA

F:\Lanai\Food Dev\Events\Challenge\PropertyLocation



KEY

↓ Photo reference number and direction of shot



Challenge at Manele Golf Course Special Events Photo Reference Map

NOT TO SCALE

Prepared for: Lanai Resorts, LLC, a Hawaii Limited Liability Company doing business as Pūlama Lānaʻi

MUNEKIYO HIRAGA



Photo 1: Photo of Mauka Event Site Looking South



Photo 2: Photo of Mauka Event Site Looking West

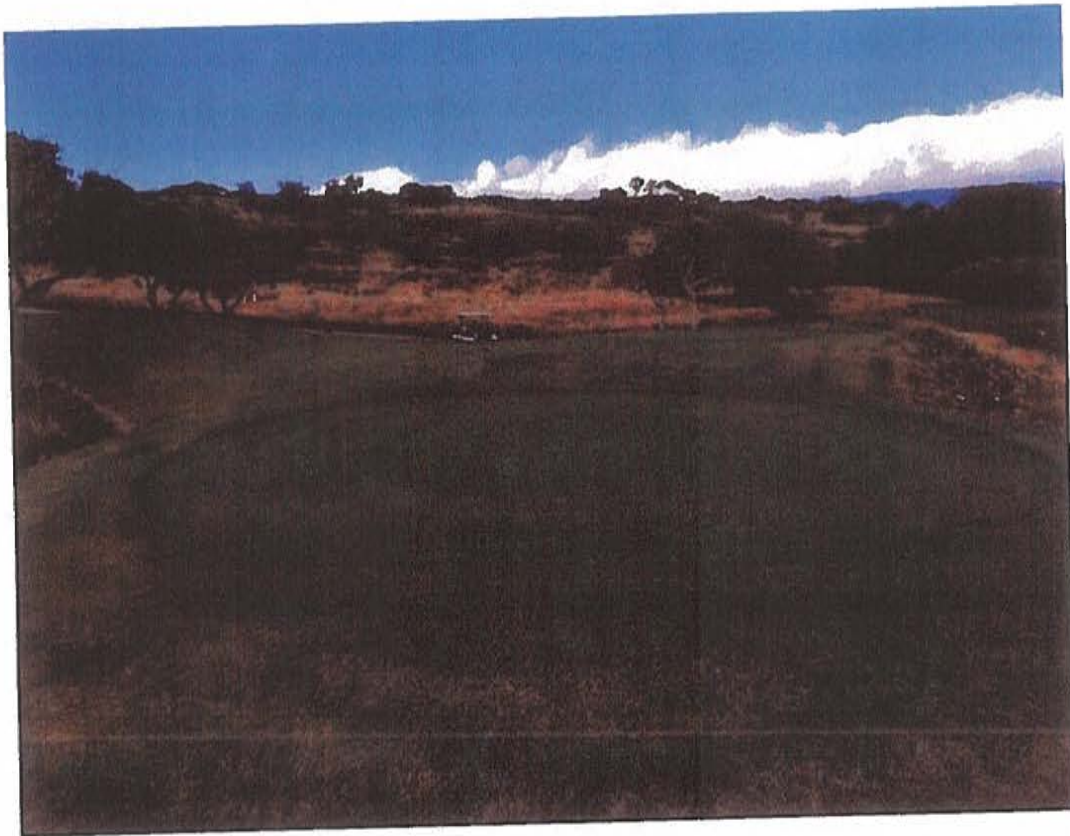


Photo 3: Photo of Makai Event Site Looking North

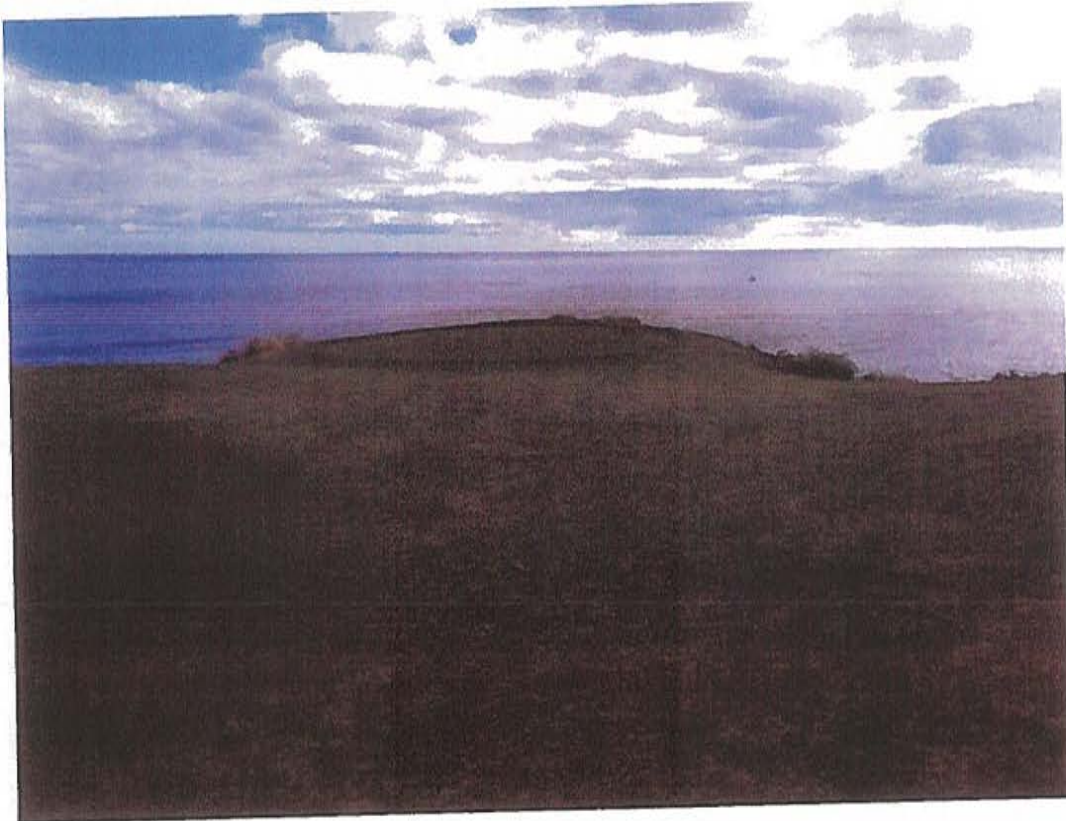
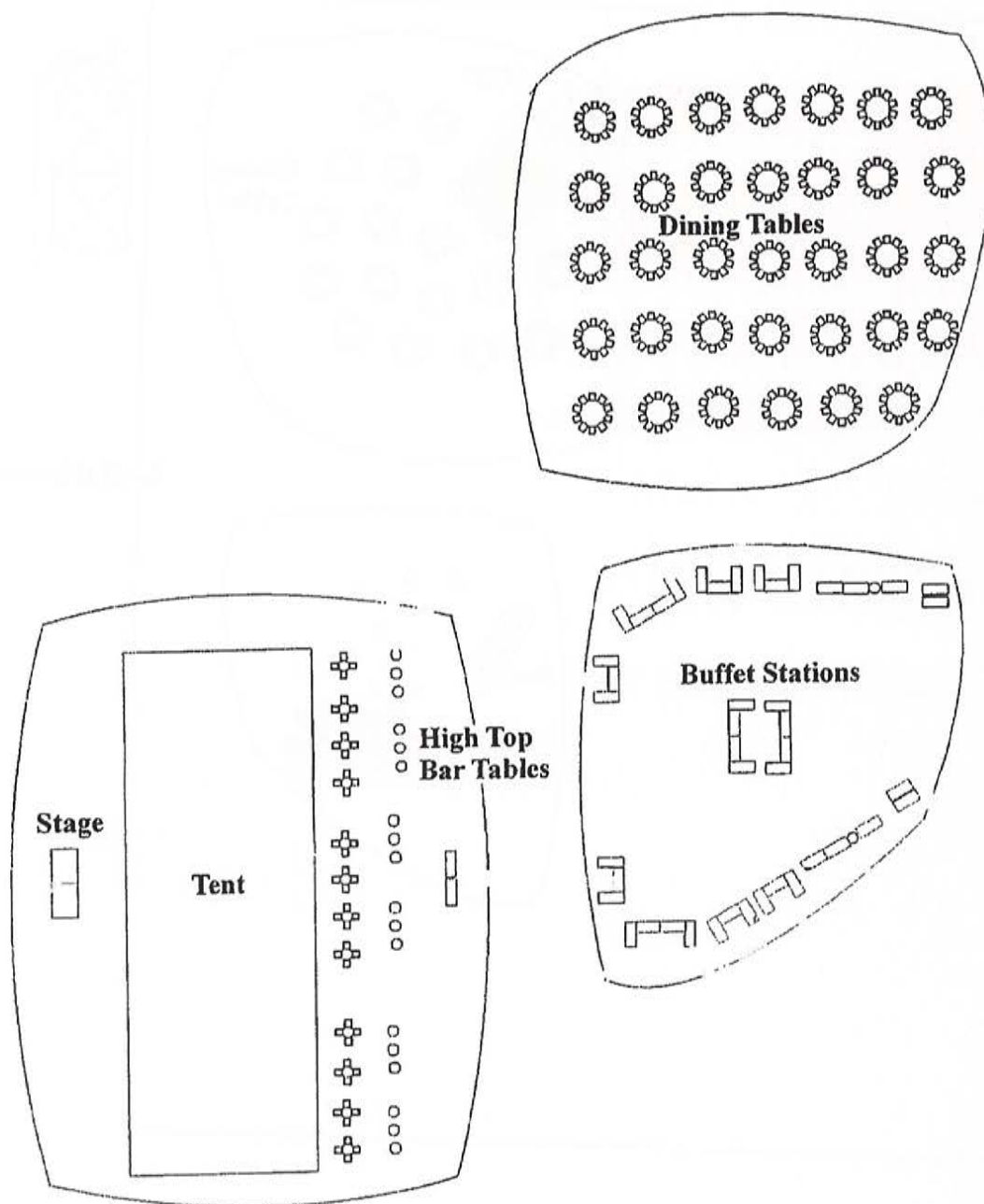


Photo 4: Photo of Makai Event Site Looking South



Source: Four Seasons Resort Lanai

Challenge at Manele Golf Course Special Events Typical Event Set-Up for Large Events at Mauka Event Site

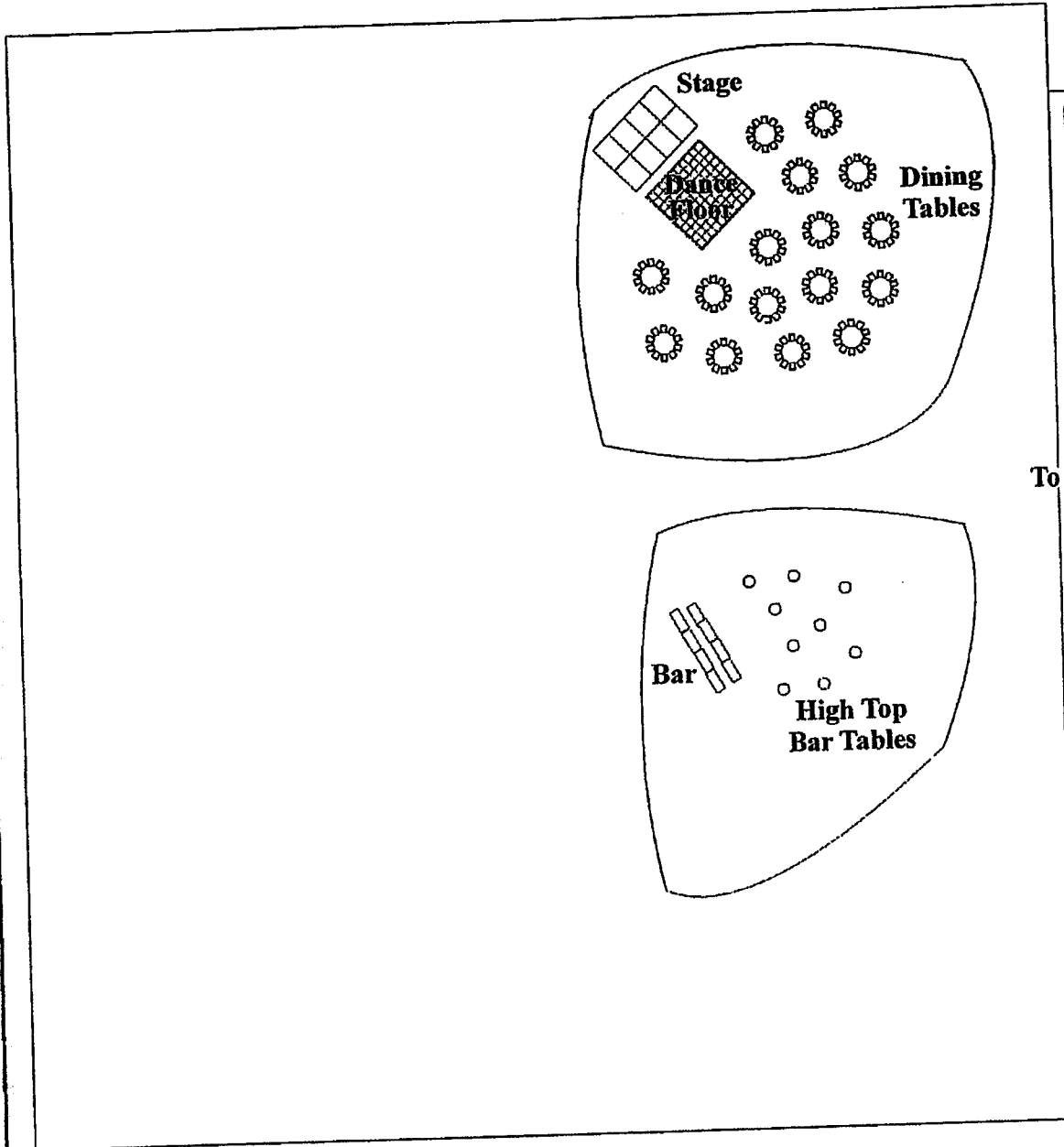
Prepared for: Lanai Resorts, LLC, a Hawaii Limited Liability Company doing business as Pālama Lānaʻi

EXHIBIT



MUNEKIYO HIRAGA

FSLanai/Food Bevt/EventsatChallenge/EventSiteLarge



Source: Four Seasons Resort Lanai

Challenge at Manele Golf Course Special Events Typical Event Set-Up for Small Events at Mauka Event Site

Prepared for: Lanai Resorts, LLC, a Hawaii Limited Liability
 Company doing business as Pūlama Lanai

EXHIBIT



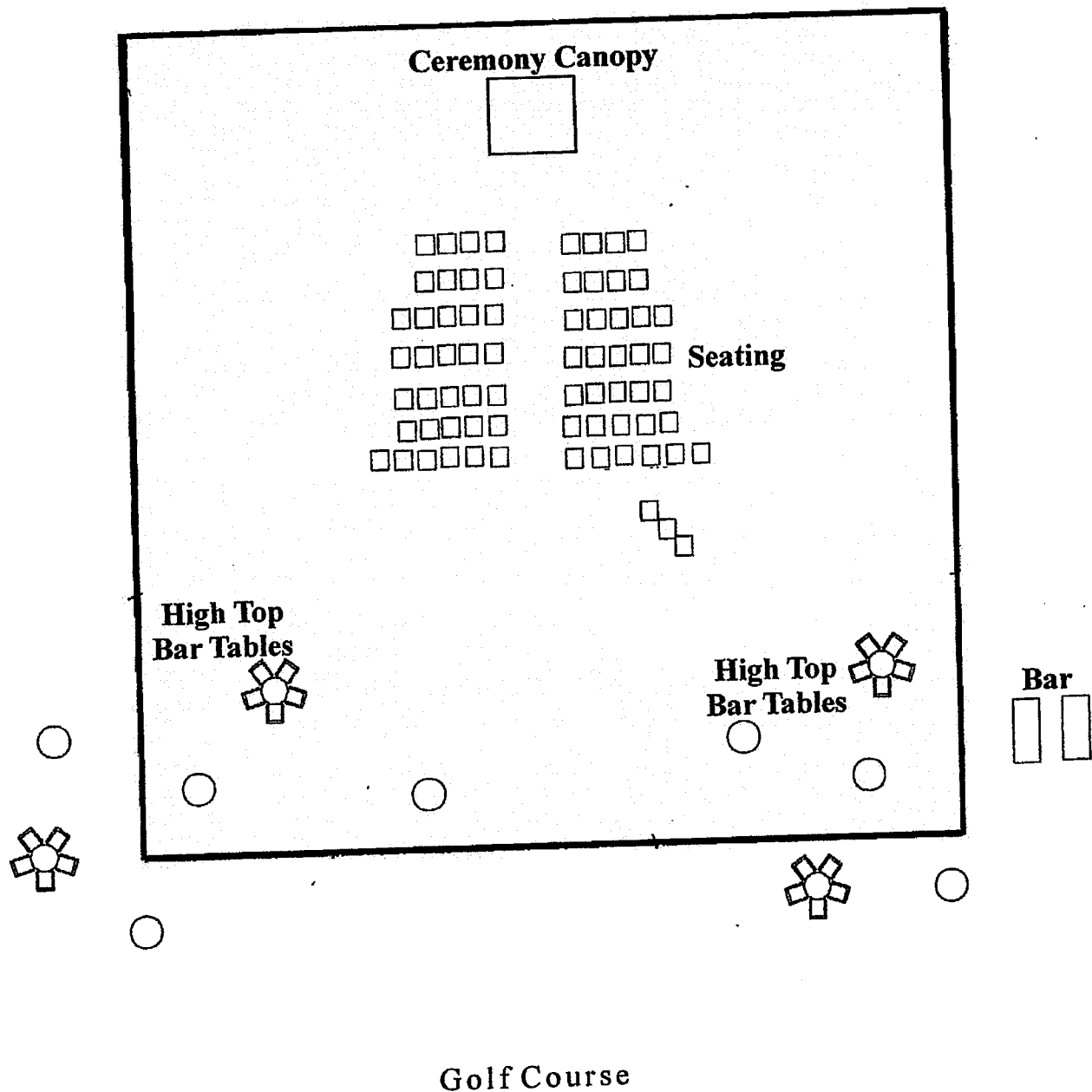
MUNEKIYO HIRAGA

13-022-4 DevEventsatChallenge/EventSiteMauka



Typical Event Set-Up Photos - Mauka Event Site

↑
To Pacific Ocean



Source: Four Seasons Resort Lanai

Challenge at Manele Golf Course Special Events Typical Event Set-Up for Makai Event Site

Prepared for: Lanai Resorts, LLC, a Hawaii Limited Liability
Company doing business as Palama Lānaʻi



MUNEKIYO HIRAGA

FSLanai/Food, Bev/EventsatChallenge/EventSiteMakai

EXHIBIT 62



Typical Event Set-Up Photo - Makai Event Site

EXHIBIT 6b

COUNTY OF MAUI
DEPARTMENT OF PLANNING
One Main Plaza Building
2200 Main Street, Suite 335
Wailuku, Hawaii 96793



DEC 19 2014

RECEIVED
Zoning Administration and
Enforcement Division (ZAED)
Telephone: (808) 276-7253 P 12:25
Facsimile: (808) 270-7634

E-mail: planning@maui-county.gov
COUNTY OF MAUI
DEPT. OF PLANNING
Zoning Division

ZONING AND FLOOD CONFIRMATION FORM

(This section to be completed by the Applicant)

APPLICANT NAME Munekiyo & Hiraga, Inc. TELEPHONE (808) 244-2015
PROJECT NAME Challenge at Manele Golf Course E-MAIL planning@mhplanning.com
PROPERTY ADDRESS 150 Challenge Drive, Lanai City, Hawaii, 96763 TAX MAP KEY (2)4-9-017:008

- ☐ Yes ☒ No Will this Zoning & Flood Confirmation Form be used with a Subdivision Application?
IF YES, answer questions A and B below and comply with instructions 2 & 3 below:
- A) ☐ Yes ☐ No Will it be processed under a consistency exemption from Section 18.04.030(B), MCC?
IF YES, which exemption? (No. 1, 2, 3, 4 or 5) _____
- B) State the purpose of subdivision and the proposed land uses (ie 1-lot into 2-lots for all land uses allowed by law): _____

- INSTRUCTIONS:
- 1) Please use a separate Zoning & Flood Confirmation Form for each Tax Map Key (TMK) number.
 - 2) If this will be used with a subdivision application AND the subject property contains multiple districts/designations of (1) State Land Use Districts, (2) Maui Island Plan Growth Boundaries, (3) Community Plan Designations, or (4) County Zoning Districts; submit a signed and dated Land Use Designations Map, prepared by a licensed surveyor, showing the metes & bounds of the subject parcel and of each district/designation including any subdistricts.
 - 3) If this will be used with a subdivision application AND the subject property contains multiple State Land Use Districts; submit an approved District Boundary Interpretation from the State Land Use Commission.

(This section to be completed by ZAED)

LAND USE DISTRICTS/DESIGNATIONS (LUD) AND OTHER INFORMATION: ¹

STATE DISTRICT: ☒ Urban ☒ Rural ☐ Agriculture ☐ Conservation

MAUI Growth Boundary: ☐ Urban ☐ Small Town ☐ Rural ☐ Planned Growth Area ☐ Outside Growth Boundaries

ISLAND PLAN Protected Area: ☐ Preservation ☐ Park ☐ Greenbelt ☐ Greenway ☐ Sensitive Land ☐ Outside Protected Areas

COMMUNITY PLAN: Project District 1 (Manele)

COUNTY ZONING: Lanai PDI (Manele) Golf Course

OTHER/COMMENTS: info. based on attached site plan "A"

FEMA FLOOD INFORMATION:

FLOOD HAZARD AREA ZONES ³ X, VE (16')
& BASE FLOOD ELEVATIONS: _____

☐ FEMA DESIGNATED FLOODWAY For Flood Zone AO, FLOOD DEPTH: _____

☒ FLOOD DEVELOPMENT PERMIT REQUIRED (Zones V, VE, A, AO, AE, AH, D, & Floodways)

☒ (SMA)
Special
Management Area

☐ (PD)
Planned
Development

☒ (PH)
Project District

☐ See
Additional
Comments (Pg.2)

☐ See
Attached LUD Map

SUBDIVISION LAND USE CONSISTENCY: ☐ Not Consistent, (LUDs appear to have NO permitted uses in common).

- ☐ Not Applicable, (Due to processing under consistency exemption No. ☐1, ☐2, ☐3, ☐4, ☐5).
- ☐ Interim Zoning, (The parcel or portion of the parcel that is zoned interim shall not be subdivided).
- ☐ ⁴ Consistent, (LUDs appear to have ALL permitted uses in common).
- ☐ ⁴ Consistent, upon obtaining an SMA, PD, or PH subdivision approval from Planning.
- ☐ ⁴ Consistent, upon recording a permissible uses unilateral agreement processed by Public Works (See Pg.2).

NOTES:

- 1 The conditions and/or representations made in the approval of a State District Boundary Amendment, Community Plan Amendment, County Change in Zoning, SMA Permit, Planned Development, Project District and/or a previous subdivision, may affect building permits, subdivisions, and uses on the land.
- 2 Please review the Maui Island Plan and the Community Plan document for any goals, objectives, policies or actions that may affect this parcel.
- 3 Flood development permits might be required in zones X and XS for any work done in streams, gulches, low-lying areas, or any type of drainageway; Flood development permits are required for work in all other zones. Subdivisions that include/adjoin streams, gulches, low-lying areas, or any type of drainageway might require the following designations to be shown on the subdivision map: 100-year flood inundation limits; base flood elevations; drainage reserves.
- 4 Subdivisions will be further reviewed during the subdivision application process to verify consistency, unilateral agreement requirements, and the conditions associated with a unilateral agreement [Section 18.04.030.D, Maui County Code].

REVIEWED & CONFIRMED BY:

For: John S. Rapacz (Signature) Planning Program Administrator, Zoning Administration and Enforcement Division
12/19/14 (Date)

EXHIBIT 7

AGENCY TRANSMITTAL RESPONSE e-FORM
FOR DEPARTMENT OF PLANNING, COUNTY OF MAUI
10/30/2015


AGENCY NAME		Department of Environmental Mgmt.	PHONE	270-8230
PROJECT: APPLICANT: PERMIT NO: TMK: STREET ADDRESS: PROJECT DESCRIPTION: SECURITY CODE:		Challenge at Manele Golf Course Special Events Munekiyo & Hiraga for Pulama Lanai CP 2015/0005, SMX 2015/0346 (2) 4-9-017:008 (por.) 150 Challenge Drive, Lanai City, Hawaii 96763 The Applicant is proposing to host up to forty (4) special events per year at the Manele Golf Course.		
<input type="checkbox"/> COMMENTS/RECOMMENDATIONS <input checked="" type="checkbox"/> NO COMMENTS				
WASTEWATER RECLAMATION DIVISION COMMENTS				
<input type="checkbox"/> COMMENTS/RECOMMENDATIONS <input checked="" type="checkbox"/> NO COMMENTS				
SOLID WASTE DIVISION COMMENTS				
Signed:				
Print Name:	Michael M. Miyamoto, Deputy Director			Date 10/30/15

EXHIBIT 8



MUNEKIYO HIRAGA

Planning. Project Management. Sustainable Solutions.

Michael T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

January 5, 2016

Michael Miyamoto, Deputy Director
Department of Environmental Management
County of Maui
2050 Main Street, Suite 1C
Wailuku, Hawaii 96793

SUBJECT: Applications for County Conditional Permit and Special
Management Area Assessment for Challenge at Mānele Golf
Course Special Events at Mānele, Lāna'i, Hawai'i; TMK (2)4-9-
017:008 (por.); CP 2015/0005, SMX 2015/0346

Dear Mr. Miyamoto:

Thank you for your letter dated October 30, 2015 providing input on the above-mentioned applications for the Challenge at Mānele Golf Course Special Events project. On behalf of the Applicant, Lanai Resorts, LLC, a Hawai'i limited liability company doing business as Pūlama Lāna'i, we acknowledge that the Department of Environmental Management has no comment to offer on the applications at this time.

Thank you again for your input. Should you have any questions or require additional information, please feel free to contact me at 244-2015.

Very truly yours,

Bryan Esmeralda, AICP
Associate

BE:lfm

cc: Lynn McCrory, Pūlama Lāna'i

Candace Thackerson, Department of Planning

K:\DATA\FLANAI\Food BevEvents\A\Challenge 1809\Applications\CP.SMAA Responses\DEM CP SMAA Resp.doc

Maui: 305 High Street, Suite 104 • Wailuku, Hawaii 96793 • Tel: 808.244.2015 • Fax: 808.244.8729

Oahu: 735 Bishop Street, Suite 321 • Honolulu, Hawaii 96813 • Tel: 808.983.1233

www.munekiyo-hiraga.com

EXHIBIT 8a

15/5716

ALAN M. ARAKAWA
Mayor

DAVID C. GOODE
Director

ROWENA M. DAGDAG ANDAYA
Deputy Director

Telephone (808) 270 7845
Fax (808) 270 7955



**COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS**

200 SOUTH HIGH STREET, ROOM NO. 434
WAILUKU, MAUI, HAWAII 96793

October 30, 2015

GLEN A. UENO, P.E., P.L.S.
Development Services Administration

CARY YAMASHITA, P.E.
Engineering Division

BRIAN HASHIRO, P.E.
Highways Division

COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT

NOV - 3 2015

RECEIVED

MEMO TO: WILLIAM R. SPENCE, PLANNING DIRECTOR

FROM: *David C. Goode* DAVID C. GOODE, DIRECTOR OF PUBLIC WORKS

SUBJECT: **APPLICATION FOR SPECIAL MANAGEMENT AREA ASSESSMENT
AND COUNTY CONDITIONAL PERMIT FOR CHALLENGE AT MANELE
GOLF COURSE SPECIAL EVENTS; TMK: (2) 4-9-017:008 (POR.)
CP 2015/0005, SMX 2015/0346**

We reviewed the subject application and have no comments at this time.

If you have any questions regarding this memorandum, please call Rowena M. Dagdag-Andaya at 270-7845.

DCG:RMDA:da

xc: Highways Division
Engineering Division

S:\DSAI\Engr\CZM\Draft Comments\49017008_challenge_at_manele_spl_events_cp_smx.wpd

EXHIBIT 9

January 5, 2016

David Goode, Director
Department of Public Works
County of Maui
200 South High Street, Room 434
Wailuku, Hawaii 96793

SUBJECT: Applications for County Conditional Permit and Special Management Area Assessment for Challenge at Mānele Golf Course Special Events at Mānele, Lāna'i, Hawai'i; TMK (2)4-9-017:008 (por.); CP 2015/0005, SMX 2015/0346

Dear Mr. Goode:

Thank you for your letter dated October 30, 2015 providing input on the above-mentioned applications for the Challenge at Mānele Golf Course Special Events project. On behalf of the Applicant, Lanai Resorts, LLC, a Hawai'i limited liability company doing business as Pūlama Lāna'i, we acknowledge that the Department of Public Works has no comment to offer on the applications at this time.

Thank you again for your input. Should you have any questions or require additional information, please feel free to contact me at 244-2015.

Very truly yours,



Bryan Esmeralda, AICP
Associate

BE:lfm

cc: Lynn McCrory, Pūlama Lāna'i

Candace Thackerson, Department of Planning

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ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



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2015 OCT 23 PM 3:19

COUNTY OF MAUI

MAUI POLICE DEPARTMENT

DEPARTMENT OF PLANNING

October 19, 2015

TRANSMITTAL

STATE AGENCIES	
<input checked="" type="checkbox"/>	Dept of Health, Maui (2)
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	

COUNTY AGENCIES	
<input checked="" type="checkbox"/>	Dept of Public Works (3)
<input checked="" type="checkbox"/>	Dept of Water Supply
<input checked="" type="checkbox"/>	Fire & Public Safety
<input checked="" type="checkbox"/>	Police Department
<input checked="" type="checkbox"/>	Dept of Environmental Management (2)

PROJECT:	CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS
APPLICANT:	Munekio & Hiraga for Pulama Lanai
STREET ADDRESS:	150 Challenge Drive, Lanai City, Hawaii 96763
PROJECT DESCRIPTION:	The Applicant is proposing to host up to forty (40) special events per year at the Manele Golf Course.
TMK:	(2) 4-9-017:008 (por.)
PERMIT NO.:	CP 2015/0005, SMX 2015/0346

TRANSMITTED TO YOU IS THE FOLLOWING:

☒ Application

THESE ARE TRANSMITTED AS CHECKED BELOW:

☒ For your Comment and Recommendation

Please identify any comments you would like the Department of Planning to propose as conditions of project approval. Please also provide any previous comments, letters, etc. pertinent to this application. Submit your comments directly to me by November 17, 2015. A comment box is also provided to assist you. If no comment, please sign the "No Comment" box and fax to (808) 270-1775.

Thank you for your time and assistance. For additional clarification, please contact me via email at candace.thackerson@maui-county.gov or by phone at (808) 270-7180 on Maui.

Sincerely,

CANDACE R THACKERSON, Staff Planner

Attachment

xc: Clayton Yoshida, AICP, Planning Program Administrator (PDF)
Candace Thackerson, Staff Planner (PDF)
Project File
General File

CRT:art

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15

NOV

P2

08

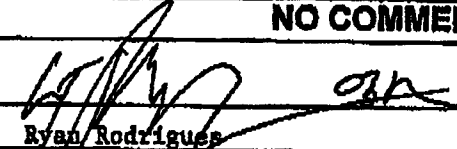
DEPT
CURRENT DIVISION
RECEIVED

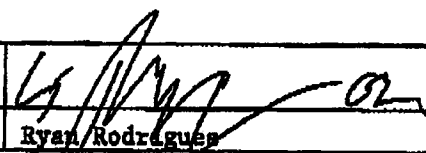
ONE MAIN PLAZA BUILDING / 2200 MAIN STREET, SUITE 315 / WAILUKU, MAUI, HAWAII 96793
MAIN LINE (808) 270-7735 / FACSIMILE (808) 270-7634
CURRENT DIVISION (808) 270-8205 / LONG RANGE DIVISION (808) 270-7214 / ZONING DIVISION (808) 270-7263

EXHIBIT 10

AGENCY NAME	MAUI POLICE DEPARTMENT	PHONE	808-565-6428
--------------------	------------------------	--------------	--------------

Agency Transmittal - Manele Golf Course Special Events (CP 2015/0005)
October 19, 2015
Page 2

NO COMMENT			
Signed:		Dated:	11-02-15
Print Name:	Ryan Rodriguez	Title:	Lieutenant

COMMENT/RECOMMENDATION BOX			
Upon review of the application for county conditional permit and special management area assessment application, no concerns were raised relative to security, traffic or health issues. The site chosen is on private property for which the applicant has sufficiently addressed the issues mentioned above.			
Signed:		Dated:	11/02/15
Print Name:	Ryan Rodriguez	Title:	Lieutenant

NOV - 2 P 2:08

COUNTY
DEPT. OF PUBLIC WORKS
CURRENT DIV. RECEIVED

EXHIBIT 10

10/42



MUNEKIYO HIRAGA

Planning, Project Management, Sustainable Solutions

Michael T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

COUNTY OF MAUI
DEPT OF PLANNING
CURRENT DIV-RECEIVED

January 5, 2016

16 JAN -6 P 4:25

Tivoli Faaumu, Chief
Police Department
County of Maui
55 Mahalani Street
Wailuku, Hawaii 96793

SUBJECT: Applications for County Conditional Permit and Special Management Area Assessment for Challenge at Mānele Golf Course Special Events at Mānele, Lāna'i, Hawai'i; TMK (2)4-9-017:008 (por.); CP 2015/0005, SMX 2015/0346

Dear Chief Faaumu:

Thank you for your Department's letter dated November 2, 2015 providing input on the above-mentioned applications for the Challenge at Mānele Golf Course Special Events project. On behalf of the Applicant, Lanai Resorts, LLC, a Hawai'i limited liability company doing business as Pūlama Lāna'i, we acknowledge that the Police Department has no concerns regarding the applications.

Thank you again for your input. Should you have any questions or require additional information, please feel free to contact me at 244-2015.

Very truly yours,

Bryan Esmeralda, AICP
Associate

BE:lfm

cc: Lynn McCrory, Pūlama Lāna'i
Candace Thackerson, Department of Planning

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EXHIBIT

102

16028
ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

TRANSMITTAL

October 19, 2015

STATE AGENCIES	
X	Dept of Health, Maui (2)

COUNTY AGENCIES	
X	Dept of Public Works (3)
X	Dept of Water Supply
X	Fire & Public Safety
X	Police Department
X	Dept of Environmental Management (2)

PROJECT:	CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS
APPLICANT:	Munekiyo & Hiraga for Pulama Lanai
STREET ADDRESS:	150 Challenge Drive, Lanai City, Hawaii 96763
PROJECT DESCRIPTION:	The Applicant is proposing to host up to forty (40) special events per year at the Manele Golf Course.
TMK:	(2) 4-9-017:008 (por.)
PERMIT NO.:	CP 2015/0005, SMX 2015/0346

TRANSMITTED TO YOU IS THE FOLLOWING:

X Application

THESE ARE TRANSMITTED AS CHECKED BELOW:

X For your Comment and Recommendation

Please identify any comments you would like the Department of Planning to propose as conditions of project approval. Please also provide any previous comments, letters, etc. pertinent to this application. Submit your comments directly to me by November 17, 2015. A comment box is also provided to assist you. If no comment, please sign the "No Comment" box and fax to (808) 270-1775.

Thank you for your time and assistance. For additional clarification, please contact me via email at candace.thackerson@mauicounty.gov or by phone at (808) 270-7180 on Maui.

Sincerely,


CANDACE R THACKERSON, Staff Planner

Attachment

xc: Clayton Yoshida, AICP, Planning Program Administrator (PDF)
Candace Thackerson, Staff Planner (PDF)
Project File
General File

CRT:cr

K:\WP_DOCS\PLANNING\CP\2015\0005_ManeleGolfCourse\StaffReporttoApprovalAgency_Transmittal.doc

ONE MAIN PLAZA BUILDING / 2200 MAIN STREET, SUITE 315 / WAILUKU, MAUI, HAWAII 96793
MAIN LINE (808) 270-7735 / FACSIMILE (808) 270-7634
CURRENT DIVISION (808) 270-8205 / LONG RANGE DIVISION (808) 270-7214 / ZONING DIVISION (808) 270-7253

EXHIBIT II

AGENCY NAME	DEPARTMENT OF WATER	PHONE	463-3104
--------------------	---------------------	--------------	----------

Agency Transmittal - Manele Golf Course Special Events (CP 2015/0005)
 October 19, 2015
 Page 2

NO COMMENT			
Signed:	<i>[Signature]</i>	Dated:	NOV 30 2015
Print Name:	DAVID TAYLOR	Title:	DIRECTOR

COMMENT/RECOMMENDATION BOX			
Signed:		Dated:	
Print Name:		Title:	

15 DEC -3 AM 1:33
 DEPT. OF WATER
 CURRENT DIVISION RECEIVED



MUNEKIYO HIRAGA

Planning Project Management Sustainable Solutions

Michael T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

January 5, 2016

David Taylor, Director
Department of Water Supply
County of Maui
200 South High Street, 5th Floor
Wailuku, Hawaii 96793

SUBJECT: Applications for County Conditional Permit and Special Management Area Assessment for Challenge at Mānele Golf Course Special Events at Mānele, Lāna'i, Hawai'i; TMK (2)4-9-017:008 (por.); CP 2015/0005, SMX 2015/0346

Dear Mr. Taylor:

Thank you for your letter dated November 30, 2015 providing input on the above-mentioned applications for the Challenge at Mānele Golf Course Special Events project. On behalf of the Applicant, Lanai Resorts, LLC, a Hawai'i limited liability company doing business as Pūlama Lāna'i, we acknowledge that the Department of Water Supply has no comment to offer on the applications at this time.

Thank you again for your input. Should you have any questions or require additional information, please feel free to contact me at 244-2015.

Very truly yours,

Bryan Esmeralda, AICP
Associate

BE:lfm

cc: Lynn McCrory, Pūlama Lāna'i

Candace Thackerson, Department of Planning

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15/6324

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF HEALTH
MAUI DISTRICT HEALTH OFFICE
54 HIGH STREET
WAILUKU, HAWAII 96793-3378

VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

LORRIN W. PANG, M.D., M.P.H.
DISTRICT HEALTH OFFICER

RECEIVED

NOV 30 3 40 05

November 25, 2015

Mr. William R. Spence
Director
Department of Planning
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, Hawaii'i 96793

Attn: Candace R. Thackerson

Dear Mr. Spence:

Subject: Challenge at Manele Golf Course Special Events
Applicant: Munekiyo & Hiraga for Pulama Lanai
Location: 150 Challenge Drive, Lanai City, Hawaii 96763
TMK: (2) 4-9-017:008 (por.)
Permit No.: CP 2015/0005, SMX 2015/0346
Description: Proposing to host up to forty (40) special events per year at the Manele Golf Course

Thank you for the opportunity to review this project. We have the following comments to offer:

1. We are unable to offer any further comments on the proposed special events project at this time as domestic wastewater collection, treatment and disposal have not been addressed in the subject documentation. Information pertaining to the wastewater collection, treatment and disposal system should be provided in order that we may be able to evaluate the impact and make any determination related to the wastewater plan project. If you have any questions, please call Roland Tejano, Environmental Engineer, at 808 984-8232.
2. The applicant must comply with Hawaii Administrative Rules, Chapter 11-50, "Food Safety Code" when applicable. Please contact the Sanitation Program at 808 984-8230.

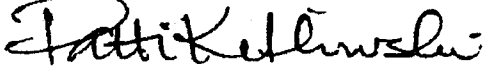
EXHIBIT 12

Mr. William R. Spence
November 25, 2015
Page 2

It is strongly recommended that the Standard Comments found at the Department's website: <http://health.hawaii.gov/epo/home/landuse-planning-review-program/> be reviewed and any comments specifically applicable to this project should be adhered to.

Should you have any questions, please contact me at 808 984-8230.

Sincerely,

A handwritten signature in black ink, appearing to read "Patti Kitkowski". The signature is fluid and cursive, with the first name "Patti" being more prominent.

Patti Kitkowski
District Environmental Health Program Chief

c EPO



MUNEKIYO HIRAGA

Planning, Project Management, Sustainable Solutions.

Michael T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

January 5, 2016

Patti Kitkowski, Chief
Maui District Environmental Health Program
Department of Health
State of Hawaii
54 High Street
Wailuku, Hawaii 96793

SUBJECT: Applications for County Conditional Permit and Special Management Area Assessment for Challenge at Mānele Golf Course Special Events at Mānele, Lānaʻi, Hawaiʻi; TMK (2)4-9-017:008 (por.); CP 2015/0005, SMX 2015/0346

Dear Ms. Kitkowski:

Thank you for your letter dated November 25, 2015 providing input on the above-mentioned applications for the Challenge at Mānele Golf Course Special Events project. On behalf of the Applicant, Lanai Resorts, LLC, a Hawaiʻi limited liability company doing business as Pūlama Lānaʻi, we offer the following information in response to the comments in your letter:

1. We acknowledge your comment. The proposed events will be temporary in nature. The restroom facilities at the Challenge at Mānele Golf Clubhouse will be open for guests from either of the two (2) event locations. The wastewater will be treated by the Mānele Wastewater Treatment Plant (WWTP), which has a capacity of 120,000 gallons per day (GPD). The current load going through the Mānele WWTP is between 40,000 GPD to 60,000 GPD, reflecting more than adequate wastewater collection, treatment, and disposal capacity. Should portable toilets be utilized, there would be no permanent increase in wastewater collection and treatment at the property. Therefore, with the use of either the clubhouse restroom facilities or portable toilets, there will be no requirements to extend existing services to the site to service the proposed events.
2. The Applicant shall ensure that each event is in substantial compliance with Hawaiʻi Administrative Rules, Chapter 11-50, "Food Safety Code", as applicable.

EXHIBIT 12a

Patti Kitkowski, Chief
January 5, 2016
Page 2

Thank you again for your input. Should you have any questions or require additional information, please feel free to contact me at 244-2015.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Bryan Esmeralda', with a long horizontal flourish extending to the right.

Bryan Esmeralda, AICP
Associate

BE:lfm

cc: Lynn McCrory, Pūlama Lāna'i

Candace Thackerson, Department of Planning

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BEFORE THE LANAI PLANNING COMMISSION

COUNTY OF MAUI

STATE OF HAWAII

In the Matter of the Application of

MUNEKIYO HIRAGA, INC, ON BEHALF OF
PŪLAMA LĀNA'I

To Obtain a Conditional Permit to allow for up to
40 special events per year at the Challenge at
Manele Golf Course on property located at 150
Challenge Drive at Manele on the island of
Lanai, Tax Map Key (2) 4-9-017:008 (por.),
Hawaii

DOCKET NO.: CP 2015/0005

Munekiyo Hiraga, Inc, on behalf of
Pūlama Lāna'i
(CRT)

MAUI COUNTY DEPARTMENT OF PLANNING'S RECOMMENDATION
TO THE LANAI PLANNING COMMISSION
FEBRUARY 17, 2016 MEETING

DEPARTMENT OF PLANNING
COUNTY OF MAUI
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HI. 96793

Conditional Permit,

K:\WP_DOCS\PLANNING\CP\2015\0005_ManeleGolfCourse\StaffReporttoApproval\LPRecommendation.doc

BEFORE THE LANAI PLANNING COMMISSION

COUNTY OF MAUI

STATE OF HAWAII

In the Matter of the Application of

MUNEKIYO HIRAGA, INC, ON BEHALF OF
PŪLAMA LĀNA'I

To Obtain a Conditional Permit to allow for up to
40 special events per year at the Challenge at
Manele Golf Course on property located at 150
Challenge Drive at Manele on the island of
Lanai, Tax Map Key (2) 4-9-017:008 (por.),
Hawaii

DOCKET NO.: CP 2015/0005

Munekiyo Hiraga, Inc, on behalf of
Pūlama Lāna'i
(CRT)

CONCLUSIONS OF LAW

Conditional Permit

The application complies with the applicable standards for a Conditional Permit as established in the Planning Department's Report to the Lanai Planning Commission, February 17, 2016, Docket No. CP 2015/0005 as follows:

A Conditional Permit is reviewed pursuant to Title 19, Zoning, Chapter 19.40 Conditional Permits; Maui County Code, 1980, as amended. The intent of the Conditional Permit is to provide the opportunity to consider establishing uses not specifically permitted within a given use zone where the proposed use is similar, related or compatible to those permitted uses and which has some special impact or uniqueness such that its effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location.

Upon finding that reasons justifying granting of a Conditional Permit exist, and that the proposed use would not be significantly detrimental to the public interest, convenience and welfare, and will be in harmony with the area in which it is to be located; issuance of a Conditional Permit may be recommended, subject to such terms and conditions and for such period of time as the facts may warrant.

Should the Commission determine that the permit requested is for a use which is substantially different from those uses permitted in the use zone, the Commission shall

recommend denial of the request and may instruct the Applicant to seek a change in zoning should the facts warrant such an application.

Every Conditional Permit shall be conditioned upon the proposed development fully complying with all requirements of Title 19 and other applicable governmental requirements.

The Planning Department finds that the proposed continued use meets the criteria for the issuance of a Conditional Permit. The use has been, and will continue to be, in harmony with the area. Further, the proposed continued use is not detrimental to the public interest, convenience, or its welfare.

RECOMMENDATION

Conditional Permit

Maui County Planning Department recommends that the Lanai Planning Commission recommend approval of the Conditional Permit to the Maui County Council, subject to the following conditions:

1. That the Conditional Permit shall be valid for a period of five (5) years from the effective date of this ordinance; provided, that an extension of this permit beyond this period may be granted pursuant to Section 19.40.090, Maui County Code.
2. That the Conditional Permit shall be nontransferable unless approved by the Planning Director. The Planning Director may forward the request to the Lanai Planning Commission.
3. That the Applicant and its successors and permitted assigns shall exercise reasonable due care as to third parties with respect to all areas affected by subject Conditional Permit and shall procure at his/her/their own cost and expense, and shall maintain during the entire period of this Conditional Permit, a policy or policies of comprehensive liability insurance in the minimum amount of ONE MILLION AND NO/100 DOLLARS (\$1,000,000) naming the County of Maui as an additional insured, insuring and defending the Applicant and County of Maui against any and all claims or demands for property damage, personal injury and/or death arising out of this Conditional Permit, including, but not limited to: (1) claims from any accident in connection with the permitted use, or occasioned by any act or nuisance made or suffered in connection with the permitted use in the exercise by the Applicant of said rights; and (2) all actions, suits, damages and claims by whomsoever brought or made by reason of the non-observance or non-performance of any of the terms and conditions of this Conditional Permit. A copy of the certificate of insurance naming County of Maui as an additional insured shall be submitted to the Department of Planning within ninety (90) calendar days from the date of approval of this Conditional Permit, or prior to starting operations, whichever is first. The proof of insurance and all subsequent certifications of insurance coverage shall be submitted directly by the insurance carrier to the Department and shall include the applicable TMK and permit numbers.
4. That Pūlama Lānaʻi shall develop the property in substantial compliance with the representations made to the Maui County Council in obtaining the Conditional Permit.

Failure to so develop the property may result in the revocation of the Conditional Permit pursuant to Section 19.40.080, Maui County Code.


5. That full compliance with all applicable governmental requirements shall be rendered.
6. That events utilizing tents and/or canopies larger than 700 square feet are required to apply for a Temporary Membrane Structures permit from the Fire Prevention Bureau. A site plan detailing the event set up and locations of tents must be submitted to the Fire Prevention Bureau with the permit application for review and approval of the permit.
7. That tents and canopies larger than 700 square feet require flame-resistance certifications. Tents/canopies less than 10 feet apart are considered as non-separated and total square footage applies. Said flame-resistance certifications shall be submitted to the Fire Prevention Bureau.
8. That noise generating activities or amplified music shall not occur past 10:00 p.m.

The Conditional Permit conditions will be enforced pursuant to the provisions of Chapter 19.530, §19.530.030 of the Maui County Code, as amended, 1980; and the *Rules for Administrative Procedures and Civil Fines for Violations of Titles 12, 14, 16, 19, and 20 of the Maui County Code*.

In consideration of the forgoing, the Maui County Planning Department recommends that the Lanai Planning Commission adopt the Planning Department's Report and Recommendations prepared for the February 17, 2016, meeting as its Findings of Fact, Conclusions of Law, and Recommendation and to authorize the Director of Planning to transmit said Recommendation to the Maui County Council on behalf of the Lanai Planning Commission.

APPROVED:



 WILLIAM SPENCE
Planning Director

**Challenge at Mānele Golf Course Special
Events
(TMK (2)4-9-017:008 (por.))**

Lānaʻi Planning Commission

February 17, 2016



PROJECT TEAM

Landowner/Applicant:	Pūlama Lānaʻi
Golf Course Operator:	Four Seasons Resort Lānaʻi
Planning Consultant:	Munekiyo Hiraga

PROPOSED ACTION

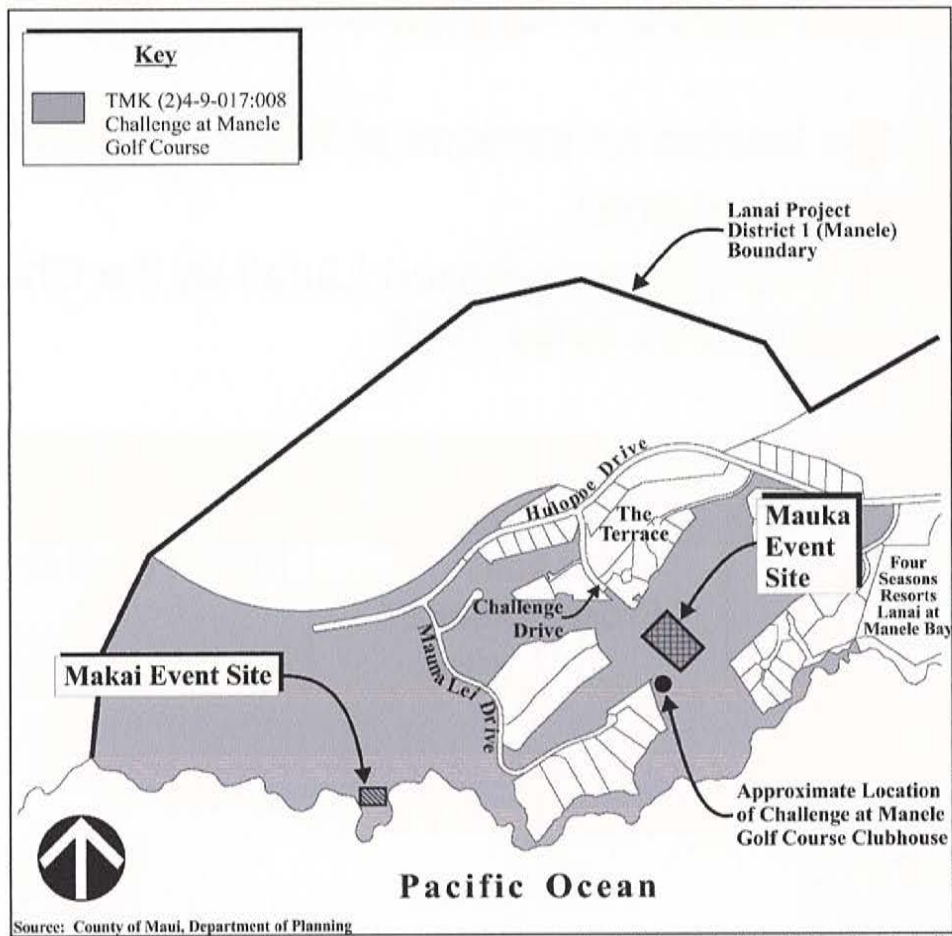
Applicant is requesting favorable recommendation of a County Conditional Permit to host up to 40 special events a year on two (2) sites at the Challenge at Mānele Golf Course.

Aerial Photo



F:\Lana\Food Dev\Events\Challenge\PowerPoint\Bismaps\Aerial

PROPERTY LOCATION MAP



PROPERTY DESCRIPTION

Events sites are located on portions of TMK (2)4-9-017:008

- Owned by Pūlama Lānaʻi
- Operated by Four Seasons Resort Lānaʻi as the Challenge at Mānele Golf Course since 1993

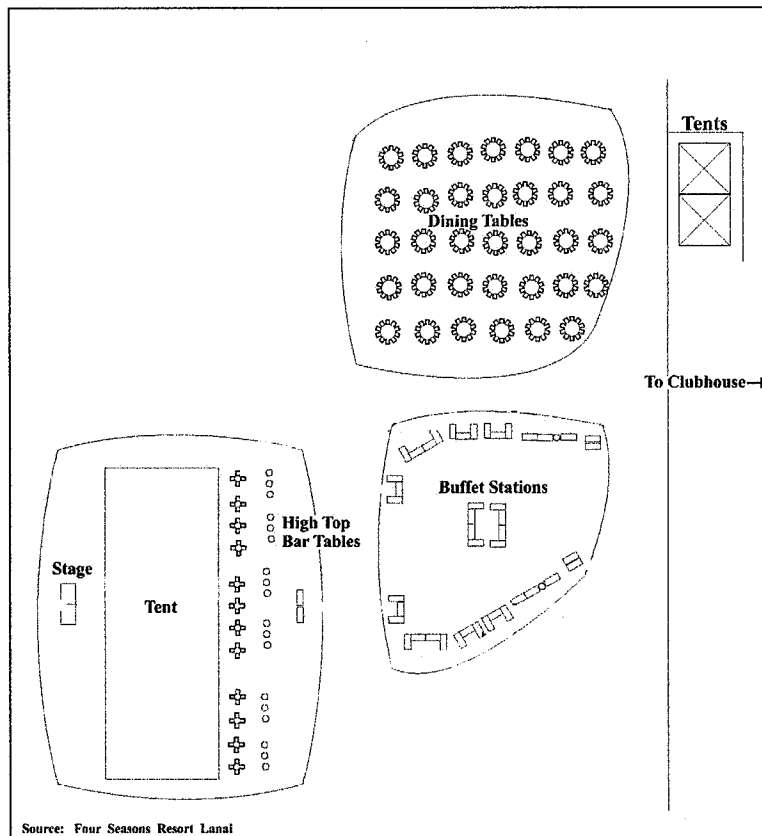
<i>State Land Use Designation</i>	<i>Lānaʻi Community Plan Designation</i>	<i>Maui County Zoning Designation</i>
Urban	Lānaʻi Project District 1 (Mānele)	PD-L/1 (Golf Course)

MAUKA EVENT SITE

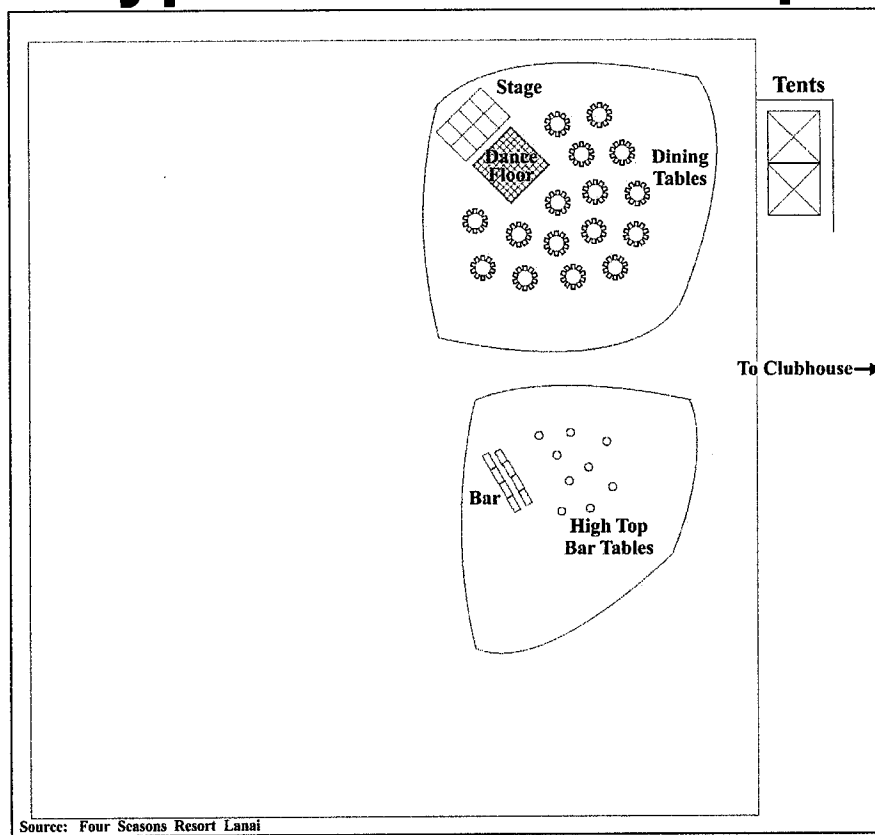


- Located on driving range
- Approximately 45,000 square feet in area
- Large events accommodating 75 to 300 guests₇

Mauka Event Site- Typical Event Set-Up



Mauka Event Site- Typical Event Set-Up



Typical Event Set-Up Photos at Mauka Event Site



MAKAI EVENT SITE



Source: Google Earth, 2014

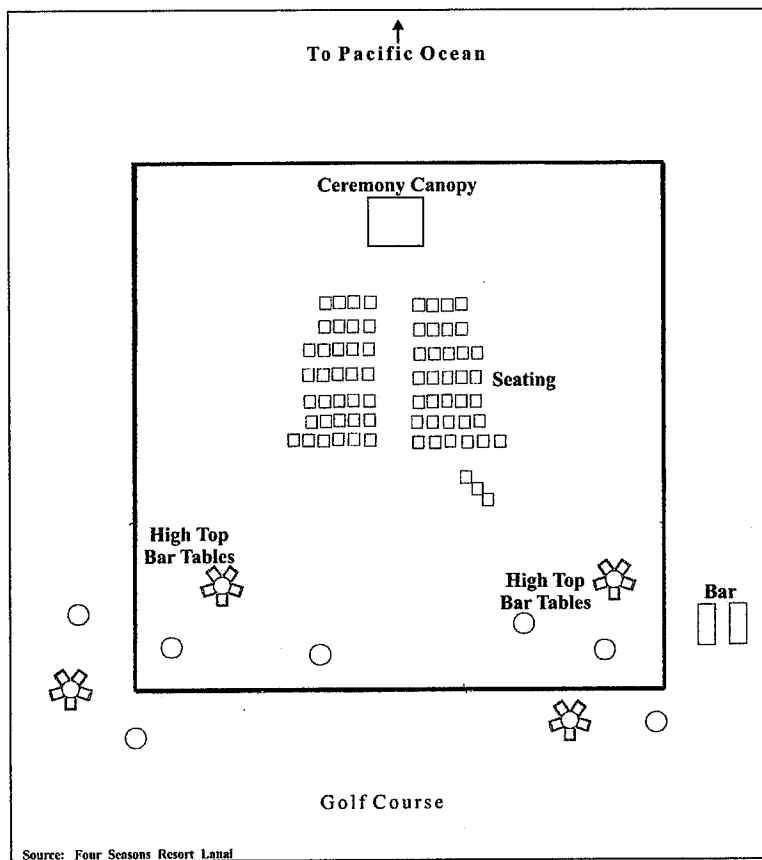
- Located on Hole No. 12 tee box
- Smaller area for events accommodating 25 to 100 guests

SPECIAL MANAGEMENT AREA

A Special Management Area (SMA) Assessment application has also been filed for the makai event site.

The SMA Assessment application will be held in abeyance until the Conditional Permit process is complete.

Makai Event Site- Typical Event Set-Up



Typical Event Set-Up Photo at Makai Event Site



EVENT OPERATIONS

- Events will be those typically hosted for corporations or groups that book blocks of rooms at the Four Seasons Resort Lānaʻi at Mānele Bay that would like to take advantage of Mānele's pristine weather and the area's views.
- Guests will be shuttled or walk from the Resort to the event sites.
- The event sites, when in use, will be blocked off from the rest of the golf course and secured by private or Resort security. Modifications to course play will depend on the complexity and timing of the event.

EVENT OPERATIONS (cont.)

- Set-up, break-down, and clean-up will be the responsibility of the event organizers.
- Events will be required to end by 10:00 pm so as to not affect nearby residents.
- Parking, if needed, will be provided on the 133-stall parking lot at the clubhouse.
- Event organizers will be required to execute a code of conduct with Four Seasons Resort Lānaʻi which outlines rules and regulations for the events such as proof of insurance, set-up and break-down procedures, health and safety restrictions, and general care and restriction provisions.

PHYSICAL ENVIRONMENT

- Located on “Unclassified” lands with regards to Agricultural Lands of Importance to the State of Hawai‘i, which are lands not considered for any agricultural uses.
- As the soils under the proposed event sites have been in golf course use for over twenty years, there will be no adverse impact to soil resources.
- The special event sites are located outside of all Federal Emergency Management Agency designated Flood Zones.
- There are no known native flora or fauna resources in the project area.
- No archaeological features are located on or in close proximity to the event sites.
- No anticipated long-term impacts on otherwise ambient air quality and noise quality.

SUMMARY OF REQUEST

Applicant is requesting the Lānaʻi Planning Commission's favorable recommendation to the Maui County Council of a County Conditional Permit request to host up to 40 special events a year on two (2) locations at the Challenge at Mānele Golf Course.

MAHALO

**LANA'I PLANNING COMMISSION
REGULAR MEETING
FEBRUARY 17, 2016**

APPROVED 04-20-2016

A. CALL TO ORDER

The regular meeting of the Lana'i Planning Commission (Commission) was called to order by Vice-Chair Stacie Koanui Nefalar approximately 5:18 p.m., Wednesday, February 17, 2016, in the Lana'i Senior Center, Lana'i City, Hawaii.

A quorum of the Commission was present (See Record of Attendance).

Ms. Stacie Koanui Nefalar: Start the meeting at 5:18 p.m. First on our agenda for February 17, 2016 Lanai Planning Commission is public testimony. Do we have a list? First for public testimony, John dela Cruz. Okay, John left. Next, Victoria Larson. Okay, she left. David Theno. State your name.

B. PUBLIC TESTIMONY - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed unless new or additional information will be offered.

Mr. David Theno: My name is David Theno. I am a resident of the Terraces at Manele. The address is 63 Awehi Way, and my wife and I, Jill, are here in support of Pulama Lanai's proposal to be able to host events on the golf course, on the driving range, and on the, I guess, it's the 12th green, yeah. Anyway, somewhere down there on the sunset area. We have been on the island for six years, and lived down there, and we have witnessed and been present on a number of events held on the driving range. With the provisions that are put into the proposal, we think it's certainly an acceptable use and we applaud and welcome the use of those facilities for that. Any questions?

Ms. Koanui Nefalar: No. Thank you.

Mr. Theno: Okay. Thank you.

Ms. Koanui Nefalar: Next for public testimony, Ron McOmber. Okay. Ron left. Tom Roelens. Okay, Tom will go when the agenda item is up, agenda item is up. Hector Rubio. No Hector. Oh, Hector.

Mr. Hector Rubio: So my name is Hector Rubio. I represent Four Seasons as Director of Catering and Comp Services. Aloha everyone. I'm here to ask for your support for the approval of the Conditional Use Permit for the special events on the golf course. Right after -- we just got a CO now, and an incredible renovation of the resort. Basically we have a new resort on the island. And as we embark with our goal of creating exceptional experiences for all of our guests, having this permit is something that is very necessary for us. We are in an environment where customers coming to Hawaii from other destinations are looking for anything that is

unique or anything where something extraordinary can happen. In the current state of the event spaces that we have, we are in the luxury market looked at one of the rest with just basically having indoor space to use, in addition to the luau gardens. So being able to do events there is very, very important. We are currently competing with hotels in other locations. Our own sister property that is about to open in Oahu will have the use of a beach to do events. Disney's Aulani Resort, next door to them, also has that type of setting for doing events. Princeville, the St. Regis, has a sea side lawn where they can do events. These are the things that make these locations special in the collection of luxury hotels. We don't necessarily have that in order to stand out and be able to compete head and head with them. At the end of the day, part of the goal and what this will cost also is that customers can be here for longer time, and in turn, that will create more revenue for the resort. But not only that, but more importantly, increase the hours that our staff can actually work on a weekly basis, and also enhance the local community and the economy. Thank you so much.

Ms. Koanui Nefalar: Thank you Hector. Next up is David Green.

Mr. David Green: My name is David Green. I'm a resident of Manele. Thank you for the opportunity to speak. I'm very much in supportive of the Conditional Permit. I'm also the president of the Manele HOA. Sometime ago all the residents at Manele, in proximity to the proposed site received a letter talking about it, and giving us notice. It was quite a topic of conversation and I talked to a lot of the people who have been on Lanai. A lot of our members have come back for the opening of the hotel, very anxious to see it, and very pleased with what they saw. And during that opportunity I found no one objected it at all to having these events in the locations that were mentioned, and with the restrictions on the, on a number of events, and the time that the events had to be over, are very much supportive.

This used to be done by Castle & Cooke for years, and so this is just, I guess, getting legal and, and it hasn't been done for, I don't know, a year and half maybe, some thing like that. And to be honest, we miss that. Every now and then when there's a great event down on the, on the driving range, we drive up to the first tee and kind of watch and see what's going on, so it's a little pre-entertainment. So anyway, we're strongly supportive. I, I, I feel confident that almost all the residents at Manele would be strongly supportive. We look on the hotel as our neighbor. We really missed our neighbor when it was off for repairs, and we're very happy to have it back, and we want our neighbor to be successful and I think it's really important. So I urge you to approve the Conditional Permit.

Ms. Koanui Nefalar: Thank you Dave. Next up, Caron? Caron Green.

Ms. Caron Green: My name is Caron Green. I've been a resident of Lanai for over nine years, wife of David Green, here. And I really just want to second everything that's been said. We want the hotel to be successful. And they have lots of competition. People can go other places. So anything that we can do to help them be unique, and I think that having weddings and events on the 12th tee box and the stunning view from the driving range really is something very special that we can offer here on Lanai. So -- for that reason I would like to second what everybody else has said here, and wholeheartedly endorse the permit. I would also like to

thank those of you who showed up today for showing up. It's very important. I was speaking to Lynn before the meeting began, and the hotel needs our help to be successful. And if you didn't show up today this wouldn't be going to Council. Hopefully you will pass it, and it will go to Council and get there before the budget meetings, and we can hopefully get this done in a more timely manner. If you hadn't come today, and this hadn't gone through today, everything would be delayed, and, you know, we don't need that on Lanai. We want the hotel to be successful, and we want to do everything we can to make that happen.

Ms. Koanui Nefalar: Thank you Caron. Last on the list is Alberta de Jetley.

Ms. Alberta de Jetley: Thank you all so much for being here tonight and making this meeting possible. It was so important that we have a quorum tonight, and I'm so glad you're here. I submitted written testimony because I have a 5:30 appointment, but I did want to stay until -- so I could hear the others speak. The 12th hole of the golf course is just spectacularly beautiful. And to be able to have an event there or an activity there is just going to be so important. Hector has just, in the Catering Department, and he's the person who does all the arrangements for groups coming into the hotel. They come up with up so many different fabulous ideas on how they can present Lanai to their guests. That I think having the ability to have an event at the 12th hole tee box is just going to take us over the top. So I hope you will all support this request and move it on to the Council. Thank you.

Ms. Koanui Nefalar: Thank you Alberta. Is there anyone else who would like to testify who did not sign up? Seeing no -- there's no one else. I'd like to go to the next agenda -- approval of minutes of the January 20th, 2016 meeting. Commissioners, any updates, changes?

C. APPROVAL OF THE MINUTES OF THE JANUARY 20, 2016 MEETING

Ms. Koanui Nefalar: Seeing no changes, can I get a motion to approve the minutes for January 20th, 2016 as is?

Mr. Stuart Marlowe: So move.

Ms. Joelle Aoki: Second.

Ms. Koanui Nefalar: Moved by Stu, seconded by Joelle. Can I get a raise of hands of everyone who agrees? Unanimous.

It was moved by Commissioner Stu Marlowe, seconded by Commissioner Joelle Aoki, then unanimously

VOTED: to approve the January 20, 2016 meeting minutes as presented.

(Assenting: J. Aoki, M. Baltero, S. Ferguson, S. Koanui Nefalar, S. Marlowe)

(Excused: J. Barfield, K. Gima, B. Oshiro, B. Zigmond)

D. PUBLIC HEARING (Action to be taken after public hearing.)

- 1. LANAI RESORTS, LLC doing business as PULAMA LANAI requesting a Conditional Permit for the Challenge at Manele Golf Course Special Events to host up to 40 private resort-related special events per year at the golf course, TMK: 4-9-017: 008, Manele, Island of Lanai. (CP 2015/0005) (C. Thackerson)**

Ms. Koanui Nefalar: Next on the agenda is public hearing for . . . *(Ms. Stacie Koanui Nefalar, Vice-Chair, read the above project description into the record.)*

Ms. Candace Thackerson: So we have the Lanai Resorts doing business as Pulama Lanai as stated for the Conditional Permit at the Challenge at Manele Golf Course. This item is before you for your review because the parcel is located in Lanai Project District One, Manele. And because of that, special events are not permitted uses in these districts, and therefore, a Conditional Permit is required. Just a matter of clarification -- I have one clarification and one correction. So the correction on page 3 of the staff report, I believe...it says under special events one, large corporate sponsor dinners and performances, the third line down it says, these events with up to 1,300 attendees should be 300 attendees. Just as a matter of clarification, that was a little extra, an extra one which is a huge difference there. As a matter of clarification, I also just wanted to add that this permit goes hand in hand with an SMA Permit that the applicant has already applied for the makai events, although that permit is subject to this approval first. So we're just going in an orderly fashion. But I did want you guys to know that the applicant has already applied for that as well.

To not repeat ourselves, I'm going to go ahead and let the applicant do a presentation outlining what the permit entails.

Mr. Mark Roy: Thank you Candace. If it's okay, I'll just move over to the screen because we have a presentation. Good afternoon Vice-Chair, members of the Lanai Planning Commission. My name is Mark Roy with Munekiyo Hiraga. I'd like to start by thanking you all for the opportunity to be here to present this project before you all. We're here representing the land owner applicant for the project, Pulama Lanai. They are the land owner and the applicant for the Conditional Permit application. The golf course operator is the Four Seasons Resort Lanai.

We're here today to request a Conditional Permit to operate 40 -- up to 40 temporary events per year, at two locations on the Challenge at Manele Golf Course. Duration for the permit being requested here is five years. Now this event function as you have heard in some of the testimony today, on the golf course, really does represent an important economic generator for the resort. One that really allows it to meet the needs and the evolving expectations of guests staying in the Manele area.

This is just a simple aerial photo showing the configuration of the existing golf course, and the two event locations that are the subject of the application before the Commission today. We have the mauka -- what's being called the mauka event site, and also a makai event site. The mauka event site is just on the east, the eastern side, north eastern side of the existing clubhouse. I'm pointing it here with the laser pointer. And the makai side, further down towards the shoreline, is on the tee box of the 12th, 12th hole.

This is a simple map showing the two event locations here. We have the mauka event site located here, and the makai event site located here. This slide just simply shows the configuration of the golf course parcel itself. Shaded in gray here is actually parcel eight; is the golf course. And these two event sites are located within the golf course parcel itself.

Parcel eight is owned by Pulama Lanai. It's operated by the Four Seasons Resort Lanai as the Challenge at Manele Golf Course. It's been a golf course for over 20 years. It is located in the State Land Use designation district, the Urban District, and it's designated for golf course use as part of the Manele Project District.

Simply here is a close up aerial photo of the mauka event site. I'm sorry it's a little difficult to make out, but we have the existing clubhouse here on the golf course; and in red here, circled, is the mauka event site. It's about an acre in size, and is used, or will be used, to accommodate larger events, larger corporate events ranging from 75 people to about 300 guests.

The next couple of slides I have here show the existing -- or the configuration of a typical event set up at the site. These are larger events, typically involving sit down dinners with bars -- with a bar and a performance stage. This is one of the larger event set ups and this is one that would be involving a smaller, smaller number of guests. And a couple of photos looking at the mauka site at a typical event set up.

Now moving down to the shoreline area, the makai event site is located on the number 12 tee box of the golf course. This is a more intimate location for smaller events such as weddings or vow, vow renewal ceremonies, as a couple of examples. A smaller location with great views across the ocean for events accommodating between 25 and about 100 guests in size.

As Candace mentioned this location is within the Special Management Area, the makai site. An SMA Assessment application has been filed with the Department of Planning, and it's currently been held in abeyance, or is on hold until the Conditional Permit process is complete -- the application process has been completed.

Again we have here a typical event set up diagram. This again is a more intimate surrounding for smaller events. Here we have a seating configuration with some high top bar tables and a small bar at the rear of the site, with beautiful ocean views out towards the ocean here. This is a typical set up photo giving you an example of a wedding ceremony that would be held in this location.

So in terms of events operations, typical users will be those corporations staying at the Four

Seasons Resort or large groups that book blocks of rooms at the resort that would really like to take advantage of Manele's pristine weather and the excellent views that are available from these sites. Guests will be shuttled or will walk from the resort to the event site. The event site when they are in use will be blocked off from the rest of the golf course and will be secured by security. There will need to be modifications to golf course play which really will vary depending on the complexity and the timing of each individual event.

Event organizers will be held to a high level of responsibility to set up, break down, and fully clean up after each event. Events will be finished by 10 o'clock in the evening so is not to affect nearby residents. Parking, if it is needed, will be available at the existing clubhouse on the golf course. There's about 130 stalls or so available within that parking lot. And, finally, and I think, importantly, event organizers will be required to sign what's called a code of conduct with the Four Seasons Resort Lanai which outlines rules and regulations really intended to ensure that the special events at these locations are held in a manner that is consistent with the Four Seasons high standard of excellence. A few examples of those kind of requirements that would need to be addressed by events operators include needing to show proof of liability insurance, as one example; there being designated or stipulated set up and break down procedures for the event; and also, implementation of health and safety measures to ensure not only the guests but the employees are well protected during the events themselves.

So as Candace had mentioned a Conditional Permit application was filed with the County to request a Conditional Permit to hold up to 40 events at these two locations. A copy of that application was, I believe, provided to Commissioners ahead of this meeting, this evening. The proposed use is not expected to adversely impact the physical or natural conditions of the surrounding area for the following reasons. Firstly, the lands involved are located in the urban district and are not classified as appropriate for agricultural use. The golf course has been in use for over 20 years now, and the special events will be hosted on existing turf areas within the golf course such that there will not be any negative impacts on existing soil conditions in the areas. Secondly, both sites are outside and beyond designed flood zone areas. And thirdly, there are no known native biological resources, or archaeological resources present within or in the immediate vicinity of either of the two sites. And then finally the use of the site for special events will be limited and will be temporary in duration. And as such, there will not be any negative long term impacts on ambient noise or air quality conditions within the surrounding Manele area.

And for these reasons, we're here today to respectfully request the Commission's favorably recommendation of the Conditional Permit request to the Maui County Council. That's the next step in the Conditional Permit application process. The Commission's recommendation would be forwarded to the Maui County Council for consideration. Thank you for your time today, and I would like to now invite the General Manager of the Four Seasons Resort, Mr. Tom Roelens who would like to offer a few words to conclude the presentation. Tom?

Mr. Tom Roelens: Thank you so much. Good evening everyone, distinguished members of the Lanai Planning Commission, Maui Planning Commission, my name is Tom Roelens, General Manager of Four Seasons Resorts on Lanai. Today I'm asking for your support with your

approval of the Conditional Use Permit to hold special events on the Manele golf course. As we embark in our mission to position our resort in a destination as the premiere one in Hawaii, it is a one utmost importance for us to be able to provide clients with as many event venue locations as possible. Currently our corporate social groups represents about 30% of our business. This average yearly percentage is crucial for the success of our new resort, not only from a revenue perspective, but more importantly as a way to guarantee work hours for our teams and employment across all our departments.

The two areas that have been presented under this application will provide alternate outdoor location that enhance our collection of indoor event space. The reality is our customers choose Hawaii not only for its hospitality, the aloha spirit, wonderful people, but also for its beauty and the vistas. And the areas like these become really important when competing with similar resorts in the country but also tourism destinations worldwide. In addition, having these locations in our portfolio venues will enable us to pursue clients that look for destinations where offerings and infrastructure allow for a longer stay which in turn, again, means more hours for our teams, but also more time for visitors to discover the island, discover the town, other parts of Lanai, and truly support the local economy.

Our desire is to hold private events in the forms of dinners, performances, weddings, while also conforming with special requirements and regulations, of course, related to noise, health and safety. We do not anticipate events to have any adverse long term impacts on the environment. Mahalo.

Mr. Roy: Thank you. That concludes our presentation for you this evening. We're happy to answer any questions that the Commission members may have at this time on the proposed request. Thank you.

Ms. Koanui Nefalar: I'm going to open it up for public testimony. Tom, was that your public testimony? Okay. Anyone else wanting to give testimony at this time? Seeing none, Commissioners, any comments?

Ms. J. Aoki: I do have a question. The lighting for the events during the hatching seasons for 'uwa'u, will they be utilizing low, ambient light during, during those fledging times? Thank you.

Ms. Koanui Nefalar: Anyone else? Any other Commissioner? Looking -- seeing there's no more comments for Commissioners, can I get a motion --?

Ms. Marlene Baltero: Before we proceed on this Ms. Chair, I just would like to, just for the record, even though I work with the Four Seasons Resort Lanai, any decision I make with this Conditional Permit may not affect any, any invested interest with my job and any affiliation with company that I may have.

Ms. Koanui Nefalar: Okay. Can I get a motion? Go ahead. Sorry.

Ms. Thackerson: That's okay. The Department recommends that the Commission approve,

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recommend approval to the Maui County Council subject to the staff report and recommendations as presented. I think there's eight conditions.

Ms. Koanui Nefalar: Can I get a motion?

Mr. Marlowe: So move to grant the permit as requested. The motion is that we grant the Conditional Permit that has been requested by Pulama Lanai and have it go to Maui County.

Ms. Koanui Nefalar: Can I get a second?

Ms. J. Aoki: I second.

Ms. Koanui Nefalar: All in favor? Unanimous. Pass.

It was moved by Commissioner Stuart Marlowe, seconded by Commissioner Joelle Aoki, then unanimously

VOTED: to recommend approval to the Maui County Council the staff report and recommendation as presented.

(Assenting: J. Aoki, M. Baltero, S. Ferguson, S. Koanui Nefalar, S. Marlowe)
(Excused: J. Barfield, K. Gima, B. Oshiro, B. Zigmond)

E. COMMUNICATIONS

- 1. February 3, 2016 Semi-Annual Report (July to December 2015) submitted by Lynn McCrory, Senior Vice-President of Governmental Affairs, PULAMA LANAI regarding the project irrigation demand associated with the Residential and Multi-Family Development at Manele, TMK: 4-9-017:001, 002, 003, 004, 005, and 4-9-002:049, Manele, Island of Lana'i. (95/SM1-015) (95/PH2-001)**

The Commission may provide its comments on the report.

Ms. Koanui Nefalar: Next on the agenda, February 3rd, 2016 semi-annual report . . .
(Ms. Stacie Koanui Nefalar, Vice-Chair, read the above project description into the record.)
Lynn?

Ms. Lynn McCrory: Good afternoon. Lynn McCrory, Pulama Lanai. This is the semi-annual report that we have been giving the Planning Commission for a number of years. We made changes to it a few years ago to present it in graph format rather than give you a sheet of numbers which is very difficult to relate to. This is showing you the last two years so you can see the water that was used at Manele as part of the hotel property, the landscaping, the golf course, the single-family. So it's reporting separately on the brackish water and potable water,

and it shows a pretty consistent standard. If you see an example where one has -- one of the line graphs has spiked, it's usually the result of a leak, especially if it's gone down immediately thereafter. So any questions I can answer, I'll be happy to answer. But, everything looks good.

Ms. Koanui Nefalar: Commissioners, any comments? Okay, seeing no comments. Next on the agenda, workshop on Coastal Zone Management Act Special Management Area Law conducted by Department of Corporation Counsel.

F. Workshop on the Coastal Zone Management Act (CZMA)/Special Management Area (SMA) Law conducted by the Department of the Corporation Counsel

Ms. Richelle Thomson: Thank you Chair. So I'd just like to refer the Commissioners to a handout the -- it looks like a power point presentation that's been printed out. It's fairly brief, and really what I wanted to do today is just give you kind of a broad overview to coastal zone, the Coastal Zone Management Act and Special Management Area Law. There are extra copies on the back table if anybody in the audience would like to follow along.

So shoreline management in Hawaii is subject to both Federal Coastal Zone Management Act and Hawaii's Coastal Zone Management Act which basically mirrored the federal act. They're designed to really guide planning decisions in coastal regions. And the mandates are to protect, preserve, and restore natural resources and historic sites located within those coastal zones. And the guidelines and policies also should be helpful for you in designating SMA boundaries whether you're confirming the existing boundaries or looking at changes to the boundaries.

Going on to page 2, the Coastal Zone Management Act objectives and policies. Those are found in HRS 205A-2 which are also printed out, and that should be -- it's basically a three or four page of the law that goes through the objectives and policies of that act. And they're broken down into various categories. And to my understanding is you're probably going through those categories as you're analyzing the coastal zone on the island and making decisions as to the special management area.

Some of those objectives and policies include recreational resources, maintaining public access to beaches; historic resources within that zone, protecting and preserving those; scenic and open space resources, line of site toward the ocean from roads, things like that; minimizing effects on coastal eco systems such as wetlands and smart development of economic uses, managing that development; and also taking coastal hazards into account and planning, so looking a tsunami inundation zones and managing the development in those types of areas that are prone to flooding or erosions and tsunami activity.

Down on the next slide it's the 1986 Amendment to the Hawaii Coastal Zone Management Act -- govern procedures for determining where the shorelines are located. And shoreline is a legal term. It's defined as the upper reaches of the highest seasonal wash of the wave as evidenced by the edge of vegetation growth or debris left by waves. Of course, on a rocky cliffs, that would

be, you know, a more difficult determination. This is really more on a flat or slightly sloped coastal area where you'd have a debris line or vegetation line. And Lanai, on Lanai, the shoreline setback is 40 feet from the shoreline. So the shoreline is an established line, and 40 feet back from that line you can have no development within that area.

The State Office of Planning -- the State of Hawaii Office of Planning is the lead agency regarding Coastal Zone Management. And I think we'll try to, and if it works out with the schedule -- with Office of Planning schedule and with your schedule, I think it might be a good idea to have someone from that office come out and just have a discussion with you as you're going through your SMA boundary process. The Office of Planning reviews County permitting authorities' implementation of the CZMA and the SMA, and they keep the maps of SMA boundaries including the updates.

So Special Management Area, that law is found in Part II of 205A HRS. And again, it's very similar, the Findings and Purpose for the SMA; special controls on developments within an area along the shorelines. The goal is to avoid losses of valuable resources; protect, access to beaches and recreational areas; and protect, preserve and restore coastal zone areas. So your, your exercise and your endeavor in looking at SMA boundaries really you're going to tailor your analysis to HRS 205A to the objectives and policies that are found in that law.

I just -- the last couple of slides I went through the three types of SMA permits. So you have an Emergency Permit to prevent substantial harm to persons and property; SMA Minor; and then what we general refer to as an SMA Major. The law refers it to as a use permit and those are for substantial -- projects that may have substantial adverse and environmental effects.

Projects that aren't -- don't constitute a development such as construction of a single-family home; the maintenance of existing roads and structures; certain types of subdivisions are exempted from SMA.

And the reason that I put this last slide on here is that it kind of helps you working backwards from -- you're use to seeing SMA Permit applications, and, you know, you've heard all of Corp Counsel's talk about the nexus between the conditions and the law that you're applying. But if you work backwards through that, those conditions support the law, and the law is based on the objectives and policies and the act. So as you're looking at setting the boundaries, you're also going to be looking toward permits that are going to be based on this SMA area, and it should logically flow from the State law.

So you don't hear this probably a number of times in different iterations from all of us as you go through the process, but just to give you a very broad overview of the exercise that you're going through. And that's all I have. Thank you.

Ms. Koanui Nefalar: Any comments or questions Commissioners?

Mr. Marlowe: Yeah, one quick question. How often are the -- how often is all of this under review? Times change, conditions change, and are there updates and stipulations added or

deleted over time? I lived in -- by Haunama Bay in Honolulu and we were there 27 years. The only thing that ever came up about that fabulous place was they wanted to extend the parking lot, over, you know, twice the size because more and more people were using it and that became an item under SMA. So I was wondering how often is this entire review done by the State?

Ms. Thomson: The State law has changed in a few, a few different ways since probably the 1970's. The SMA boundaries on Lanai were set back in the 70's and they have not changed since that time. We have a lot better information now, you know, regarding tsunami inundation, coastal hazards, you know, erosion prone areas, areas that are really specific sensitive. And so, I think, given that it's been such a lengthy period of time it does make sense to, you know, look at all the information that GIS can provide and see whether the lines that have been drawn currently are adequate or whether they need to be modified in some way. So it's not a law that changes very often, and so --

G. UNFINISHED BUSINESS

1. **Planning Department transmitting a status report memo on the Planning Department's study to amend the Lanai Special Management Area (SMA) boundaries (First presented at the October 21, 2015 meeting and further discussed at the December 16, 2015 and January 20, 2016 meetings.) (K. Aoki)**

Follow-up memo from the Department of Planning provided for the January 20, 2016 meeting.

There may be ongoing community discussion.

Ms. Koanui Nefalar: Commissioners, any -- any more questions or comments? Seeing none, we'll move on to Unfinished Business. *(Ms. Stacie Koanui Nefalar, Vice-Chair, read the above project description into the record.)* Any comments? Any comments or questions about the memo? Seeing none, we have a presentation?

Ms. Kathleen Aoki: Good after -- good evening members, my name, for those of you that weren't at the last meeting, is Kathleen Aoki. Same last name. We're not related, through, yeah. And I am the new division head for the Plan Implementation Division. And, we're here tonight to continue the discussion of amending the SMA boundaries for Lanai. This request, I remember, has, has been made several times over the past few years. So you have me. I have here with me, Peter Graves, who's a GIS Analyst. And as promised in the last meeting we said we would come back at this meeting and gather more input from you on areas of concern, of areas that you might want to look at. I was hoping that there would be more public testimony provided by the community on the kind of concerns that they have. But nevertheless we have Peter here today, and he is a wiz.

And I open it up to you folks on if there's any direction you want me to go through, if you've thought about it. If you haven't or you don't have, you know, a suggestion, I have a suggestion that we could start off with. And the first would be looking at the tsunami inundation area because that obviously is a layer that we have. It's been studied. It's – you know, something I think that we can rely on to show exactly where our vulnerability is. So if that's okay with you guys we can use that as sort of our first, you know, diving off the board and looking at something that I would suggest the SMA take a look at and be included. So we can start pulling up the --. I don't know if it would help -- do you mind turning off the lights? Thank you. We can see it better hopefully. Yeah that's better.

So this is the current SMA boundary, and the blue is where your tsunami inundation zone is. So as you can see the tsunami inundation zone goes more mauka than the shoreline, than the SMA boundary. So it's in these kind of areas that are first fly by that we would suggest moving that SMA line more mauka to encompass that tsunami inundation zone.

The -- you'll find going around the island what we found was for the most part there's little funky lines over here like this. For the most part, the line as I mentioned last time, the SMA boundary line is pretty generic. It's just based on distance. We would do random measurements and it's anywhere from 450 feet to 550 feet. The tsunami inundation line, as you can see, is very curvy in places like this where you have a gulch or ravine or stream because of the way the topography is the line's going to go further up into that gulch. We can make the SMA boundary either -- I mean, this isn't the only thing we're going to look at so we're going to encompass other items. In places where maybe it goes way mauka like that, and that's the only thing you really want to worry about, you might want to smooth out the SMA line and not make it jagged like that. That would be my recommendation.

Yeah, it's the evacuation zone that's done by the Civil Defense. So, I'm sorry, I don't know the specifics on how they got to that, that line. So in places like this we found -- you know, another thing that you -- another item that you want to look at with the SMA is cultural sites that are along the shoreline, and we want to protect those. So one of our layers had a few cultural sites and as I mentioned in the last meeting, cultural sites are kind of tricky because you don't necessarily want to put them on a map because then people know where they are. By the same token there are things like these that are identified on maps, and in this situation where we started looking at the cultural sites that we knew of that were on the shoreline, they are all within the tsunami inundation area so we're kind of tackling two stones. You know, two birds with one stone. Because if we move that line more mauka to follow the tsunami inundation line, we're also going to be encompassing cultural sites at the same time. So that's a good thing.

We went around the entire island and...for the most part, where we think it might be more sensitive as far as development is concerned, the tsunami inundation line with would, would kind of cover what's important as far as sensitive areas. Along the cliffs, of course, on the opposite side of the island, it's interesting because you have a sheer cliff. So the question becomes how far do you want that line to protect a shoreline that really isn't there because it's a rocky cliff face. For the most part, again, you'll see that it's 400 -- between 450 and 550 feet.

At Manele, we can see there -- it's interesting -- we found it interesting -- I did -- the tsunami inundation area because some it seems kind of high up. Like by the harbor, right there, yeah. I mean, it kind of goes up a little bit. But they've included it in -- for whatever reason they've included it so you could follow that blue line. I'm sorry, you wouldn't follow the blue line because I don't think you'd want to make the tsunami inundation -- I'm sorry, the SMA boundary more makai. So we would suggest keeping it where it is. And you see that it runs kind of right through the hotel, in that area. Along -- keep going further up, Peter. Yeah, okay, right there -- maybe Peter, you want to explain?

Mr. Peter Graves: It looks like the, the time the SMA was done, the line was done, whether they even noticed this or not, this was -- this hadn't eroded away yet. At this point, the SMA, you can't see it as well in this photograph, but it's pretty much, the cliff side has eroded away. So it's not even at the top of the cliff anymore in this particular spot.

Ms. K. Aoki: So again that would be an area that you would definitely want to address because it's not even on land anymore. So further north, I guess -- northwest, you have -- like where Shipwreck beach is, in those areas, you have a lot of sand, sandy areas where we could kind of hone in on and --. And again if we were -- you know what --. What was interesting was we noticed that the tsunami inundation zone ends. So we started looking at Molokai, Oahu, and we, brilliant minds, figured, but we don't know, that maybe that they did that just because of the way a direction of tsunami would hit this island. It may not hit that area because it's protected. Because I just found that it interesting that it ends so --. But in that area there is sort of you have sand and dunes...and dune like features, so perhaps...you know, we move that SMA line a little bit more mauka to encompass that sensitive sand type feature.

The other thing that we quickly looked at but didn't really focus on too much because we -- I wanted to show you this first was the land use map for the community plan update...just to kind of see what your -- and what your zoning is and what your State land use is, and a lot of it is in conservation in that area. And with conservation, State Land Use Conservation, you don't need an SMA Permit when you do something in the State Land Use Conservation Area. Not that that means you shouldn't protect it with an SMA line because you could have a State Land Use, you know, District Boundary Amendment one day in the future. But I just found that interesting. So all that -- all the white, yeah? Yeah, all the white is State Land Use Conservation, so...it's outside our jurisdiction anyway. But, again, that doesn't mean you shouldn't put in an SMA boundary; just be conscience of that. And then the green is ag? Green is ag.

So that's what I came with. Do you guys have any questions or --?

Ms. J. Aoki: I know one of the questions that came up a couple of years back was in retrospect to the, the SMA boundary being examined is sea level rise and the presentation that was done regarding sea level rise, and you know, the rising temperatures of the ocean. So would -- would you happen to have an illustration of what is anticipated with that sea level rise based on the information we've been provided through that workshop that you could maybe given us a comparison, an overlay, just so the Commissioners can see what that looks like?

Ms. K. Aoki: We don't actually have a layer. What I -- and this is good because this is the kind of stuff that I want to know so I can go back and work with the shoreline planners, and then probably was Tara. Was it Tara Miller that came and did that presentation with Jim Buika? Yeah. So what we can do is I can talk to her, get her expertise and her opinion, and we could, you know -- say she says it's three feet on this side, and two feet on that side, or whatever formula she comes up with, and we could, we could formulate. Can you do that Peter? Yeah. He's a wiz, so we can formulate an overlay to kind of show where that, that line would be. But I am sorry, I don't actually have a layer right now because I don't think a layer's been created. Because there's still, I think, debate on what number to use. But we could, we could work with her and come back with something.

Ms. J. Aoki: I think that would be very helpful because I think that was how the initial question, or the inquiry came up regarding, you know, reviewing the SMA was based off of that training. And while the sea levels are rising, then we need to take a look at the SMA boundary. A good example is that area which we call landslide is sliding away, right. So it's a very good examination of what's happening. So I think that would be very helpful to see maybe that layer as well.

Ms. K. Aoki: Okay.

Ms. J. Aoki: Thank you.

Ms. K. Aoki: You're welcome. Thank you. Anybody else have any questions, or suggestions, or areas you want us to focus on? I mean, we can, we can pan slowly if you want around the whole island just to show you where the tsunami. Because -- it's kind of far from here, but we zoom in, I don't know, if that's helpful.

Ms. J. Aoki: . . . (inaudible) . . .

Ms. K. Aoki: The harbor?

Ms. J. Aoki: . . . (inaudible) . . .

Ms. K. Aoki: So that's the tsunami inundation zone, and that's your SMA. So your SMA goes way more mauka than the tsunami inundation zone.

Ms. J. Aoki: . . . (inaudible) . . .

Ms. K. Aoki: We'll do it for you right now. 506, 524. I'm sorry, 512. That's right, it's pretty much right around five. There's one place we found it about 450-something, but it basically kind of all looks like that.

Ms. J. Aoki: . . . (inaudible) . . .

Ms. K. Aoki: The SMA?

Ms. J. Aoki: . . . (inaudible) . . .

Ms. K. Aoki: No, the SMA -- the SMA layer has been available for a while, yeah?

Ms. J. Aoki: . . . (inaudible) . . .

Mr. Graves: It's a little bit easier to use Google Earth in the meeting, so I -- rather than our software we use. And also the imagery you can get a lot closer than the satellite imagery we use. So I just imported these GIS layers into Google Earth. It's Google Earth Pro that used to be \$400, now it's free if anyone wants to get. But, so, yeah, I was just able to, very easily put the evacuation zone in here with the SMA. I can do the same thing with our GIS software, but it's just a little more clunky to use than Google Earth. Google Earth is much easier to zoom around.

Ms. K. Aoki: You know, the layers have been available for a while. A lot of the layer, from what I understand, we, you know, there's a State website, yeah, that you can get a lot of the GIS layers from. Yeah, so maybe sort of in this area here where you have more sand, you might want to --. The other thing we might want to look at too is elevation rather than just simply distance. You want to look at elevation and see how high up you're going. You guys know -- I don't know. Is there access to these areas? Yeah? Okay. That where I rely on you and your expertise of what's down there, what does it look like, does it go up high, does it low. You know, is it flat?

Ms. J. Aoki: . . . (inaudible) . . .

Ms. K. Aoki: So I can go back and do the sea level, you know, look at the sea level rise. Is there anything any of the other Commissioners are concerned with?

Ms. Koanui Nefalar: Can I get the lights? Thank you. I'd like to open up to public testimony, or if the public has any questions. Go ahead.

Mr. John Stubbart: I noted that the arch sites that you have reluctance on identifying where some of the arch sites are, archaeological sites, for protection issues. Should -- how would that be for significant sites, how would they be represented or identified so that if we are looking at the SMA to make sure that they are protected on the long term basis. And where would -- how do you go about doing that if you have a reluctance to show it?

Ms. K. Aoki: That's a very good question. They wouldn't be identified on an SMA map. So, in my experience what usually happens is somebody from the public -- I mean, it just gets talked about. It's not written anywhere, but it gets talked about. Like, you're just, oh where? That this is there, or that's there, or there's a graveyard there or, you know --. So it will become -- it could become part of the record, but to actually map it is dependent on the agency that may want to do a report on it, or DNLR State Historic Preservation Division. Yeah, but they don't -- but they, they deliberately don't do that because they don't want them disturbed. It's more oral and...it's not written. But sites like the church -- I'm sorry, the sites like the church and things

like that are tangible and you can see, you know, a lot of times, they are identified. So we can work with those.

Ms. Koanui Nefalar: Lynn, you had a question?

Ms. McCrory: Lynn McCrory, Pulama Lanai. Just a couple of things, when we're doing a project, if we're doing an EA or if we're just doing a project, one of the things that we have to do is an archaeological survey. And within that survey, anything that is a site is identified. And depending on what it is, it could be a small stone chip that was used to scrape skin or bones or something like that, it's then identified as coming from that site. And you have whole plans that say what to do with it. When the plans go into SHPD, which is the State Historic Preservation, they are then numbered. So they show up on all of the State maps that you can see -- this is Site P-129 -- and you can go to an index and you can see what the site is and what it's going to be. So there's a great deal of information already available. The other ones that are kind of up and down, you'll find that one of the things that we're doing is we are going and putting signage up in front of things so that people can see what it is and understand what it is. And that is equally as important because you don't want them just trampling through these sites, but you want them to understand that they're very precious and we're trying very desperately to preserve them. So that, that's the first point I wanted to make.

The second point I wanted to make was while the County does not have any permit processes that deal with State conservation land, the State does. It's called a Conservation District Use Permit. And if you think that some of the County permits are fun, you ought to see what that takes to get one of those. So when you're looking to do something on conservation land, there's a state process. You have a great many more requirements, and a great many more things you can do because the land is zoned conservation for a reason. It's zoned because they want to keep it out of development. They're not looking to build, you know, 6,000 square foot houses. As example, there's conservation land if you were building a house on it, it can't be bigger than 3,200 square feet. Can't. Just cannot. So, you can't have extra buildings on the property. So there's a whole range of different things like that. So understand it's not just County, which is what she said, there's no permit. But there's no County permit, but the State permit is there.

Ms. Thomson: Thank you. I know sometimes this gets a little bit confusing with some of the overlaps of the law too. So regarding historic resources and cultural resources, they're protected in different ways under a different state law than county laws also. So Chapter 343, the Environmental Impact Law, that has, that has impacts on historic and cultural resources, and archaeological resources. The SMA, what you're looking at now, is really historic resources located near the coastal areas. Chapter 60 is -- that's more where SHPD's territory comes in when they have jurisdiction over looking at projects that implicate historic properties and historic resources. So there are many different overlays of law that protect cultural resources and historic resources. What you're focused on would be historic resources in the coastal area.

As far as, you know, what, what you want to take a look at, you know, next, sea level rise could be something to look at. If you take a look at that handout that I passed out, the Chapter

205A-2, that has the objectives and polices of the coastal zone management program. And you might find some areas that would be kind of natural like coastal hazards, like coastal ecosystem, you know, identification of any wetland areas which I'm not aware of coastal wetland areas on the island of Lanai of whether or not there actually are any. But beach protection, so those areas that have white sand beaches, I think that might be a natural area to take a look at when you're looking at both -- you could look at it through tsunami inundation, but also look at it just here, here's a very important beach and where is the protection line. Does it need to be higher elevation, is it good where it's at? So you could, perhaps, use that as an exercise too. Just some, some ideas, if you look at that list, you may be able to pick out a couple of topic areas that you'd like to tackle next.

Ms. Koanui Nefalar: Anyone else wanting to give public testimony? Seeing none. Commissioners, any questions or comments?

Ms. J. Aoki: I think based on those questions, I would like to see if possible a SHPD map or some type of documentation of any environmental assessments and/or archaeological studies that have been conducted that may be mapped already so that way --. And it doesn't need to be an overlay on this map that would be too much work for you. But if we could have that map provided separately then we could at least have that as information to be able to make a better decision.

Ms. K. Aoki: So what I'm hearing is any EA's conducted within the shoreline area...or where cultural sites. Because there could have been cultural sites that were -- I mean, this is totally hypothetical, okay -- but there could be cultural sites say that were found at a development up in Lanai City which is not going to be useful for this exercise because you're not in the shoreline area. There could be EA's done --. I mean, SHPD has maps with numbered sites on it. Okay, so I can check with SHPD then.

Ms. J. Aoki: And I think the purpose of that is I wouldn't -- I would personally not like to see the SMA line being set 50% right through a cultural site, you know.

Ms. K. Aoki: Definitely. Right.

Ms. J. Aoki: It would be better to go around it or, you know -- it would be good to see where we're moving that line, and to make an educated determination on where that line exactly is going to be, and if we're going to do elevation or measurements, so that might be helpful to the Commission members. And I don't think it overlays necessarily, but just so they can see it's large study area that they may want to take into consideration.

Ms. K. Aoki: Okay. I can start researching that.

Ms. Koanui Nefalar: Commissioners, any other comments or concerns? Seeing none. Kathleen, how long would it take you to get that information? Would it be ready for next month's meeting?

Ms. K. Aoki: My gut says no because working with SHPD, unless its improved in the last 2 ½ years, takes time to get information back from them. So, I would say no at this juncture having to do this research for the island and working with SHPD.

Ms. Koanui Nefalar: What about sea level rise or would any of that information --

Ms. K. Aoki: Right. The sea level rise, again, I would have to talk to Tara see what her schedule is like and, you know, come up with something. I mean, she works for Planning, but she also is a UH Sea Grant employee, and teaches, and does all kinds of stuff, so she's not solely just assigned to Planning. So I would have to see what her schedule, you know, what she could come up with. She's working with two entities, so I don't want to -- I'd rather under promise than over deliver.

Ms. Koanui Nefalar: Okay, thank you.

H. DIRECTOR'S REPORT

1. Open Lana'i Applications Report as distributed by the Planning Department with the February 17, 2016 agenda

Mr. Clayton Yoshida: Yes, the Department has circulated the open Lanai application report, if there are any questions. We are currently processing a number of applications from Pulama Lanai, and some short-term rental home permit applications. Once the Council finishes dealing with the amendments to the short-term rental home ordinance, which there's another meeting before the Planning Committee, tomorrow morning.

2. Agenda Items for the March 16, 2016 Lana'i Planning Commission meeting

Mr. Yoshida: If there aren't any questions, our next meeting is scheduled for March 16th. We really don't have any public hearing items ready to go before the Commission. We are processing -- the Council is very active in introducing amendments to the Zoning Code, and probably in April we will have three of these Council Resolutions. One is to allow for short-term rentals at the Ailailoa project in west Maui. Then you got the Council Resolution on composting in the County Ag District. And then there's another Resolution regarding Agricultural Tourism introduced by Don Gusman and his Economic Development and Agriculture Committee. So -- and then, I think, we probably might be ready with the Lanai City three houses. So, you know, we may give the Commission a break. Though, the Council will be here on March 12th, so the community, I'm sure, will be at that meeting on Saturday, March 12th, to talk about the Community Plan Update. It's a public hearing and projected first reading on the Community Plan Update. So this -- yeah, what time? I don't know, Lynn, what time is the public hearing on the 12th? I think the Council is here for the day. Yeah, and then the meeting will be at --.

Ms. McCrory: . . . (inaudible) . . .

APPROVED 04-20-2016

Mr. Yoshida: So this, this may or may not be Commissioner Aoki's last meeting as her term ends on March 31st, 2016. But we'd like to thank Joelle for all of her input. During her years on the Commission, we went kind of on a transition from one major land owner, Castle & Cooke Resort LLC to Pulama Lanai, and, you know, all of the various applications that came forth. And then we had the Council introduce the short-term rental home legislation, and the Department proposed some amendments, so the Commission commented on some of the amendments to the short-term rental home legislation. So we'd like to -- if this is the last meeting for Commissioner Aoki, we'd like to thank her. But, in the April meeting, we invite you to the April meeting. We will do the Council Resolution and we will do the letter from the Mayor suitable for framing and all of that. Thank you Joelle.

I. NEXT REGULAR MEETING DATE: MARCH 16, 2016

J. ADJOURNMENT

Ms. Koanui Nefalar: Thank you Joelle. Okay, seeing there may not be a March 16th meeting, possibly next meeting in April, let's call this meeting adjourned, 6:35 p.m.

There being no further discussion brought forward to the Commission, the meeting was adjourned at approximately 6:35 p.m.

Respectfully submitted by,

LEILANI A. RAMORAN-QUEMADO
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

PRESENT:

Joelle Aoki
Marlene Baltero
Stephen Ferguson
Stacie Lee Koanui Nefalar, Vice-Chair
Stuart Marlowe

EXCUSED:

Jarrod Barfield
Kelli Gima, Chair
Bradford Oshiro
Beverly Zigmond

OTHERS:

Clayton Yoshida, Planning Program Administrator, Current Planning Division
Kathleen Ross Aoki, Planning Program Administrator, Plan Implementation Division
Candace Thackerson, Staff Planner
Peter Graves, GIS Analyst, Plan Implementation Division
Richelle Thomson, Deputy Corporation Counsel

Application for County Conditional Permit for

CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS (TMK No. (2)4-9-017:008(por.))

Prepared for:

**Lanai Resorts, LLC, a Hawaii limited liability
company doing business as Pūlama Lānaʻi**

August 2015

**Copyright © 2015,
by Munekiyo Hiraga**



MUNEKIYO HIRAGA

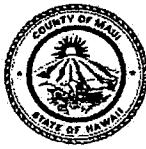
**Application for County
Conditional Permit
for
Challenge at Manele Golf Course
Special Events
(TMK No. (2)4-9-017:008(por.))**

INDEX

- 1. Application Form**
- 2. General Submittal Requirements**
- 3. Zoning and Flood Confirmation Form**
- 4. Letter of Authorization**
- 5. Land Ownership Documentation (Submitted with Original Application Document Only)**
- 6. List of Landowners and Lessees within 500 Feet of the Subject Property (Submitted with Original Application Document Only)**
- 7. Project Assessment Report**
- 8. Site Photographs**
- 9. Notice of Public Hearing and Location Map**

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1. APPLICATION FORM



COUNTY OF MAUI
DEPARTMENT OF PLANNING
2200 MAIN STREET
WAILUKU, MAUI, HAWAII 96793
TELEPHONE: (808) 270-8205 FAX: (808) 270-7634

APPLICATION TYPE: CONDITIONAL PERMIT

DATE: 8/11/15

PROJECT NAME: Challenge at Manele Golf Course Special Events VALUATION: \$ Not Applicable

PROPOSED DEVELOPMENT: The applicant proposes to host up to 40 private resort-related special events per year at the golf course.

TAX MAP KEY NO.: (2)4-9-017:008 (por.) CPR/HPR NO.: --- LOT SIZE: 162.42 acres

PROPERTY ADDRESS: 150 Challenge Drive, Lanai City, Hawaii 96763

Lanai Resorts, LLC, a Hawaii limited liability company
OWNER: doing business as Pūlama Lānaʻi PHONE: (B) (808) 237-2001 (H) ---

ADDRESS: 733 Bishop Street, Suite 2000

CITY: Honolulu STATE: Hawaii ZIP CODE: 96813

OWNER SIGNATURE: See Letters of Authorization, Section 4

APPLICANT: Lanai Resorts, LLC, a Hawaii limited liability company doing business as Pūlama Lānaʻi

ADDRESS: 733 Bishop Street, Suite 2000

CITY: Honolulu STATE: Hawaii ZIP CODE: 96813

PHONE (B): (808) 237-2001 (H): --- FAX: ---

APPLICANT SIGNATURE: See Letters of Authorization, Section 4

AGENT NAME: Bryan Esmeralda Munekiyo Hiraga

ADDRESS: 305 High Street, Suite 104

CITY: Wailuku STATE: Hawaii ZIP CODE: 96793

PHONE (B): 244-2015 (H): --- FAX: 244-8729

EXISTING USE OF PROPERTY: Golf Course and Clubhouse/Restaurant

CURRENT STATE LAND USE DISTRICT BOUNDARY DESIGNATION: Urban

COMMUNITY PLAN DESIGNATION: Lanai PD-1 ZONING DESIGNATION: PD-L/1 Golf Course

OTHER SPECIAL DESIGNATIONS: Special Management Area (Partial)

2. GENERAL SUBMITTAL REQUIREMENTS

CONDITIONAL PERMIT APPLICATION
REQUIRED SUBMITTALS

- | | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | 1. Evidence that the applicant is the owner or lessee of record of record of the real property to be reclassified. Refer to Section 5. |
| <input checked="" type="checkbox"/> | 2. A <u>notarized</u> letter of authorization from the legal owner if the applicant is not the owner. Refer to Section 4. |
| <input checked="" type="checkbox"/> | 3. List of landowners and recorded lessees of real property within a 500-foot radius of the subject parcel. This list should be obtained from the most current available list at the Maui County Department of Finance, Real Property Division. This list should include the tax map key numbers and the names and addresses of all owners and lessees to be notified, including a map drawn to scale, clearly defining the 500 feet notification boundary and the parcels affected. Refer to Section 6. |
| <input checked="" type="checkbox"/> | 4. Original + 1 copy of the completed Application Form. Refer to Section 1. |
| <input checked="" type="checkbox"/> | 5. Reasons justifying the request (original + 1 copy). Refer to Section 7. |
| <input type="checkbox"/> N/A | 6. Original + 1 set of a plot plan of the property, drawn to scale, to include but not be limited to, existing and proposed structure(s), (architectural plans to include elevation, sections, floor plan, etc.), driveway access, parking area, etc. |
| <input checked="" type="checkbox"/> | 7. Photographs (preferably slides) of the project site. Refer to Section 8. |
| <input checked="" type="checkbox"/> | 8. Non-refundable filing fee (see Fee Schedule, Table A), payable to <i>County of Maui, Director of Finance.</i> |

An original + 1 collated copy of Items 4-6 should be submitted for Planning Department's review as to completeness for agency review. When the application is deemed complete for agency review, the Planning Department will contact the applicant to submit the number of copies needed for agency transmittal.

3. ZONING AND FLOOD CONFIRMATION FORM

COUNTY OF MAUI
DEPARTMENT OF PLANNING
One Main Plaza Building
2200 Main Street, Suite 335
Wailuku, Hawaii 96793



DEC 18 2014

RECEIVED
Zoning Administration and
Enforcement Division (ZAED)
Telephone: (808) 270-7253
Facsimile: (808) 270-7634

E-mail: planning@maui-county.gov

ZONING AND FLOOD CONFIRMATION FORM

(This section to be completed by the Applicant)

APPLICANT NAME Munekiyo & Hiraga, Inc. TELEPHONE (808) 244-2015
PROJECT NAME Challenge at Manele Golf Course E-MAIL planning@mhplanning.com
PROPERTY ADDRESS 150 Challenge Drive, Lanai City, Hawaii, 96763 TAX MAP KEY (2)4-9-017:008

- ☐ Yes ☒ No Will this Zoning & Flood Confirmation Form be used with a Subdivision Application?
IF YES, answer questions A and B below and comply with instructions 2 & 3 below:
- A) ☐ Yes ☐ No Will it be processed under a consistency exemption from Section 18.04.030(B), MCC?
IF YES, which exemption? (No. 1, 2, 3, 4 or 5) _____
- B) State the purpose of subdivision and the proposed land uses (ie 1-lot into 2-lots for all land uses allowed by law): _____

INSTRUCTIONS:

- 1) Please use a separate Zoning & Flood Confirmation Form for each Tax Map Key (TMK) number.
- 2) If this will be used with a subdivision application AND the subject property contains multiple districts/designations of (1) State Land Use Districts, (2) Maui Island Plan Growth Boundaries, (3) Community Plan Designations, or (4) County Zoning Districts; submit a signed and dated Land Use Designations Map, prepared by a licensed surveyor, showing the metes & bounds of the subject parcel and of each district/designation including any subdistricts.
- 3) If this will be used with a subdivision application AND the subject property contains multiple State Land Use Districts; submit an approved District Boundary Interpretation from the State Land Use Commission.

(This section to be completed by ZAED)

LAND USE DISTRICTS/DESIGNATIONS (LUD) AND OTHER INFORMATION: ¹

STATE DISTRICT: ☒ Urban ☒ Rural ☐ Agriculture ☐ Conservation ☒ (SMA) Special Management Area

MAUI ISLAND PLAN Growth Boundary: ☐ Urban ☐ Small Town ☐ Rural ☐ Planned Growth Area ☐ Outside Growth Boundaries

PLAN Protected Area: ☐ Preservation ☐ Park ☐ Greenbelt ☐ Greenway ☐ Sensitive Land ☐ Outside Protected Areas

COMMUNITY PLAN: ² Project District 1 (Manele)

COUNTY ZONING: Lanai PDI (Manele) Golf Course

OTHER/COMMENTS: info. based on attached site plan "A"

FEMA FLOOD INFORMATION:

FLOOD HAZARD AREA ZONES ³ X, VE (16')
& BASE FLOOD ELEVATIONS:

☐ FEMA DESIGNATED FLOODWAY For Flood Zone AO, FLOOD DEPTH: _____
☒ FLOOD DEVELOPMENT PERMIT REQUIRED (Zones V, VE, A, AO, AE, AH, D, & Floodways) Attached LUD Map

☐ (PD) Planned Development
☒ (PH) Project District
☐ See Additional Comments (Pg.2)
☐ See Attached LUD Map

SUBDIVISION LAND USE CONSISTENCY: ☐ Not Consistent, (LUDs appear to have NO permitted uses in common).

- (Signature) ☐ Not Applicable, (Due to processing under consistency exemption No. ☐1, ☐2, ☐3, ☐4, ☐5).
☐ Interim Zoning, (The parcel or portion of the parcel that is zoned interim shall not be subdivided).
- ☐ ⁴ Consistent, (LUDs appear to have ALL permitted uses in common).
☐ ⁴ Consistent, upon obtaining an SMA, PD, or PH subdivision approval from Planning.
☐ ⁴ Consistent, upon recording a permissible uses unilateral agreement processed by Public Works (See Pg.2).

NOTES:

- 1 The conditions and/or representations made in the approval of a State District Boundary Amendment, Community Plan Amendment, County Change in Zoning, SMA Permit, Planned Development, Project District and/or a previous subdivision, may affect building permits, subdivisions, and uses on the land.
- 2 Please review the Maui Island Plan and the Community Plan document for any goals, objectives, policies or actions that may affect this parcel.
- 3 Flood development permits might be required in zones X and XS for any work done in streams, gulches, low-lying areas, or any type of drainageway; Flood development permits are required for work in all other zones. Subdivisions that include/adjoin streams, gulches, low-lying areas, or any type of drainageway might require the following designations to be shown on the subdivision map: 100-year flood inundation limits; base flood elevations; drainage reserves.
- 4 Subdivisions will be further reviewed during the subdivision application process to verify consistency, unilateral agreement requirements, and the conditions associated with a unilateral agreement [Section 18.04.030.D, Maui County Code].

REVIEWED & CONFIRMED BY:

For: John S. Rapacz (Signature) Planning Program Administrator, Zoning Administration and Enforcement Division
12/19/14 (Date)

COUNTY OF MAUI
DEPARTMENT OF PLANNING
One Main Plaza Building
2200 Main Street, Suite 335
Wailuku, Hawaii 96793



RECEIVED
Zoning Administration and
Enforcement Division (ZAED)
Telephone: (808) 270-7253 P 12:25
Facsimile: (808) 270-7634
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INSTRUCTIONS:

- 1) Please use a separate Zoning & Flood Confirmation Form for each Tax Map Key (TMK) number.
- 2) If this will be used with a subdivision application AND the subject property contains multiple districts/designations of (1) State Land Use Districts, (2) Maui Island Plan Growth Boundaries, (3) Community Plan Designations, or (4) County Zoning Districts; submit a signed and dated Land Use Designations Map, prepared by a licensed surveyor, showing the metes & bounds of the subject parcel and of each district/designation including any subdistricts.
- 3) If this will be used with a subdivision application AND the subject property contains multiple State Land Use Districts; submit an approved District Boundary Interpretation from the State Land Use Commission.

(This section to be completed by ZAED)

LAND USE DISTRICTS/DESIGNATIONS (LUD) AND OTHER INFORMATION: ¹

STATE DISTRICT: ☒ Urban ☐ Rural ☐ Agriculture ☐ Conservation

☐ (SMA)
Special
Management Area

MAUI ISLAND PLAN Growth Boundary: ☐ Urban ☐ Small Town ☐ Rural ☐ Planned Growth Area ☐ Outside Growth Boundaries

PLAN Protected Area: ☐ Preservation ☐ Park ☐ Greenbelt ☐ Greenway ☐ Sensitive Land ☐ Outside Protected Areas

COMMUNITY PLAN: ² Project District 1 (Manele)

COUNTY ZONING: Lanai PD 1 (Manele) Golf Course

OTHER/COMMENTS: info. based on attached site plan "B"

FEMA FLOOD INFORMATION:

FLOOD HAZARD AREA ZONES ³ X
& BASE FLOOD ELEVATIONS:

☐ FEMA DESIGNATED FLOODWAY

For Flood Zone AO, FLOOD DEPTH:

☐ FLOOD DEVELOPMENT PERMIT REQUIRED (Zones V, VE, A, AO, AE, AH, D, & Floodways)

☐ (PD)
Planned
Development
☒ (PH)
Project District
☐ See
Additional
Comments (Pg.2)
☐ See
Attached LUD Map

SUBDIVISION LAND USE CONSISTENCY: ☐ Not Consistent, (LUDs appear to have NO permitted uses in common).

☐ Not Applicable, (Due to processing under consistency exemption No. ☐1, ☐2, ☐3, ☐4, ☐5).

(Signature)

☐ Interim Zoning, (The parcel or portion of the parcel that is zoned interim shall not be subdivided).

☐ ⁴ Consistent, (LUDs appear to have ALL permitted uses in common).

☐ ⁴ Consistent, upon obtaining an SMA, PD, or PH subdivision approval from Planning.

☐ ⁴ Consistent, upon recording a permissible uses unilateral agreement processed by Public Works (See Pg.2).

NOTES:

- 1 The conditions and/or representations made in the approval of a State District Boundary Amendment, Community Plan Amendment, County Change in Zoning, SMA Permit, Planned Development, Project District and/or a previous subdivision, may affect building permits, subdivisions, and uses on the land.
- 2 Please review the Maui Island Plan and the Community Plan document for any goals, objectives, policies or actions that may affect this parcel.
- 3 Flood development permits might be required in zones X and XS for any work done in streams, gulches, low-lying areas, or any type of drainageway; Flood development permits are required for work in all other zones. Subdivisions that include/adjoin streams, gulches, low-lying areas, or any type of drainageway might require the following designations to be shown on the subdivision map: 100-year flood inundation limits; base flood elevations; drainage reserves.
- 4 Subdivisions will be further reviewed during the subdivision application process to verify consistency, unilateral agreement requirements, and the conditions associated with a unilateral agreement [Section 18.04.030.D, Maui County Code].

REVIEWED & CONFIRMED BY:

For: John S. Rapacz (Signature) 12/19/14 (Date)
John S. Rapacz, Planning Program Administrator, Zoning Administration and Enforcement Division



Google earth

© 2014 Google

N

1000 ft

4. LETTER OF AUTHORIZATION



June 26, 2015

William Spence, Director
Department of Planning
County of Maui
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

SUBJECT: Challenge at Manele Golf Course Special Events (TMK (2) 4-9-017:008)

Dear Mr. Spence:

This letter is provided by Lanai Resorts, LLC, a Hawaii limited liability company doing business as Pūlama Lānaʻi, owner of the above-referenced parcel, to confirm its authorization given to Munekiyo Hiraga to assist with the preparation, filing, processing, and obtaining of all necessary regulatory permits and approvals for the subject parcel, including but not limited to applications for a Conditional Permit and Special Management Area Assessment.

Should you have any questions, or require additional information, please do not hesitate to contact me at (808) 237-2001.


Sincerely,

Kurt Matsumoto
Chief Operating Officer

c: Mark Alexander Roy, Munekiyo Hiraga

STATE OF HAWAII)
) SS
CITY & COUNTY OF HONOLULU)

On this 26th day of June, 2015, before me personally appeared Kurt Matsumoto, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.


Print Name: Barbi S. Shinno
Notary Public, State of Hawaii

My commission expires: August 11, 2018



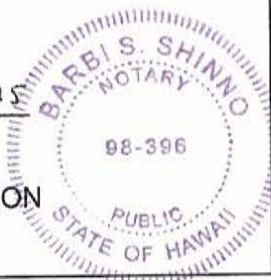
Doc. Date: 06-26-15 # Pages: 2
Notary Name: Barbi S. Shinno First Circuit

Doc. Description:
Letter of authorization for Munekiyo & Hiraga, Inc. to Maui
Department of Planning to obtain regulatory permits and
approval for Challenge at Manele Golf Course Special
Events, TMK (2)4-9-017:008


Notary Signature

6/26/15
Date

NOTARY CERTIFICATION



**5. LAND OWNERSHIP
DOCUMENTATION
(Submitted With Original
Application Document Only)**

LAND OWNERSHIP DOCUMENTATION

In the Title Report Schedule B, the property is noted as Tax Map Key: (2) 4-9-017:008 and Area Assessed: 162.421 acres.

According to the Tax Map off of the County website, Parcel 8 is noted as 237.867 acres. However, the area in the Title Report of 162.421 acres is consistent with a Land Court Consolidation 170 map signed by the Registrar of the Land Court on 3/29/2007 which identifies the parcel as Lot 125-A-6 which is a portion of the old Parcel 008. The County Real Property Tax Office has not yet assigned a parcel number to Lot 125-A-6.

STATUS REPORT

This Report (and any revisions thereto) is issued for the sole benefit of the Purchaser of this Report identified in the Order No. referenced below. Title Guaranty of Hawaii, Incorporated's responsibility for any actual loss incurred by reason of any incorrectness herein is limited to the greater of \$3,500 or two times the amount paid for this Report.

SCHEDULE A

Title Guaranty of Hawaii, Incorporated, hereby reports as follows as to the title of the Parties named in Schedule A in and to the title to land described in Schedule C, subject to the matters set forth in Schedule B, based solely upon an abstract and examination of the following Indices in the State of Hawaii: (a) the Office of the Clerks of the Circuit Court of the Judicial Circuit within which the land is located; (b) the Office of the Clerk of the District Court of the United States for the District of Hawaii; (c) the Office of the Registrar of Conveyances; and (d) the Office of the Real Property Tax Assessment Division of the County within which the land is located.

LANAI RESORTS, LLC,
a Hawaii limited liability company,
as Fee Owner

This report is subject to the Conditions and Stipulations set forth in Schedule D and is dated as of December 2, 2013 at 8:00 a.m.

Inquiries concerning this report
should be directed to
JUSTIN LEE.
Email jmlee@tghawaii.com
Fax (808) 533-5870
Telephone (808) 539-7743.
Refer to Order No. 201357776.

**SCHEDULE B
EXCEPTIONS**

1. Real Property Taxes, if any, that may be due and owing.

Tax Key: (2) 4-9-017-008 Area Assessed: 162.421 acres

2. Any and all matters not shown in the Indices described in Schedule A.

3. Mineral and water rights of any nature in favor of the State of Hawaii.

4. Location of the seaward boundary in accordance with the laws of the State of Hawaii and shoreline setback line in accordance with County regulation and/or ordinance and the effect, if any, upon the area of the land described herein.

5. The terms and provisions contained in the following:

INSTRUMENT : SUBDIVISION AGREEMENT (LARGE LOT)

DATED : June 9, 1988

FILED : Land Court Document No. 1558116

PARTIES : CASTLE & COOKE, INC., a Hawaii corporation

6. The terms and provisions contained in the following:

INSTRUMENT : SUBDIVISION AGREEMENT (LARGE LOT)

DATED : December 18, 1988

FILED : Land Court Document No. 1633943

PARTIES : CASTLE & COOKE, INC., a Hawaii corporation

7. The terms and provisions contained in the following:

INSTRUMENT : SUBDIVISION AGREEMENT (LARGE LOTS OR LESS)

SCHEDULE B CONTINUED

DATED : April 26, 1989
FILED : Land Court Document No. 1633944
PARTIES : CASTLE & COOKE, INC., a Hawaii corporation

8. The terms and provisions contained in the following:

INSTRUMENT : UNILATERAL AGREEMENT AND DECLARATION FOR
CONDITIONAL ZONING

DATED : February 13, 1992
RECORDED : Document No. 92-045080
PARTIES : LANAI RESORT PARTNERS, a California general
partnership

(Not noted on Transfer Certificate(s) of Title referred to
herein)

9. CERTIFICATE AND AUTHORIZATION dated January 12, 1993, recorded as Document No. 93-007058, by and between DOLE FOOD COMPANY, INC., a Hawaii corporation, formerly known as Castle & Cooke, Inc., and LANAI RESORT PARTNERS, a California general partnership. (Not noted on Transfer Certificate(s) of Title referred to herein)

Said Certificate was amended by instrument dated September 26, 1995, recorded as Document No. 95-125908. (Not noted on Transfer Certificate(s) of Title referred to herein)

10. The terms and provisions contained in the following:

INSTRUMENT : PRIVATE WATER SYSTEM AGREEMENT

DATED : August 10, 1993
FILED : Land Court Document No. 2078717
RECORDED : Document No. 93-138758

SCHEDULE B CONTINUED

PARTIES : LANAI RESORT PARTNERS, a California general partnership, composed of M. K. Development, Inc., a Hawaii corporation, and Lanai Company, Inc., a Hawaii corporation, LANAI WATER COMPANY, INC., a Hawaii corporation and subsidiary of Dole Food Company, Inc., and the DEPARTMENT OF WATER SUPPLY of the County of Maui

11. The terms and provisions contained in the following:

INSTRUMENT : MEMORANDUM OF AGREEMENT

DATED : October 19, 1994

FILED : Land Court Document No. 2200658

PARTIES : LANAI RESORT PARTNERS, a California general partnership, and the STATE OF HAWAII, by its Board of Land and Natural Resources, for the Department of Land and Natural Resources, Division of Forestry and Wildlife, Na Ala Hele Trails and Access Program

RE : a public access trail along the shoreline land between Hulopo'e Bay and Huawai Bay, Lanai, Hawaii, located on portions of the land described herein

Said above Agreement affecting Easements "60" and "61" pursuant to Land Court Order No. 128024, filed July 13, 1997.

12. DESIGNATION OF EASEMENT "60" (40 feet wide)

PURPOSE : public pedestrian access

SHOWN : on Map 10, as set forth by Land Court Order No. 119683, filed February 9, 1995

13. DESIGNATION OF EASEMENT "61" (40 feet wide)

PURPOSE : public pedestrian access

SHOWN : on Map 10, as set forth by Land Court Order No. 119683, filed February 9, 1995

SCHEDULE B CONTINUED

14. DESIGNATION OF SETBACK LINE (50 foot)

SHOWN : on Map 10, as set forth by Land Court Order No. 119683, filed February 9, 1995

15. GRANT

TO : STATE OF HAWAII, through the Department of Land and Natural Resources

DATED : March 9, 1995

FILED : Land Court Document No. 2236005

GRANTING : a nonexclusive easements for public pedestrian access purposes over above said Easements "60" and "61"

16. The terms and provisions contained in the following:

INSTRUMENT : UNILATERAL AGREEMENT AND DECLARATION FOR CONDITIONAL ZONING

DATED : April 7, 1995

RECORDED : Document No. 95-049102

PARTIES : LANAI RESORT PARTNERS, a California general partnership

(Not noted on Transfer Certificate(s) of Title referred to herein)

17. The terms and provisions contained in the following:

INSTRUMENT : PRIVATE WATER SYSTEM AGREEMENT

DATED : September 5, 1996

RECORDED : Document No. 96-131737

PARTIES : LANAI COMPANY, INC., a Hawaii corporation, and the DEPARTMENT OF WATER SUPPLY of the County of Maui

(Not noted on Transfer Certificate(s) of Title referred to herein)

SCHEDULE B CONTINUED

18. The terms and provisions contained in the following:

INSTRUMENT : PRIVATE WATER SYSTEM AGREEMENT

DATED : December 13, 1996

RECORDED : Document No. 97-007140

PARTIES : LANAI COMPANY, INC., a Hawaii corporation, and the
DEPARTMENT OF WATER SUPPLY of the County of Maui

(Not noted on Transfer Certificate(s) of Title referred to
herein)

19. The terms and provisions contained in the following:

INSTRUMENT : UNILATERAL AGREEMENT

DATED : April 28, 1997

RECORDED : Document No. 97-069252

PARTIES : LANAI COMPANY, INC., a Hawaii corporation

(Not noted on Transfer Certificate(s) of Title referred to
herein)

20. Designation of the following easements shown on Map 12, as set
forth by Land Court Order No. 128024, filed June 13, 1997:

(A) Easement "84" for electrical purposes.

(B) Easement "85" for electrical purposes.

(C) Easement "86" for electrical purposes.

(D) Easement "89" (56 feet wide) for roadway and utility
purposes.

(E) Easement "102" (10 feet wide) for drainage purposes.

(F) Easement "103" for drainage purposes.

(G) Easement "105" (10 feet wide) for drainage purposes.

SCHEDULE B CONTINUED

- (H) Easement "110" (10 feet wide) for sanitary sewer purposes.
- (I) Easement "113" for sanitary sewer purposes.
- (J) Easement "116" for waterline purposes.
- (K) Easement "117" for waterline purposes.
- (L) Easement "118" for generator building purposes.
- (M) Easement "122" for landscaping purposes.
- (N) Easement "123" for landscaping purposes.
- (O) Easement "130" for drainage purposes.

21. The terms and provisions contained in the following:

INSTRUMENT : UNILATERAL AGREEMENT AND DECLARATION FOR
CONDITIONAL ZONING

DATED : December 8, 1998
RECORDED : Document No. 98-185168
PARTIES : LANAI COMPANY, INC., a Hawaii corporation

(Not noted on Transfer Certificate(s) of Title referred to
herein)

22. Designation of the following easements shown on Map 17, as set
forth by Land Court Order No. 138980, filed July 11, 2000:

- (A) Easement "154" for drainage purposes.
- (B) Easement "155" for drainage purposes.

23. Designation of the following easements shown on Map 18, as set
forth by Land Court Order No. 139347, filed August 23, 2000:

SCHEDULE B CONTINUED

(A) Easement "157" for sanitary sewer purposes.

(B) Easement "158" for sewer pump station purposes.

24. GRANT

TO : MAUI ELECTRIC COMPANY, LIMITED and VERIZON HAWAII
INC., now known as HAWAIIAN TELCOM, INC.

DATED : November 26, 2002

FILED : Land Court Document No. 2874334

GRANTING : a perpetual right and easement for utility purposes
over said Easement "158"

25. Designation of the following easements shown on Map 23, as set
forth by Land Court Order No. 149917, filed March 24, 2003:

(A) Easement "166" for electrical purposes.

(B) Easement "167" for electrical purposes.

(C) Easement "168" for electrical purposes.

(D) Easement "173" for electrical purposes.

26. GRANT

TO : MAUI ELECTRIC COMPANY, LIMITED and VERIZON HAWAII
INC., now known as HAWAIIAN TELCOM, INC.

DATED : November 15, 2002

FILED : Land Court Document No. 2913372

GRANTING : perpetual rights and easements for utility purposes
over said Easements "166", "167", "168" and "173"

27. The terms and provisions contained in the following:

SCHEDULE B CONTINUED

INSTRUMENT : UNILATERAL AGREEMENT AND DECLARATION OF CONDITIONS
FOR STATE LAND USE DISTRICT BOUNDARY AMENDMENT

DATED : July 18, 2003
RECORDED : Document No. 2003-156162
PARTIES : CASTLE & COOKE RESORTS, LLC, a Hawaii limited
liability company, "Declarant"
RE : district boundary amendment

(Not noted on Transfer Certificate(s) of Title referred to
herein)

28. The terms and provisions contained in the following:

INSTRUMENT : SUBDIVISION AGREEMENT (THREE LARGE LOTS)

DATED : January 12, 2005
RECORDED : Document No. 2005-108943
PARTIES : CASTLE & COOKE RESORTS, LLC, a Hawaii limited
liability company, "Owner", and COUNTY OF MAUI,
through its Department of Public Works and
Environmental Management, a body public and
corporate, and a political subdivision of the State
of Hawaii
RE : Owner shall pay pro rata share of costs for road
improvements

(Not noted on Transfer Certificate(s) of Title referred to
herein)

29. Designation of the following easements shown on Map 26, as set
forth by Land Court Order No. 164544, filed January 5, 2006:

- (A) Easement "176".
- (B) Easement "177".
- (C) Easement "178".
- (D) Easement "180".

SCHEDULE B CONTINUED

(E) Easement "181".

(F) Easement "184".

(G) Easement "186".

(H) Easement "187".

30. GRANT

TO : LANAI WATER COMPANY, INC., a Hawaii corporation
DATED : August 25, 2009
FILED : Land Court Document No. 3905991
CONSENT : Given by instrument dated October 5, 2009, filed as
Land Court Document No. 3905992
GRANTING : non-exclusive easement for water purposes

31. Claims arising out of customary and traditional rights and practices, including without limitation those exercised for subsistence, cultural, religious, access or gathering purposes, as provided for in the Hawaii Constitution or the Hawaii Revised Statutes.
32. Any unrecorded leases and matters arising from or affecting the same.
33. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other matters which a correct survey or archaeological study would disclose.

END OF SCHEDULE B

SCHEDULE C

All of that certain parcel of land situate on the Island of Lanai, County of Maui, State of Hawaii, described as follows:

LOT 125-A-6, area 162.420 acres, more or less, as shown on Map 33, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Consolidation No. 170 of Castle & Cooke, Inc.

Together with access to a public road over and across Lot 126 as shown on Map 22, Lot 116-B as shown on Map 18, Lots 100, 101 and 102 as shown on Map 12 and Lots 7 and 8 as shown on Map 1 of said Land Court Consolidation No. 170, as set forth by Land Court Order No. 164544, filed January 5, 2006.

Being the land(s) described in Transfer Certificate of Title No. 468,698 issued to LANAI COMPANY, INC., a Hawaii corporation.

END OF SCHEDULE C

GENERAL NOTES

1. There is hereby omitted from any covenants, conditions and reservations contained herein any covenant or restriction based on race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law. Lawful restrictions under state or federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.
2. Land Court Order No. 140572, filed January 4, 2001, sets forth the merger of LANAI COMPANY, INC., a Hawaii corporation, with and into CASTLE & COOKE RESORTS, LLC, a Hawaii limited liability company, on December 27, 2000.
3. Order filed as Land Court Document No. T-8310375, filed October 2, 2012, sets forth the change of name from CASTLE & COOKE RESORTS, LLC to LANAI RESORTS, LLC, on September 14, 2012.

SCHEDULE D

CONDITIONS AND STIPULATIONS

1. This Status Report (which term shall include any revisions thereto) is a report of the record title only, based solely upon an abstract and examination of the Indices described in Schedule A as of the date of the Report. No responsibility is assumed for (a) matters which may affect the title but either were not disclosed or were incorrectly disclosed in said indices at the date hereof; or (b) matters created, suffered, assumed, or agreed to by Purchaser; or (c) matters not shown herein but actually know to Purchaser. Title Guaranty of Hawaii, Incorporated (the "Company") makes no representation as to the legal effect, validity or priority of matters shown or referred to herein.
2. If the Report is incorrect in any respect, the responsibility of the Company shall be limited to the resulting actual loss, including any attorney's fees and legal costs, but in no event shall exceed the greater of \$3,500 or two times the amount paid for the Report. Upon payment of any loss hereunder, the Company shall be subrogated to all rights the Purchaser may have against any person or property as a result of such loss.
3. If the Purchaser of this Report shall suffer an actual loss by reason of the incorrectness of the Report, the Purchaser shall promptly notify the Company in writing. After receipt of such notice, the Company shall be allowed a reasonable time in which to investigate the claim. At its sole option, the Company may litigate the validity of the claim, negotiate a settlement or pay to Purchaser the amount the Company is obligated to pay under this Report. The Company's responsibility hereunder constitutes indemnity only and nothing herein shall obligate the Company to assume the defense of the Purchaser with respect to any claim made hereunder.
4. This report is the entire contract between the Purchaser and the Company and any claim by Purchaser against the Company, arising hereunder, shall be enforceable only in accordance with the provisions herein.
5. Notice required to be given the Company shall include the Order Number of this Report and shall be addressed to Title Guaranty of Hawaii, Inc., P.O. Box 3084, Honolulu, HI 96802, Attention: Legal Department.

DATE PRINTED: 12/06/2013

STATEMENT OF ASSESSED VALUES AND REAL PROPERTY TAXES DUE

NAME OF OWNER: LANAI RESORTS LLC
LEASED TO :

TAX MAP KEY

DIVISION ZONE SECTION PLAT PARCEL HPR NO.
(2) 4 9 017 008 0000

CLASS: RESIDENTIAL & etc AREA ASSESSED: 162.421 AC

ASSESSED VALUES FOR CURRENT YEAR TAXES: 2013

The records of this division show the assessed values and taxes on the property designated by Tax Key shown above are as follows:

BUILDING	\$ 10,977,000
EXEMPTION	\$ 0
NET VALUE	\$ 10,977,000
LAND	\$ 7,394,800
EXEMPTION	\$ 0
NET VALUE	\$ 7,394,800
TOTAL NET VALUE	\$ 18,371,800

Installment (1 - due 8/20; 2 - due 2/20) Tax Info As Of - 8/20/2013

Tax Year	Installment	Tax Amount	Penalty Amount	Interest Amount	Other Amount	Total Amount	
2013	2	54,629.78				54,629.78	PENDING
2013	1	54,629.78				54,629.78	PAID
2012	2	54,868.91				54,868.91	PAID
2012	1	54,868.91				54,868.91	PAID
2011	2	41,473.64				41,473.64	PAID
2011	1	41,473.65				41,473.65	PAID

Total Amount Due: 54,629.78

Penalty and Interest Computed to: 8/20/2013

DATE PRINTED: 12/06/2013

CLASS BREAKDOWN FOR TAX MAP KEY BELOW:

TAX MAP KEY						
DIVISION	ZONE	SECTION	PLAT	PARCEL	HPR NO.	
(2)	4	9	017	008	0000	
CLASS: RESIDENTIAL					AREA ASSESSED:	2.939 AC
BUILDING		\$	8,689,000			
EXEMPTION		\$	0			
NET VALUE		\$	8,689,000			
LAND		\$	3,711,900			
EXEMPTION		\$	0			
NET VALUE		\$	3,711,900			
TOTAL NET VALUE		\$	12,400,900			

TAX MAP KEY						
DIVISION	ZONE	SECTION	PLAT	PARCEL	HPR NO.	
(2)	4	9	017	008	0000	
CLASS: CONSERVATION					AREA ASSESSED:	159.482 AC
BUILDING		\$	2,288,000			
EXEMPTION		\$	0			
NET VALUE		\$	2,288,000			
LAND		\$	3,682,900			
EXEMPTION		\$	0			
NET VALUE		\$	3,682,900			
TOTAL NET VALUE		\$	5,970,900			

Title Guaranty of Hawaii, Inc.'s Privacy Policy

This Privacy Policy is provided to you as a customer of Title Guaranty of Hawaii, Inc. It applies to transactions involving individuals who are purchasing our services for primarily personal, family or household purposes. We realize that you may be receiving multiple disclosures from affiliates of ours and others, as well. We apologize in advance for this unavoidable duplication.

Title Guaranty of Hawaii, Inc. is an independently owned title insurance agent with more than 100 years of experience in searching Hawaiian land titles. We are an authorized title insurance agent for Chicago Title Insurance Company, Ticor Title Insurance Company, Commonwealth Land Title Insurance Company, Fidelity National Title Insurance Company, First American Title Insurance Company, Old Republic National Title Insurance Company and National Title Insurance of New York. Under the Gramm-Leach-Bliley Act, title insurance companies are required to provide certain disclosures regarding their privacy policies and practices. In compliance with federal and state law, we are providing you with this notice.

Fidelity National Title Insurance Company, Chicago Title Insurance Company, Ticor Title Insurance Company, and Common Wealth Land Title Insurance Company are affiliates of Fidelity National Financial, Inc., and have issued the following Privacy Statement:

Fidelity National Financial, Inc. and its subsidiaries ("FNF") respect the privacy and security of your non-public personal information ("Personal Information") and protecting your Personal Information is one of our top priorities. This Privacy Statement explains FNF's privacy practices, including how we use the Personal Information we receive from you and from other specified sources, and to whom it may be disclosed. FNF follows the privacy practices described in this Privacy Statement and, depending on the business performed, FNF companies may share information as described herein.

Personal Information Collected

We may collect Personal Information about you from the following sources:

- * Information we receive from you on applications or other forms, such as your name, address, social security number tax identification number, asset information, and income information;
- * Information we receive from you through our Internet websites, such as your name, address, email address, Internet Protocol address, the website links you used to get to our websites, and your activity while using or reviewing our websites;

- * Information about your transactions with or services performed by us, our affiliates, or others, such as information concerning your policy, premiums, payment history, information about your home or other real property, information from lenders and other third parties involved in such transaction, account balances, and credit card information; and
- * Information we receive from consumer or other reporting agencies and publicly recorded documents.

Disclosure of Personal Information

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- * To insurance agents, brokers, representatives, support organizations, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- * To third-party contractors or service providers for the purpose of determining your eligibility for an insurance benefit or payment and/or providing you with services you have requested;
- * To an insurance regulatory authority, or a law enforcement or other governmental authority, in a civil action, in connection with a subpoena or a governmental investigation;
- * To companies that perform marketing services on our behalf or to other financial institutions with which we have joint marketing agreements; and/or
- * To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

We may also disclose your Personal Information to others when we believe, in good faith, that such disclosure is reasonably necessary to comply with the law or to protect the safety of our customers, employees, or property and/or to comply with a judicial proceeding, court order or legal process.

Disclosure to Affiliated Companies - We are permitted by law to share your name, address and facts about your transaction with other FNF companies, such as insurance companies, agents, and other real estate service providers to provide you with services you have requested, for marketing or product development research, or to market products or services to you. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

Disclosure to Nonaffiliated Third Parties - We do not disclose Personal Information about our customers or former customers to nonaffiliated third parties, except as outlined herein or as otherwise permitted by law.

Confidentiality and Security of Personal Information

We restrict access to Personal Information about you to those employees who need to know that information to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard Personal Information.

Access to Personal Information/Requests for Correction, Amendment, or Deletion of Personal Information

As required by applicable law, we will afford you the right to access your Personal Information, under certain circumstances to find out to whom your Personal Information has been disclosed, and request correction or deletion of your Personal Information. However, FNF's current policy is to maintain customers' Personal Information for no less than your state's required record retention requirements for the purpose of handling future coverage claims.

For your protection, all requests made under this section must be in writing and must include your notarized signature to establish your identity. Where permitted by law, we may charge a reasonable fee to cover the costs incurred in responding to such requests. Please send requests to:

Chief Privacy Officer Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, FL 32204

Branded or Co-Sponsored Websites

If you provide Personal Information to us through a co-branded or co-sponsored website, you may be providing such information to the co-sponsor as well. In that event, we will make reasonable efforts to provide notice to you at the time you provide the information and you can decide whether you wish to do so. If you do submit such information, we will not be responsible for the use of the information you submit by the co-sponsor.

Links to Other Websites

Our websites may contain links to websites that are provided and maintained by third parties and that are not subject to this Privacy Statement. Please review the privacy statements on those websites. We make no representations concerning and are not responsible for any such third party websites or their privacy policies or practices.

Cookies

Our websites may use "cookies" or similar technologies to improve our service to you. Our cookies do not collect your Personal Information. Your browser can most likely be configured to notify you when cookies will be received and offer you the option of refusing cookies. If you reject cookies, you may still use our websites, but your ability to use some areas may be limited.

Changes to this Privacy Statement

This Privacy Statement may be amended from time to time consistent with applicable privacy laws. When we amend this Privacy Statement, we will post a notice of such changes on our website. The effective date of this Privacy Statement, as stated above, indicates the last time this Privacy Statement was revised or materially changed.

First American Title Insurance Company is an affiliate of First American Corporation, and has issued the following Privacy Notice:

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our subsidiaries we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- * Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- * Information about your transactions with us, our affiliated companies, or others; and
- * Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies.

Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Information Obtained Through Our Web Site

First American Financial Corporation is sensitive to privacy issues on the Internet. We believe it is important you know how we treat the information about you we receive on the Internet.

In general, you can visit First American or its affiliates Web sites on the World Wide Web without telling us who you are or revealing any information about yourself. Our Web servers collect the domain names, not the e-mail addresses, of visitors. This information is aggregated to measure the number of visits, average time spent on the site, pages viewed and similar information. First American uses this information to measure the use of our site and to develop ideas to improve the content of our site.

There are times, however, when we may need information from you, such as your name and email address. When information is needed, we will use our best efforts to let you know at the time of collection how we will use the personal information. Usually, the personal information we collect is used only by us to respond to your inquiry, process an order or allow you to access specific account/profile information. If you choose to share any personal information with us, we will only use it in accordance with the policies outlined above.

Business Relationships

First American Financial Corporation's site and its affiliates' sites may contain links to other Web sites. While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content or the privacy practices employed by other sites.

Cookies

Some of First American's Web sites may make use of "cookie" technology to measure site activity and to customize information to your personal tastes. A cookie is an element of data that a Web site can send to your browser, which may then store the cookie on your hard drive.

FirstAm.com uses stored cookies. The goal of this technology is to better serve you when visiting our site, save you time when you are here and to provide you with a more meaningful and productive Web site experience.

Fair Information Values

Fairness We consider consumer expectations about their privacy in all our businesses. We only offer products and services that assure a favorable balance between consumer benefits and consumer privacy.

Public Record We believe that an open public record creates significant value for society, enhances consumer choice and creates consumer opportunity. We actively support an open public record and emphasize its importance and contribution to our economy.

Use We believe we should behave responsibly when we use information about a consumer in our business. We will obey the laws governing the collection, use and dissemination of data.

Accuracy We will take reasonable steps to help assure the accuracy of the data we collect, use and disseminate. Where possible, we will take reasonable steps to correct inaccurate information. When, as with the public record, we cannot correct inaccurate information, we will take all reasonable steps to assist consumers in identifying the source of the erroneous data so that the consumer can secure the required corrections.

Education

We endeavor to educate the users of our products and services, our employees and others in our industry about the importance of consumer privacy. We will instruct our employees on our fair information values and on the responsible collection and use of data. We will encourage others in our industry to collect and use information in a responsible manner.

Security

We will maintain appropriate facilities and systems to protect against unauthorized access to and corruption of the data we maintain.

Old Republic National Title Insurance Company has issued the following Privacy Notice:

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of our privacy policies and practices.

We may collect nonpublic personal information about you from the following sources:

- * Information we receive from you such as on applications or other forms.
- * Information about your transactions we secure from our files, or from (our affiliates or) others.
- * Information we receive from a consumer reporting agency.
- * Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties as permitted by law.

We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
Non-financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

National Title Insurance of New York, Inc. has issued the following Privacy Notice (Revision 9/3/2009):

National Title Insurance of New York, Inc., a New York corporation (the "Company" respects the privacy and security of your non-public personal information ("Personal Information") and protecting your Personal Information is one of our top priorities. This Privacy Statement explains the Company's privacy practices, including how we use the Personal Information we receive from you and from other specified sources, and to whom it may be disclosed. The Company follows the privacy practices described in this Privacy Statement and, depending on the business performed, the Company may share information as described herein.

Personal Information Collected

We may collect Personal Information about you from the following sources:

- * Information we receive from you on applications or other forms, such as your name, address, social security number, tax identification number, asset information, and income information;
- * Information we receive from you through our Internet websites, such as your name, address, email address, Internet Protocol address, the website links you used to get to our websites, and your activity while using or reviewing our websites;
- * Information about your transactions with or services performed by us, our affiliates, or others, such as information concerning your policy, premiums, payment history, information about your home or other real property, information from lenders and other third parties involved in such transaction, account balances and credit card information; and
- * Information we receive from consumer or other reporting agencies and publicly recorded documents.

Disclosure of Personal Information

- * We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:
- * To insurance agents, brokers, representatives, support organizations, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- * To third-party contractors or service providers for the purpose of determining your eligibility for an insurance benefit or payment and/or providing you with services you have requested;
- * To an insurance regulatory authority, or a law enforcement or other governmental authority, in a civil action, in connection with a subpoena or a governmental investigation;
- * To companies that perform marketing services on our behalf or to other financial institutions with which we have joint marketing agreements and/or
- * To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

We may also disclose your Personal Information to others when we believe, in good faith, that such disclosure is reasonably necessary to comply with the law or to protect the safety of our customers, employees, or property and/or to comply with a judicial proceeding, court order or legal process.

Disclosure to Affiliated Companies - We are permitted by law to share your name, address and facts about your transaction with other affiliated companies, such as insurance companies, agents, and other real estate service providers to provide you with services you have requested, for marketing or product development research, or to market products or services to you. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

Disclosure to Nonaffiliated Third Parties - We do not disclose Personal Information about our customers or former customers to nonaffiliated third parties, except as outlined herein or as otherwise permitted by law.

Confidentiality and Security of Personal Information

We restrict access to Personal Information about you to those employees who need to know that information to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard Personal Information.

Access to Personal Information/Requests for Correction, Amendment, or Deletion of Personal Information

As required by applicable law, we will afford you the right to access your Personal Information, under certain circumstances to find out to whom your Personal Information has been disclosed, and request correction or deletion of your Personal Information. However, the Company's current policy is to maintain customers' Personal Information for no less than your state's required record retention requirements for the purpose of handling future coverage claims.

For your protection, all requests made under this section must be in writing and must include your notarized signature to establish your identity. Where permitted by law, we may charge a reasonable fee to cover the costs incurred in responding to such requests.

Please send requests to:

Chief Privacy Officer
National Title Insurance of New York, Inc.
National Claims Administration
5 Peters Canyon Road, Suite 300
Irvine, CA 92606

Changes to this Privacy Statement

The effective date of this Privacy Statement, as stated above, indicates the last time this Privacy Statement was revised or materially changed.

**6. LIST OF LANDOWNERS AND
LESSEES WITHIN 500 FEET
OF THE SUBJECT PROPERTY
(Submitted With Original
Application Document Only)**

LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
for
FOUR SEASONS LANAI - CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS

	TMK	NAME 1	NAME 2	ADDRESS 1	ADDRESS 2	
1	2490020010000	HAWAIIAN TELCOM, INC.				
2	2490020010000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
3	2490170010000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
4	2490170020000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
5	2490170090000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
6	2490170100000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
7	2490170110000	LANAI RESORTS LLC	ATTN RHONDA MIKAMI/L KANESHIRO	733 BISHOP ST, STE 2000	HONOLULU HI 96813	
8	2490170120000	LANAI TRUST	PETER H MILLS TRS	1330 UNIVERSITY DR #81	MENLO PARK CA 94025	
9	2490170120000	PALM LANAI REAL ESTATE TRUST	29 WESTWOOD DR		WORCESTER MA 01609	
10	2490170130000	LANAI TRUST	PETER H MILLS TRS	1330 UNIVERSITY DR #81	MENLO PARK CA 94025	
11	2490170130000	PALM LANAI REAL ESTATE TRUST	29 WESTWOOD DR		WORCESTER MA 01609	
12	2490170140000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
13	2490170150000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
14	2490170160000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
15	2490170170000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
16	2490170180000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	

LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
for
FOUR SEASONS LANAI - CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS

17	2490170190000	LANAI DEVELOPERS LLC	ATTN: RHONDA MIKANI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
18	2490170190001	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
19	2490170190002	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
20	2490170190003	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
21	2490170190004	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
22	2490170190005	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
23	2490170190006	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
24	2490170190007	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
25	2490170190008	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
26	2490170190009	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
27	2490170190010	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
28	2490170190011	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
29	2490170190012	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
30	2490170190013	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
31	2490170190014	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
32	2490170190015	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
33	2490170190016	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	

LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
for
FOUR SEASONS LANAI - CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS

34	2490170190017	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
35	2490170190018	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
36	2490170190019	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
37	2490170190020	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
38	2490170190021	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
39	2490170190022	DROPPED 2008/11/07 INTO MASTER	LANAI DEVELOPERS LLC	PO BOX 898900	MILILANI HI 96789-8900	
40	2490170200000	PALMS AT MANELE - PH I - CONDO MASTER	LANAI DEVELOPERS, LLC	PO BOX 898900	MILILANI HI 96789	
41	2490170200001	JENSEN,PAUL L FAMILY ACCESS TRUST	P O BOX 83941		FAIRBANKS AK 99708	
42	2490170200002	BUSCH,SHANE BURKE TRUST	SHANE BUSCH SUCC TTEE	90 W AVALANCHE CANYON DR	JACKSON WY 83001	
43	2490170200003	LANAI ESTATES LLC	ATTN: NATE HIRATANI	101 YGNACIO VALLEY RD, #320	WALNUT CREEK CA 94596	
44	2490170200004	DUNFORD FAMILY TRUST	DUNFORD,KENNETH/JANICE TTEES	PO BOX 1114	RANCHO SANTA FE CA 92067	
45	2490170200005	BURNIER-MARKS FAMILY REVOC TRUST	211 STERLING AVE		PACIFICA CA 94044	
46	2490170200006	LANAI ESTATES LLC	101 YGNACIO VALLEY RD STE 320		WALNUT CREEK CA 94596	
47	2490170200007	HAIMSOHN PERSONAL RESIDENCE TRUST	PO BOX 329		RANCHO SANTA FE CA 92067	
48	2490170200008	LOPEZ,ANN SERRANO	21731 VENTURA BLVD #300		WOODLAND HILLS CA 91364	
49	2490170200009	BIOTECHNOLOGIES LLC		1355 COPPER GLEN DRIVE SE	SALEM OR 97302	
50	2490170200010	MORROW,LIVING TRUST	1355 COPPER GLEN DR SE		SALEM OR 97302	

**LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
for
FOUR SEASONS LANAI - CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS**

51	2490170200011	ARRASMITH, REX CAREY REVOC LIV TRUST				
52	2490170200011	WARNICK, ALLAN H 1998 INTERVIVOS TRUST	38220 VIA ROBERTA		PALM SPRINGS CA 92264	
53	2490170200012	BOYLE, JAMES M III & JANE M TRUST	1365 TRINITY CHURH RD		WRIGHTSVILLE PA 17368	
54	2490170200013	CHEIKES, STEPHEN GEORGE	PO BOX 631066		LANAI CITY HI 96763	
55	2490170200014	HARRIS, GRAHAM LESLIE	2451 PALMERSTON AVE	W VANCOUVRE BC	V7V 2W2	CANADA
56	2490170200014	HARRIS, KAREN JANE				
57	2490170200015	LEES, ANDREW PETER	1006 W LAKE SAMMAMISH PKWY SE		BELLEVUE WA 98008	
58	2490170200015	LEES, LINNET FAY				
59	2490170200016	LANAI PALMS 19B TRUST	ATTN NICK EITEL	5665 NE WINDERMERE RD	SEATTLE WA 98105	
60	2490170220000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
61	2490170230000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
62	2490170240000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
63	2490170250000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
64	2490170260000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
65	2490170330000	LANAI ESTATES LLC	101 YGNACIO VALLEY RD STE 320		WALNUT CREEK CA 94596	
66	2490220010000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
67	2490220020000	THE TERRACES MANELE BAY-I				

LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
for
FOUR SEASONS LANAI - CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS

68	2490220020001	LANAI ESTATES LLC	101 YGNACIO VALLEY RD STE 320		WALNUT CREEK CA 94596	
69	2490220020002	LANAI ESTATES LLC	ATTN: SUZIE COTTA	101 YGNACIO VALLEY RD STE 320	WALNUT CREEK CA 94596	
70	2490220020003	WALTON,JOHN HARRY	1800 N SHORE DR		BELLINGHAM WA 98226	
71	2490220020003	WALTON,LOI LOUISE				
72	2490220020004	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
73	2490220020005	LANAI ESTATES LLC	101 YGNACIO VALLEY RD STE 320		WALNUT CREEK CA 94596	
74	2490220020006	MANELE BAY UNIT 6B,LLC	C/O BPO DEPT	11440 TOMAHAWK CREEK PKWY	LEAWOOD KS 66211	
75	2490220020007	ELLIOTT,JAMES ROY		PO BOX 631287	LANAI CITY HI 96763	
76	2490220020007	ELLIOTT,SHARON MAY				
77	2490220020008	JARMAN,KAREN LYNNE				
78	2490220020008	JARMAN,WALTER MARK		1487 E ARLINGTON DR	SALT LAKE CITY UT 84103	
79	2490220020009	LARSEN MARITAL LIVING TRUST	LARSEN,VICTORIA C. TTEE	PO BOX 630662	LANAI CITY HI 96763	
80	2490220020010	WILHARM,JAMES ROBERT	P O BOX 508		GREENACRES WA 99016	
81	2490220020011	LOYKO,TRUST	MR & MRS L LANE LOYKO TRS	316 MID VALLEY CENTER #272	CARMEL CA 93923	
82	2490220020012	THENNO,DAVID MCLIN	4503 SUN VALLEY RD		DEL MAR CA 92014	
83	2490220020012	THENNO,JILL ELLEN				
84	2490220030000	CONDO MASTER	LANAI BUILDERS INC.	100 KAHELU AVE #2FL	MILILANI HI 96789	

LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
for
FOUR SEASONS LANAI - CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS

85	2490220030000	THE TERRACES,MANELE BAY II				
86	2490220030001	HESS,ANDREA ELLISON				
87	2490220030001	HESS,MICHAEL JOSEPH		10830 WACHUSETT RD	WOODWAY WA 98020	
88	2490220030002	LANAI ESTATES LLC	ATTN: SUZIE COTTA	101 YGNACIO VALLEY RD, STE 320	WALNUT CREEK CA 94596	
89	2490220030003	BOURNE,S H 1994 TRUST	AVIS,SHERI L TTEE	281 FREDRICKSBURG RD	GARDNERVILLE NV 89460	
90	2490220030004	ROWLEY,HAWAII 1999 TRUST		1595 NW GILMAN BLVD #1	ISSAQUAH WA 98027	
91	2490220030005	BROWNE,NANCY DIANE				
92	2490220030005	CHADWELL,CHARLES KENDRID		70 GREENE ST APT 4704	JERSEY CITY NJ 07302	
93	2490220030006	EITEL,SUZANNE TRUST	RICHARD EITEL TRS	1301 SPRING ST, #12D	SEATTLE WA 98104	
94	2490220030007	READ,ALEXANDRA ELIZABETH MD				
95	2490220030007	SIEGLER,JOHN CAREY	JOHN SIEGLER ETAL	115 39TH AVE EAST	SEATTLE WA 98112	
96	2490220030008	LANAI ESTATES LLC	ATTN: SUZIE COTTA	101 YGNACIO VALLEY RD, STE 320	WALNUT CREEK CA 94596	
97	2490220030009	CALLAHAN,MADELINE COCHRANE	WATERLILIES	100 FACTORY POND RD	LATTINGTOWN NY 11560	
98	2490220030010	CLEMENS,JAMES X AND SALLY DE FELICE TR	PO BOX 630028		LANAI CITY HI 96763	
99	2490220040000	CONDO MASTER				
100	2490220040000	THE TERRACES MANELE BAY III				
101	2490220040001	EITING,JOHN RALPH	UNIT #240	2015 SE COLUMBIA RIVER DR	VANCOUVER WA 98661	

LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
for
FOUR SEASONS LANAI - CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS

102	2490220040001	EITING,MARIE ELIZABETH				
103	2490220040002	LOYKO TRUST	L LANE & PHYLLIS LOYKO, TTEES	316 MID VALLEY CENTER #272	CARMEL CA 93923	
104	2490220040003	SODERBECK,PAMELA M TRUST	SODERBECK,PAMELA M/CHURNEY,BONITA L TRS	P O BOX 905	CAYUCOS CA 93430	
105	2490220040003	SODERBECK,PAMELA M TRUST	PO BOX 631645		LANAI CITY HI 96763	
106	2490220040004	LANAI ESTATES LLC	101 YGNACIO VALLEY RD STE 320		WALNUT CREEK CA 94596	
107	2490220050000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
108	2490220060000	CASTLE & COOKE HOMES HAWAII INC	680 IWILEI RD STE 510		HONOLULU HI 96817	
109	2490220070000	LIRICON LANAI FAMILY TRUST	1145 SYDENHAM ROAD	CALGARY, ALBERTA	T2T 0T5	CANADA
110	2490220070000	WATEROUS,ADAM		700 - 2ND STREET SW, STE 1800	CALGARY, ALBERTA T2P 2W1	CANADA
111	2490220080000	KAPIHA'A PLACE LLC	PO BOX 1685		ROSS CA 94957	
112	2490220090000	MUMFORD LANA'I LLC	MUMFORD,JOHN	191 RAMOSO RD	PORTOLA VALLEY CA 94028	
113	2490220100000	MUMFORD LANAI LLC	C/O JOHN MUMFORD	191 RAMOSO RD	PORTOLA VALLEY CA 94028	
114	2490220110000	MUMFORD LANA'I,LLC	C/O MUMFORD,JOHN	191 RAMOSO RD	PORTOLA VALLEY CA 94028	
115	2490220120000	CASTLE & COOKE HOMES HAWAII INC	680 IWILEI RD STE 510		HONOLULU HI 96817	
116	2490220140000	THE TERRACES, MANELE BAY, IV		CONDO MASTER		
117	2490220140001	SCHLESINGER,GREGG ADAM	2121 PONCE DE LEON BLVD #1100		MIAMI FL 33143	
118	2490220140002	SCHLESINGER,GREGG ADAM	2121 PONCE DE LEON BLVD UNIT 1100		CORAL GABLES FL 33143	

LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
for
FOUR SEASONS LANAI - CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS

119	2490220140003	LANAI ESTATES LLC	ATTN: SUZIE COTTA	101 YGNACIO VALLEY RD STE 320	WALNUT CREEK CA 94596	
120	2490220140004	LANAI ESTATES LLC	101 YGNACIO VALLEY RD STE 320		WALNUT CREEK CA 94596	
121	2490220140005	POST-WHITE,JANICE EDNA				
122	2490220140005	WHITE,DUANE EARL		707 KENWOOD PARKWAY	MINNEAPOLIS MN 55403	
123	2490220140006	PAYNE,ASHLEY TRUST OF 1991	PAYNE, W ASHLEY/KATHLEEN- TTEES	201 W MONTE VISTA CIRCLE	WOODLAND CA 95695	
124	2490220140006	PAYNE,KATHLEEN RANDLETT TRUST				
125	2490220140007	KELLER,DAVID J/ANITA K Y TRUST	130 LOCUST ST		SAN FRANCISCO CA 94118	
126	2490220140008	LANAI ESTATES LLC	101 YGNACIO VALLEY RD STE 320		WALNUT CREEK CA 94593	
127	2490220140009	LANAI ESTATES LLC	ATTN: SUZIE COTTA	101 YGNACIO VALLEY RD STE 320	WALNUT CREEK CA 94596	
128	2490220140010	LANAI ESTATES LLC	ATTN: SUZIE COTTA	101 YGNACIO VALLEY RD STE 320	WALNUT CREEK CA 94596	
129	2490220140011	GARDNER,DAVID P TRUST	2989 AMERICAN SADDLER DR		PARK CITY UT 84060	
130	2490220140012	HARE,RICHARD QUALIFIED PERSONAL RES TR	PO BOX 2508		SUN VALLEY ID 83353	
131	2490220140013	WING,DUDLEY/ENRIQUETA 2011 TRUST	PO BOX 630370		LANAI CITY HI 96763	
132	2490220140014	TILLY FAMILY	PO BOX 631314		LANAI CITY HI 96763	
133	2490220140015	GUNBERG,MILTON JAMES		7616 KNAPP N E	ADA MI 49301	
134	2490220140015	GUNBERG,SARAH GOULD				
135	2490220140016	LANAI ESTATES LLC	ATTN: SUZIE COTTA	101 YGNACIO VALLEY RD, STE 320	WALNUT CREEK CA 94596	

LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
for
FOUR SEASONS LANAI - CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS

136	2490220140017	LOARIE LIVING TRUST	78 WINCHESTER DR		ATHERTON CA 94027	
137	2490220140018	LANG LIVING TRUST	LANG,THOMAS/LINDA CO-TTEES	PO BOX 937	RANCHO SANTA FE CA 92067	
138	2490220140019	FORSTER,COLETTE TRUST	7 AZALEA LN		RUMSON NJ 07760	
139	2490220140019	PRAHL,ANDREW SCOTT				
140	2490220140019	PRAHL,KIP/JOLENE TRUST	100 OAKFORD RD		REDWOOD CITY CA 94062	
141	2490220140019	PRAHL,MALIA ANN				
142	2490220150000	TERRACES, MANELE BAY PH V - CONDO MASTER		CONDO MASTER		
143	2490220150001	OROS,DAVID SCOTT		702 WEST LAKE AVE	BALTIMORE MD 21210	
144	2490220150001	OROS,MARLA TERRI				
145	2490220150002	RK RESEARCH INC DEFINED BENEFIT	30765 PACIFIC COAST HWY #141		MALIBU CA 90265	
146	2490220150003	LANAI ESTATES LLC	101 YGNACIO VALLEY RD STE 320		WALNUT CREEK CA 94596	
147	2490220150004	LANAI ESTATES LLC	101 YGNACIO VALLEY RD STE 320		WALNUT CREEK CA 94596	
148	2490220150005	MCDERMOTT,CLARE ISABEL				
149	2490220150005	TODD,ROBERT GRANT, JR.	22556 RAVENSBURY AVE		LOS ALTOS CA 94024	
150	2490220150006	MARCHAND FAMILY TRUST	48 COUGAR RIDGE LANDING SW	CALGARY,AB	T3H 0X8	CANADA
151	2490220150007	LP LANAI LLC	6500 S QUEBEC ST #300		ENGLEWOOD CO 80111	
152	2490220150008	SGLG 2012 TRUST				

LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
for
FOUR SEASONS LANAI - CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS

153	2490220150008	WAKELEE TRUST	1350 TASSO ST		PALO ALTO CA 94301	
154	2490220160000	WEINBERG,DENNIS/ALLYS ON CHARITABLE TRUST	WATERSTONE SUPPORT FOUNDATION, TRUSTEE	2925 PROFESSIONAL PL #201	COLORADO SPRINGS CO 80904-8136	
155	2490220170000	LANAI ESTATES LLC	101 YGNACIO VALLEY RD STE 320		WALNUT CREEK CA 94596	
156	2490220180000	TRETTE,FAMILY TR OF 1991	C/O DON ROBERTO JEWELERS	205 AVENIDA FABRICANTE	SAN CLEMENTE CA 92672	
157	2490220190000	WILLIS,KAREN YOUNG				
158	2490220190000	WILLIS,RICHARD S	RICHARD/KAREN WILLIS	2301 CARLISLE AVE	COLLEYVILLE TX 76034	
159	2490220200000	BENDER,ALBERT FRANCIS III TRUST	BENDER,ALBERT/LEA TTEES	9950 OLD CHATHAM RD	SAINT LOUIS MO 63124	
160	2490220200000	BENDER,LEA DIEDERICH TRUST				
161	2490220210000	LANAI ESTATES LLC	101 YGNACIO VALLEY RD STE 320		WALNUT CREEK CA 94596	
162	2490220220000	ORONA,LONNY JAIME		195 LA COLINA DR	ALAMO CA 94507	
163	2490220220000	ORONA,NADYNE KEALAOKOPONO				
164	2490220230000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
165	2490220240000	MANELE BAY HOMEOWNERS	C/O CERTIFIED MANAGEMENT	3179 KOAPAKA STREET	HONOLULU HI 96819	
166	2490220250000	MANELE BAY HOMEOWNERS	C/O CERTIFIED MANAGEMENT	3179 KOAPAKA ST	HONOLULU HI 96819	
167	2490230010000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
168	2490230020000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
169	2490230030000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	

LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
for
FOUR SEASONS LANAI - CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS

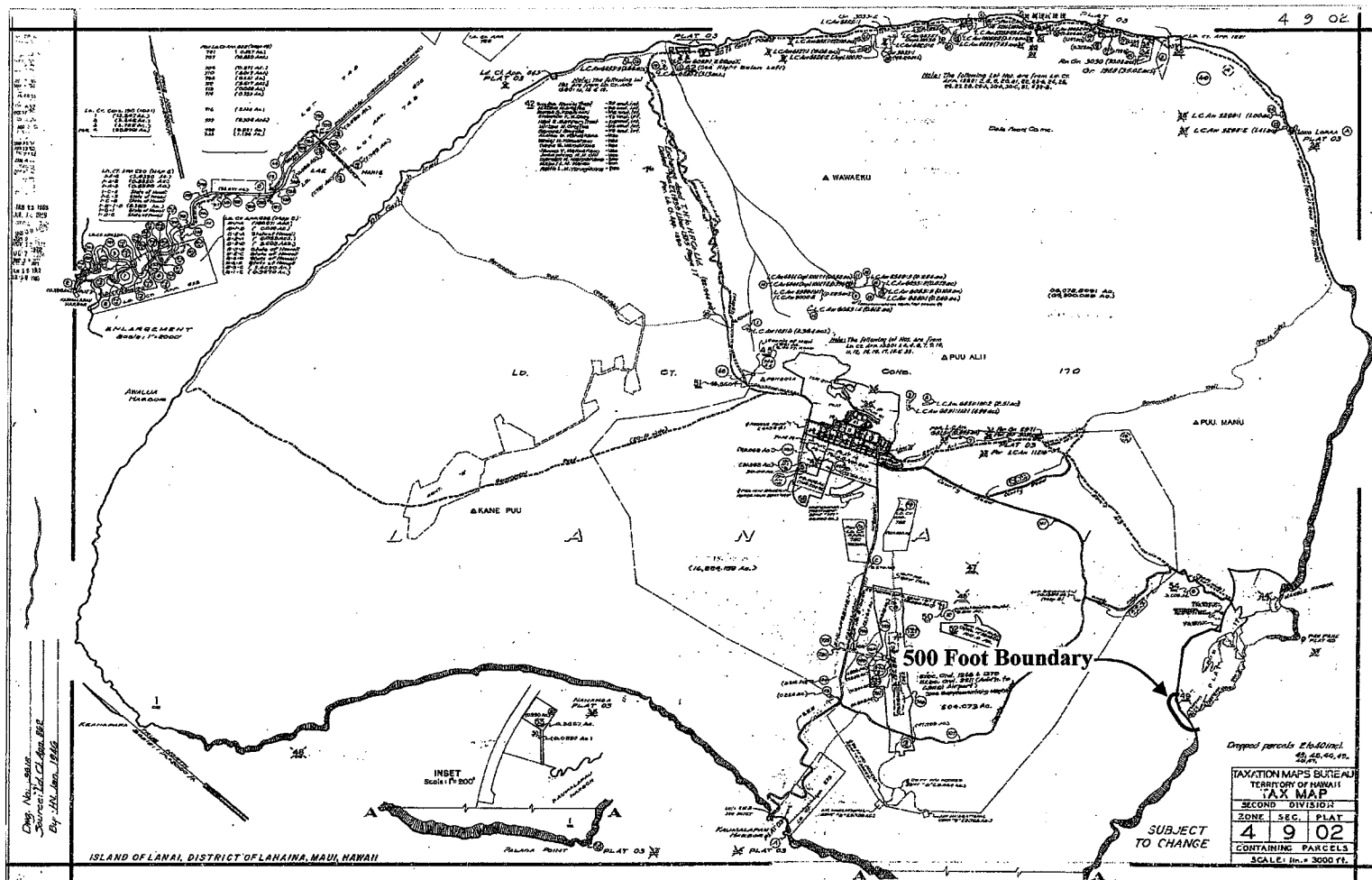
170	2490230040000	JOHNSON,BRUCE WAYNE	1135 N NIMITZ HWY		HONOLULU HI 96817	
171	2490230040000	JOHNSON,LINDA JEAN TRUST				
172	2490230050000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
173	2490230060000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
174	2490230070000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
175	2490230080000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
176	2490230090000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
177	2490230100000	CUEVAS,CONCETTA				
178	2490230100000	CUEVAS,JASON MICHAEL	PO BOX 637		LAHAINA HI 96767	
179	2490230110000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
180	2490230120000	COLEMAN,LEWIS W & SUSAN G TR	702 N ALTA DR		BEVERLY HILLS CA 90210	
181	2490230140000	GREEN,CARON M REVOC TRUST				
182	2490230140000	GREEN,DAVID M REVOC TRUST	P O BOX 631700		LANAI CITY HI 96763	
183	2490230150000	HUFFINGTON,MICHAEL	PO BOX 97593		LAS VEGAS NV 89193	
184	2490230160000	HUFFINGTON,MICHAEL	PO BOX 97593		LAS VEGAS NV 89193	
185	2490230170000	MOKU MALUHIA LLC	PO BOX 231328		LAS VEGAS NV 89105	
186	2490230180000	LANAI DEVELOPERS,LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	

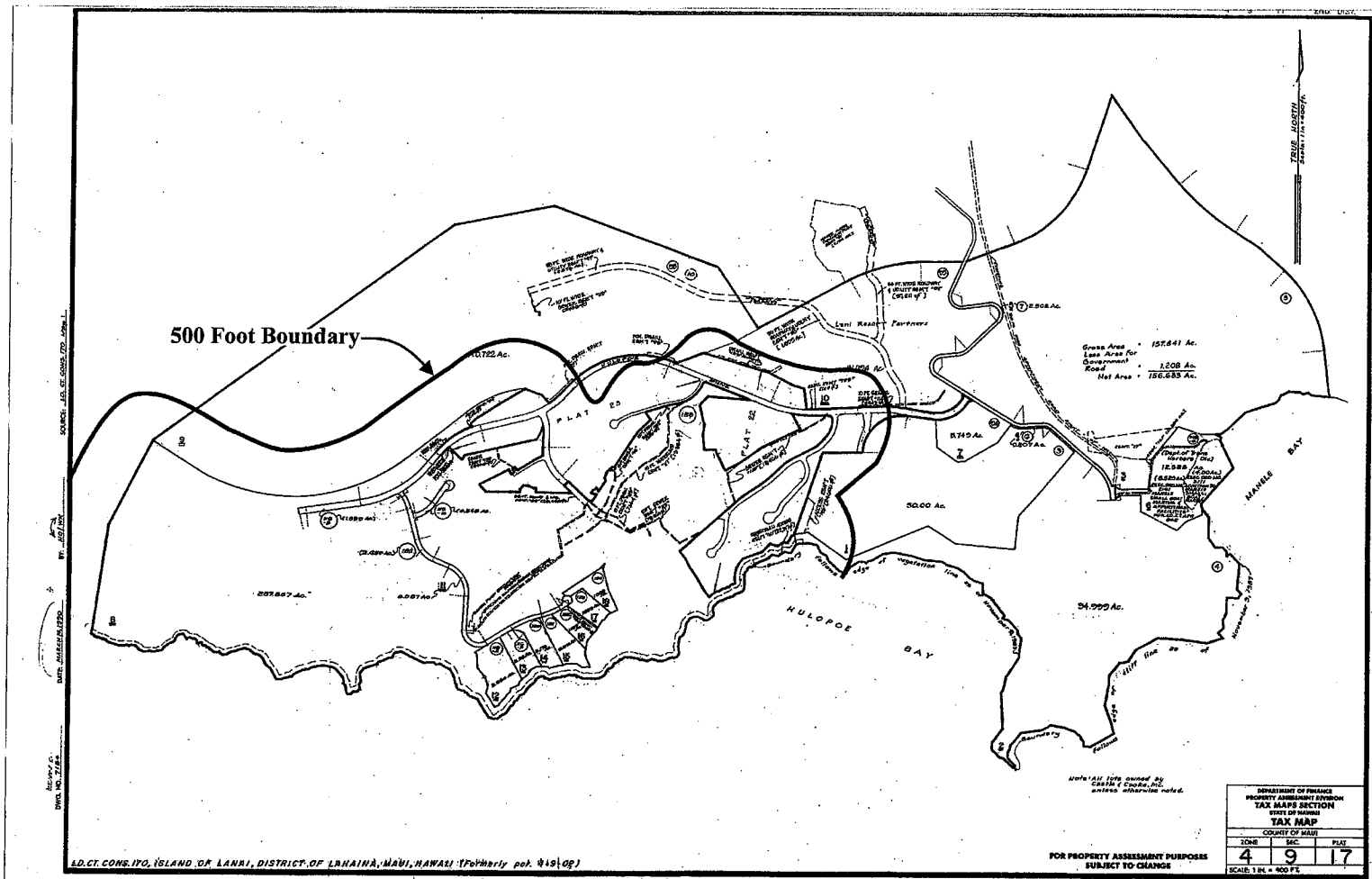
LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
for
FOUR SEASONS LANAI - CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS

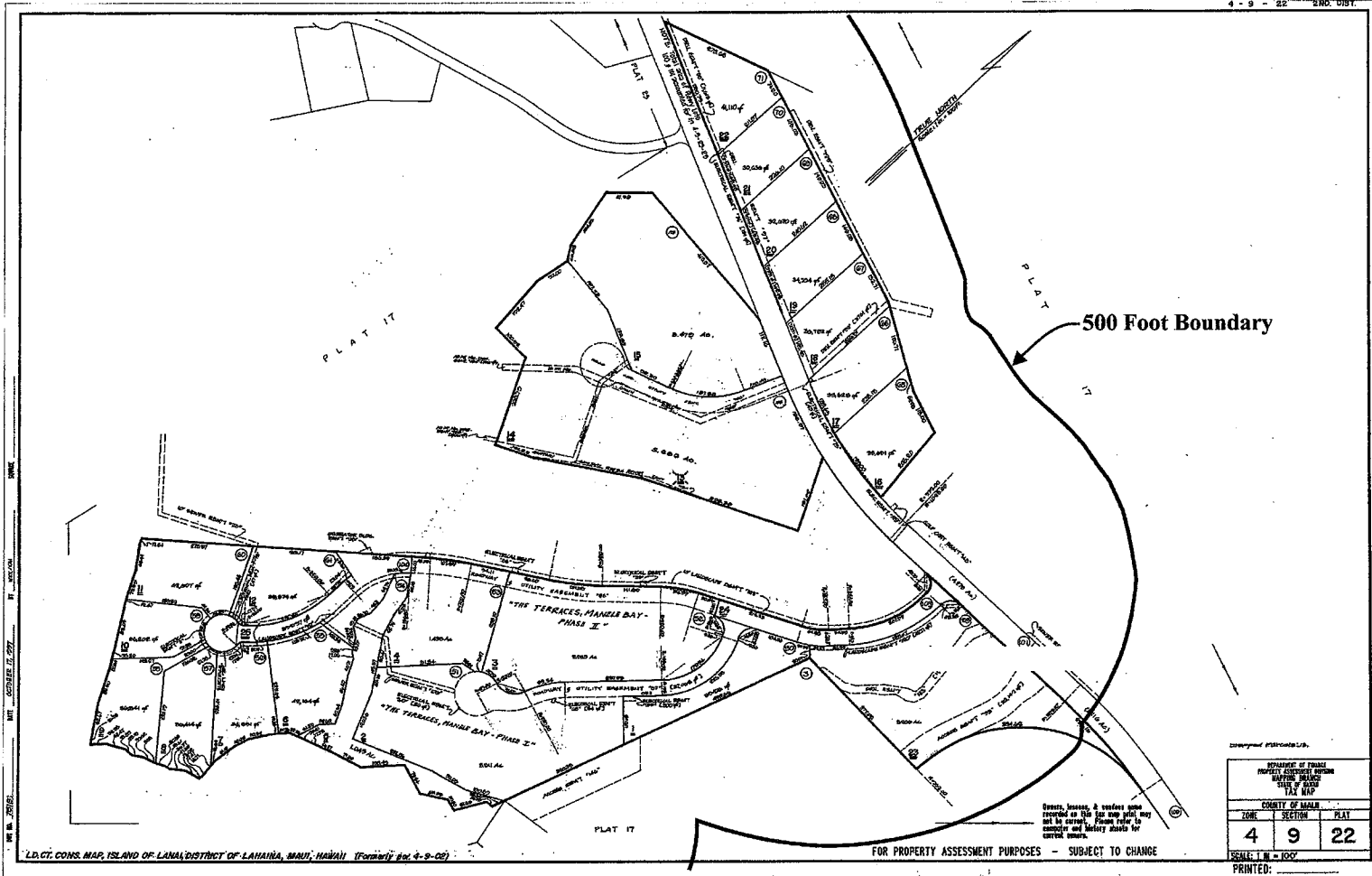
187	2490230190000	BIG WEDNESDAY TR	C/O DUBAN ACCOUNTANCY LLP	4250 WILSHIRE BLVD	LOS ANGELES CA 90010	
188	2490230200000	THE BIG WEDNESDAY TR	DUBAN ACCOUNTANCY LLP- H DUBAN	4250 WILSHIRE BLVD	LOS ANGELES CA 90010	
189	2490230210000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
190	2490230220000	LANAI RESORTS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
191	2490230230000	LANAI RESORTS LLC	ATTN RHONDA MIKAMI/L KANESHIRO	733 BISHOP ST, STE 2000	HONOLULU HI 96813	
192	2490230240000	MANELE BAY HOMEOWNERS	C/O CERTIFIED MANAGEMENT	3179 KOAPAKA STREET	HONOLULU HI 96819	
193	2490230250000	LANAI RESORTS LLC	ATTN RHONDA MIKAMI/L KANESHIRO	733 BISHOP ST, STE 2000	HONOLULU HI 96813	
194	2490250010000	LANAI DEVELOPERS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
195	2490250020000	LANAI DEVELOPERS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
196	2490250030000	LANAI DEVELOPERS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
197	2490250040000	LANAI DEVELOPERS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
198	2490250050000	LANAI DEVELOPERS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
199	2490250060000	LANAI DEVELOPERS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
200	2490250070000	LANAI DEVELOPERS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
201	2490250080000	LANAI DEVELOPERS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
202	2490250090000	LANAI DEVELOPERS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
203	2490250100000	LANAI DEVELOPERS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	

LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
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FOUR SEASONS LANAI - CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS

204	2490250110000	LANAI DEVELOPERS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
205	2490250120000	LANAI DEVELOPERS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
206	2490250130000	LANAI DEVELOPERS LLC	ATTN: RHONDA MIKAMI OR L KANESHIRO	733 BISHOP ST, SUITE 2000	HONOLULU HI 96813	
207	2490250140000	LANAI DEVELOPERS LLC	ATTN RHONDA MIKAMI/L KANESHIRO	733 BISHOP ST, STE 2000	HONOLULU HI 96813	







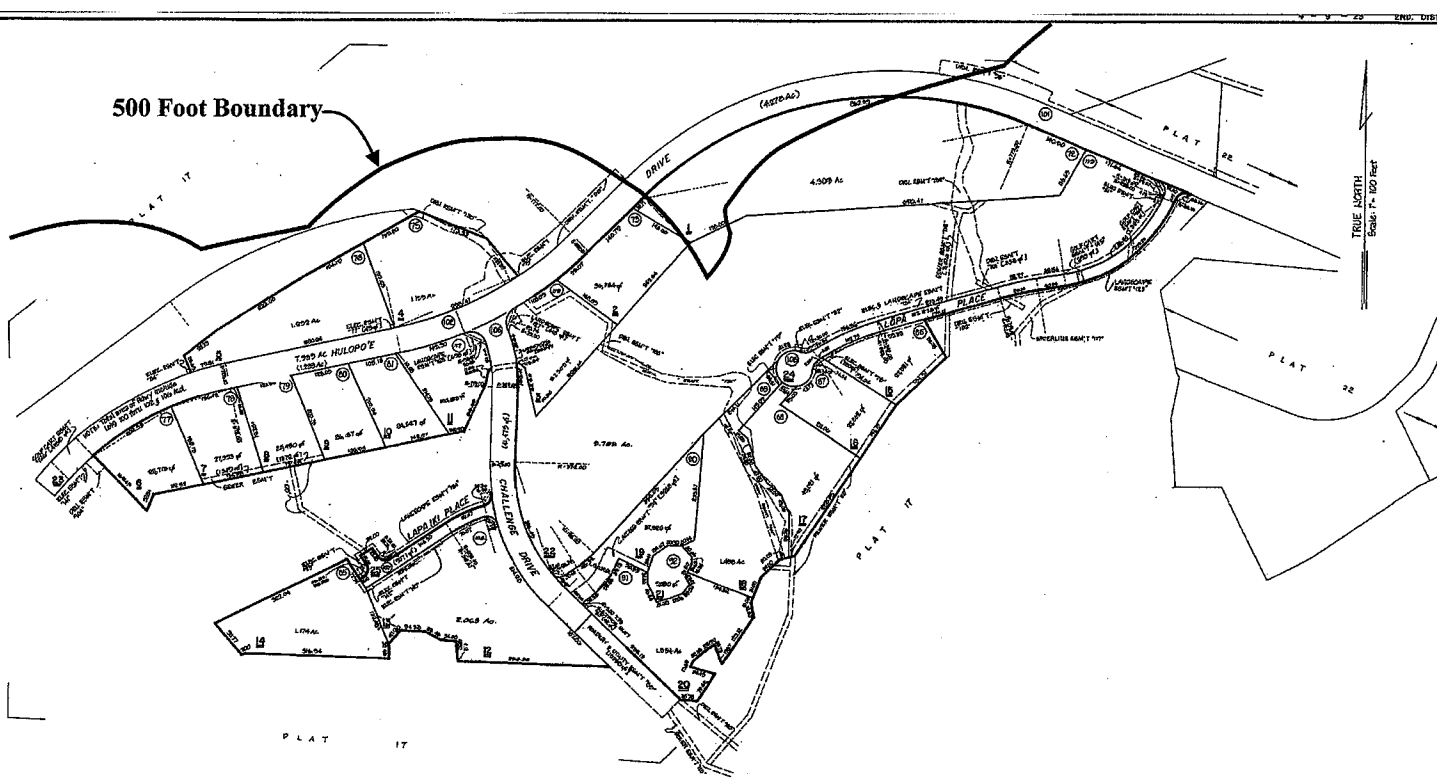
LD. CT. CONS. MAP, ISLAND OF LANAI, DISTRICT OF LANAI, HAWAII (Form 10) 4-9-00

FOR PROPERTY ASSESSMENT PURPOSES - SUBJECT TO CHANGE

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COUNTY OF MAUI		
ZONE	SECTION	PLAT
4	9	22

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DEPARTMENT OF FINANCE PROPERTY ASSESSMENT DIVISION MAPPING BRANCH STATE OF KANSAS TAX MAP		
COUNTY OF RAUB		
ZONE	SECTION	PLAT
4	9	23

FOR PROPERTY ASSESSMENT PURPOSES - SUBJECT TO CHANGE

L.D. CT. ITO, MAP 12, ISLAND OF LANAI, DISTRICT OF LAHAINA, MAUI, HAWAII (Formerly doc. 4-9-02)

PRINTED:

FOR PROPERTY ASSESSMENT PURPOSES - SUBJECT TO CHANGE

DEPARTMENT OF FINANCE		
REAL PROPERTY TAX DIVISION		
TAX MAP		
COUNTY OF MAUI		
ZONE	SECTION	PLAT
4	9	25
SCALE: 1 IN = 40'		
PRINTED:		

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Maui County Parcel Maps

gpublid/public.net/gmap4/mas.php?county=hi_mau&parcel=490170080000&extent=-17471424+2938941+-17462293-22639558&layers=parcels+gstreets+parcel_sales

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- ☒ Parcels
- ☒ Yearly Sales
- ☒ Parcel Numbers
- ☐ Roads
- ☐ Tsunami Evacuation Zones
- ☐ Flood Hazard Areas
- ☐ State Land Use Districts
- ☐ Special Management Area
- ☒ Streets (Google)
- ☐ Satellite (Google)
- ☐ Hybrid (Google)
- ☐ Physical (Google)

Show Scale

Map data ©2015 Google Terms of Use Report a map error

Maui County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll.

22°44'35.5"N 155°53'59.8"W (20,743, -186,9)

Parcel Information

Selected Parcel	490170080000
Land Size	162.42 Acres
Name	LANAI REPORTS LLC
Mailing Address	ATTN: RHONDA MIKAMI OR L KANESHIRO 733 BISHOP ST, SUITE 2000 HONOLULU HI 96813
Site/Physical Address	150 CHALLENGE DR
Assd Land Value	\$3,711,900.00
Good Building Value	\$9,612,800.00
Total Assd Value	\$13,324,700.00
Exempt Value	\$0.00
Taxable Value	\$13,324,700.00

Recent Sale Information

Date	Price	Ver/Imp	Qual

SUPERAntiSpyware

A Product Update is Available!

A new version of SUPERAntiSpyware is ready to install.

Update Now

8:55 AM 8/20/2015

7. PROJECT ASSESSMENT REPORT

Project Assessment Report

CHALLENGE AT MANELE GOLF COURSE SPECIAL EVENTS (TMK No. (2)4-9-017:008(por.))

Prepared for:

**Lanai Resorts, LLC, a Hawaii limited liability
company doing business as Pūlama Lānaʻi**

August 2015

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by Munekiyo Hiraga**



MUNEKIYO HIRAGA

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Appendix A.	Examples of Typical Event Set-Ups
Appendix B.	Photos of Typical Event Set-Ups

I. PROJECT OVERVIEW

I. PROJECT OVERVIEW

A. PROPERTY LOCATION, EXISTING USE AND LANDOWNERSHIP

The Applicant, Lanai Resorts, LLC, a Hawaii limited liability company doing business as Pūlama Lāna‘i, is requesting a County Conditional Permit to host up to 40 special events a year at the Challenge at Manele Golf Course (Golf Course). The Golf Course is an 18-hole championship course located at 150 Challenge Drive at Manele on the island of Lanai on property identified by Tax Map Key (2) 4-9-017:008. See **Figure 1**. The Golf Course was designed by Jack Nicklaus and was opened in 1993. It is owned by the Applicant. The special events will be located at two (2) locations on the Golf Course. See **Figure 2** and **Figure 3**. The subject property is designated “Urban” by the State Land Use Commission, “Lanai Project District 1 (Manele)” by the Lanai Community Plan, and “PD-L/1 Golf Course” by Maui County Zoning in the areas of the event sites.

The Golf Course is located amidst luxury single-family and multi-family residential units, as well as in proximity to the Four Seasons Resort Lanai at Manele Bay. These uses comprise the Lanai Project District 1 (Manele). Beyond the Project District boundary, the lands are vacant and undeveloped. Refer to **Figure 2**.

B. PROPOSED ACTION

1. Special Events

The Applicant is applying for a Conditional Permit to hold up to 40 special events a year on the golf course property. The Applicant is requesting the duration of the permit to be for five (5) years. The type of special events can be categorized as follows:

- a. **Large corporate sponsored dinners and performances.** Many large corporations reserve blocks of rooms at the Four Seasons Resort Lanai at Manele (Resort) and host large group social functions for their attendees. These events, which can have up to 300 attendees, are too large for the Resort to accommodate their needs. As such, the meeting sponsor(s) often look for an outdoor venue that can hold large group functions and accommodate a sit down dinner and a stage for entertainment.

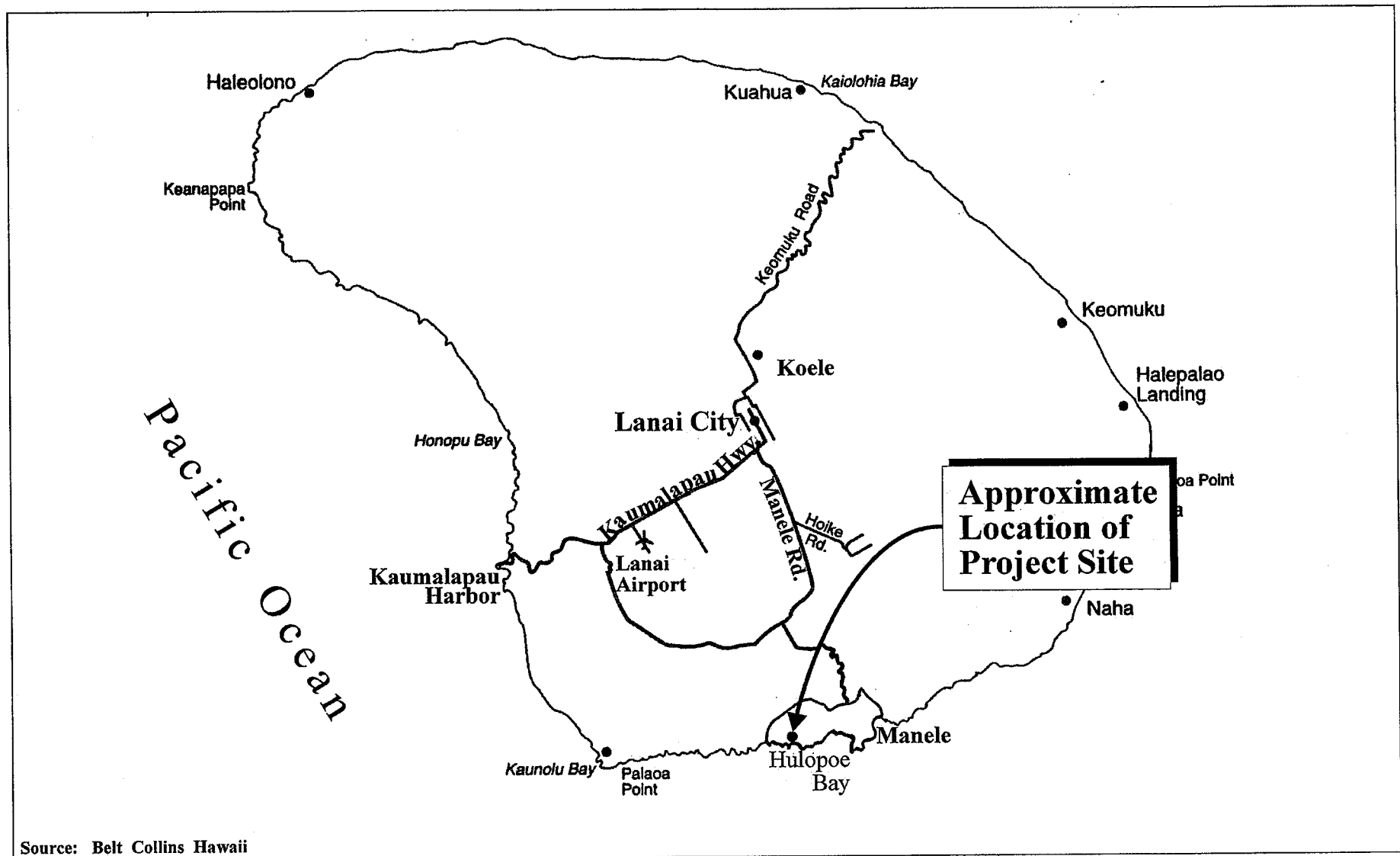
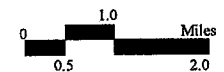
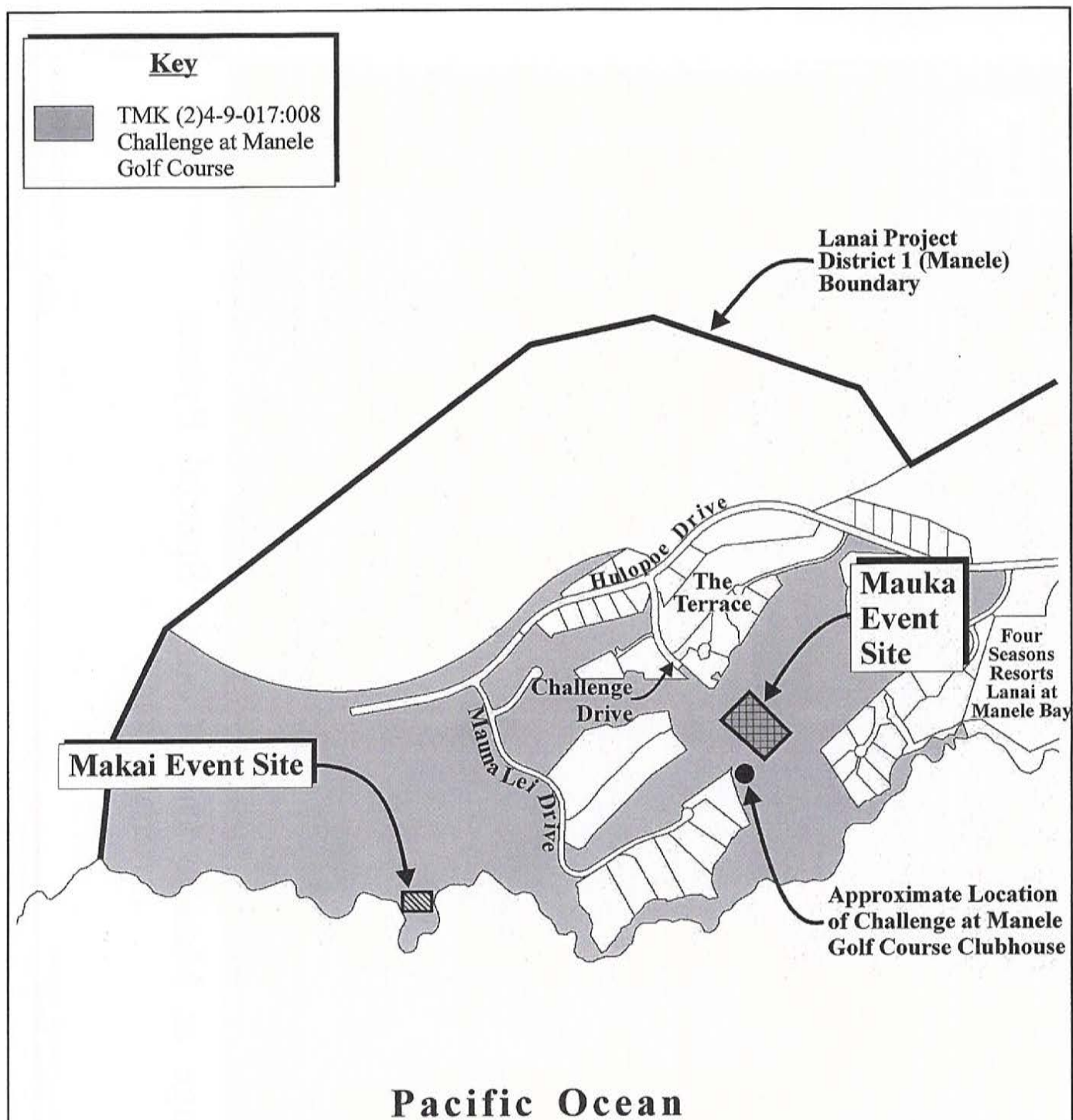


Figure 1 Challenge at Manele Golf Course Special Events
Regional Location Map



Prepared for: Lanai Resorts, LLC, a Hawaii Limited Liability
Company doing business as Pūlama Lānaʻi





Source: County of Maui, Department of Planning

Figure 2

Challenge at Manele Golf Course Special Events Property Location Map

0 200 400 800
Feet



Prepared for: Lanai Resorts, LLC, a Hawaii Limited Liability
Company doing business as Pūlama Lānaʻi

 MUNEKIYO HIRAGA

FSLanai/Food.Bev.Events.at.Challenge/Property.Location

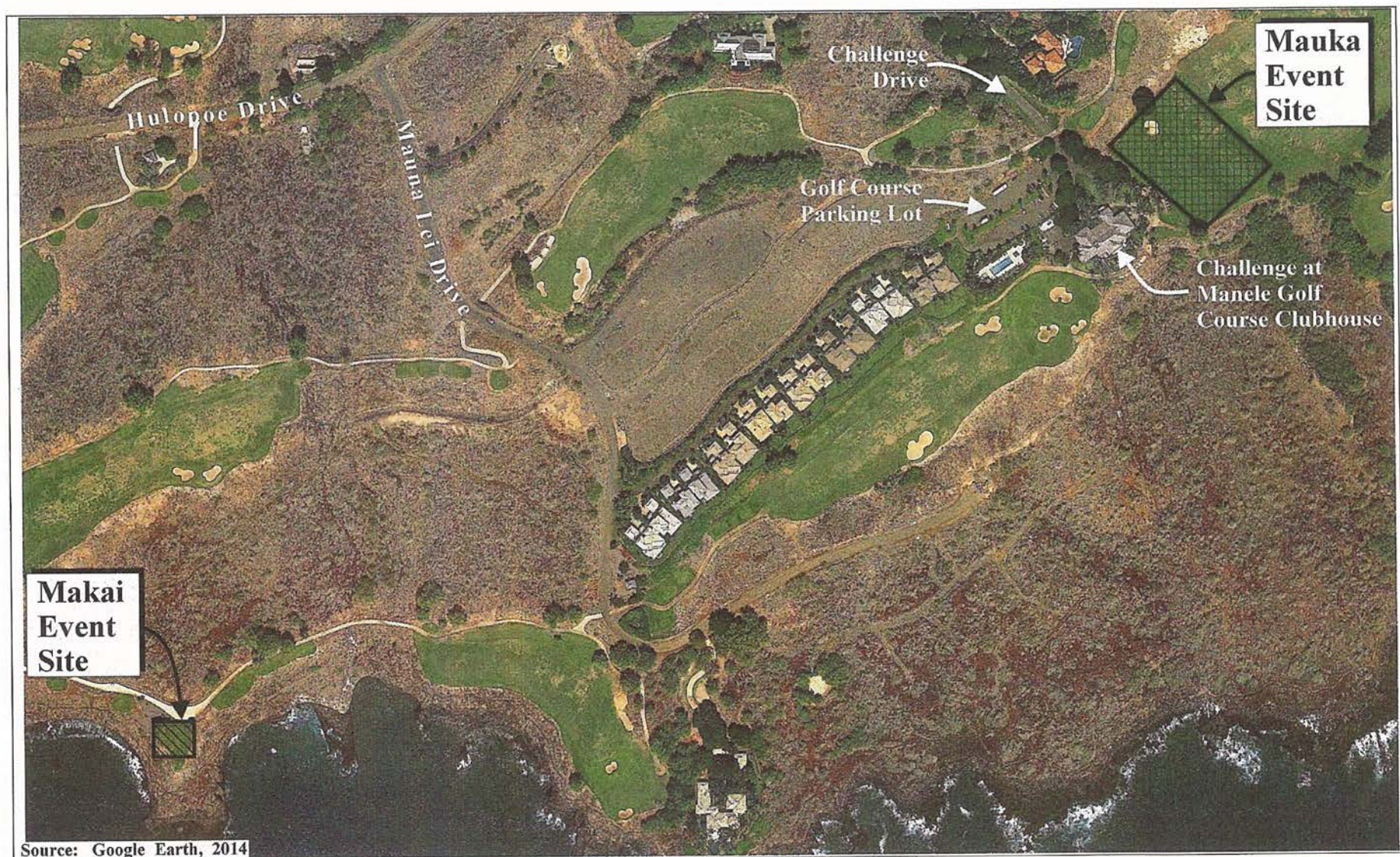


Figure 3 Challenge at Manele Golf Course Special Events

NOT TO SCALE

Aerial Photo



Prepared for: Lanai Resorts, LLC, a Hawaii Limited Liability Company doing business as Pūlama Lānaʻi

 **MUNEKIYO HIRAGA**

FSLanni/Food.Bev.EventsAtChallenge/Aerial

- b. **Private events.** Often times, Resort guests like to take advantage of Manele's pristine weather and look to the Golf Course as a venue for private functions such as weddings. These events are usually smaller, in the 25 to 100 guest range.

2. **Special Event Sites**

There are two (2) special event sites proposed for use on the golf course property. Refer to **Figure 2** and **Figure 3**. They are described as follows:

- a. **Mauka Event Site:** This special event site is located on the golf course driving range and is approximately 45,000 square feet in area. Refer to **Figure 3**. This event site is used for large events which can include sit down dinners and evening performances accommodating between 75 and 300 guests. See **Appendix "A"** and **Appendix "B"**.
- b. **Makai Event Site:** This special event site is located on the Hole No. 12 tee box of the golf course near the shoreline. Refer to **Figure 3**. This event site is used for private functions, such as weddings, for approximately 25 to 100 guests attending a typical event. Refer to **Appendix "A"** and **Appendix "B"**.

3. **Special Event Operations**

Most of the special events on the golf course are hosted by guests of or groups staying at the Four Seasons Resorts on Lanai. As such, the guests are usually bussed or walk from the Resorts to the special event site. The food served for the special events is prepared at the Resort or catered by professional caterers and brought to the event site to be served. When sponsored by the Resort, the security and admittance is generally provided by the Resort personnel. The special event area is fenced off from the rest of the golf course and secured by the Resort security or private security personnel. Portable toilets are brought onto the site, as required, depending on the function.

Setup is carried out by the party booking the special event. For the larger events, the set up can take up to three (3) days, where staging and lighting are set up. Breakdown of the stage and clean-up of the site can take up to three (3) days after the event. Temporary lighting is provided by portable generators. Noise generating activities or amplified music do not occur past 10:00 p.m. Parking, if needed, is provided on the approximately 133 stall parking lot next to the clubhouse. Events at either the Makai or Mauka location may result in necessary modifications to the normal operation of the golf course, usually in the closing of

the affected hole or area while allowing play to resume on other areas of the golf course. Closures are triggered by the complexity and timing of the events.

If temporary structures such as tents are needed, the applicant will apply for applicable building permits. It is unlikely that the golf course will be used for more than one (1) special event at a time.

Furthermore, each event organizer is required to execute a code of conduct agreement with Four Seasons Resort Lanai. The code of conduct outlines rules and regulations for holding events at the Golf Course. The code of conduct covers such items as proof of insurance, set up and break down procedures, health and safety restrictions, and general care and restrictions provisions.

The special events function at the Golf Course provides a needed and important visitor meeting facility in the Manele area. The ability for the Resort to accommodate those types of special events in Manele is important in meeting the needs and expectations of the resort guests. The opportunity to host special events is a substantial economic contributor, not only for the Resort, which would experience longer lodging stays for event guests, but for the local businesses on Lanai and statewide economies by promoting tourism and encouraging further spending through contracting event vendors and service providers.

II. DESCRIPTION OF THE EXISTING ENVIRONMENT

II. DESCRIPTION OF THE EXISTING ENVIRONMENT

The special event sites are located at the Challenge at Manele Golf Course within the Manele Project District in the vicinity of the Four Seasons Resort Lanai at Manele Bay. The special event sites are located on improved lands associated with golf course uses. The existing improvements on the golf course property include the clubhouse, landscaped fairways, water features and greens. The clubhouse facilities include a 2-story approximately 8,100 square feet building with a Pro Shop, golf administration and registration office, locker rooms, and a Restaurant. The driveway entrance is off of Challenge Drive. There is a 133 stall parking lot at the clubhouse building, which may be used by event attendees.

The State Department of Agriculture has established a three-tier classification system to identify Agricultural Lands of Importance to the State of Hawaii (ALISH) which was based primarily, though not exclusively, on soil characteristics. The three (3) classes of ALISH lands are as follows:

- **“Prime Agricultural Lands”** - Lands that have the soil quality, growing season, and moisture supply needed to produce sustained high yields of crop economically when treated and managed according to modern farming methods.
- **“Unique Agricultural Lands”** - Lands that have the special combination of soil quality, location, growing season, and moisture and are used to produce sustained high quality and/or high yields of a specific crop when treated and managed according to modern farming methods.
- **“Other Important Agricultural Lands”** - Lands other than “Prime” or “Unique” agricultural lands that are also of statewide or local importance for agricultural use.

Lands not identified in the three (3) classes are rated as **“Unclassified Agricultural Lands”**.

As reflected by the ALISH map for the area, the project site is defined as “Unclassified” agricultural land since it has been part of the developed “Urban” district of the Manele Project District.

The special event sites are characterized by level terrain within the Challenge at Manele Golf Course. The U.S. Department of Agriculture Soil Conservation Service classifies the soil in its soil survey of the islands of Kauai, Oahu, Maui, Molokai, and Lanai. The specific soil type underlying the events sites is very stony land (rVS). See **Figure 4**. rVS soil consists of stones and boulders over soft weathered rock and bedrock; soil material has been stripped away by erosion. The dominant slope is 10 to 15 percent, and commonly features lava outcrops. The erosion hazard is slight.

The lands underneath the proposed special event sites have been used as a golf course for over twenty years. The proposed special event uses will not adversely impact the underlying soils.

The Flood Insurance Rate Map (FIRM) for the area indicates that the special event sites are located outside of designated flood zones. See **Figure 5**. The Makai Event Site is located in close proximity to Zone VE, areas subject to inundation by the 1-percent-annual-chance flood event with additional hazards due to storm-induced velocity wave action. However, as the site is located atop a rocky cliff, the possibility of a storm flooding occurrence is unlikely.

Plant life in the immediate vicinity of the special event sites include grass typically used in golf courses in Hawaii and ornamental landscaping typical to Hawaiian resorts' plant palette. Animal life in the vicinity includes introduced species such as cats, mice, and rats. There are no known rare, threatened, or endangered species of flora, fauna, or avifauna located on the golf course lands.

No archaeological features are located on or in close vicinity to the event sites. As mentioned above, the property has been developed, landscaped and utilized for golf course purposes for over two (2) decades.

Air quality in the area may be affected by sources attributable to vehicular exhaust from traffic in the area of Hulopoe Road. These airborne pollutant sources are intermittent and generated particulates are quickly dispersed by prevailing winds. Ambient noise is attributable to natural conditions, such as wind and rain as well as traffic along the nearby roadways. The larger special events are usually scheduled as part of meetings and conferences held at the adjacent resort property. As such, group transportation is arranged and the guests are shuttled or walk to the special event site.

The special event sites are in proximity to the Resort property and residential units in the Manele Project District.

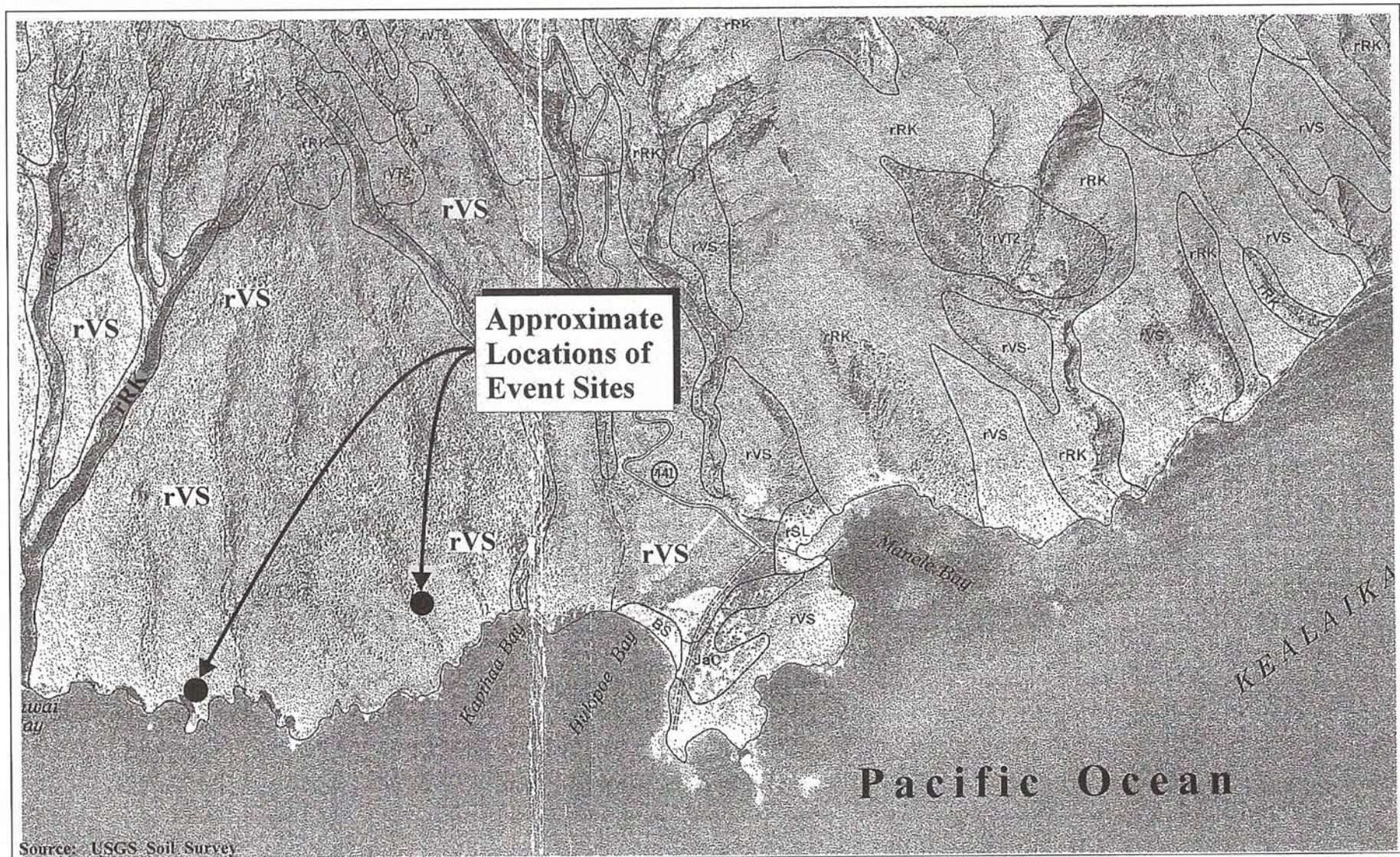


Figure 4 Challenge at Manele Golf Course Special Events
Soils Classifications

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Company doing business as Pūlama Lānaʻi

 **MUNEKIYO HIRAGA**

FSLanai/Food.Bev.Events.At.Challenge/SoilClass

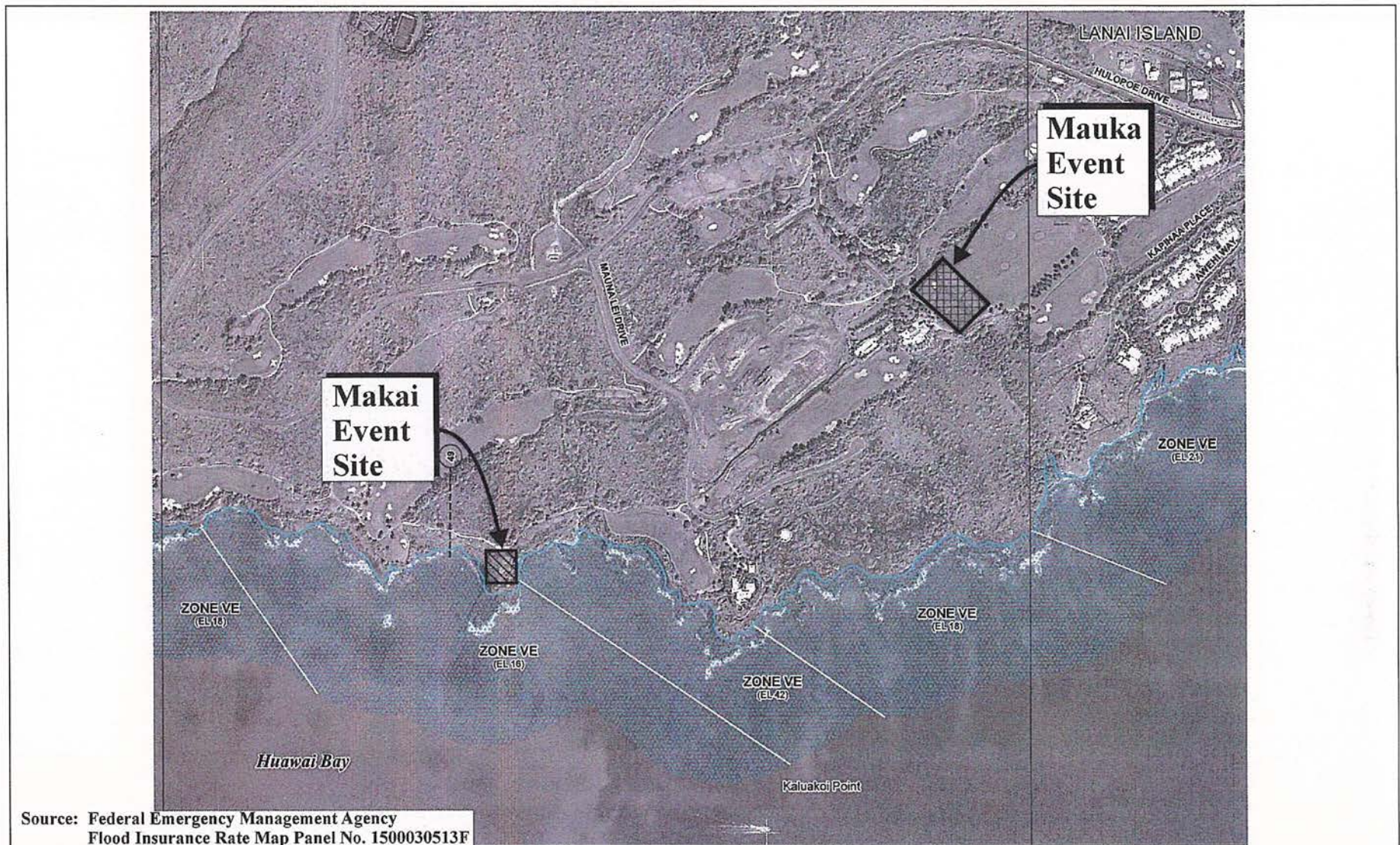


Figure 4 Challenge at Manele Golf Course Special Events
Flood Insurance Rate Map

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 MUNEKIYO HIRAGA

FSLanai/Food.Bev.EventsAtChallenge/FIRM

III. POTENTIAL IMPACTS AND MITIGATION MEASURES

III. POTENTIAL IMPACTS AND MITIGATION MEASURES

The proposed special events at the Challenge at Manele Golf Course (Golf Course) are not anticipated to adversely impact the physical and natural conditions of the area. The golf course is fully developed and any alteration to the land will be temporary and the special event sites will be restored to their pre-event conditions following each event. Potential impacts related to the proposed special events include temporary dust and noise generated during set up and breakdown of the event and effects to existing noise and potential traffic conditions during the event. These potential effects have been minimized through appropriate mitigative measures such as erecting dust fences around the event site to limit dust during set up, and limiting the hours of the events and selection of appropriate locations for the special events in relation to the surrounding properties.

The special events are generally related to corporate meetings or conferences held at the Four Seasons Resorts on Lanai. A select number of private parties or events, such as weddings, are also held. Group transportation to the special event site is arranged by the corporation, group sponsor, or hotel administration, as applicable, thus, minimizing traffic impacts within the area.

Special events involving music or performances will end by 10:00 p.m. in order to mitigate potential adverse noise impacts to surrounding properties. Security for the special event is also required to be provided by the organizers when events are not being hosted by the Resort. Lighting around the special event site is provided by portable generators.

Events at either the Makai or Mauka location may result in necessary modifications to the normal operation of the golf course, usually in the closing of the affected hole or area while allowing play to resume on other areas of the golf course. Closures are triggered by the complexity and timing of the events.

Special event organizers will be responsible for taking down and dismantling all temporary support facilities such as wiring, lighting, staging and tents, in a timely manner and restoring the special event site to the pre-event condition.

The applicant will apply for temporary building permits for overnight tents and staging, as applicable.

The total number of special events per year is not anticipated to exceed 40 events. The special event use is not expected to have adverse long-term impacts on the environment or the Manele Project District.

The ability to host special events at the golf course properties would provide a positive benefit to the local Lanai economy by allowing for increased and longer durations for resort bookings, as well as by encouraging more spending on goods and services. If the special event sites were not available, meeting organizers may look to other resort areas off island to book their meetings or conferences.

IV. RELATIONSHIP TO LAND USE PLANS, POLICIES AND CONTROLS

IV. RELATIONSHIP TO LAND USE PLANS, POLICIES AND CONTROLS

A. STATE LAND USE, COMMUNITY PLAN AND ZONING

The Challenge at Manele Golf Course is located in the State Land Use “Urban” District. Land uses in the “Urban” district are governed by the County Zoning Code. Maui County zoning designates the golf course (including the special event sites) as “PD-L/1 Golf Course”. In addition, the Lanai Community Plan designates the property as “Lanai, PD-1 (Manele)” (Project District).

Since the County zoning does not outright permit the special events use in the subject zoning district, a County of Maui, Conditional Permit (CP) is required to hold the special events at the Challenge at Manele Golf Course. As such, this CP application has been prepared for the proposed action.

B. COUNTY CONDITIONAL PERMIT

The Maui County Council may grant a Conditional Permit if it finds that the proposed use would not be significantly detrimental to the public interest, convenience and welfare, and will be in harmony with the area in which it is to be located.

Hosting up to 40 special events per year on the Challenge at Manele Golf Course is not anticipated to adversely impact environmental, infrastructure, and public service parameters. As noted in Chapter II and Chapter III of this project assessment report, potential adverse impacts on the existing physical environment are not anticipated and noise and traffic impacts will be mitigated by effective event management measures, such as limiting the hours of the special events and by providing group transportation, where needed, to and from the special event site. The special events are primarily related to group activities organized as part of convention or meeting functions located at the Four Seasons Resort Lanai at Manele Bay. As such, oversight and operational management of these events are carried out in coordination with the Resort staff. The special events are considered compatible with the nearby uses at the Resort and Resort residential properties and provide a benefit that is in the overall Manele Project District’s interest and welfare. The applicant is requesting that the duration of the Conditional Permit to be for five (5) years.

V. REFERENCES

V. REFERENCES

Community Resources, Inc., Maui County Community Plan Update Program Socio-Economic Forecast Report, January, 1994.

Federal Emergency Management Administration, Flood Insurance Rate Map Community Parcel Nos. 1500030513F, September 2012.

Land Study Bureau, Detailed Land Classification - Island of Lanai, May 1967.

Munekiyo & Hiraga, Inc., Application for Conditional Permit for Royal Kaanapali Golf Course Special Events, February 2013.

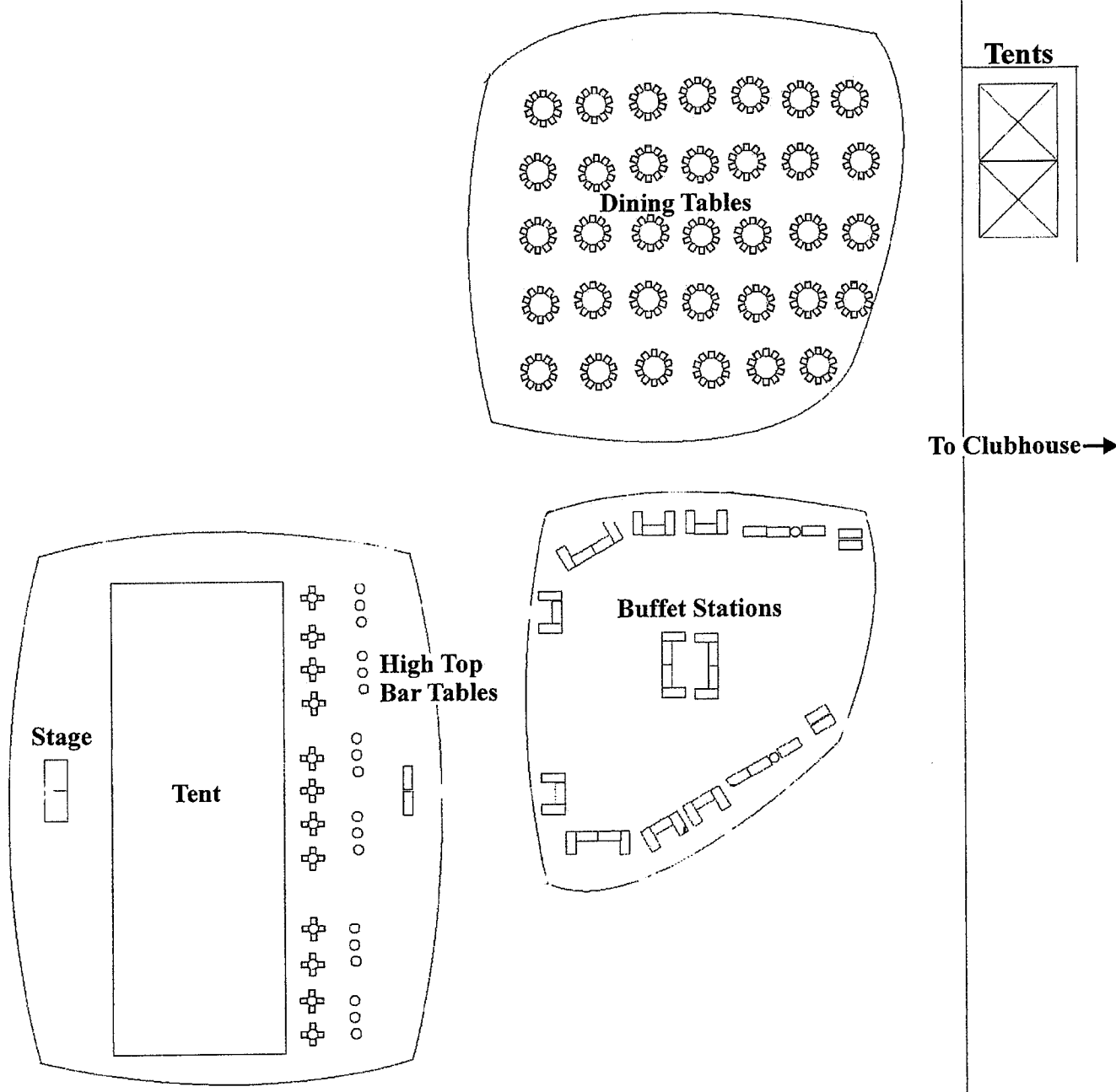
U. S. Department of Agriculture, Soil Conservation Service, Soil Survey of the Islands of Kauai, Oahu, Maui, Molokai, and Lanai, State of Hawaii, 1972.

University of Hawaii, Department of Geography, Atlas of Hawaii, Second Edition, 1983.

APPENDICES

APPENDIX A.

Example of Typical Event Set-Ups



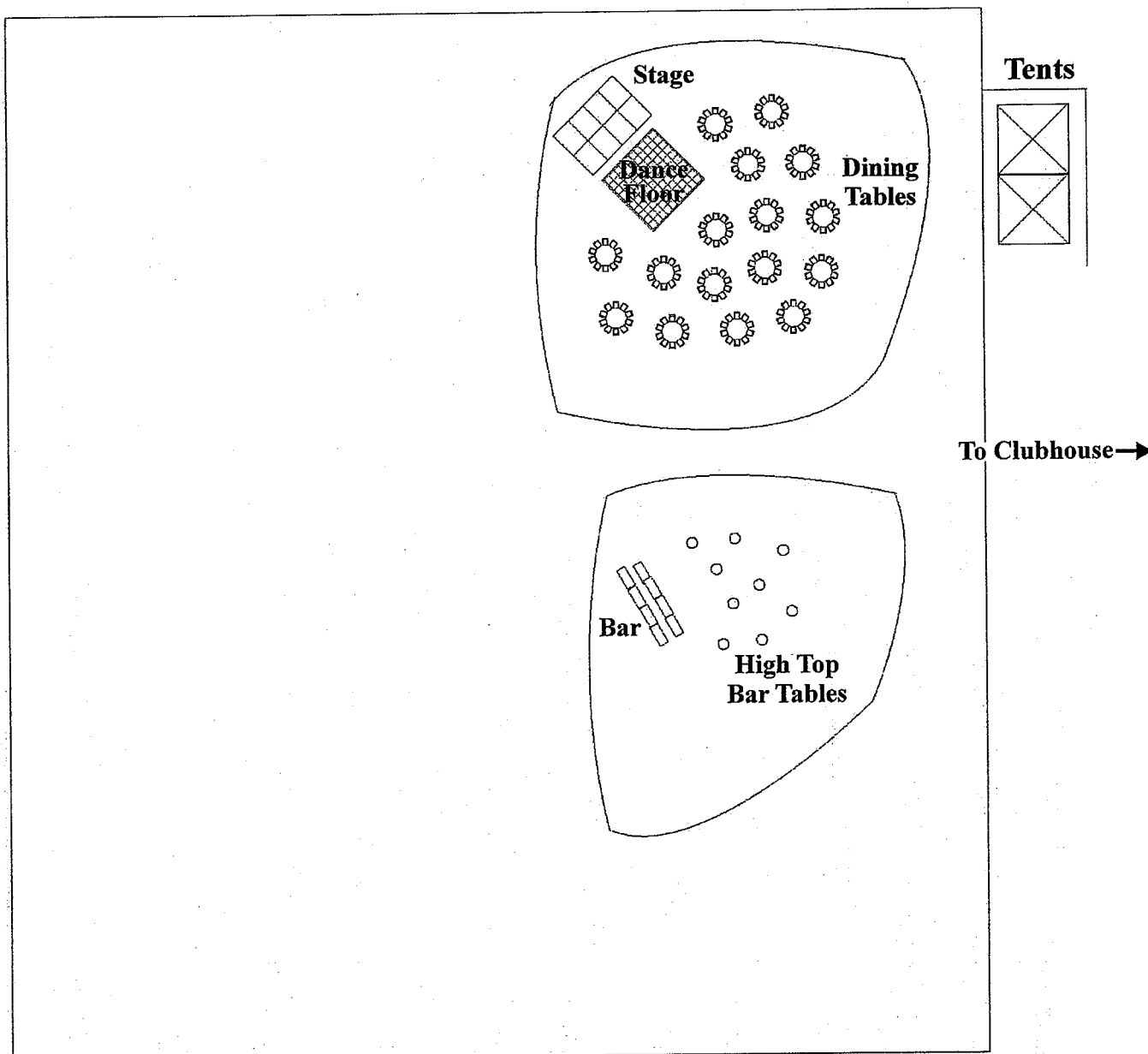
Source: Four Seasons Resort Lanai

Challenge at Manele Golf Course Special Events Typical Event Set-Up for Large Events at Mauka Event Site

Prepared for: Lanai Resorts, LLC, a Hawaii Limited Liability
Company doing business as Pūlama Lānaʻi

 MUNEKIYO HIRAGA

FSLanai/Food.Bev.EventsatChallenge/EventSiteLarge



Source: Four Seasons Resort Lanai

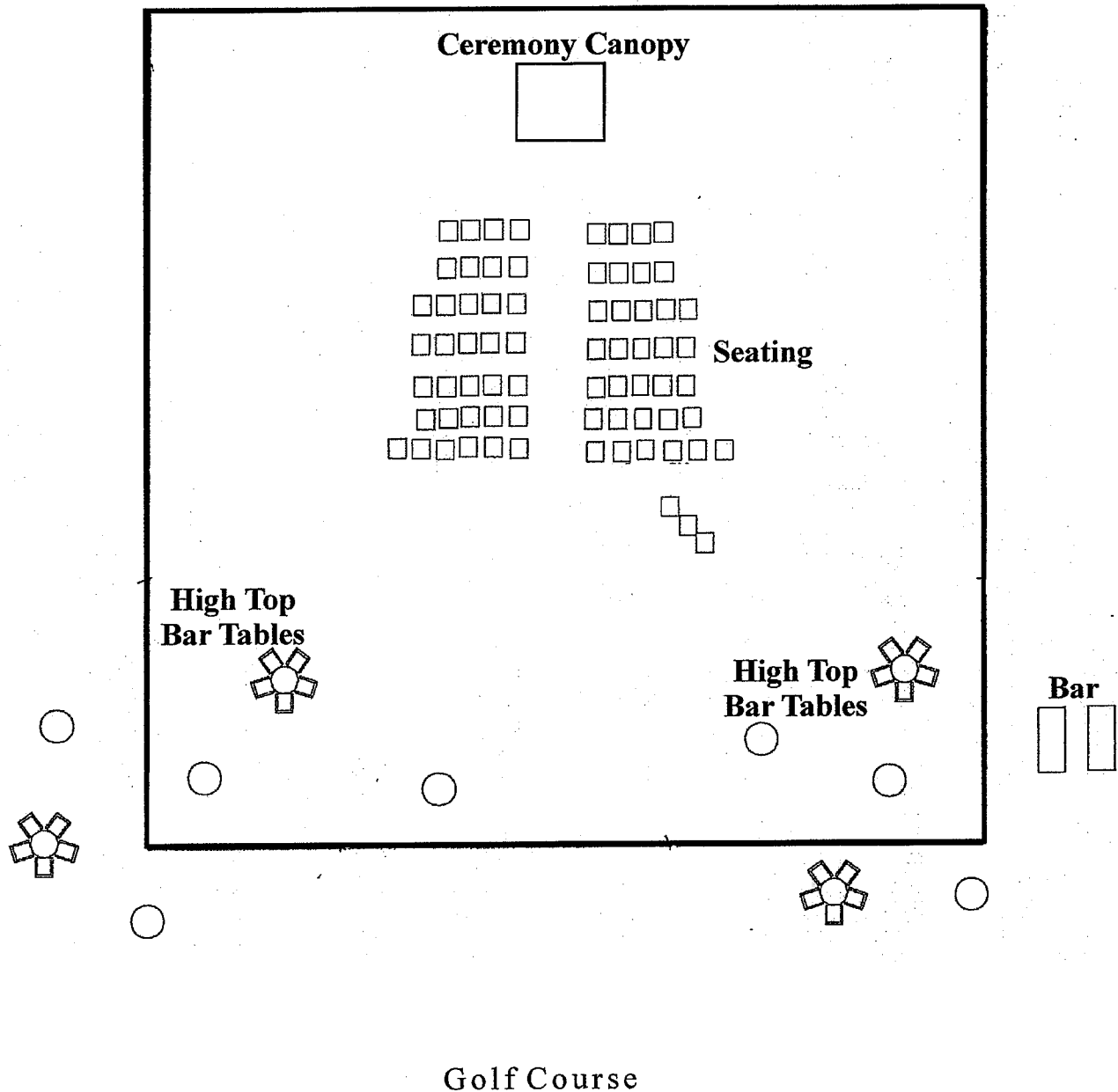
Challenge at Manele Golf Course Special Events Typical Event Set-Up for Small Events at Mauka Event Site

Prepared for: Lanai Resorts, LLC, a Hawaii Limited Liability
Company doing business as Pūlama Lānaʻi

 MUNEKIYO HIRAGA

FSLanai/Food.BevEventsatChallenge/EventSiteMauka

↑
To Pacific Ocean



Source: Four Seasons Resort Lanai

Challenge at Manele Golf Course Special Events Typical Event Set-Up for Makai Event Site

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Company doing business as Pūlama Lānaʻi

 MUNEKIYO HIRAGA

FSLanai/Food.Bev.EventsatChallenge/EventSiteMakai

APPENDIX B.

Photos of Typical Event Set-Ups



Typical Event Set-Up Photos - Mauka Event Site



Typical Event Set-Up Photo - Makai Event Site

8. SITE PHOTOGRAPHS



Source: Google Earth, 2014

Challenge at Manele Golf Course Special Events Photo Reference Map

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 **MUNEKIYO HIRAGA**

FSLanai/Food.Bev.Events/AtChallenge/PhotoRef



Photo 1: Photo of Mauka Event Site Looking South



Photo 2: Photo of Mauka Event Site Looking West



Photo 3: Photo of Makai Event Site Looking North



Photo 4: Photo of Makai Event Site Looking South

9. NOTICE OF PUBLIC HEARING AND LOCATION MAP

Date: _____

TO: Owner/Lessee

Please be informed that the undersigned has applied to the Maui
Planning Commission of the County of Maui for a Conditional Permit at the following
parcel(s):

1. Tax Map Key: (2) 4-9-017:008
2. Location: In the vicinity of 150 Challenge Drive, Lanai, Hawaii
3. Zoning Designation: PD-L/I Golf Course
4. Proposed Use: Hosting up to 40 resort-related and community sponsored
special events per year at two designated locations on the Challenge at Manele
Golf Course.

THIS SECTION TO BE COMPLETED BY THE PLANNING DEPARTMENT:

PLANNING COMMISSION: _____
PUBLIC HEARING DATE: _____
TIME: _____
PLACE: _____

Attached please find a map identifying the location of the specific parcel(s) being considered in the
above-referenced request.


The hearing is held under the authority of Chapter 92, Hawaii Revised Statutes, Title 19 of the Maui
County Code and the appropriate Planning Commission Rules.

Testimony relative to this request may be submitted in writing to the appropriate Planning
Commission, c/o the Maui Planning Department, 2200 Main Street, Wailuku, Maui, Hawaii, 96793, or
presented in person at the time of the public hearing.

Information relative to the application is available for review at the Planning Department, 2200 Main
Street, Wailuku, Maui, Hawaii; Telephone: (808) 270-8205; toll free from Molokai 1-800-272-0117,
Extension 8205; and toll free from Lanai 1-800-272-0125, Extension 8205.

Lanai Resorts, LLC, a Hawaii limited liability
company doing business as Pūlama Lānaʻi

Name of Applicant- Please print



Signature

733 Bishop Street, Suite 2000

Honolulu, Hawaii 96813

Address

(808) 237-2001

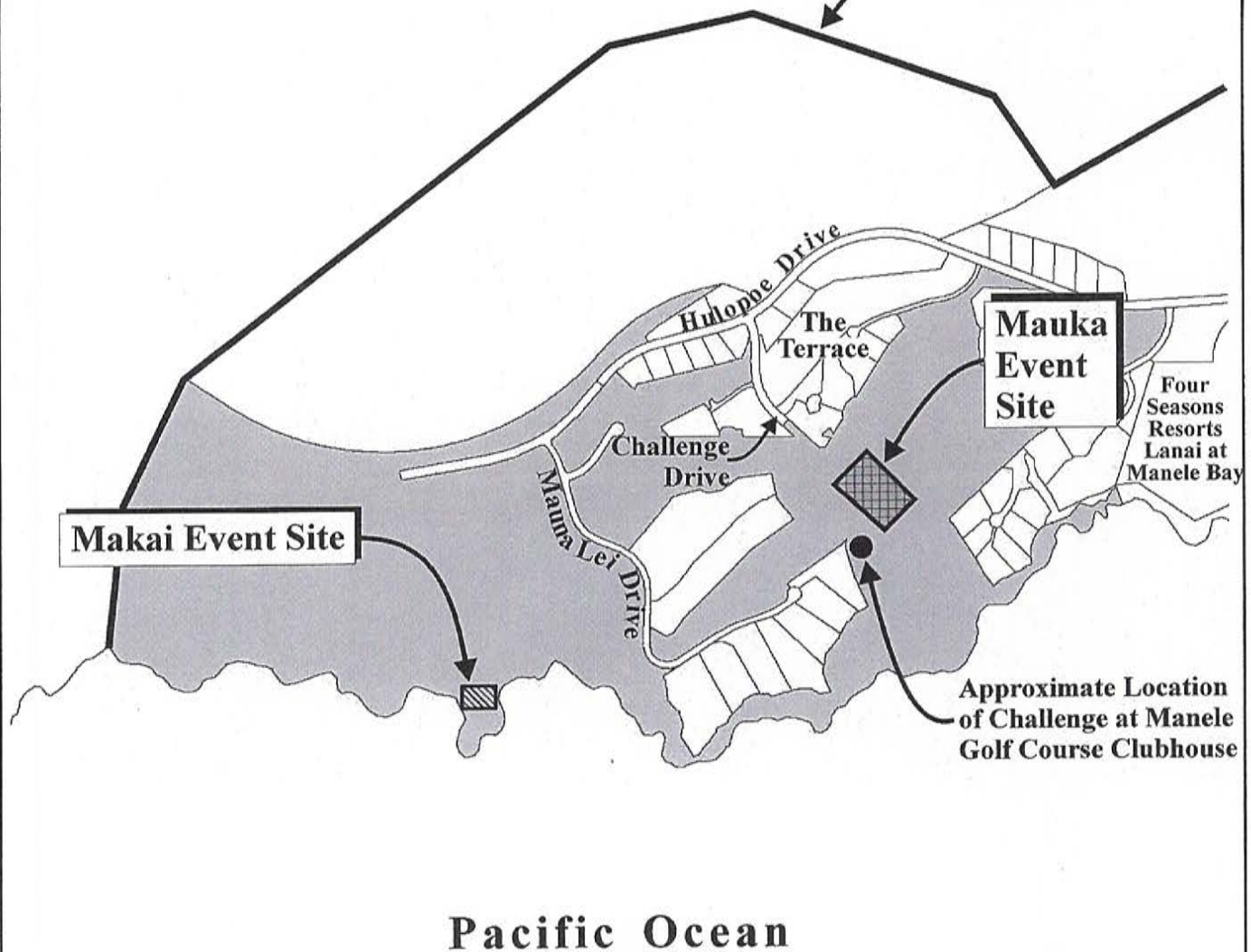
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Key



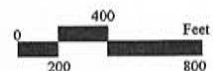
TMK (2)4-9-017:008
Challenge at Manele
Golf Course

Lanai Project
District 1 (Manele)
Boundary



Source: County of Maui, Department of Planning

Challenge at Manele Golf Course Special Events Property Location Map



Prepared for: Lanai Resorts, LLC, a Hawaii Limited Liability
Company doing business as Pūlama Lānaʻi



MUNEKIYO HIRAGA