

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

| | | |
|--|---|---------------------------|
| In The Matter Of The Petition Of |) | Docket No. DR08-36 |
| |) | |
| KO OLINA DEVELOPMENT, LLC |) | KO OLINA DEVELOPMENT, LLC |
| |) | |
| To Amend The Agricultural Land Use |) | |
| District Boundary into the Urban Land |) | |
| Use District for approximately 642 acres |) | |
| At Honouliuli, Ewa, Oahu, Tax Map |) | |
| Keys: 9-1-14: Portion of Parcel 2; 9-1-15: |) | |
| 3, 6, 7, 10, Portion of Parcel 4; 9-2-03: 3, |) | |
| 7, Portion of 2 |) | |
| _____ |) | |

LAND USE COMMISSION
 STATE OF HAWAII
 2010 DEC 28 P 2:51

**KO OLINA DEVELOPMENT, LLC'S BOAT
 LAUNCH RAMP FIFTH STATUS REPORT**

AND

CERTIFICATE OF SERVICE

OF COUNSEL:
 MATSUBARA – KOTAKE
 A Law Corporation

BENJAMIN M. MATSUBARA, #993-0
 CURTIS T. TABATA, #5607-0
 WYETH M. MATSUBARA, #6935-0
 888 Mililani Street, Eighth Floor
 Honolulu, Hawai'i 96813
 Telephone: 526-9566

Attorneys for Petitioner
 KO OLINA DEVELOPMENT, LLC

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In The Matter Of The Petition Of) Docket No. DR08-36
)
KO OLINA DEVELOPMENT, LLC) KO OLINA DEVELOPMENT, LLC
)
To Amend The Agricultural Land Use)
District Boundary into the Urban Land)
Use District for approximately 642 acres)
At Honouliuli, Ewa, Oahu, Tax Map)
Keys: 9-1-14: Portion of Parcel 2; 9-1-15:)
3, 6, 7, 10, Portion of Parcel 4; 9-2-03: 3,)
7, Portion of 2)
_____)

**KO OLINA DEVELOPMENT, LLC'S BOAT
LAUNCH RAMP FIFTH STATUS REPORT**

KO OLINA DEVELOPMENT, LLC ("Petitioner") submits this boat launch ramp Status Report to the State Land Use Commission ("Commission") pursuant to the Commission's request at its August 28, 2009 status report hearing in the above-referenced docket.

I. INTRODUCTION

On August 28, 2009, the Commission held its meeting at Leiopapa A Kamehameha, Conference Room 405, 235 South Beretania Street, Honolulu, Hawai'i, for a continued status report on Docket No. DR08-36 Ko Olina Development Company pursuant to Condition 4 of the Findings of Fact, Conclusions of Law, and Decision and

Order filed November 19, 2008, (“Declaratory D&O”) in the matter of the petition for a Declaratory Order in the above-referenced docket.

At the conclusion of the August 28, 2009 status report presentation the Commission orally requested that Petitioner submit a quarterly written status report on Petitioners progress on relocating the boat launch ramp in the marina. Petitioner’s First Status Report was filed with the Commission on December 4, 2009. Petitioner’s Second Status Report was filed on March 15, 2010. Petitioner’s Third Status Report was filed on June 14, 2010. Petitioner’s Fourth Status Report was filed on September 13, 2010. Petitioner hereby provides its fifth quarterly status report to the Commission.

II. STATUS

Petitioner is currently in compliance with the Boat Ramp project schedule submitted to the Commission on July 13, 2009.

Petitioner’s consultants are currently working on the boat launch ramp design based upon the soil borings, soil investigations, topographic survey and bathymetric survey on the ramp area, boat launch area, parking lot and drainage area.

The preliminary master plan continues to be revised and refined to address the results of the soil investigations, various surveys, specific site characteristics, as well as to accommodate where feasible public and boater comments.

Petitioner's consultants are finalizing the Conditional Use Permit ("CUP") for the Boat Ramp project with the intention of submitting the CUP to the City Department of Planning and Permitting ahead of schedule.

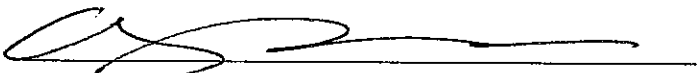
Petitioners submitted the Department of Army Permit ("DOAP") which is a requirement for the Boat Ramp project to the Army Corps on September 24, 2010.

III. CONCLUSION

Petitioner will continue to provide its quarterly report on the status of the boat launch ramp at the end of the next quarter.

Dated: Honolulu, Hawai'i December 28, 2010.

OF COUNSEL:
MATSUBARA – KOTAKE
A Law Corporation



BENJAMIN M. MATSUBARA
CURTIS T. TABATA
WYETH M. MATSUBARA
Attorneys for Petitioner
KO OLINA DEVELOPMENT, LLC

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In The Matter Of The Petition Of) Docket No. DR08-36
)
KO OLINA DEVELOPMENT, LLC) KO OLINA DEVELOPMENT, LLC
)
To Amend The Agricultural Land Use)
District Boundary into the Urban Land)
Use District for approximately 642 acres)
At Honouliuli, Ewa, Oahu, Tax Map)
Keys: 9-1-14: Portion of Parcel 2; 9-1-15:)
3, 6, 7, 10, Portion of Parcel 4; 9-2-03: 3,)
7, Portion of 2)
_____)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a file-marked copy of the foregoing document was duly served upon the parties listed below VIA HAND DELIVERY on December 28, 2010:

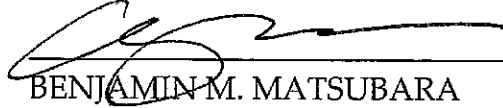
ABBHEY S. MAYER, Director
Office of Planning, State of Hawai'i
235 South Beretania Street, 6th Floor
Honolulu, Hawai'i 96813

BRYAN C. YEE, ESQ.
Deputy Attorney General
Department of the Attorney General
425 Queen Street
Honolulu, Hawai'i 96813

Attorney for THE OFFICE OF
PLANNING

Dated: Honolulu, Hawai'i December 28, 2010.

OF COUNSEL:
MATSUBARA – KOTAKE
A Law Corporation


BENJAMIN M. MATSUBARA
CURTIS T. TABATA
WYETH M. MATSUBARA
Attorneys for Petitioner
KO OLINA DEVELOPMENT, LLC