

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  
 2013 MAR 15 A 10:32

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

**EXHIBIT "A"**

**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 FOURTEENTH 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 Petitioner's 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's Fifth Status report was filed on December 28, 2010. Petitioner's Sixth Status report was filed on March 10, 2011. Petitioner's Seventh Status report was filed on June 3, 2011. Petitioner's Eighth Status report was filed on August 31, 2011. Petitioner's Ninth quarterly status report was filed on December 6, 2011. Petitioner's tenth quarterly status report was filed on March 9, 2012. Petitioner's Eleventh quarterly status report was filed on June 13, 2012. Petitioner's Twelfth quarterly status report was filed on September 9, 2012. Petitioner's Thirteenth quarterly status report was filed on December 14, 2012. Petitioner's Supplemental to its Thirteenth quarterly status report was filed on January 17, 2013. Petitioner attended a "Status/Update Report-Boat Launch Ramp" hearing and provided an oral status and update of the boat launch ramp before the Commission on January 24, 2013. Petitioner hereby provides its Fourteenth quarterly status report to the Commission.

## II. STATUS

While Petitioner is currently in compliance with the obligations within their control regarding the Boat Ramp project schedule submitted to the Commission on July 13, 2009, delays in the permitting process will push back the final completion date of the boat launch ramp. Petitioner is firmly committed to constructing and completing the boat launch ramp in the marina as soon as possible.

Petitioner has filed all permit applications, which were able to be filed, on or ahead of schedule. Petitioner has also continued to monitor and follow up on the progress with the permitting authorities as much as possible in an effort to finalize the permitting process. Petitioner has already expended a significant amount of time and capital in this process in the hope that the progression of the boat launch ramp project moves forward as quickly as possible. It is clearly understood that the permitting process is unpredictable and Petitioner had provided the best time estimates for obtaining the required permits. While Petitioner has control over when we submit the required permit applications it is clearly outside of our control as to the time it takes for the permitting authority to review, process and grant permits.

Generally, Petitioner's consultants have finalized 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.

As noted in Petitioner's Sixth quarterly report, consultants finalized and submitted the Conditional Use Permit ("CUP") application for the Boat Ramp project to the City Department of Planning and Permitting ("DPP") in February ahead of schedule. On May 16, 2011, DPP approved the CUP for the boat ramp project.

Petitioners timely submitted the Department of Army Permit ("DOAP"), a requirement for the Boat Ramp project, to the Army Corps. On May 31, 2012, the State of Hawai'i, Department of Health issued a Section 401 Water Quality Certification for the Boat Launch Ramp and Trailer Parking at Ko Olina Resort and Marina. As the DOAP process had exceeded our initial timeframe expectations and in an effort to expedite matters, Petitioner, as stated in our Twelfth status report, submitted its building permit applications for construction of the Boat Launch Ramp ahead of time to DPP<sup>1</sup> on November 7, 2012. Although DPP will not issue its final approval of the building permits until the DOAP permit is issued, Petitioner feels that submittals for the

---

<sup>1</sup> Normal process would be to wait until all comments are provided by the permitting authority before building permit applications are submitted to DPP. Petitioner in good faith is assuming the risk of having to make further adjustments to the building permit application if required by the Army Corp at a later date. However, after consultations with the DPP, Petitioner feels it to be prudent to submit the building permit at this time.

building permits to DPP at this time will help optimize the project schedule going forward.

On November 30, 2012, the Army Corps sent out a, "NATIONAWIDE PERMITS AGENCY COORDINATION NOTICE And REQUEST FOR EXPEDITED REVIEW" ("Notice") with a response deadline by December 7, 2012 to over 14 Federal, State and City departments regarding Petitioner's boat launch ramp project. As of December 14, 2012, only the National Oceanic and Atmospheric Administration ("NOAA") and the Historic Preservation Division, Department of Land and Natural Resources ("SHPD") responded to the Army Corps Notice with comments and follow up. NOAA's December 12, 2012 response indicated the requirement for an evaluation of the Essential Fish Habitats ("EFH") for the boat launch ramp project and SHPD indicated the requirement for Petitioner to provide an archaeological inventory survey ("AIS"), subsurface testing and monitoring of the boat launch ramp project area. Petitioner, as previously represented, has already retained two well respected consultants, AECOS, Inc. and Hal Hammett of Cultural Surveys Hawaii Inc. ("CSH") to respectively address the respective issues raised in this matter.

On February 6, 2013, the Army Corps approved Petitioner's DOAP and authorized the new boat ramp and loading docks project at Ko Olina Marina subject to conditions. (See Exhibit "A"). The completion of the DOAP exceeded our timeframe

estimate for review and approval of the permit for the Boat Ramp project and has thus pushed the project completion date back.

Regarding NOAA's special condition, Petitioner, with AECOS' assistance, submitted a response letter with proposals to the Army Corps to address NOAA's EFH and Best Management Practices concerns during the construction of the boat launch ramp project on February 21, 2013.

Regarding SHPD's special condition, CSH has completed its background review, analysis and written section of their report to SHPD and has almost finalized its site investigation of the Ko Olina Marina.

Petitioner will continue to work diligently with the Army Corps regarding the comments and recommendations from NOAA and SHPD as well as with DPP regarding the Boat Ramp project.

[The remainder of this page is intentionally left blank.]

III. CONCLUSION

Petitioner will continue to provide its quarterly report on the status of the boat launch ramp at the end of each quarter and will comply with the Commission's Order to provide a supplemental status report in April and attend a further status hearing at the Commission's April 18<sup>th</sup> or 19<sup>th</sup> hearing date.

Dated: Honolulu, Hawai'i March 15, 2013.

OF COUNSEL:  
MATSUBARA – KOTAKE  
A Law Corporation



---

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



DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, HONOLULU  
FORT SHAFTER, HAWAII 96858-5440

REPLY TO  
ATTENTION OF:

February 6, 2013

Regulatory Branch

File No. POH-2010-00202

Ralph Harris  
Vice President & Resort Asset Manager  
Ko Olina Ocean Marina, LLC  
1100 Alakea Street, 25<sup>th</sup> Floor  
Honolulu, HI 96813

**NOTICE OF VERIFICATION**

**Nationwide Permit No. 28 (Modifications of Existing Marinas)(Section 10 Only)**

**Nationwide Permit No. 36 (Boat Ramps)(Section 404 and Section 10)**

**Department of the Army File No. POH-2010-00202**

**Ko Olina Marina New Boat Ramp and Replace Loading Docks Project**

**In and Above Ocean Waters at TMK 191057019 (21.32968°N/ -158.1166°W),**

**Ko Olina Marina, Kalaheo, Oahu Island, Hawaii**

Dear Mr. Harris:

This letter verifies the project to construct a new boat ramp within the Ko Olina Marina to comply with an administrative order issued by the State Land Use Commission. The primary activity consists of constructing a two-lane boat ramp 32 feet wide and 132 feet long consisting of precast concrete slabs which will require relocating 110 feet of existing floating docks, removing five existing concrete piles, and removing about 40 lineal feet of existing shoreline revetment boulder and rip-rap. After construction of the new boat ramp, four replacement octagonal concrete piles will be pre-drilled and driven for constructing two new replacement loading docks, one four-feet wide and the other five-feet wide and each 60 feet long, and a replacement rock revetment. Work associated with this project includes upland improvements for an ADA access ramp, a boat wash down facility, water, telephone, cable and sewer line utilities, access road, and a 30-space truck and boat trailer parking lot (Enclosure 1).

The Corps has determined that the proposed work can be authorized under Nationwide Permit No. 28 (Modifications of Existing Marinas)(Section 10 Only) and Nationwide Permit No. 36 (Boat Ramps)(Section 404 and Section 10). The work must be conducted in accordance with the Corps' NWP authority at 33 CFR Part 330; Appendix A, the February 21, 2012 Notice of Issuance of Nationwide Permits (77 FR 10275), Paragraphs B.28 (Modifications of Existing Marinas) and B.36 (Boat Ramps), Paragraph C (General Conditions); and the Honolulu Engineer District Regional General Conditions for Nationwide Permits (approved March 19, 2012)(references previously provided your office).

The Office of Coastal Zone Management issued their verification of consistency determination of the proposed activity under NWPs 28 and 36 on December 3, 2012. The Clean Water Branch, Hawaii Department of Health, issued their Section 401 Water Quality Certification No. WQC0798 for the construction of the new boat ramp on May 31, 2012.

**EXHIBIT** "A"

The following SPECIAL CONDITIONS shall apply to the work to be performed.

**SPECIAL CONDITIONS:**

1a. You must provide the following information to the U.S. Coast Guard, Aids-To-Navigation Office at least 30 days prior to the start of construction:

(1) Project start date.

(2) Project completion date.

(3) Agency/contractor performing work with the name of a point of contact, address and telephone number.

(4) If vessels are involved, names, call signs and radio frequencies they guard, on VHF-FM.

(5) Hours of operation of the project, i.e. 0800 - 1700, Mon - Fri, 24 hours a day.

(6) Any special request of maritime public, i.e. reduction of speed, wide berth.

(7) General scope of project and how it will affect the maritime public, i.e. degree of encroachment of navigable waters and how obstructions will be marked i.e. signs, lights.

(8) The information should be sent to:

Commander (dpw)

Fourteenth Coast Guard District

Prince Kuhio Federal Building

300 Ala Moana Boulevard

Honolulu, Hawaii 96850-4982

or e-mail: D14LNM@uscg.mil or Phone:808-535-3409

1b. You must, upon completion of the authorized work, provide notice to the U.S. Coast Guard, Aids-To-Navigation Office.

2. You must submit your Construction Contractor's Site-Specific Best Management Practices Plan (BMPP) to this office before in-water activities begin. The BMPP must include the name and contact information of your construction contractor's representative for all in-water activities. The construction contractor's representative must ensure that daily visual inspection of the work site and its environs are conducted to verify that the authorized work does not result in uncontrolled adverse environmental impacts and that where environmental harm occurs, it is minimized to the maximum extent practicable. If a visual inspection reveals any uncontrolled adverse environmental impact, the designated construction contractor's representative must document the environmental harm with photographs and written descriptions. The BMPP must also acknowledge and implement measures stipulated through consultation with NOAA Fisheries

### SPECIAL CONDITIONS (cont):

and must be consistent with the entire suite of corrected BMP measures identified in the revised Engineering Assessment submitted September 10, 2010:

3. For protected marine species administered by Protected Resources Division (PRD), NOAA Fisheries, (Hawksbill sea turtles (*Eretmochelys imbricata*), Green sea turtles (*Chelonia mydas*), and Hawaiian monk seals (*Monachus schauinslandi*)), you must implement the following BMPs:

a. Mechanized equipment and construction materials must be clean, uncontaminated, and free of deleterious substances, including toxic chemicals and clay-coated material;

b. An Oil Spill Response Plan (OSRP) must be in place for landside areas which are associated with the work. The OSRP must detail procedures for managing the accidental release of petroleum products to the aquatic environment during work. No contamination of the marine environment may result from the permitted activities. No petroleum products, trash, or other debris may enter marine waters. When such material is found within the operating area, the designated construction contractor's representative must collect and dispose of the material at an approved upland disposal site;

c. The designated construction contractor's representative must survey the authorized work area for the above ESA-listed species prior to the start of work each day, and periodically during the day, including prior to resumption of work following any break of more than one half hour.

d. All in-water work must be postponed or halted when any marine ESA-listed species is within 50 yards (46 meters) of the authorized work and may only begin or resume after the animal(s) has voluntarily departed the area. The stand-off distance shall be increased to 100 yards (92 meters) during pile-driving activities.

e. On-site project personnel may not attempt to feed, touch, or otherwise intentionally interact with any ESA-listed species.

g. Deployment of a floating boom with full water column silt curtain shall be used to prevent debris from entering the aquatic habitat

h. Turbidity measurements outside of the deployed silt curtain shall be documented for the entire duration of in-water construction activities. If the turbidity increases 1 NTU or greater above the ambient background level, in-water work shall cease until turbidity returns to background levels. The location of turbidity monitoring stations and measurement records shall be submitted to the Regulatory POC at the end of each work week.

i. The Construction Contractor POC must inform all on-site project personnel of the status of any marine ESA-listed species potentially present in the project area and the protections afforded to those species under Federal laws. Your Construction Contractor POC must

### SPECIAL CONDITIONS (cont):

ensure that protocols to avoid the potential for contact with or harassment of ESA-listed species of record are followed during all periods of in-water work.

j. If: 1) a take occurs; 2) new information reveals effects of the action have affected listed species in a manner or to an extent not previously evaluated; 3) if the action is subsequently modified and causes effects to listed species in a manner or to an extent not previously considered or evaluated; or 4) a new species is listed or critical habitat is designated that may be affected by the authorized work, you must immediately notify the Regulatory POC.

k. For the duration of the authorized work, your Construction Contractor POC must maintain records of observation of ESA-listed species in the authorized work area. Upon completion of the authorized work, the construction contractor's representative must submit the observation records to this office.

l. You must ensure that the Construction Contractor POC and all on-site project personnel are informed of these conditions and the obligations thereby imposed.

4. For Essential Fish Habitat (EFH) administered by Habitat Conservation Division (HCD), NOAA Fisheries, you must ensure the following conditions:

a. The contractor that is responsible for executing BMPs should be held responsible for the monitoring and successful implementation of BMPs to avoid impacts to the EFH. Construction should be halted if BMPs are not working effectively and only commence once BMPs have been adjusted to successfully avoid impacts to the marine environment. The monitoring results should be shared with the USACE once construction is completed. NMFS should be notified if BMPs were not successfully implemented to avoid impacts to EFH.

b. Conserve and restore soil quality with controls that affect soil's ability to regulate water flow, and act as an environmental filter (e.g., permeability, water holding capacity, nutrient availability, organic matter content, and biological activity) with use of low-impact equipment when practicable and avoidance of heavy equipment in water.

c. Increase landscape buffers to provide protection against the cumulative effects of small, but unavoidable, sediment and pollutant discharges associated with upland improvement runoff. The full range of buffer practices (e.g., filter strips, grassed waterways with vegetative filters, and vegetative barriers) should be systematically deployed, protected and managed across the project landscape.

d. Incorporate other Low Impact Development (LID) approaches where practicable. Information on LID can be found at: <http://water.epa.gov/polwaste/green/index.cfm>.

5. The Acoustic Monitoring Plan for Piling Installation (AMPPI) must be submitted to, and approved by POC Regulatory before in-water activities begin. The AMPPI will ensure that the following objectives and information requirements will be addressed:

## SPECIAL CONDITIONS (cont):

### a. Objectives:

To establish ambient noise levels, three full 24 hour days of background noise monitoring are required prior to beginning pile driving activities.

Monitoring is required whenever there is pile driving activity.

Three hydrophones will be deployed during pile driving activities, at 5 meters from the pile, 50 meters from the pile, and 92 meters from the pile, on a radial alignment that has a clear line of sight to the activity. These hydrophones will be placed at mid-water depth on nylon lines.

Signal analyses will be conducted as post-processing.

### b. Reporting Requirements:

A draft report including data collected and summarized from all monitoring locations will be submitted within 60 days of the completion of hydroacoustic monitoring. The results of the hydroacoustic monitoring will summarize the frequency spectrum, ranges and means including standard deviation/error for peak and RMS SPL's, single-strike and cumulative SEL with and without the attenuation system, an estimation of the number of strikes that exceeded the cumulative SEL threshold and an estimation of the distance at which the peak and cumulative SEL values reach the respective thresholds and the distance at which the RMS values reach the relevant marine mammal thresholds and background sound levels in graphical form and include summary statistics and time histories of impact sound values for each pile or representative set of pile locations.

The draft report will include a preliminary evaluation of the 50 meter and 92 meter standoff distances for measuring sound levels relative to the 120 dB isopleth. The report shall also include:

1. Number, size and type of piles installed and monitored.
2. The impact hammer energy rating used to drive the piles and a description of the make and model of the hammer.
3. A description of the sound monitoring equipment.
4. The distance between hydrophones and pile.
5. The depth of the hydrophones and depth of water at hydrophone locations.
6. The distance from the pile to the water's edge.
7. The depth of water in which the pile was driven.
8. The depth into the substrate that the pile was driven.

### SPECIAL CONDITIONS (cont):

9. The physical characteristics of the bottom substrate into which the piles were driven.

10. The total number of strikes to drive each pile and for all piles driven during a 24-hour period.

11. The background sound pressure level reported as the 50% CDF.

12. A description and record of any observable fish, marine mammal or bird behavior in the immediate area and, if possible, correlation to underwater sound levels occurring at that time.

A final report will be prepared and submitted within 30 days following receipt of comments on the draft report.

6. You must ensure that the work on uplands (parking lot and access routes) implements measures recommended by the State Historic Preservation Division, Department of Land & Natural Resources.

7. Any submittal to the Corps required by these Special Conditions must be in writing and must prominently display the reference number POH-2010-00202. Such notice or submittal may be given by U.S. mail addressed to the following: U.S. Army Corps of Engineers, Honolulu District, Building 230, Fort Shafter, Hawai'i 96858-5440, Attn: Chief, Regulatory Branch; by e-mail to Farley.K.Watanabe@usace.army.mil; or by facsimile to (808) 835-4305.

Upon completion of final in water activities and NLT than thirty (30) days after, please sign and return the enclosed compliance certification sheets and Special Conditions documentation records for our administrative records (Enclosure 2).

You may now begin the work. This authorization will expire at midnight, **March 18, 2015**. All nationwide permits expire on March 18, 2017. It is incumbent upon you to remain informed of changes to the nationwide permits. If the Corps modifies, reissues, or revokes any nationwide permit at an earlier date, we will issue a public notice announcing the changes. To receive e-mail notification of the availability of public notices, please follow the instructions provided at [http://www.poh.usace.army.mil/index.asp#Public\\_Notice\\_Mailing\\_List\\_Registration](http://www.poh.usace.army.mil/index.asp#Public_Notice_Mailing_List_Registration).

Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the NWP (March 18, 2017) to complete the activity under the present terms and conditions of this nationwide permit.

In addition to the General and Regional Conditions, you are advised of the following:

a. This authorization does not relieve you of any need to obtain other Federal, State or local authorizations required by law.

b. This authorization does not grant any property rights or exclusive privileges.

c. This authorization does not authorize any injury to the property or rights of others, nor any interference with any existing or proposed Federal projects.

Thank you for your consideration of the aquatic environment of Kalaeloa and conducting a project which avoids and minimizes adverse impacts to its biological, chemical and physical values. Please notify Mr. Farley Watanabe at 835-4305, or facsimile at 835-4126, or Farley.K.Watanabe@usace.army.mil if you have additional questions.

Sincerely,



George P. Young, P.E.  
Chief, Regulatory Branch

Copy Furnished (w/o encl 2):

Patrice Ashfield, Ecological Services, U.S. Fish and Wildlife Service via e-mail at <pifwo\_esa@fws.gov>

Dr. Danielle Jayewardene, NOAA Fisheries, Habitat Conservation via e-mail at  
<EFHESAconsult@noaa.gov>

Patrick Opay, NOAA, Fisheries, Protected Resources via e-mail at <EFHESAconsult@noaa.gov>

Dr. Wendy Wiltse, U.S.E.P.A., Region IX, Honolulu Branch via e-mail at

John Nakagawa, Office of Planning, CZM Program via e-mail at <JNakagaw@dbedt.hawaii.gov>

Darryl Lum, Chief, Clean Water Branch, State DOH via e-mail at <darryl.lum@doh.hawaii.gov>

William J. Aila, Jr., Chairman and State Historic Preservation Officer, DLNR, State of Hawaii, P.O. Box  
621, Honolulu, HI 96809

Theresa Donham, Deputy State Historic Preservation Officer via e-mail at  
<DLNR.Intake.SHPD@hawaii.gov>

Susan Lebo, Oahu Archaeologist, State Historic Preservation Division via e-mail at  
<Susan.A.Lebo@hawaii.gov>

Sam Lemmo, Administrator, OCCL, DLNR via e-mail at <Sam.J.Lemmo@hawaii.gov>

Kamana'opono M. Crabbe, Ph.D., CEO, Office of Hawaiian Affairs, 711 Kapiolani Blvd. #500, Honolulu  
HI 96813

Davis Yogi, Harbors Administrator, Harbors Division, Department of Transportation, State of Hawaii, 79  
S. Nimitz Highway, Honolulu, HI 96813

David K. Tanoue, Director, Department of Planning & Permitting, 650 South King Street, 2nd Floor  
Honolulu, HI 96813

Po'o Hui Malama I Na Kupuna O Hawaii Nei, c/o Edward Ayau, P. O. Box 365, Ho'olehua, HI 96729  
Rocky Kaluhiwa (Oahu), Aha Moku Advisory Committee via e-mail at  
<rockyfromheeia@aol.com>

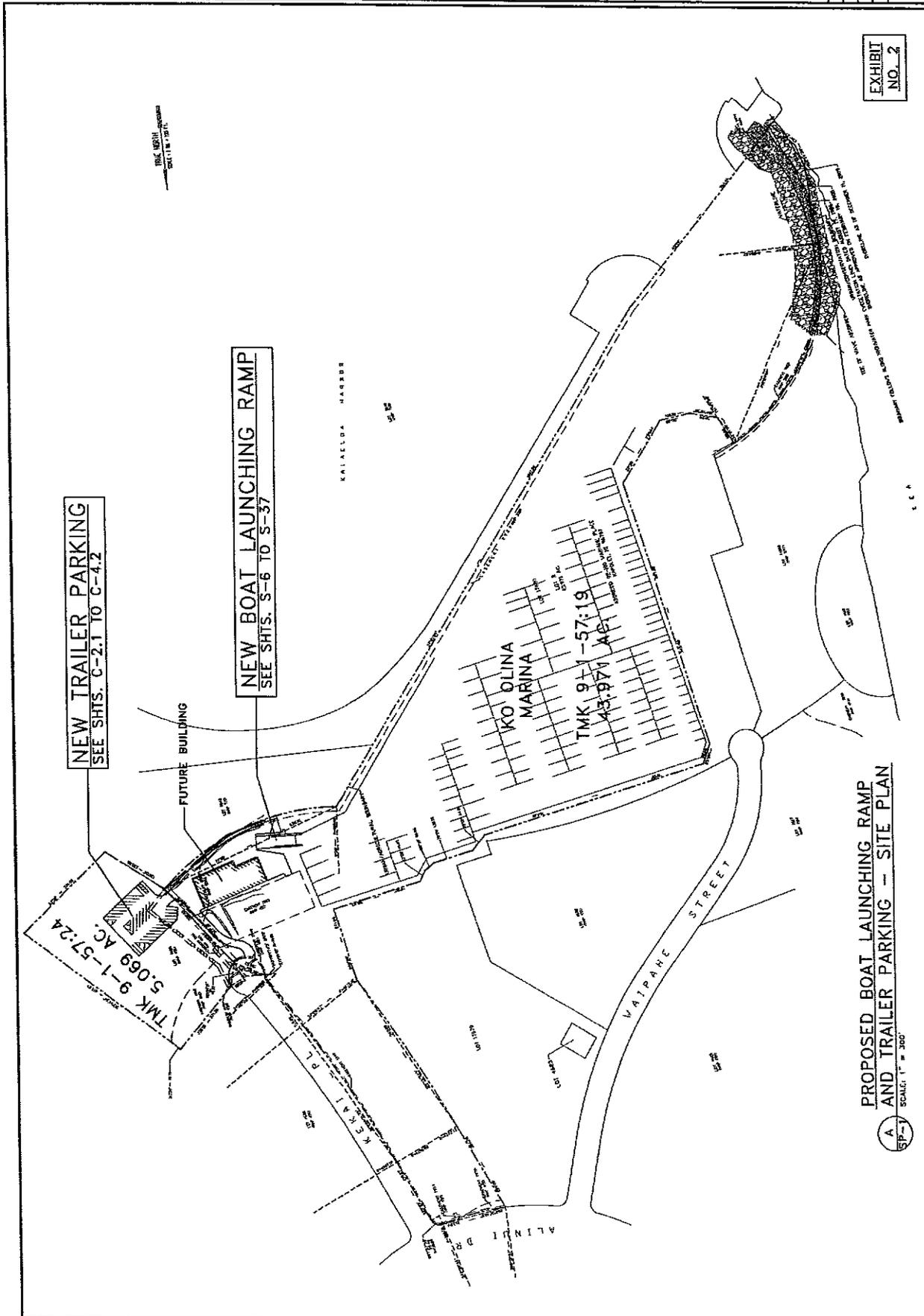


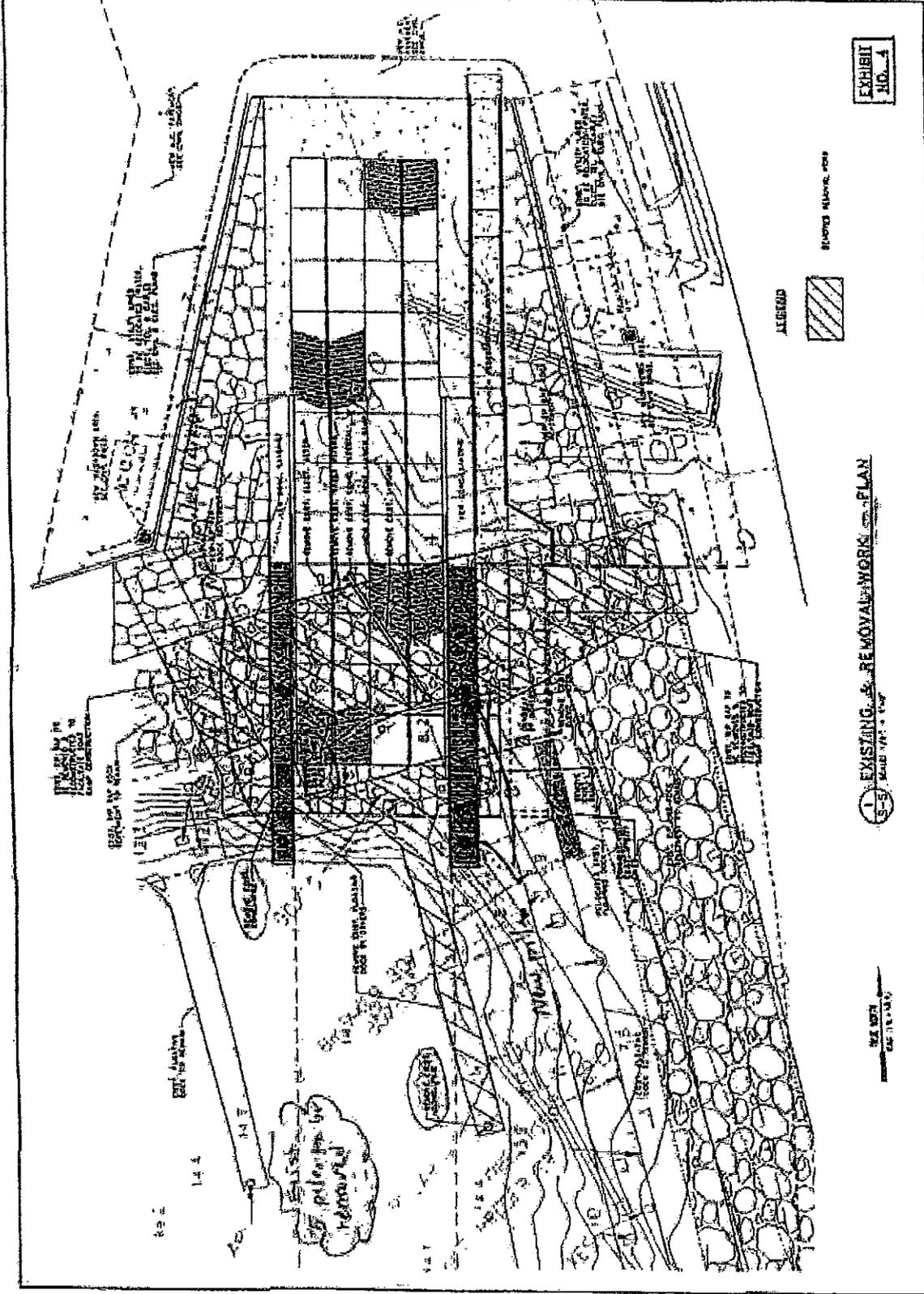
EXHIBIT NO. 2

PROPOSED BOAT LAUNCHING RAMP AND TRAILER PARKING - SITE PLAN

SCALE: 1" = 300'

POH-2010-00202, Ko Olina Marina  
 Construct New Boat Ramp & Replace Loading Docks Project













|     |          |
|-----|----------|
| NO. | REVISION |
|     |          |
|     |          |
|     |          |
|     |          |
|     |          |
|     |          |
|     |          |
|     |          |
|     |          |

PROFESSIONAL ENGINEER  
 LICENSE NO. 4-20-2014  
 THESE PLANS PREPARED BY ME  
 OR UNDER MY CLOSE PERSONAL  
 SUPERVISION AND I AM A QUALIFIED  
 ENGINEER IN THE STATE OF HAWAII.  
 DATE: 09/10/10



BOAT LAUNCH RAMP &  
 TRAILER PARKING & MARINA  
 AT KO OLINA RESORT & MARINA  
 OAHU, HAWAII

ACCESS ROAD -  
 SITE PLAN 1

DATE: 09/10/10  
 DRAWN: J.S. JARON  
 CHECKED: CTD  
 SCALE: 1" = 20'

C-31  
 SHEET NO.

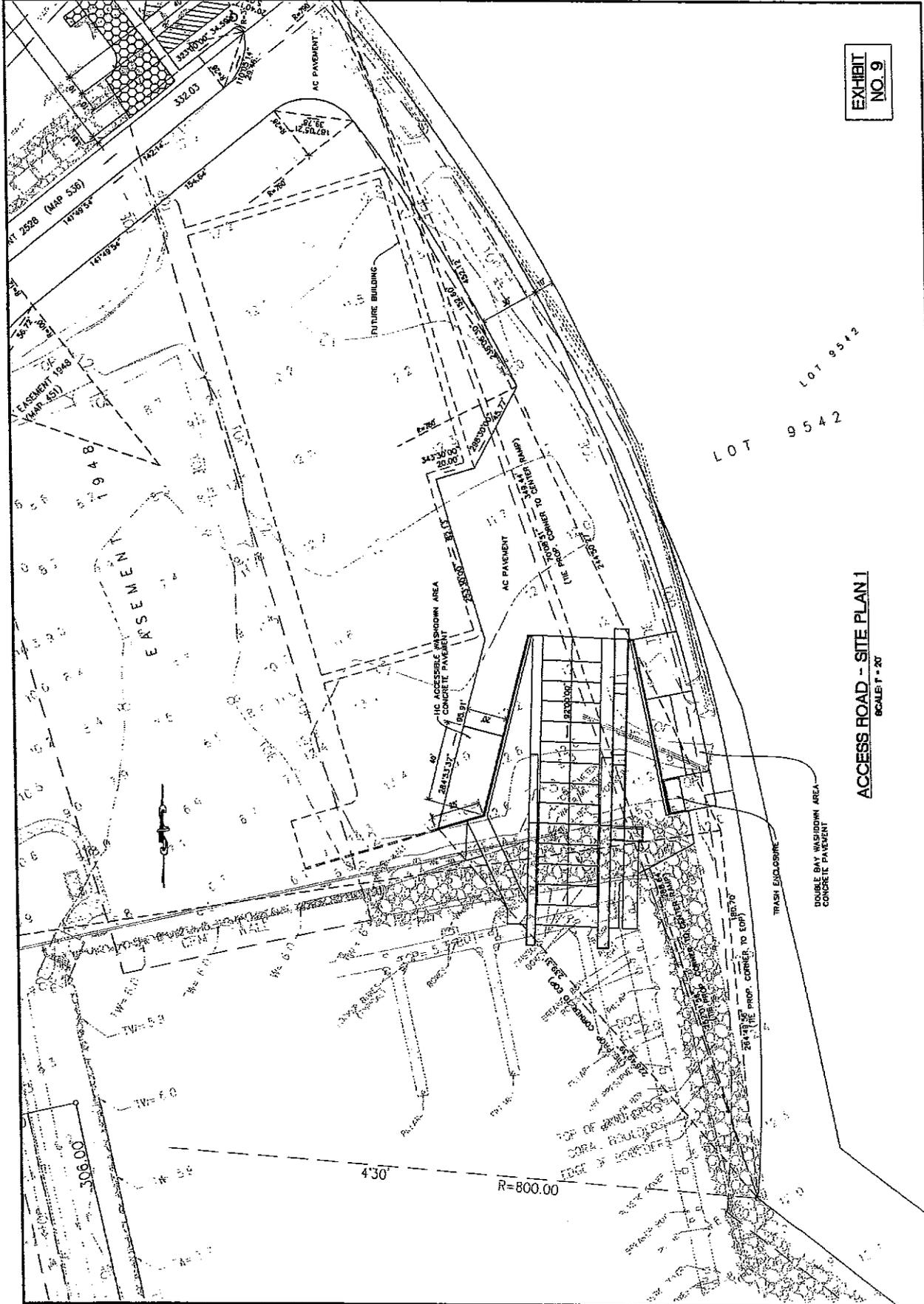


EXHIBIT  
 NO. 9

ACCESS ROAD - SITE PLAN 1  
 SCALE: 1" = 20'

POH-2010-00202, Ko Olina Marina  
 Construct New Boat Ramp & Replace Loading Docks Project

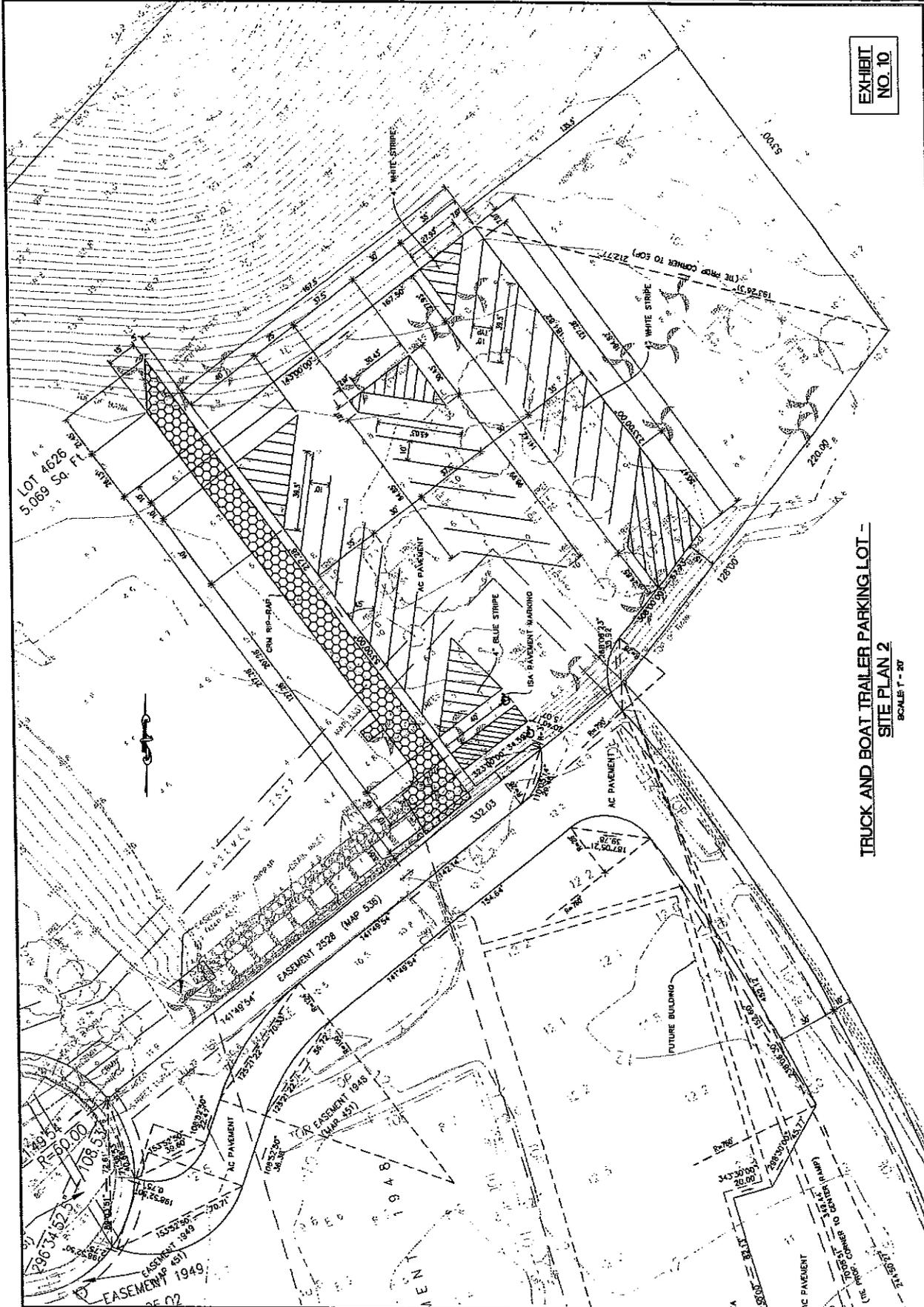


EXHIBIT NO. 10

TRUCK AND BOAT TRAILER PARKING LOT -  
SITE PLAN 2  
SCALE: 1" = 20'

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 March 15, 2012:

JESSE SOUKI, Director  
Office of Planning, State of Hawai`i  
235 South Beretania Street, 6<sup>th</sup> 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 March 15, 2013.

OF COUNSEL:  
MATSUBARA – KOTAKE  
A Law Corporation

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