



KAMEHAMEHA SCHOOLS

December 16, 2015

Mr. George Atta, Deputy Director  
Department of Planning & Permitting  
City & County of Honolulu  
650 South King Street  
Honolulu, HI 96813

RE: 2015 Annual Status Reports for Ordinance 98-01 and 03-01

Dear Mr. Atta:

The enclosed status reports are being submitted by Kamehameha Schools ("KS"), in compliance with the conditions of Ordinance Nos. 98-01 and 03-01.

Very truly yours,  
KAMEHAMEHA SCHOOLS

A handwritten signature in black ink, appearing to read "Paul Kay".

Paul Kay

Planning and Development Director  
Commercial Real Estate

Enclosures

cc: Leo Asuncion

Daniel Ordenker ✓

2015 DEC 18 P 3:14

LAND USE COMMISSION  
STATE OF HAWAII

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LAND USE COMMISSION  
STATE OF HAWAII

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2015 ANNUAL STATUS REPORT  
COMPLIANCE WITH THE CONDITIONS OF ORDINANCE 98-01

Condition	Status	Explanation	Projected Time Frame
<p>1. URBAN DESIGN PLAN: Prior to final subdivision approval, a conceptual urban design plan for the Project shall be submitted by the Declarant to the Department of Land Utilization ("DLU") for review and approval. The Project shall conform to the approved urban design plan; provided that the urban design plan may be amended by Declarant from time to time with the prior written approval of DLU.</p>	Completed	<p>An Urban Design Plan ("UDP") for the Phase 1 lands was approved by the Department of Planning &amp; Permitting ("DPP") on October 29, 2001. The UDP has been updated to incorporate Phase 1 lands rezoned under Ordinance 98-01, Phase 2 lands rezoned under Ordinance 03-01 and refinements to the project master plan. A preliminary draft was submitted to DPP for review and comments in July 2005. Declarant has been evaluating various modifications to certain elements of the plan, and will submit the proposed revised plan to DPP for approval. A Motion to Amend was approved by the LUC in November, 2014 to 1) recognize KS, as the fee owner of the property, and 2) issue an order modifying the Waiawa Order to expressly authorize the use of portions of the property for solar farm development for an interim period not to exceed 35 years.</p>	Completed Completion of the revised master plan to be submitted in 5 years.
<p>2. AFFORDABLE HOUSING PROGRAM; REQUIREMENTS AND DEFINITIONS: Prior to applying for building permits for the first dwelling units to be constructed on the Land, Declarant shall enter into and execute a binding agreement with the Department of Housing and Community Development ("DHCD") of the City and County of Honolulu to participate in an affordable housing program containing the following provisions:</p> <p>a. Ten percent (10%) of the overall Project unit count shall be affordable to households with incomes not exceeding eighty percent (80%) of the Median Income for the area and an additional twenty percent (20%) of the overall Project unit count shall be affordable to families with incomes between eighty-one and one hundred twenty percent (81% - 120%) of the Median Income.</p> <p>b. Any affordable housing unit designated for sale to households with incomes up to and including eighty percent (80%) of the Median Income shall be marketed for sale to such households for a period of ninety (90) days.</p>	Ongoing	<p>Declarant received approval from the City's Corporation Counsel as to form and legality in 2008. However, due to changes in land ownership, a revised agreement, applicable to the portion of the project owned by Waiawa Ridge Development, LLC (WRD) was submitted by WRD to the Department of Planning and Permitting for review and approval in December 2009. In 2010, DPP informed both land owners, WRD and Kamehameha Schools (KS), that a joint affordable housing agreement for the entire project will be required. In 2010, KS has been engaged in updating the plan for its lands within the project.</p>	Ongoing

Projected Time Frame	Explanation	Status	Condition
			<p>c. Any affordable housing unit designated for sale to persons with household incomes up to and including one hundred twenty percent (120%) of the Median Income shall be marketed for sale to such persons for a period of ninety (90) days.</p> <p>d. Declarant may satisfy the affordable housing requirement by providing one or more of the following options:</p> <p>(1) Affordable housing units constructed on the Land for sale.</p> <p>(2) Affordable rental housing units constructed on the Land.</p> <p>(3) A cash contribution ("in-lieu fee") to DHCD equal to the difference between the estimated cost of building the affordable housing units less the estimated sales price.</p> <p>e. Information verifying an applicant's eligibility shall be kept on file by Declarant for a minimum period of three (3) years and made available for review upon request by DHCD.</p> <p>f. The Declarant shall comply with the DHCD's Rules for the Terms of Unilateral Agreements Requiring Affordable Housing.</p> <p>g. Any affordable housing units sold to households with incomes up to and including eighty percent (80%) of the Median Income Level under the affordable housing program shall be subject to "Ten-Year Buy-Back" and "First Option and Shared Appreciation in Value" provisions.</p> <p>h. Any rental units developed under any affordable rental housing program instituted pursuant to Condition 2 shall remain as affordable rental units for a period of at least ten (10) years from the date of the rental agreement or lease.</p>

**2014 ANNUAL STATUS REPORT  
COMPLIANCE WITH THE CONDITIONS OF ORDINANCE 98-01  
Project Status: ORDINANCE 98-01, BILL 72 (1996), CD2, TAX MAP KEY 9-6-4: PORTION OF 4 AND 9-6-5: PORTION OF 3  
AS AMENDED BY ORDINANCE 98-69, BILL 78 (1998)**

Condition	Status	Explanation	Projected Time Frame
<p>3. <b>TRANSPORTATION IMPROVEMENTS:</b> Prior to final subdivision approval, Declarant shall submit a traffic assessment plan to the Department of Transportation Services ("DOTS") for review and approval. The plan shall determine required lengths for left and right turn lanes at each major intersection; provide schematic diagrams for major intersections; evaluate the need for additional traffic signals in accordance with <u>Manual on Uniform Traffic Control Devices</u>; and address traffic control measures to curb speeding, particularly near school sites. Declarant shall construct or implement traffic improvements recommended in the plan.</p> <p>Prior to final subdivision approval, Declarant shall submit to the State Department of Transportation ("DOT") a plan for providing transportation improvement programs and measures identified by the DOT, which may include measures described in their letters of July 25, 1995 and June 26, 1996. Declarant shall submit written documentation of DOT's concurrence to DLU.</p>	Ongoing	<p>An Internal Circulation Traffic Report was submitted to DPP on May 5, 2004. Meetings were held to review the traffic report and various schematic plans. A Transportation Master Plan, including final schematic roadway plans (interim and ultimate conditions) was prepared and submitted to DPP for approval on 8/1/06. Declarant acknowledges this condition.</p> <p>A revised draft plan will be submitted to DPP for review and approval incorporating new comments/planning efforts.</p> <p>A Transportation Improvement Plan was submitted to DOT in July 2005 and DOT's written concurrence was transmitted to DPP on September 8, 2005.</p>	Completed
<p>4. <b>DRAINAGE AND FLOOD CONTROL IMPROVEMENTS:</b> Declarant or its assignee or successor in interest shall retain ownership and maintain all drainage infrastructure constructed by the Declarant, including but not limited to retention berms, culverts and dams and shall not transfer ownership of these improvements to the City and County of Honolulu, unless the Department of Public Works determines that this infrastructure meets applicable City standards and is willing to accept maintenance responsibilities.</p>	Ongoing	Declarant acknowledges this condition.	Ongoing
<p>5. <b>SCHOOL SITE:</b> Declarant shall dedicate an eight (8) acre elementary school site to the State of Hawaii subject to a reversion of the site to the Declarant, as discussed in the Ordinance.</p> <p>The Declarant shall coordinate with the Department of Education ("DOE") to facilitate the timely construction of public school facilities to serve the Project and shall explore feasible construction alternatives with the DOE and the Department of Accounting and General Services. Written documentation of coordination with DOE shall be submitted to the DLU prior to approval of any residential building permits.</p>	Ongoing	Declarant acknowledges this condition.	Ongoing

**2014 ANNUAL STATUS REPORT  
COMPLIANCE WITH THE CONDITIONS OF ORDINANCE 98-01**

**Project Status: ORDINANCE 98-01, BILL 72 (1996), CD2, TAX MAP KEY 9-6-4; PORTION OF 4 AND 9-6-5; PORTION OF 3 AS AMENDED BY ORDINANCE 98-69, BILL 78 (1998)**

Projected Time Frame	Explanation	Status	Condition
Ongoing	Declarant acknowledges this condition. DCD has concurred on the proposed placement of sirens. (A copy of correspondence was submitted with the 2007 report.)	Ongoing	6. CIVIL DEFENSE: Prior to obtaining subdivision approval, except those for conveyance purposes, Declarant shall coordinate with the Oahu Civil Defense Agency to develop a warning, evacuation and shelter program to prepare for natural disasters. Declarant shall be required to perform in accordance with the approved plan.
Ongoing	Declarant acknowledges this condition. Declarant met with HFD in July 2007 and will continue to coordinate with HFD as planning proceeds.	Ongoing	7. FIRE PROTECTION: Declarant shall coordinate with the Honolulu Fire Department regarding fire protection facilities required to serve the Project. Prior to subdivision approval, except those for conveyance purposes, Declarant shall enter into an agreement with the Honolulu Fire Department ("HFD") which addresses the need to provide fire protection facilities for the development and may require Declarant to dedicate a one (1) acre vacant land site or contribute towards the construction of a station to accommodate the needed fire protection facility subject to a reversion of the site to Declarant as further described in the Ordinance.
Ongoing	Declarant acknowledges this condition.	Ongoing	8. REFUSE COLLECTION: Declarant shall provide twelve (12) months prior notice to the Department of Public Works of the need for refuse collection services.
Ongoing	Declarant acknowledges this condition.	Ongoing	9. SOLID WASTE REDUCTION: At appropriate times and as may be required by the Department of Public Works or the State Office of Solid Waste Management, Declarant shall coordinate with the affected agencies to develop solid waste reduction/recycling strategies for the Waiawa project.
Ongoing	Declarant acknowledges this condition. An updated master plan showing the proposed location and size of park sites was submitted for approval by DPR in June 2006. Following meetings with DPR, the proposed parks master plan was revised and resubmitted for approval on November 17, 2006. DPR approved the proposed plan on December 21, 2006. (Letter was attached to 2006 Annual Status Report)	Ongoing	10. PARK DEDICATION REQUIREMENTS: Prior to subdivision approval, except those for conveyance purposes, Declarant shall comply with park dedication requirements as established by City ordinance and shall coordinate park site development and phasing with the Department of Parks and Recreation, including the construction of comfort stations prior to the dedication of park sites.

2014 ANNUAL STATUS REPORT  
 COMPLIANCE WITH THE CONDITIONS OF ORDINANCE 98-01

Condition	Status	Explanation	Projected Time Frame
<p>11. GOLF COURSE DEVELOPMENT: The development of two (2) golf courses within the Project shall be subject to the following conditions:</p> <p>a. Declarant shall be subject to the guidelines established by DOH relating to new golf course developments.</p> <p>b. Declarant shall establish a non-potable water system for irrigation of the golf courses.</p> <p>(See Ordinance for additional details.)</p>	Ongoing	<p>Declarant acknowledges this condition. Efforts to establish Waiahole Ditch as the non-potable water source for golf course irrigation were unsuccessful and no other suitable non-potable source is currently available. In the future, R-1 quality effluent produced by the Board of Water Supply may become available as an irrigation source and Waiawa Development LLC has signed a Memorandum of Agreement with the Board to purchase the effluent for golf course irrigation. In the interim, on-site wells are proposed to irrigate the golf courses. Water use permits for the wells were approved by the Commission on Water Resource Management on October 25, 2005.</p>	Ongoing
<p>12. MAKAI GOLF COURSE - KAMA'AINA GOLF PLAY (as amended by Ordinance 98-69): In the event the Declarant develops the makai golf course, located on a portion of the land as shown on Exhibit "C" attached to and incorporated in the Ordinance (the "Makai Golf Course"), Declarant shall, as a benefit to the community, provide the following for the Makai Golf Course:</p> <p>a. Kama'aina Golf Play on at least one (1) weekday and one-half (1/2) of a weekend day per week or a minimum of 240 rounds of golf per week.</p> <p>(See Ordinance for additional details.)</p>	Ongoing	Declarant acknowledges this condition.	Ongoing
<p>13. RESIDENTIAL UNIT COUNT: The residential unit count within the Project shall be consistent with the existing Central Oahu Development Plan and any amendments thereto.</p>	Ongoing	<p>Ordinance 98-55 amended the Central Oahu Development Plan (DP) to authorize 7095 residential dwelling units for Phase 1 and Phase 2. The DP was superseded in December 2002 by the Central Oahu Sustainable Communities Plan. Table 2.2 of the Plan indicates 7,095 residential units for Waiawa under the Previously Approved category. Declarant acknowledges this condition.</p>	Ongoing
<p>14. MAKAI GOLF COURSE - TRANSFER/ASSIGNMENT TO CITY &amp; COUNTY OF HONOLULU ("CITY"): In the event the City desires to develop the proposed makai golf course, located on a portion of the Land as shown on Exhibit "C" attached to and incorporated in the Ordinance ("the "Makai Golf Course"), the Declarant will assign to the City its rights to develop (pursuant to the Development Agreement) and its rights to obtain a</p>	N/A	Deleted by Ordinance 98-69.	N/A

**2014 ANNUAL STATUS REPORT  
COMPLIANCE WITH THE CONDITIONS OF ORDINANCE 98-01**

**Project Status: ORDINANCE 98-01, BILL 72 (1996), CD2, TAX MAP KEY 9-6-4; PORTION OF 4 AND 9-6-5; PORTION OF 3 AS AMENDED BY ORDINANCE 98-69, BILL 78 (1998)**

Projected Time Frame	Explanation	Status	Condition
			<p>lease of the portion of the Land comprising the Makai Golf Course, upon the terms and conditions set forth in the Development Agreement, as modified by that certain Memorandum of Understanding dated December 1, 1997, by and between Declarant and the Trustees of the Estate of Bernice Pauahi Bishop, a copy of which is attached to the Ordinance as Exhibit "D"; provided that the assignment to the City shall be subject to conditions described in the Ordinance.</p>
Ongoing	<p>Declarant acknowledges this condition. Declarant met with DHR on July 2, 2007 and will continue to coordinate with DHR as planning proceeds.</p>	Ongoing	<p>15. MULTI-PURPOSE SOCIAL SERVICE FACILITY: Prior to subdivision approval, except those for conveyance purposes, Declarant shall coordinate with the Department of Human Resources ("DHR") to determine the need for a multi-purpose social service facility to house social services such as childcare, elderly and youth programs to serve the Project. Declarant shall submit documentation of such coordination with DHR to DLU. If after review, DHR determines the need for such a facility, the Declarant shall dedicate a suitable site not to exceed one (1) acre, subject to reversion to the Declarant in the event that it is subsequently determined by DHR that there is no need for a social service facility in the area, or an alternative site has been obtained from the Declarant, or the need for a social service facility site has been otherwise satisfied.</p>
Completed	<p>A Preservation Plan was approved by DLNR on October 25, 2007. (A copy of the approval letter was included with the 2007 report.)</p>	Completed	<p>16. ARCHAEOLOGICAL RESOURCES: Prior to application for grading permits, Declarant shall enter into an agreement with the Department of Land and Natural Resources, Historic Preservation Division, the terms and conditions of which are to be acceptable to the Historic Preservation Division. The agreement shall address the preservation of historic sites. Declarant shall be required to perform in accordance with the approved plan.</p>
Ongoing	<p>The development agreement between Kamehameha Schools and Development, LLC owns a portion of the Project, in fee, and Kamehameha Schools owns the remainder in fee.</p>	Ongoing	<p>17. OWNERSHIP OF LAND: Declarant shall give notice to DLU of any intent to sell, lease, assign, place in trust, or otherwise voluntarily alter its ownership interest in any portion of the Land prior to commencement of construction of the initial dwelling units on that portion of the Land; provided, however, that Declarant may transfer ownership in the Land to an affiliate (including, without limitation, Gentry Homes, Limited) or joint</p>

**2014 ANNUAL STATUS REPORT  
COMPLIANCE WITH THE CONDITIONS OF ORDINANCE 98-01**

**Project Status: ORDINANCE 98-01, BILL 72 (1996), CD2, TAX MAP KEY 9-6-4: PORTION OF 4 AND 9-6-5: PORTION OF 3  
AS AMENDED BY ORDINANCE 98-69, BILL 78 (1998)**

Condition	Status	Explanation	Projected Time Frame
<p>18. <b>GOVERNMENTAL APPROVALS:</b> Declarant, at its sole cost and expense, shall obtain any and all governmental approvals which may be required for the Project.</p>	Ongoing	Declarant acknowledges this condition.	Ongoing
<p>19. Approval of this zone change does not constitute compliance with other LJO or governmental requirements. They are subject to separate review and approval. The Declarant shall be responsible for insuring that the final plans for the Project comply with all applicable LJO and other governmental provisions and requirements.</p>	Ongoing	Declarant acknowledges this condition.	Ongoing
<p>20. On an annual basis, the Declarant shall submit a written status report to the DLU documenting its satisfaction of and/or describing its progress toward complying with each condition of approval for this zone change. The status report shall be submitted to the DLU by December 31 of each year until such time as the DLU has determined that all conditions of approval have been satisfied.</p>	Ongoing	Declarant has prepared this report to comply with this condition.	Ongoing
<p>21. In the event of noncompliance with any of the conditions set forth in the Ordinance, the Director of Land Utilization shall inform the City Council and may initiate action to rezone the property, seek civil enforcement, or take appropriate action to terminate or stop the Project until applicable conditions are met.</p>	Ongoing	Declarant acknowledges this condition.	N/A



**2014 ANNUAL STATUS REPORT  
COMPLIANCE WITH THE CONDITIONS OF ORDINANCE 98-01**

**Project Status: ORDINANCE 98-01, BILL 72 (1996), CD2, TAX MAP KEY 9-6-4: PORTION OF 4 AND 9-6-5: PORTION OF 3 AS AMENDED BY ORDINANCE 98-69, BILL 78 (1998)**

Projected Time Frame	Explanation	Status	Condition
N/A	Declarant acknowledges this condition.	Ongoing	22. Failure to fulfill any conditions to the zone change may be grounds for revocation of the permits issued under this zoning and grounds for the enactment of ordinances making further zone changes, including revocation of the underlying zoning, upon initiation by the proper parties in accordance with the Revised City Charter.
Ongoing	Declarant acknowledges this condition.	Ongoing	23. DENSITY LIMITATION APPLICABLE TO COMMERCIAL/ INDUSTRIAL ZONED LAND (added via Ordinance 98-69): The portion of the Land which is zoned under the Rezoning Ordinance IMX-1 Industrial-Commercial Mixed Use District and B-2 Community Business District shall be subject to the following limitations on density: a. The total floor area to be constructed on the Land zoned IMX-1 Industrial-Commercial Mixed Use District shall be limited to a total of 1.7 million square feet; and b. The total floor area to be constructed on the Land zoned B-2 Community Business District shall be limited to a total of 2.2 million square feet.

**2015 ANNUAL STATUS REPORT  
COMPLIANCE WITH THE CONDITIONS OF ORDINANCE 03-01**

Project Status: ORDINANCE 03-01, BILL 83 (2002), CD2, FD1, TAX MAP KEY 9-6-4; PORTION OF 4

LAND USE COMMISSION  
STATE OF HAWAII

Condition	Status	Explanation
<p>1. URBAN DESIGN PLAN: Condition 1 of the Phase 1 U/A is incorporated herein by this reference and shall apply to the Phase 2 Land, provided that the term "Project" shall collectively refer to both the Phase 1 Project and the Phase 2 Project.</p>	Ongoing	<p>An Urban Design Plan ("UDP") for the Phase 1 lands was approved by the Department of Planning &amp; Permitting ("DPP") on October 29, 2001. Ordinance 98-01, Phase 2 lands rezoned under Ordinance 03-01 and refinements to the project master plan. A preliminary draft was submitted to DPP for review and comments in July 2005. Declarant has been evaluating various modifications to certain elements of the plan, and will submit the proposed revised plan to DPP for approval. A Motion to Amend was approved by the LUC in November, 2014 to 1) recognize KS, as the fee owner of the property, and 2) issue an order modifying the Waiala Order to expressly authorize the use of portions of the property for solar farm development for an interim period not to exceed 35 years.</p>
<p>2. AFFORDABLE HOUSING PROGRAM; REQUIREMENTS AND DEFINITIONS:</p> <p>a. Condition 2 of the Phase 1 U/A is incorporated herein by this reference and shall apply to both the Phase 1 Project and the Phase 2 Project.</p> <p>b. Notwithstanding any of the foregoing, this Condition 2 shall be subject to the applicable provisions of Ordinance 99-51 (relating to temporary amendments to affordable housing conditions in unilateral agreements), as amended by Ordinance 01-33, and any further amendment or repeal thereof.</p>	Ongoing	<p>Declarant acknowledges this condition.</p>
<p>3. TRANSPORTATION IMPROVEMENTS:</p> <p>c. Condition 3 of the Phase 1 U/A is incorporated herein by this reference and shall apply to the Phase 2 Land, provided that the plans required to be provided to, respectively, the Department of Transportation Services ("DTS") and the Department of Transportation ("DOT") shall be respect to both the Phase 1 Project and the Phase 2 Project. Declarant shall implement the traffic improvements and measures recommended in the approved plans.</p>	Ongoing	<p>An Internal Circulation Traffic Report was submitted to DPP on May 5, 2004. Meetings were held to review the traffic report and various schematic plans. A Transportation Master Plan, including final schematic roadway plans (interim and ultimate conditions) was prepared and submitted to DPP for approval on 8/1/06. Declarant acknowledges this condition.</p>
		<p>Completion of the revisions is pending with a revised master plan to be submitted in 5 years.</p>
		Completed
		3 Projected Time Frame

**2015 ANNUAL STATUS REPORT  
COMPLIANCE WITH THE CONDITIONS OF ORDINANCE 03-01**

Project Status: ORDINANCE 03-01, BILL 83 (2002), CD2, FD1, TAX MAP KEY 9-6-4: PORTION OF 4

Projected Time Frame	Explanation	Status	Condition
Completed	A revised draft plan will be submitted to DPP for review and approval incorporating new comments/planning efforts. A Transportation Improvement Plan was submitted to DOT in July 2005 and DOT's written concurrence was transmitted to DPP on September 8, 2005. DOT has not established a fair share plan.	Completed  Ongoing	d. If the DOT adopts regulations establishing a contributory plan for developers to provide a "fair share" of required transportation improvements, Declarant shall participate in the contributory plan to the extent required by the plan.
Ongoing	Declarant acknowledges this condition. A revised Drainage Master Plan was approved by DPP on July 17, 2007.	Ongoing	4. DRAINAGE AND FLOOD CONTROL IMPROVEMENTS: Condition 4 of the Phase 1 U/A is incorporated herein by this reference and shall apply to the Phase 2 Land.
Completed	Coordination with DOE has been ongoing since 1991. Based on the project master plan for Phases 1 and 2, DOE has identified the need for one elementary school and one middle school to serve the projected student population. Therefore, one elementary school site and one middle school site have been planned within the Phase 1 and Phase 2 zoning areas. Additional school sites have been designated in future phases of the project. An Educational Contribution Agreement between Waiawa Ridge Development LLC and DOE was executed on July 7, 2006.	Ongoing  Completed	5. SCHOOLS:  e. Condition 5 of the Phase 1 U/A is incorporated herein by this reference and shall apply to both the Phase 1 Project and the Phase 2 Project. The eight-acre elementary school site required by this Condition shall be in addition to the eight-acre elementary school site required by Condition 5 of the Phase 1 U/A. This subsection a. shall not be construed to limit the Declarant's obligations under subsection b. of this Condition.  f. Prior to the issuance of building permits for the development of the Phase 2 Land, Declarant shall submit to the Department of Planning and Permitting ("DPP"), confirmation from the Department of Education ("DOE") that Declarant has executed a fair share agreement with the DOE to support the DOE's provision of school facilities required to serve both the Phase 1 Project and the Phase 2 Project.
Ongoing	Declarant acknowledges this condition. DCD has concurred on the proposed placement of sirens. (A copy of correspondence was submitted with the 2007 report.)	Ongoing	6. CIVIL DEFENSE: Condition 6 of the Phase 1 U/A is incorporated herein by this reference and shall apply to the Phase 2 Land, provided that the required warning, evacuation and shelter program shall be a coordinated program for both

**2015 ANNUAL STATUS REPORT  
COMPLIANCE WITH THE CONDITIONS OF ORDINANCE 03-01**

Project Status: ORDINANCE 03-01, BILL 83 (2002), CD2, FD1, TAX MAP KEY 9-6-4: PORTION OF 4

Condition	Status	Explanation	Projected Time Frame
the Phase 1 Project and the Phase 2 Project.			
7. FIRE PROTECTION: Condition 7 of the Phase 1 U/A is incorporated herein by this reference and shall apply to the Phase 2 Land, provided that the term "Project" shall collectively refer to both the Phase 1 Project and the Phase 2 Project. This Condition and Condition 7 of the Phase 1 U/A shall collectively require the dedication of a site for or contribution towards the construction of only one fire protection facility.	Ongoing	Declarant acknowledges this condition. Declarant met with HFD in July 2007 and will continue to coordinate with HFD as planning proceeds.	Ongoing
8. REFUSE COLLECTION: Condition 8 of the Phase 1 U/A is incorporated herein by this reference and shall apply to the Phase 2 Land.	Ongoing	Declarant acknowledges this condition.	Ongoing
9. SOLID WASTE REDUCTION: Condition 9 of the Phase 1 U/A is incorporated herein by this reference and shall apply to the Phase 2 Land, provided that the term "Waiawa Project" shall collectively refer to both the Phase 1 Project and the Phase 2 Project.	Ongoing	Declarant acknowledges this condition	Ongoing
10. PARK DEDICATION REQUIREMENTS: Condition 10 of the Phase 1 U/A is incorporated herein by this reference and shall apply to the Phase 2 Land, provided that the required coordination with the Department of Parks and Recreation for park site development and phasing shall be with respect to both the Phase 1 Project and the Phase 2 Project.	Ongoing	Declarant acknowledges this condition. An updated master plan showing the proposed location and size of park sites was submitted for approval by DPR in June 2006. Following meetings with DPR, the proposed parks master plan was revised and resubmitted for approval on November 17, 2006. DPR approved the proposed plan on December 21, 2006. (Letter was attached to 2006 Annual Status Report)	Ongoing
11. MULTI-PURPOSE SOCIAL SERVICE FACILITY: Condition 15 of the Phase 1 U/A is incorporated herein by this reference and shall apply to the Phase 2 Land, provided that the term "Project" shall collectively refer to both the Phase 1 Project and the Phase 2 Project. This Condition and Condition 15 of the Phase 1 U/A shall collectively require the dedication of only one social service facility site.	Ongoing	Declarant acknowledges this condition. Declarant met with DHR on July 2, 2007 and will continue to coordinate with DHR as planning proceeds.	Ongoing
12. ARCHAEOLOGICAL RESOURCES: Condition 16 of the Phase 1 U/A is incorporated herein by this reference and shall apply to the Phase 2 Land.	Ongoing	A Preservation Plan was approved by DLNR on October 25, 2007. ( A copy of the approval letter was submitted with the 2007 report.)	Completed
1. OWNERSHIP OF LAND: Condition 17 of the Phase 1 U/A is incorporated herein by this reference and shall apply to the Phase 2 Land.	Ongoing	The development agreement between Kamehameha Schools and Declarant covering the Project ended in 2009. Waiawa Ridge Development LLC no longer owns an interest in the Land covered by Ordinance 03-01. Kamehameha Schools owns all interests in the Land	Ongoing

**2015 ANNUAL STATUS REPORT  
COMPLIANCE WITH THE CONDITIONS OF ORDINANCE 03-01**

Project Status: ORDINANCE 03-01, BILL 83 (2002), CD2, FD1, TAX MAP KEY 9-6-4: PORTION OF 4

Condition	Status	Explanation	Projected Time Frame
		covered by Ordinance 03-01.	
2. GOVERNMENTAL APPROVALS: Condition 18 of the Phase 1 U/A is incorporated herein by this reference and shall apply to the Phase 2 Land, provided that the term "Project" shall collectively refer to both the Phase 1 Project and the Phase 2 Project.	Ongoing	Declarant acknowledges this condition.	Ongoing
3. SOCIAL IMPACTS: Declarant shall submit to the Office of Hawaiian Affairs, for its review and comment, an analysis of the Phase 2 Project's potential impacts on native Hawaiian culture and remedial measures to correct such impacts if appropriate.	Completed.	The Office of Hawaiian Affairs was consulted in the initial scoping of the cultural impact assessment as well as in the review of the final report. The final report was completed in June 2003 and transmitted to Dr. Pua Aiu of the Office of Hawaiian Affairs on July 14, 2003. Dr. Aiu requested that the report also be provided to Tom Lenchanko of the Wahiawa Hawaiian Civic Club and Shad Kane, Committee of Historic Sites and Cultural Properties for the Hawaiian Civic Club but offered no further comment on the assessment. Copies of the report were transmitted as requested by OHA on July 31, 2003.	Completed
4. On an annual basis, Declarant shall submit a written status report to the DPP documenting its satisfaction of and/or describing its progress toward complying with each condition of approval of this zone change and of Ordinance 98-01. The status report shall be submitted to the DPP by December 31 of each year until such time as the DPP has determined that all conditions of approval have been satisfied.	Ongoing	Declarant has prepared this report to comply with this condition.	Ongoing
17. Approval of the zone change does not constitute compliance with other LEO or other governmental requirements. They are subject to separate review and approval. Declarant shall be responsible for ensuring that the final plans for the Phase 2 Project comply with all applicable LEO and other governmental provisions and requirements.	Ongoing	Declarant acknowledges this condition.	Ongoing
18. In the event of noncompliance with any of the conditions set forth herein, the Director of Planning and Permitting shall inform the Council and may initiate action to rezone the Land, seek civil enforcement, or take appropriate action to terminate or stop the Phase 2 Project until applicable	Ongoing	Declarant acknowledges this condition.	N/A

**2015 ANNUAL STATUS REPORT  
COMPLIANCE WITH THE CONDITIONS OF ORDINANCE 03-01**

Project Status: ORDINANCE 03-01, BILL 83 (2002), CD2, FD1, TAX MAP KEY 9-6-4: PORTION OF 4

Condition	Status	Explanation	Projected Time Frame
conditions are met.			
19. Failure to fulfill any of the conditions set forth herein may be grounds for revocation of the permits issued under this zoning and grounds for the enactment of ordinances making further zone changes, including revocation of the underlying zoning, upon initiation by the proper parties in accordance with the Revised City Charter.	Ongoing	Declarant acknowledges this condition.	N/A
<b>2014 Order Conditions</b>			
1. Revised Master Plan. Petitioner shall submit to the Commission a revised master plan and schedule for development for the approximately 1,395-acre KS Property within five (5) years from the date of the Commission's issuance of an order approving the Motion to Amend.	Ongoing	Status: Work has been initiated to revise the master plan to satisfy this condition. Once a plan is completed, petitioner will submit to the Commission.	Ongoing
2. Access to the Waiawa Correctional Facility. Petitioner shall cause the solar farm operator to ensure that the construction and installation of the solar farm within the KS Property shall not prevent roadway access to the Waiawa Correctional Facility.	Ongoing	Status: Plans have been filed with the City & County of Honolulu to facilitate the start of construction. As development progresses and a project schedule is detailed, petitioner shall cause the solar farm operator to articulate roadway access strategies and review with the Waiawa Correctional Facility to satisfy this condition. Preliminary discussions have commenced with the Waiawa Correctional Facility.	Ongoing
3. Previously Unidentified Burials and Archaeological/Historic Sites. A supplemental AIS for the entire 1,395-acre Petition Area shall be prepared by a qualified archaeologist to determine potential impacts and to ensure that appropriate mitigation is implemented as needed. The supplemental AIS shall be submitted to the SHPD and accepted prior to the start of construction. In the event that historical resources, including human skeletal remains, are identified during construction activities, all work shall cease in the immediate	Complete	a) Submitted to SHPD on September 16, 2014 – Archaeological Inventory Survey of 1,395 Acres of Kamehameha Schools' Land in Waiawa and Waipi'o Ahupua'a, Ewa District, O'ahu Island, Hawaii (Monahan, September 2014) (meets the requirement of a supplemental AIS). b) SHPD accepted the report (with requested revisions) on April 25,	Complete

**2015 ANNUAL STATUS REPORT  
COMPLIANCE WITH THE CONDITIONS OF ORDINANCE 03-01**

Project Status: ORDINANCE 03-01, BILL 83 (2002), CD2, FD1, TAX MAP KEY 9-6-4: PORTION OF 4

Projected Time Frame	Explanation	Status	Condition
Ongoing	2015 – Archaeological Inventory Survey of 1,395 Acres of Kamehameha Schools' Land in Waiawa and Waipi'o Ahupua'a, Ewa District, O'ahu Island, Hawaii (Monahan, September 2014). Submitted a mitigation plan in the form of an Archaeological Site Preservation Plan per the requirements of the AIS on May 12, 2015 – Archaeological Preservation Plan for State Site No. 50-80-09-2273, Features 14 (portion), 19, 22, & 23 (portion), Kamehameha Schools' Land in Waiawa ahupua'a, Ewa District, O'ahu Island, Hawaii (Monahan, May 2015). KS is awaiting the site preservation plan to be accepted by SHPD.	Ongoing	vicinity of the find, the find shall be protected from additional disturbance, and the SHPD, Oahu Island Section, shall be contacted immediately. Without any limitation to any other condition found herein, if any burials or archaeological or historic sites, such as artifacts, marine shell concentrations, charcoal deposits, stone platforms, paving, and walls not previously identified in studies referred to herein, are discovered during the course of construction of the solar farm project, all construction activity in the vicinity of the discovery shall stop until the issuance of an archaeological clearance from SHPD that mitigative measures have been implemented to its satisfaction.
Ongoing	Status: Discussions have started between the solar farm facility operator and the Airports Division regarding panel specifications, specifically related to glint and glare to satisfy this condition.	Ongoing	4. <u>Aircraft Hazard</u> . If glint or glare from the photovoltaic array creates a hazardous condition for pilots, Petitioner shall cause the solar farm facility operator shall be prepared to immediately mitigate the hazard upon notification by the Department of Transportation Airports Division or the Federal Aviation Administration.
Ongoing	Status: Contact with the Department of Transportation has been initiated to discuss satisfaction of this condition. As planning, design, and development progress, petitioner will develop and implement mitigations as specified.	Ongoing	5. <u>Traffic Impacts</u> . a. Phase 1. Prior to the start of construction of Phase 1 of the solar project, Petitioner shall cause the solar farm operator to address any comments that may be made by the Department of Transportation regarding the August 1, 2014, "Construction Traffic Assessment for the Proposed Waiawa Solar Farm" that was prepared for the solar farm project, and to implement the mitigations recommended in the Fehr & Peers Traffic Assessment. b. Phase 2. Petitioner shall cause the solar farm operator to prepare and submit to the Department of Transportation for review and to obtain acceptance of a Traffic Assessment for Phase 2 of the solar project prior to the start of construction of Phase 2.
Ongoing	Status: More information will be provided at a later date as Phase 2 timing is defined.	Ongoing	

**2015 ANNUAL STATUS REPORT  
COMPLIANCE WITH THE CONDITIONS OF ORDINANCE 03-01**

Project Status: ORDINANCE 03-01, BILL 83 (2002), CD2, FD1, TAX MAP KEY 9-6-4: PORTION OF 4

Projected Time Frame	Explanation	Status	Condition
Ongoing	Status: The Solar Farm operator is on-schedule to complete the build-out of Phase 1 within 5 years (2019).	Ongoing	6. <u>Development Schedule.</u> Phase 1 of the solar farm shall be substantially completed within five (5) years from the date of the Commission's issuance of an order approving the Motion to Amend. Phase 2 of the solar farm shall be substantially completed within ten (10) years from the date of the Commission's issuance of an order approving the Motion to Amend.
Complete	Status: A utility-scale solar farm is being planned for the Petition Area and an Agreement to Lease has been executed with Sun Edison.	Complete	7. <u>Interim Use of the Petition Area.</u> The interim use of the Petition Area shall be limited to a utility-scale solar energy development, or solar farm. No other use shall be permitted without prior written approval of the Commission.
Complete	Status: A utility-scale solar farm is being planned for the Petition Area and an Agreement to Lease has been executed with Sun Edison for a term not to exceed 35 years.	Complete	8. <u>Timeframe of Interim Use.</u> The interim use of the Petition Area for the proposed solar farm, including any and all permitting, construction, operation, and decommissioning activities associated with the solar farm, shall not exceed a period of 35 years from the date of this Decision and Order without prior written approval of the Commission.
Ongoing	Status: A metes and bounds map and description of both phases is in process with expected delivery to the Commissioner within one year from the date of this Decision and Order.	Ongoing	9. <u>Metes and Bounds Map and Description.</u> The proposed solar farm shall be limited to the acreage and boundaries identified in Petitioner's Phasing Plan shown in Petitioner's Exhibit 8 Errata (filed 6/20/14). Petitioner shall provide a metes and bounds map and description of both phases to the Commissioner within one year from the date of this Decision and Order.
Ongoing	Status: At the time of decommissioning, requirements to satisfy the conditions stated will be reported.	Ongoing	10. <u>Decommissioning of the Solar Farm.</u> The Solar Farm shall be decommissioned following its operational timeframe. The decommissioning activities shall include, but not be limited to, the complete removal of the foundational piers and modules and all associated components. All metal components shall be recycled to the extent possible and no solar farm components shall be disposed of in any landfill in the State of Hawaii. Any future use of the Petition Area following decommissioning of the solar farm shall be subject to the environmental review process promulgated under HRS chapter 343, as



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COMPLIANCE WITH THE CONDITIONS OF ORDINANCE 03-01**

Project Status: ORDINANCE 03-01, BILL 83 (2002), CD2, FD1, TAX MAP KEY 9-6-4: PORTION OF 4

Projected Time Frame	Explanation	Status	Condition
			applicable, and shall require the filing of a motion to amend the Decision and Order with the Commission. Such motion to amend shall include a revised master development plan of the proposed use and shall further include, but not be limited to, a revised Traffic Impact Analysis Report, Engineering Report, Socioeconomic Analysis Report, Environmental Report, and AIS.
Ongoing	Status: The solar farm operator has hired numerous consultants to evaluate various mitigation measures and BMP's to ensure that the development and operation of the solar farm is in compliance with representations made to the Commission.		11. <u>Compliance with Representations.</u> Petitioner shall cause the solar farm operator to develop Phase 1 and Phase 2 of the solar farm, including the implementation of measures to mitigate potential impacts of the development, in substantial compliance with the representations made to the Commission as reflected in the Decision and Order. Such mitigation measures include, but are not limited to, the use of temporary and permanent BMP's to ensure that the development and operation of the solar farm do not result in an increase in stormwater runoff that adversely impacts downstream properties. Failure to do so may result in reversion of the Petition Area to its former classification, or change to a more appropriate classification.
Ongoing	Status: Petitioner as entered into an Agreement to Lease with Sun Edison for the purpose of developing a solar farm in the petition area.		12. <u>Notice of Change of Ownership.</u> Petitioner shall give notice to the commission of any intent to sell, lease, assign, place in trust, or otherwise voluntarily alter the ownership interests in the Petition Area, prior to the development of the Petition Area.
Ongoing	Status: This annual report has been prepared to satisfy this condition. Copies of this report will also be transmitted to the Office of Planning, the Department of Business, Economic Development and Tourism, and the Department of Planning and Permitting, City & County of Honolulu.		13. <u>Annual Reports.</u> Petitioner shall timely provide without any prior notice, annual reports to the Commission, OP, and the DPP in connection with the status of the subject property and Petitioner's progress in complying with the conditions imposed herein. The annual report shall be submitted in a form prescribed by the Executive Officer of the Commission.

**2015 ANNUAL STATUS REPORT  
COMPLIANCE WITH THE CONDITIONS OF ORDINANCE 03-01**

Project Status: ORDINANCE 03-01, BILL 83 (2002), CD2, FD1, TAX MAP KEY 9-6-4: PORTION OF 4

Condition	Status	Explanation	Projected Time Frame
14. <u>Release of Conditions.</u> The Commission may fully or partially release the conditions provided herein as to all or any portion of the Petition Area upon timely motion and upon the provision of adequate assurance of satisfaction of these conditions by Petitioner.		Status: At this time, Petitioner has not requested release from the stated conditions.	N/A
15. <u>Notice of Imposition of Conditions.</u> Within seven (7) days of the issuance of the Commission's Decision and order granting the Motion to Amend, Petitioner shall:  (a) record with the Bureau of Conveyances a statement that the Petition Area is subject to conditions imposed herein by the Commission in the granting of the Motion to Amend; and (b) shall file a copy of such recorded statement with the Commission.		Status: Condition No. 15 has been met.	Complete
16. <u>Recordation of Conditions.</u> Petitioner shall record the conditions imposed herein by the Commission with the Bureau of Conveyances pursuant to HAR § 15-15-92.		Status: Condition No. 16 has been met.	Complete