



January 14, 2014

2014 JAN 15 A 9:10
LAND USE COMMISSION
STATE OF HAWAII

PRINCIPALS

Francis S. Oda, Arch.D.,
FAIA, AICP, LEED AP

Norman G.Y. Hong
AIA

Sheryl B. Seaman
AIA, ASID, LEED AP

Hitoshi Hida
AIA

Roy H. Nihei
AIA, CSI, LEED AP

James I. Nishimoto
AIA

Stephen Yuen
AIA

Linda C. Miki
AIA

Charles Y. Kaneshiro
AIA, LEED AP

Jeffrey H. Overton
AICP, LEED AP

Christine Mendes Ruotola
AICP, LEED AP

James L. Stone, Arch.D.,
AIA, LEED AP

Katherine M. MacNeil
AIA, LEED AP

Tom Young, MBA
AIA

Paul T. Matsuda
PE, LEED AP

OF COUNSEL

Ralph E. Portmore
FAICP

Mr. Daniel E. Orodener, Executive Officer
State of Hawai'i Land Use Commission
Department of Business, Economic Development & Tourism
P.O. Box 2359
Honolulu, Hawai'i 96804-2359

**SUBJECT: Royal Kunia Phase II
Compliance with Conditions of Amended Decision and Order
(Docket No. A92-683, October 1, 1996)
Status Reports through December 2013**

Dear Mr. Orodener:

On behalf of Halekua-Kunia, LLC, we hereby submit this Status Report on the Applicant's Compliance with Conditions of Amended Decision and Order (Docket No. A92-683, October 1, 1996).

Compliance of the conditions are ongoing and in the process of being fulfilled. Halekua-Kunia, LLC, reaffirms its commitment and obligation to comply with and satisfy each of the outstanding conditions set forth in the Amended Decision and Order (Docket No. A92-683, October 1, 1996).

Thank you for reviewing the enclosed report. If you have questions or require further information, please contact me at 351-4200.

Sincerely,

GROUP 70 INTERNATIONAL, INC.

Jeffrey H. Overton, AICP, LEED AP
Principal Planner

Attachments:
December 2013 Status Report - State of Hawaii Land Use Commission Amended Decision and Order (Docket No. A92-683, October 1, 1996)

cc: Stanford Carr, Stanford Carr Development

**Status Report on Royal Kunia Phase II Development Compliance with Conditions
State of Hawaii Land Use Commission Amended Decision and Order (Docket No. A92-683, October 1, 1996)
Submitted by Halekua-Kunia LLC (HK), January 2014**

Type of Condition	Description of Requirements	Compliance Status as of January 2014	Action Plan for Achieving Full Compliance
1. Affordable Housing	Halekua Development Corporation (HDC) shall provide affordable housing opportunities for low to moderate income residents of the State of Hawaii to the satisfaction of the City and County of Honolulu (City). Details as to the location, distribution and other provisions for affordable housing shall be as mutually agreed between HDC and City. [The basic affordable housing program requirement is to provide: (a) 10% of the project housing units affordable to households with incomes not exceeding 80% of the City's median income, and (b) an additional 20% of the project's housing units affordable to families with incomes between 81% and 120% of the City's median income.]	Future compliance. Discussions were initiated, but further action was deferred while the property was in bankruptcy.	HK met with DPP representatives in 2009 prior to submittal to DPP of a PD-H application for the project, to initiate the process of establishing a binding agreement for the provision of the required affordable housing. The framework for this agreement is reflected in the PD-H application which was approved in July 2009 (2009/PDH-1), and the full agreement will be executed prior to applying for any building permits. It will comply with the provisions stipulated in both this UA and the UA attached to Ordinance No. 97-12. The DPP Draft Affordable Housing Agreement was provided as Attachment 1 in the May 2009 UA Project Status submittal. Comments were received from DPP in June 2009 and an updated version of the Agreement was included as Attachment 1 in the June 2010 UA Project Status submittal.
2. Transportation Improvements	HDC shall fund, design, and construct local and regional transportation improvements necessitated by the proposed development on a pro rata basis and as determined and approved by the State Department of Transportation (DOT) and the City and County of Honolulu Department of Transportation Services (DTS), including without limitation the dedication of any rights-of-way to the State or County. HDC shall also be required to provide the following: A. All of the other improvements needed (which will not be provided by the Village Park and Royal Kunia, Phase I projects) to make Kunia Road a 4-lane highway with auxiliary lanes for both left and right turning movements (between Kunia Interchange and the northernmost boundary of Royal Kunia Phase II) and a third northbound lane between Kunia Interchange and the north Kupuna Loop intersection. B. A report that analyzes the impact of the proposed Phase II project's traffic on the Kunia Interchange and evaluate alternatives that will mitigate the impacts. C. Plans for construction work within the State highway	Partial completion and future compliance. Construction of a third northbound lane on Kunia Road between Kunia Interchange and the south Kupuna Loop intersection has been completed. Steps toward meeting other portions of this requirement were deferred while the property was in bankruptcy.	HK has held numerous meetings with DOT and initial meetings with DTS and DPP TRB representatives and will follow up as needed to determine and reach agreement on: a. Right-of-way acquisition, funding and construction of various roadway and traffic improvements to be provided by HK at project access points and at other on-site and off-site locations. b. Preparation of periodic traffic monitoring reports assessing project-generated impacts on Kunia Interchange. c. HK's participation with other Ewa area developments landowners and developers in fair-share funding of regional transportation improvements. Such an agreement will be executed prior to submittal to DPP of any applications for the

**Status Report on Royal Kunia Phase II Development Compliance with Conditions
State of Hawaii Land Use Commission Amended Decision and Order (Docket No. A92-683, October 1, 1996)
Submitted by Halekua-Kunia LLC (HK), January 2014**

Type of Condition	Description of Requirements	Compliance Status as of January 2014	Action Plan for Achieving Full Compliance
	right-of-way must be submitted to the DOT Highways Division for review and approval.		<p>subdivision of building lots. It will comply with the provisions stipulated in both this D&O and the UAs attached to Ordinances No. 95-08 and 97-12.</p> <p>Discussions have been held relating to the Amendment of the D&O Condition 2 at SLUC relating to the third northbound lane between Kunia Interchange and north Kupuna Loop intersection. Attachment 1 provides a chronology of meetings and LUC decision held in 2013.</p> <p>HK has the financial capability and fully intends to fulfill its responsibilities in accordance with the terms of the executed agreement.</p> <p>Meetings continue to be held with DOT-Highways for further coordination on outstanding regional traffic issues for the project. Due to the magnitude of the requested improvement plans, SCD-Kunia is working with the DOT to discuss the timing and approach to cost sharing these improvements. A regional analysis has also been prepared by SCD-Kunia to assist with the analysis of cost sharing responsibilities for the required improvements. Many meetings were held in 2013 to discuss Kunia Road. The most recent meeting with DOT was December 11 2013. Attachment 2 provides a chronology of meetings held in 2013.</p> <p>Updated Traffic Impact Assessment Report (TIAR) (MOA, May 2013) was provided to DPP-TRB and DOT, addressing current and future conditions, and pro-rata fair share of roadway improvement costs. The TIAR is undergoing a final review and comment process.</p>

**Status Report on Royal Kunia Phase II Development Compliance with Conditions
State of Hawaii Land Use Commission Amended Decision and Order (Docket No. A92-683, October 1, 1996)
Submitted by Halekua-Kunia LLC (HK), January 2014**

Type of Condition	Description of Requirements	Compliance Status as of January 2014	Action Plan for Achieving Full Compliance
3. Regional Transportation Management Program	HDC shall appoint a permanent transportation manager whose function is the formulation, use, and continuation of alternative transportation opportunities that would optimize the use of existing and proposed transportation systems. In the alternative, HDC may participate in a regional program for transportation management with other developers and/or landowners. This program shall address the transportation opportunities that would optimize the use of existing and proposed transportation systems. The program for either option shall be reviewed and approved by DOT prior to implementation, and will continue to be in effect unless otherwise directed by DOT. HDC shall conduct a yearly evaluation of the program's effectiveness and shall make a written report of its evaluation available to DOT for program review and modification, if necessary.	Prior & future compliance. HDC was an active participant in Ewa Region Highway Transportation Master Plan Working Group and an active member of Leeward Oahu Transportation Management Association. (LOTMA), but this activity was suspended while the property was in bankruptcy.	Participation in both programs will be re-established by HK in the near future. Yearly program evaluation reports will be prepared and filed concurrently with this annual Compliance Status Report. Ongoing participation by SCD-Kunia in regional highway and transportation planning, including LOTMA and Ewa Region Highway Transportation Master Plan Working Group.
4. Traffic Monitoring	HDC shall monitor the traffic attributable to the proposed project at on-site and off-site locations and shall undertake subsequent mitigative measures that may be required. The mitigative measures shall be coordinated with and approved by DOT and DTS.	Future compliance.	A monitoring program will be drafted and submitted to DOT & DTS for review and approval no later than when home construction is initiated. Approval will be obtained prior to occupancy of any homes in this Project.
5. Integrated Solid Waste Management Act	HDC shall cooperate with the State Department of Health (DOH) and the City and County of Honolulu Department of Public Works [now Department of Environmental Services (DES)] to conform to the program goals and objectives of the Integrated Solid Waste Management Act, Chapter 342G, Hawaii Revised Statutes, in accordance with a schedule satisfactory to the DOH and DES.	Future compliance.	HK will draft and submit a proposed solid waste management program and schedule to DOH and DES for their review and approval at least 90 days prior to the initiation of any residential construction, and will facilitate the review process as required to obtain approval prior to the start of construction. DES Recycling Branch was consulted on May 12, 2009 regarding solid waste management and recycling. The discussion served as guidance for the development of a recycling program for the project. A recycling program will be established prior to the completion of construction. HK will continue to coordinate with DES and OSWM as the project moves forward.

**Status Report on Royal Kunia Phase II Development Compliance with Conditions
 State of Hawaii Land Use Commission Amended Decision and Order (Docket No. A92-683, October 1, 1996)
 Submitted by Halekua-Kunia LLC (HK), January 2014**

Type of Condition	Description of Requirements	Compliance Status as of January 2014	Action Plan for Achieving Full Compliance
6. School Facilities	<p>HDC shall contribute to the development, funding, and/or construction of school facilities on a pro rata basis as a result of the development on the Property, as determined by and to the satisfaction of the Department of Education (DOE). Agreement by DOE on the level of funding and participation shall be obtained prior to HDC applying for county zoning.</p> <p>HDC and DOE entered into a letter agreement dated September 26, 1996 that outlined the terms of HDC's contribution to the development of school facilities in satisfaction of this condition. This has been replaced with an updated "School Site Agreement" that was executed by HDC and DOE on March 6, 2007.</p>	<p>Partial completion and future compliance.</p> <p>Per the March 6, 2007 School Site Agreement, the 12-acre school site has been conveyed to RKES.</p>	<p>The May 2009 Memorandum was provided as Attachment 3 in the May 2009 UA Project Status submittal.</p> <p>HK will file a copy of the March 6, 2007 School Site Agreement with DPP concurrently with the submittal of initial subdivision plans.</p> <p>HK will make the required cash contributions in accordance with the schedule of installations outlined in the March 6, 2007 School Site Agreement.</p>
7. Water Requirements	<p>HDC shall coordinate with the Honolulu Board of Water Supply (BWS) and the State Department of Land and Natural Resources (DLNR) to obtain water required for the project. If water is not available from existing sources due to insufficient supply, HDC shall fund and develop the necessary water source, storage, and transmission systems and facilities.</p>	<p>Prior and future compliance.</p>	<p>HK will maintain ongoing coordination as necessary to obtain the required project water from the existing BWS system and develop additional water resources and/or supply system improvements for dedication to BWS. The initial water master plans are being updated to reflect the new master plan for the community.</p>
8.	<p>HDC shall participate, on a pro rata basis, in the funding for construction and installation of appropriate civil defense</p>	<p>Partial completion and future compliance.</p>	<p>HK will fully fund and install the necessary facilities and equipment in connection with the</p>

**Status Report on Royal Kunia Phase II Development Compliance with Conditions
State of Hawaii Land Use Commission Amended Decision and Order (Docket No. A92-683, October 1, 1996)
Submitted by Halekua-Kunia LLC (HK), January 2014**

Type of Condition	Description of Requirements	Compliance Status as of January 2014	Action Plan for Achieving Full Compliance
Civil Defense Measures	measures as determined by State and City civil defense agencies.	An agreement was reached between HDC and the State and City civil defense agencies prior to the property being placed in bankruptcy on what civil defense measures are needed.	construction of this project.
9. Chain Link Fence	HDC shall erect a chain link fence along the eastern boundary of the Property that is common with the Waikale Branch of Naval Magazine, Lualualei.	Future compliance by others.	HDC never acquired the land on which this fence and cleared area would be located, and HK does not plan to add it to this Project. Title is still held by the Robinson Estate, and it is still zoned for agricultural use. Future erection of a fence and maintenance of clear area along this boundary, if still required (it is noted that the high-security Naval Magazine in Waikale Gulch is no longer in operation and ownership is being transferred to a private developer), will be the responsibility of any future developer of these Robinson lands.
10. Clearance and Maintenance of Land	HDC shall clear and maintain the land situated within 20 feet of the eastern boundary of the Property, free of trees and vegetation taller than eight inches high.		
11. Pollutants	HDC shall coordinate with the DOT and DES to establish appropriate systems to contain spills and prevent materials, such as petroleum products, chemicals, solvents or other pollutants from leaching into the storm drainage system and adversely affecting the groundwater and coastal waters.	Future compliance.	HK will meet with DOH and DES prior to initiating project construction to agree upon a plan and program for compliance with this requirement, and will establish pollution control systems and implement such other actions as are called for in the approved plan and program.
12. Wastewater Treatment	HDC shall participate on a pro rata basis in the funding and construction of adequate wastewater treatment, transmission and disposal facilities, as determined by the DOH and DES.	Future compliance	HK will meet with DOH and DES prior to initiating project construction to establish an approved program for compliance with this requirement, and will implement this program. The initial wastewater master plans are being updated to reflect the new master plan for the community.

**Status Report on Royal Kunia Phase II Development Compliance with Conditions
State of Hawaii Land Use Commission Amended Decision and Order (Docket No. A92-683, October 1, 1996)
Submitted by Halekua-Kunia LLC (HK), January 2014**

Type of Condition	Description of Requirements	Compliance Status as of January 2014	Action Plan for Achieving Full Compliance
13. Soil Erosion and Dust Control	HDC shall implement effective soil erosion and dust control measures both during and after construction to the satisfaction of the DOH.	Future compliance.	HK will meet with DOH prior to initiating project construction to establish an approved soil erosion and dust control program, and will implement this program.
14. Air Quality Monitoring	HDC shall participate in an air quality monitoring program as specified by the DOH.	Future compliance.	HK will meet with DOH prior to initiating project construction to establish an agreement defining HK's participation in a DOH-specified air quality monitoring program for the area where the project site is located.
15. Agricultural District Pollution	HDC shall provide notification to all owners and occupants of the Property of the potential odor, noise, and dust pollution resulting from surrounding Agricultural District lands, and that the Hawaii Right-to-Farm Act, Chapter 165 HRS, limits the circumstances under which pre-existing farming activities may be deemed a nuisance.	Future compliance.	HK will provide such notification along with any sales or leases of residential lots or other portions of the property to other parties. It will be the responsibility of these other parties to notify any new occupants of their properties that result from their resale, sub-lease and/or rental.
16. Drainage Improvements	HDC shall provide drainage improvements for the subject project and shall coordinate off-site improvements with adjoining landowners and developers, and/or other Federal, State, and City agencies.	Partial completion and future compliance.	HDC completed the majority of required off-site drainage improvements for the Royal Kunia Phase II property in connection with the infrastructure construction for Village Park and Royal Kunia Phase I. Prior to the initiation of construction at Royal Kunia Phase II, HK will work with adjoining landowners and developers, and with appropriate Federal, State and City agencies, to coordinate and agree on the type and completion schedule for any future required off-site drainage improvements. The initial drainage master plans are being updated to reflect the new master plan for the community.
17.	Should any archaeological resources such as artifacts, shell, bone or charcoal deposits, human burials, or rock or coral	Partial completion and	Archaeological surveys of the Royal Kunia Phase II property indicate the absence of any

**Status Report on Royal Kunia Phase II Development Compliance with Conditions
 State of Hawaii Land Use Commission Amended Decision and Order (Docket No. A92-683, October 1, 1996)
 Submitted by Halekua-Kunia LLC (HK), January 2014**

Type of Condition	Description of Requirements	Compliance Status as of January 2014	Action Plan for Achieving Full Compliance
Archaeological Resources	alignments, paving or walls of historic or prehistoric significance be encountered during the development of the Property, HDC shall immediately stop work on the impacted area and contact the DLNR Historic Preservation Division.	future compliance.	above-ground archaeological features and no evidence of past use that would have generated potentially significant archaeological or historic sites. HK will work closely with the Historic Preservation Division and comply with all established procedures to protect with all archaeological resources that might be encountered during future development and construction on this property.
18. Development Plan Approvals	HDC shall obtain Development Plan approvals from the City and County of Honolulu within five (5) years from the date of this Order.	Fully met.	All required Development Plan approvals have been obtained, and the Royal Kunia Phase II project is in full compliance with the current Central Oahu Sustainable Communities Plan. No further action is required. In 2009, HK obtained Planned Development-Housing (PD-H) approval from DPP.
19. Agricultural Park	<p>HDC shall convey the agricultural park to the State of Hawai'i and provide off-site infrastructure to the agricultural park, pursuant to the terms of the Memorandum of Understanding (MOU) dated March 30, 1993 entered into by HDC and the Department of Agriculture (DOA).</p> <p>This MOU was replaced on March 2, 2007 with an "Amendment and Restatement of Memorandum of Understanding" (Amended MOU), which includes the following requirements for the provision of off-site infrastructure to the agricultural park:</p> <p>A. HDC shall prepare and reach agreement with DOA no later than December 31, 2007 on a preliminary site plan for the agricultural park that identifies the locations of the roadway and infrastructure connections to be provided to the agricultural park's boundary.</p> <p>B. Following approval of the preliminary site plan, HDC shall design the off-site infrastructure improvements for the agricultural park, including roadway, potable and irrigation</p>	<p>Partial completion and future compliance.</p> <p>Title to the 150 acre agricultural park was transferred to the State of Hawai'i in 2004.</p>	<p>HK met with DOA on May 9, 2007 to begin the process of establishing an agreed-upon plan and program to implement the provisions of the Amended MOU. HK intends to plan, design and construct such infrastructure improvements in full compliance with these provisions.</p> <p>HK and DOA have coordinated on the compliance with MOU conditions, issuing deadline date schedule changes for satisfaction of Condition A, as listed below:</p> <ul style="list-style-type: none"> - 1st Amendment to Amended MOA 2009 - 2nd Amendment to Amended MOU 2011 <p>Modification to deadlines for submittal of Preliminary Site Plan to December 31, 2013.</p> <p>Compliance with Conditions 19. B-D regarding will follow in sequence, at the time that project development commences.</p>

**Status Report on Royal Kunia Phase II Development Compliance with Conditions
 State of Hawaii Land Use Commission Amended Decision and Order (Docket No. A92-683, October 1, 1996)
 Submitted by Halekua-Kunia LLC (HK), January 2014**

Type of Condition	Description of Requirements	Compliance Status as of January 2014	Action Plan for Achieving Full Compliance
20. Compliance With Representations	<p>water lines, sewer lines, and other utility connections up to the park's boundary at no cost to DOA. These improvements shall be sufficient to service the agricultural uses contemplated by DOA and up to 50 farm employee housing units, if DOA determines that they should be a part of the agricultural park. The design plans shall be submitted to DOA for approval no later than December 31, 2008.</p> <p>C. Following DOA approval of the design plans, HDC shall at its sole cost and expense (1) obtain all necessary government permits and approvals for the off-site infrastructure construction, and (2) substantially complete the construction and installation of this infrastructure no later than January 1, 2011.</p> <p>D. HDC and DOA may mutually agree to extend to a later date any of the above-stated completion dates.</p>	Partial completion and future compliance.	<p>DOA has initiated master planning of the agricultural park site has prepared and recently submitted a draft EIS for the project.</p> <p>As described in the above Action Plan statements for Conditions 1 through 19, HK will continue to fulfill the requirement to develop the HDC-owned portion of Royal Kunia Phase II in substantial compliance with its representations to the LUC. HK understands that failure on its part (or on the part of the other owners of property within the reclassification area) to develop the reclassified lands in substantial compliance with such representations could result in a reversion of part or all of the subject land to its former land use classification, or in a change to different land classification.</p> <p>Pursuant to its discussions with the Office of Planning of the State of Hawaii (OSP), HK reported that the project has been delayed due to the bankruptcy of the original ownership group and the assumption of ownership by the principal lender Canyon Capital. However, the new owners continue to move the project forward with the expectation of beginning site work by late 2014 or early 2015.</p>

**Status Report on Royal Kunia Phase II Development Compliance with Conditions
 State of Hawaii Land Use Commission Amended Decision and Order (Docket No. A92-683, October 1, 1996)
 Submitted by Halekua-Kunia LLC (HK), January 2014**

Type of Condition	Description of Requirements	Compliance Status as of January 2014	Action Plan for Achieving Full Compliance
21. Transfer of HDC's Interest in the Property	In reliance upon HDC's representation that it will develop the project on his own and in its entirety, HDC shall obtain prior approval from the LUC before it can sell, lease, assign, place in trust, or otherwise voluntarily alter the ownership interest in the property or project covered by the approved Petition.	Partial completion and future compliance.	HK has obtained the LUC's approval of recent changes in the ownership interest of the HDC-owned portion of Royal Kunia Phase II, and will continue to comply with all requirements of this condition.
22. Annual Reports	HDC shall promptly provide without any prior notice, annual reports to the LUC, OSP and DPP in connection with the status of the project and HDC's progress in complying with the conditions imposed. The annual reports shall summarize: (1) HDC's progress in complying with the conditions imposed; and (2) changes to the project as represented to the LUC. They shall also include a written statement from each State and City and County agency affected by these conditions that HDC's representations in the annual report related to the respective state or county agency being affected are true and accurate.	Partial completion and future compliance.	Provision of the annual reports was suspended while the property was in bankruptcy. A "2007 Status Report" was prepared and submitted to the LUC on April 27, 2007, in compliance with this condition. This "Compliance Status Report" enumerates the requirements of the LUC conditions, the current compliance status, and the action plan for achieving full compliance. Since 2008, HK has submitted annual "Status Reports" to DPP in the form of the April 27, 2007 report, as updated "Compliance Status Report" in the form of this report. Annual Status Reports will be prepared and submitted to LUC and State Office of Planning (OP).
23. Release of Conditions	The LUC may fully or partially release these conditions as to all or any portions of the property upon timely motion and upon the provision of adequate assurance of satisfaction of these conditions by HDC. Adequate assurance of satisfaction may be evidenced by execution of a certificate of satisfaction in recordable form stating that such condition has been satisfied, in whole or in part. OSP will certify for itself and all state departments and agencies, and DPP will certify for itself and all County departments and agencies. Any other party to the boundary amendment proceeding may be asked to indicate whether they concur in the certification of satisfaction.	Future compliance. No motions for a full or partial release of conditions have been filed to date.	HK intends to apply to the LUC for such releases in the future, as appropriate.

**Status Report on Royal Kunia Phase II Development Compliance with Conditions
State of Hawaii Land Use Commission Amended Decision and Order (Docket No. A92-683, October 1, 1996)
Submitted by Halekua-Kunia LLC (HK), January 2014**

Type of Condition	Description of Requirements	Compliance Status as of January 2014	Action Plan for Achieving Full Compliance
24. Recording of Statement Re Property Subject to Conditions	Within 7 days of the issuance of the LUC's Decision and Order for the subject reclassification, HDC shall (1) record with the Bureau of Conveyances a statement to the effect that the property is subject to conditions imposed by the LUC in the reclassification of the property; and (2) shall file a copy of such recorded statement with the LUC.	Fully met.	No further action is required.
25. Recording of Conditions	HDC shall record the conditions imposed by the LUC with the Bureau of Conveyances pursuant to Section 15-15-92, Hawai'i Administrative Rules.	Fully met.	No further action is required.
LIST OF ACRONYMS			
BWS City and County of Honolulu Board of Water Supply	DPP	City and County of Honolulu Department of Planning and Permitting	
DES City and County of Honolulu Department of Environmental Services	DTS	City and County of Honolulu Department of Transportation Services	
DLNR State of Hawaii Department of Land and Natural Resources	HDC	Halekua Development Corporation	
DOA State of Hawaii Department of Agriculture	HK	Halekua-Kunia LLC	
DOE State of Hawaii Department of Education	LOTMA	Leeward Oahu Transportation Management Association	
DOH State of Hawaii Department of Health	LUC	State of Hawaii Land Use Commission	
DOT State of Hawaii Department of Transportation	MOU	Memorandum of Understanding	
	OSP	State of Hawaii Office of Planning	

Attachment 1 - SLUC Chronology Relating to Condition 2 of D&O

- April 19, 2013 - Meet with DOT (Ashikawa, Wurster, Pascua, Riegels) to discuss wording and issues related to Condition 2 of Docket No. A92-683 Amended D&O (1996) regarding the third northbound lane between Kunia Interchange and north Kupuna Loop intersection.
- June 17, 2013 – Meet with State Land Use Commission to discuss filing a motion to amend Docket No. A92-683 Amended D&O (1996) to amend Condition 2 regarding the third northbound lane between Kunia Interchange and north Kupuna Loop intersection.
- June 18, 2013 – Meet with DOT (Ashikawa, Wurster, Pascua, Carr, Riegels) to discuss filing a motion to amend Docket No. A92-683 Amended D&O (1996) to amend Condition 2 regarding the third northbound lane between Kunia Interchange and north Kupuna Loop intersection.
- June 20, 2013 – Meet with State Office of Planning to discuss filing a motion to amend Docket No. A92-683 Amended D&O (1996) to amend Condition 2 regarding the third northbound lane between Kunia Interchange and north Kupuna Loop intersection.
- June 28, 2013 – Meet with Honolulu Dept. of Planning and Permitting staff to discuss filing a motion to amend Docket No. A92-683 Amended D&O (1996) to amend Condition 2 regarding the third northbound lane between Kunia Interchange and north Kupuna Loop intersection.
- July 15, 2013 – Motion filed with State Land Use Commission to amend Docket No. A92-683 Amended D&O (1996) to amend Condition 2 regarding the third northbound lane between Kunia Interchange and north Kupuna Loop intersection.
- July 22, 2013 – Meeting with DOT and OSP (Ashikawa, Yee, Pascua, Lock, Carr, Riegels) held to discuss amendment of Condition 2.
- July 24, 2013 – OSP letter requesting extension of time to file response to Motion.
- August 6, 2013 – Meeting with DOT (Ashikawa, Wurster, Pascua, Carr, Riegels) to discuss wording of amendment.
- August 9, 2013 - Meeting with DOT (Tatsuguchi, Takeshita, Ashikawa, Wurster, Pascua, Carr, Riegels) to review wording of amendment.
- August 22, 2013 – LUC hearing unanimously accepting motion to amend Condition 2 (Docket No. A92-683 Amended D&O (1996) regarding third northbound lane between Kunia Interchange and north Kupuna Loop intersection).
- October 4, 2013 – LUC Adoption of Order amending Docket No. A92-683 Amended D&O (1996).

Attachment 2 - 2013 Kunia Road chronology

- February 22, 2013 – List of projects to be included in Regional growth analysis is accepted by DOT.
- April 4, 2013 - Ambient growth rate of 2% per year is accepted by DOT based on 2035 Traffic Model Growth Table dated 3/28/2013 and revised ScreenLine analysis.
- April 15, 2013 – KOA Traffic Impact Study (w/ and w/o project) for RK2 Project issued (JB23054).
- June 18, 2013 – DOT meeting to discuss LUC amendment (Tatsuguchi, Ashikawa, Wurster, Carr, Riegels, Pascua).
- July 5, 2013 – Wilson-Okamoto letter regarding 3rd NB lane issued
- July 22, 2013 – DOT meeting (Ashikawa, Wurster, Riegels, Pascua) to discuss 3rd NB lane.
- August 6, 2013 – RM Towill meeting (Riegels, Mendes) to initiate preliminary design work along Kunia Road.
- August 9, 2013 – DOT meeting (Ashikawa, Wurster, Riegels, Mendes) to discuss preliminary geometrics for Kunia Road roadway design.
- September 5, 2013 – W-O transmittal of updated KOA queuing analysis at South Kupuna Loop.
- September 6, 2013 – DOT meeting (Tatsuguchi, Ashikawa, Wurster, Carr, Riegels, Pascua, Mendes) to review current TIAR (all remaining issues outstanding) as well as queuing analysis for interim modifications to 3rd NB lane (revise to right and thru at S. Kupuna Loop and add right turn lane to N. Kupuna Loop).
 - Finalization of the TIAR to include the following:
 - Provide an “Executive Summary” type documents to distill and make clearly understandable the findings to the KOA traffic study. The summary should be written so that a non-technical reader can follow and understand the findings.
 - Provide a written response letter to the 9/12/12 DOT comment letter showing how or if the current version of the TIAR incorporated or responded to these comments.
 - Upon receipt of the summary and response letters, DOT will provide a final review letter.
 - Submit queuing study to determine if interim solution to extension of the 3rd NB lane will have a negative effect on traffic flows leading to and thru South Kupuna Loop.
 - Work with Ken Tatsuguchi, Engineering Planning Manager, DOT – Highways, to develop a clear scope of work and prepare interchange alternatives study for the Kunia Road / H-1 interchange.
- September 18, 2013 – KOA Intersection Queuing Analysis issued.
- October 18, 2013 – KOA response to 9/6/12 DOT comments RE: 2/17/12 TIAR issued.
- October 18, 2013 – Revised KOA Intersection Queuing Analysis issued.
- October 31, 2013 – RM Towill geometric plans issued.
- November 19, 2013 – Revised KOA Intersection Queuing Analysis issued.
- December 3, 2013 – Updated RM Towill roadway sections issued.
- December 10, 2013 – KOA executive summary for TIAR issued.
- December 11, 2013 - DOT meeting (Tatsuguchi, Ashikawa, Wurster, Carr, Riegels, Pascua, Mendes) to finalize queuing analysis and interim modifications to 3rd NB lane and obtain DOT agreement as to configuration of future roadway improvements including laneage and median widths.
 - 3rd NB lane queuing study and geometrics approved. Detailed engineering may proceed.
 - Kunia Road ROW width widened by an additional 6’ to accomodate median safety zone.
 - Roadway to be of consistent width and alignment over length of improvement.
 - RM Towill to update ROW and roadway geometrics.