

A06-763 KAPOLEI PROPERTY DEVELOPMENT, LLC  
REVISED 12/12/18

8. **Notification of Potential Airports Nuisances.** Petitioner shall notify and disclose to all prospective buyers and/or lessees of the Project, in accordance with State law, of the potential adverse impacts of aircraft and airport activity from the adjacent airfields at Kalaeloa and Daniel K. Inouye Honolulu International Airports, such as but not limited to noise, right of flight, emissions, vibrations and other incidences of aircraft operations.

Petitioner shall implement procedures and provide covenants in any grant or transfer of interest in the Petition Area, or portion thereof, to buyers and lessees and to other future owners, lessees or occupants, to release claims against the State of nuisance relating to aircraft and airport operations.

Prior to final subdivision approval, Petitioner shall execute and comply with a memorandum of agreement with the State of Hawaii, Department of Transportation, Airports Division with respect to aviation and wildlife management requirements, including FAA Advisory Circular 150/5200-33B, to address safety concerns for flight operations at Kalaeloa and Daniel K. Inouye International Airports.

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DEC 13 2018  
STATE OF HAWAII  
LAND USE COMMISSION

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