

Appendix M

Email from State of Hawai'i Department of Education, Office of School Facilities and Support Services dated August 1, 2018, confirming DOE will not request fair share contribution

Leslie Kurisaki

From: Robyn_Loudermilk/FacilDev/HIDOE@notes.k12.hi.us
Sent: Wednesday, August 01, 2018 10:01 AM
To: Leslie Kurisaki
Cc: Heidi_Meeker/FacilDev/HIDOE; Moana Palama; Scott Ezer
Subject: RE: Kealia Mauka--DOE comment letter dated June 20, 2018

Aloha Leslie,

DOE will not be requesting a fair share contribution for this project.

Mahalo,

Robyn L. Loudermilk, AICP
School Lands and Facilities Specialist
Department of Education
Office of School Facilities and Support Services
3633 Waialae Avenue, Room C209
Honolulu, Hawaii 96816
Phone: 784-5093

▼ Leslie Kurisaki ---07/17/2018 04:04:17 PM---Thanks, Robyn. From:
Robyn_Loudermilk/FacilDev/HIDOE@notes.k12.hi.us [mailto:Robyn_Loudermilk/FacilD]

From: Leslie Kurisaki <lkurisaki@hhf.com>
To: Robyn_Loudermilk/FacilDev/HIDOE <Robyn_Loudermilk/FacilDev/HIDOE@notes.k12.hi.us>,
Cc: Moana Palama <moana@mskauai.com>, Scott Ezer <sezer@hhf.com>, Heidi_Meeker/FacilDev/HIDOE <Heidi_Meeker/FacilDev/HIDOE@notes.k12.hi.us>
Date: 07/17/2018 04:04 PM
Subject: RE: Kealia Mauka--DOE comment letter dated June 20, 2018

Thanks, Robyn.

From: Robyn_Loudermilk/FacilDev/HIDOE@notes.k12.hi.us [mailto:Robyn_Loudermilk/FacilDev/HIDOE@notes.k12.hi.us]
Sent: Tuesday, July 17, 2018 3:44 PM
To: Leslie Kurisaki <lkurisaki@hhf.com>
Cc: Moana Palama <moana@mskauai.com>; Scott Ezer <sezer@hhf.com>; Heidi_Meeker/FacilDev/HIDOE@notes.k12.hi.us
Subject: Re: Kealia Mauka--DOE comment letter dated June 20, 2018

Aloha Leslie,

We are saying that the impact analysis is specific to the schools servicing the project which are located in the Kapaa High School Complex Area.

Educational Contribution Agreements (ECAs) are legal agreements between the DOE and a developer, detailing how a developer will mitigate impacts to public school capacity via cash, land, or combination of both.

They are executed for developments with a residential component: 1) located in a designated School Impact Fee District or 2) to implement a fair share contribution to DOE condition on a discretionary approval, When a development is not

located within a designated School Impact Fee District, and subject to a discretionary approval. the DOE determines on a case by case basis impacts to school facilities and whether a fair share contribution is required. My understanding is that this is done early on.

ECAs may have been on the OP radar due to the recently completed LUC Docket A15-798 Waikapu Properties, LLC located on Maui. One of the LUC conditions of approval was titled *Education Contribution Agreement*.

I do not know if the DOE will be requesting a fair share contribution for this project. Heidi Meeker is out of the office until the end of the month. I will consult with her once she returns.

Mahalo,

Robyn L. Loudermilk, AICP
School Lands and Facilities Specialist
Department of Education
Office of School Facilities and Support Services
3633 Waialae Avenue, Room C209
Honolulu, Hawaii 96816
Phone: 784-5093

▼ Leslie Kurisaki ---07/11/2018 03:32:07 PM---Hi Robyn, Thank you for DOE's comment letter dated June 20. We have questions on this statement made

From: Leslie Kurisaki <lkurisaki@hhf.com>
To: Robyn_Loudermilk/FacilDev/HIDOE <Robyn_Loudermilk/FacilDev/HIDOE@notes.k12.hi.us>,
Cc: Scott Ezer <sezer@hhf.com>, Moana Palama <moana@mskauai.com>
Date: 07/11/2018 03:32 PM
Subject: Kealia Mauka--DOE comment letter dated June 20, 2018

Hi Robyn,

Thank you for DOE's comment letter dated June 20. We have questions on this statement made on page 2 of the letter:

The analysis offered a minimal estimate of impact to all Kauai public schools of 21 new students. This was based on the assumption that 20 percent of the 235 project lots, 47 lots, would be sold to non-resident/vacation home buyers. We do not concur with this island wide conclusion and do not understand how the Project related number was extrapolated into an island wide number.

Are you saying that DOE does not concur with the assumption that 20% of the lots will be sold to non-resident owners, i.e., that 80% will be sold to existing Kaua'i residents (whose children already attend Kaua'i schools)? If DOE disagrees with the 20% number, what percentage would you find acceptable as an assumption?

Alternatively, are you saying you do not concur that the estimated 21 new students represent an "island wide conclusion"? That is, you are stating that these new students will specifically impact Kapaa District schools?

Or... are you saying something else entirely? Please clarify.

On another issue, Office of Planning commented that we should "indicate whether an Education Contribution Agreement with DOE is needed." Neither we nor the owner's rep are not familiar with Education Contribution Agreements, and the issue has not been raised with the owner before. What are Education Contribution Agreements, are they applicable in this case, who would decide whether one is needed, what would this decision be based on, and at what point in a project?

Thanks for your comments and your assistance!

Aloha,
Leslie

Leslie Kurisaki
Associate



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