

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAI'I

In the Matter of the Petition of

DEPARTMENT OF EDUCATION,  
STATE OF HAWAII,

To Amend the Agricultural Land Use  
District Boundaries into the Urban Land  
Use District for Approximately 77.2 acres  
of land at Kihei, Maui, Hawai'i, Maui Tax  
Map Key Nos. 2-2-02: 81 and 83.

DOCKET NO. A11-794

DECLARATION OF STUART N. FUJIOKA

**DECLARATION OF STUART N. FUJIOKA**

Stuart N. Fujioka, an attorney duly licensed in this jurisdiction, hereby declares that the following is true and based on personal knowledge.

1. I am a Deputy Attorney General for the State of Hawai'i and am authorized to make this declaration on behalf of the State of Hawai'i Department of Education (HIDOE).
2. The document attached as Exhibit 1 consists of true copies of selected pages from Findings of Fact, Conclusions of Law and Decision and Order filed in this matter on July 29, 2013.
3. The document attached as Exhibit 2 consists of true copies of selected pages from the report of the Walkable and Livable Communities Institute (WALC) report entitled "Safe Routes to Kihei High School: Pedestrian Route Study," Kihei, Maui 2014.

4. Exhibit 3 is a true copy of a letter from the Department of Transportation (HDOT) to HIDEOE dated October 1, 2015.
5. Exhibit 4 is a true copy of the Kihei High School Grade Separated Pedestrian Crossing Feasibility Study dated October 25, 2016.
6. Exhibit 5 is a true copy of a letter from HDOT to HIDEOE dated July 18, 2017.
7. Exhibit 6 is a true copy of Maui County Council Resolution No. 19-20 which was adopted on February 1, 2019.
8. Exhibit 7 is a true copy of the Commission's Order Granting Petitioner Department of Planning, County of Maui's Petition for Declaratory Order filed on April 25, 2019 in Docket No. 19-65.
9. Exhibit 8 is a true copy of the Traffic Evaluation for the Kihei High School Intersection prepared by WSP USA in June of 2020 at the request of HDOT.
10. Exhibit nine is a true copy of the analysis of the justification for a roundabout on Piilani Highway for Kihei High School which was prepared by HDOT on or about July 15, 2020.

Dated: Honolulu, Hawai'i, August 20, 2020.



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Stuart N. Fujioka