

BENJAMIN M. MATSUBARA
MERVYN M. KOTAKE
CURTIS T. TABATA

MATSUBARA, KOTAKE & TABATA

Attorneys At Law
A Law Corporation
CHARLES R. KENDALL BUILDING
888 MILILANI STREET, SUITE 308
HONOLULU, HAWAII 96813
E-MAIL: ctabata@m-klawyers.com

TELEPHONE
(808) 526-9566

FACSIMILE
(808) 538-3840

October 11, 2022

VIA U.S. MAIL AND E-MAIL <daniel.e.orođenker@hawaii.gov>

Mr. Daniel E. Orođenker, Executive Officer
Land Use Commission, State of Hawai`i
P.O. Box 2359
Honolulu, Hawai`i 96804



Re: Decision on 2022 Status Hearing - Hawaiian Memorial Life Plan, Ltd.;
LUC Docket No. A17-804

Dear Mr. Orođenker:

Please find this letter in response to the Decision on 2022 Status Hearing filed on October 4, 2022.

Petitioner's 2022 Annual Report will provide a more detailed development timetable; however, an updated project cost estimate will not be possible until the final grading plans are complete.

The final grading plans require the completion and results of the geotechnical exploratory borings. Geolabs expects to complete the exploratory borings by the date of this letter with the completion of the geotechnical investigation report expected by January 2023.


We anticipate having the final grading plans and the submittal of the permit application by the end of January. We expect that a more accurate cost estimate for the project will also be determined during this timeframe. Once available, we will forward the amount of the cost estimate to the LUC.

With respect to sharing engineering information prior to submittal of the final grading plan, please see the attached letter from Coffman Engineers, Inc.

Mr. Daniel E. Orodener, Executive Officer
Land Use Commission, State of Hawai`i
October 11, 2022
Page Two (2)

Very truly yours,

MATSUBARA, KOTAKE & TABATA

A handwritten signature in black ink, appearing to be 'CT Tabata', is centered on a light gray rectangular background.

Curtis T. Tabata

Enclosure

cc: Intervenors Hui O Pikoiloa c/o Grant Yoshimori
Department of Planning and Permitting
Office of Planning and Sustainable Development



October 11, 2022

RE: Land Use Commission Decision and Order.

Dear Mr. Morford:

Coffman Engineers, Inc. ("Coffman") has received the State of Hawai'i Land Use Commission ("LUC") Decision and Order Regarding 2022 Status Report Hearing ("Order") related to the Hawaiian Memorial Park Expansion ("Project"). Unfortunately, we cannot comply with the request to share our private internal information at the moment.

The Order requests the "design" of geotechnical boring and detention basins related to the Project be shared with a third party not in contract with Coffman. Apparently, the LUC contemplates a third party review of the design by a party not in contract with Coffman in order to identify any "oversights or errors." Even if Coffman wanted to produce such documents, Coffman does not currently have a "design" to share. Coffman has completed preliminary work product in an effort to produce a pre-final design for submission to the City and County of Honolulu as part of a Grading Permit application as contracted for by Hawaiian Memorial Life Plan. Coffman's work product in its current state is proprietary and confidential.

Moreover, Coffman's work product related to the Project is owned by Coffman. Our contract indicates that Coffman will issue Hawaiian Memorial Life Plan a nonexclusive license to use our final design in connection with the project's use.

Accordingly, Coffman declines the request to produce our private, proprietary internal work product at this point. Coffman will, however, produce such work product in its pre-final submission package to the County upon completion. Upon completion of permit review and at the point when the materials are public information, those materials will be available for review by all parties contemplated in the LUC's Order.

We look forward to our continued working relationship as the Project continues.

Sincerely,

COFFMAN ENGINEERS, INC.

A handwritten signature in black ink that reads "Jamisen Hirota".

Jamisen Hirota, P.E.
Principal, Civil Engineering