

**OFFICE OF PLANNING AND
SUSTAINABLE DEVELOPMENT**
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 Honolulu, Hawaii 96813
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BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition of)	DOCKET NO. A92-683
)	
HALEKUA DEVELOPMENT)	OFFICE OF PLANNING AND
CORPORATION, a Hawai'i corporation)	SUSTAINBLE DEVELOPMENT'S
)	NOTIFICATION OF POSITION ON
)	PETITIONER'S MOTION FOR ORDER
)	AMENDING THE MEMORANDUM OF
To Amend the Agricultural Land Use)	UNDERSTANDING'S OFFSITE
District Boundary into the Urban Land Use)	INFRASTRUCTURE DATE IN
District for Approximately 503.886 acres at)	CONDITION A.1; CERTIFICATE OF
Waikele and Hō'ae'ae, Ewa, O'ahu, City)	SERVICE
and County of Honolulu, State of Hawai'i,)	
TMK Nos.: (1) 9-4-02: 01, 52 (por.), 70 and)	
71)	

**OFFICE OF PLANNING AND SUSTAINABLE DEVELOPMENT'S NOTIFICATION
OF POSITION ON PETITIONER'S MOTION FOR ORDER AMENDING THE
MEMORANDUM OF UNDERSTANDING'S OFFSITE INFRASTRUCTURE DATE IN
CONDITION A.1**

On February 15, 2024, Haseko Royal Kunia, LLC ("Petitioner") filed a motion for an order: 1) recognizing Haseko Royal Kunia, LLC's standing to seek and obtain the relief requested in the motion; and 2) amending the Land Use Commission's ("LUC") Amended Order Granting Successor Petitioner (as to Parcel 52) Ho'Ohana Solar 1, LLC's Motion for Modification and Time Extension filed November 1, 2021 ("2021 D&O") to amend the Memorandum of Understanding's offsite infrastructure date in condition A.1. to be consistent with the Fifth Amendment to Amendment and Restatement of Memorandum of Understanding dated January 10, 2024, between Petitioner and the State of Hawai'i Department of Agriculture

(“HDOA”), and to delete the requirement that the Memorandum of Understanding be executed within six months of the 2021 D&O.

Pursuant to Hawai‘i Administrative Rules § 15-15-70(f), the Office of Planning and Sustainable Development (“OPSD”) is required to notify the LUC and Petitioner of its position within seven days after being served. OPSD hereby provides notice of its intention to support Petitioner’s requests. OPSD’s notice of support is based on a brief review of the representations of Petitioner and documents filed in these proceedings, and previous communications between Petitioner, HDOA, and OPSD. OPSD has initiated requests for consultation with other State agencies and is continuing further communications with Petitioner and HDOA. Pending completion of that process, OPSD will provide a more detailed basis for our support of Petitioner’s requests to the LUC.

DATED: Honolulu, Hawai‘i, February 21, 2024.

OFFICE OF PLANNING AND
SUSTAINABLE DEVELOPMENT
STATE OF HAWAI‘I

Mary Alice Evans

MARY ALICE EVANS
INTERIM DIRECTOR



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

In the Matter of the Petition of)	DOCKET NO. A92-683
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HALEKUA DEVELOPMENT)	CERTIFICATE OF SERVICE
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To Amend the Agricultural Land Use)	
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Waikele and Hō'ae'ae, Ewa, O'ahu, City and)	
County of Honolulu, Hawai'i,)	
TMK Nos: (1) 9-4-02:01, 52 (por.), 70 and)	
71)	

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the following by either hand delivery, depositing the same in the U.S. Postal Service by regular mail, or by electronic mail.

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ROBINSON KUNIA LAND LLC
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RKES, LLC
ATTN: PATRICK K. KOBAYASHI
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Honolulu, Hawai'i 96814

DATED: Honolulu, Hawai'i, February 21, 2024.

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SUSTAINABLE DEVELOPMENT
STATE OF HAWAI'I

Mary Alice Evans

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