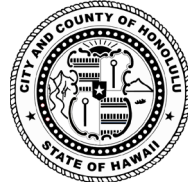


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October 7, 2024

TO: DANIEL ORODENKER, EXECUTIVE OFFICER
LAND USE COMMISSION

FROM: PONO I. ARIAS, DEPUTY CORPORATION COUNSEL,
On behalf of the Department of Planning and Permitting, City and County
of Honolulu

SUBJECT: DR24-77 RK II PARTNERS LLC PETITION FOR DECLARATORY
ORDER
TMK: (1) 9-4-002: 001
KUNIA, O'AHU

The City and County of Honolulu Department of Planning and Permitting ("DPP"), by and through its undersigned counsel, hereby submits its position statement regarding Petitioner RK II Partners LLC's ("Petitioner") Petition for Declaratory Order, DR24-77 (the "Petition"), filed on August 2, 2024. DPP concurs with and substantively join in the State of Hawai'i Office of Planning and Sustainable Development's Response to the Petition, filed on October 3, 2024. The Land Use Commission ("LUC") should deny the Petition because the Land Use Commission's ("LUC") February 20, 2004 Decision and Order ("2004 Order") did not classify HRT's lands as State Land Use Urban District in perpetuity. The 2004 Order was adopted only to exempt HRT, Ltd., 300 Corporation, and Honolulu Limited ("HRT") from the having to show cause as to why the LUC's Order Dated on October 1, 1996 should not be revoked.

PONO I. ARIAS
Deputy Corporation Counsel