

BENJAMIN M. MATSUBARA
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

MERVYN M. KOTAKE
(Retired)

TELEPHONE
(808) 526-9566

FACSIMILE
(808) 538-3840

July 14, 2025

Grant Yoshimori
45-464 Lipalu Street
Kaneohe, HI 96744



Re: Hawaiian Memorial Life Plan, Ltd.; LUC Docket No. A17-804

Dear Mr. Yoshimori:

This letter is in response to your letter dated June 12, 2025 regarding your outstanding concerns in the above-entitled docket.

1. The 150-foot residential buffer restricts burials in the buffer, not drainage improvements.

The most compelling reason for including drainage improvements in the 150-foot buffer is to reduce storm water runoff in order to protect the neighboring homes. We can argue about the meaning of the words in the 2020 D&O, but one of the main issues and overarching intent of the LUC's decision was to protect life and property, and we believe the LUC did achieve that goal.

By imposing on the Petitioner a storm water runoff standard that is in addition to the City's storm water runoff standard, the LUC has caused the Petitioner to propose a drainage plan that reduces existing runoff by 21%. If you recall at the hearing on our Petition, it was Intervenor's who proposed the language that became condition 5 that imposed the LUC's own unique storm water runoff standard. Therefore, some of the credit goes to the Intervenor's for the proposed drainage plan.

As for the reason for the 150-foot residential buffer and why it was imposed, that was discussed in Petitioner's Memorandum filed with the LUC on June 10, 2025. The 2020 D&O cited the KPSCP, and the KPSCP restricted any cemetery expansion within the buffer. Petitioner's Updated Site Plan for the Project shows that the cemetery expansion lies outside of the buffer, and both the conceptual site plan provided to the

Grant Yoshimori
July 14, 2025
Page Two (2)

City Council in 2017 and the Proposed Grading and Drainage Plan provided to the LUC circa 2020 showed drainage improvements within the 150-foot residential buffer. Petitioner's grading and drainage plans, therefore, are consistent with its representations made to the LUC.

2. Petitioner has installed non-ground disturbance BMPs at the Project to control runoff.

On June 9, 2025, the LUC staff conducted a site visit at the Project and we walked to the top of the area that was cleared of trees. We noted that the tree stumps were still present to confirm that no ground disturbance was conducted due to the tree clearing. We walked up a dirt trail that was installed in 2022. The grading permit for the trail and related documents were provided to the LUC staff and we filed those documents as Exhibit 22 in our Supplemental Memorandum filed with the LUC on June 12, 2025. The LUC staff were also informed that an inspector from DPP inspected the Project because they had received a complaint about the Project. The inspector made more than one visit and concluded that there were no violations. The Petitioner asked the contractor to request the written report finding no violation, but was informed that the documents are not made public if no violation is found.

During the site visit we could see that the Project area was surrounded by BioSocks to control runoff. Also, we have been informed that the Project has been hydroseeded as of July 2, 2025.

3. Petitioner has mailed an additional approximately 2500 letters to the surrounding neighbors and made a presentation to the Kaneohe Neighborhood Board on June 19, 2025.

Petitioner has recently mailed an additional approximately 2500 letters to surrounding neighbors to provide an update of our Project and to guide them to our website at <https://www.hmpfacts.com> where regular Project updates are posted to give the public up-to-date information about the Project progress and upcoming events. You should have received your letter by now.

Grant Yoshimori
July 14, 2025
Page Three (3)

Also, Petitioner attended the Kaneohe Neighborhood Board meeting on June 19, 2025 to provide a presentation to give a Project description and update. It was nice to see you at the meeting. Jay Morford, President of Hawaiian Memorial Life Plan, Ltd., gave the Project description and update and introduced Lance Wilhelm and Jami Hirota to the board. Lance discussed the tree clearing and mulching, and Jami discussed her grading plan and status of permitting.

Petitioner intends to provide future Project updates on its website, so please stay tuned for more information.

4. Petitioner has been unable to find the source of the mulching related noise that would be excessively audible to the neighboring residents.

Petitioner used a decibel meter app from the Oceanview roadway facing the mulching equipment and only registered 77 decibels while the mulching was being conducted. The decibel meter described this noise level as "Lively Street". Given that the residential area is several times further away, the source of the sound being reported is probably coming from another source.

In any event, we have been informed by the contractor that mulching was completed on or about July 1, 2025, therefore, any noise related to mulching has since ceased.

Please do not hesitate to contact the undersigned should you have any questions.

Very truly yours,

MATSUBARA, KOTAKE & TABATA

A handwritten signature in black ink, appearing to read "Curtis T. Tabata". The signature is written in a cursive, flowing style.

Curtis T. Tabata

Grant Yoshimori

July 14, 2025

Page Four (4)

cc: Benjamin M. Matsubara, Esq.
Jay Morford, President, Hawaiian Memorial Life Plan, Ltd.
Daniel Orodener, Executive Officer, Land Use Commission
Dawn Takeuchi Apuna, Director, Department of Planning and Permitting, City
and County of Honolulu
Richard and Julie McCreedy
John Higham
Mary Alice Evans, Director, Office of Planning and Sustainable Development,
State of Hawai'i
Alison Kato, Esq., Deputy Attorney General, Department of the Attorney
General, State of Hawai'i
Pono Arias, Esq., Deputy Corporation Counsel, Corporation Counsel, City and
County of Honolulu