



September 19, 2025

Ms. Dina L. T. Wong
Planning Division Chief
Department of Planning and Permitting
City and County of Honolulu
650 South King Street, 7th Floor
Honolulu, HI 96813

RE: Department of Planning and Permitting August 22, 2025 Response to the
Ho‘opili 2025 Annual Report, 2025/ELOG-1281(FK), GEN-2025-20
Land Use Commission Docket No. A06-771

Dear Ms. Wong:

Petitioner/Owner D.R. Horton Hawaii LLC (“P/O”) submits this response to the Department’s above referenced letter (“DPP Letter”) re the Ho‘opili 2025 Annual Report (“2025 Annual Report”) in Land Use Commission (“LUC”) Docket No. A06-771.

Similar to our annual reports to the LUC, the conditions to reclassification are reproduced verbatim in bold below to the extent (i) P/O offers a correction to the Department’s response in the DPP Letter to a specific condition, or (ii) the Department’s response requested “further substantiation or additional information” as to a specific condition. (Therefore, not all conditions are listed below.) The Department’s response in the DPP Letter is included verbatim after each applicable condition under the heading “DPP Letter,” and our response to the Department’s response in the DPP Letter appears under the heading “P/O Response.” We have also included as Attachment A to this letter a list of Ho‘opili communities constructed by P/O as of July 3, 2025, which listing is intended to serve as a point of reference to P/O’s responses to the Department’s responses in the DPP Letter.

1. Agriculture and Phasing of Development. Petitioner shall hold or cause the phasing of development of the petitioned lands in a manner that will allow farmers unimpeded access to and use of agricultural lands not yet needed for development and continue the supply of sufficient irrigation water to meet crop production requirements. Petitioner shall inform the affected farmers that the phasing of development and the subsequent incremental termination of farming activities may be accelerated or decelerated, depending on market demand. Petitioner’s annual report shall include an updated development timetable with maps of the phasing plan as relevant to the incremental termination of farming activities, copies of any notification sent to farmers regarding the phasing of development, and information on acreage farmed and the names of farms.

DPP Letter: “We acknowledge that Aloun Farms (Phases 16A and 42) and Aloun (Phase 16B) were notified 180 days prior to termination of farming activities in anticipation of affordable housing development.”

P/O Response: P/O wishes to correct the Department’s above response. The 2025 Annual Report states that “attached to this annual report as Exhibit 1 [are] copies of notifications sent to Aloun Farms, Inc. (‘Aloun’) regarding phasing of development, specifically (i) ‘ALOUN - Phase 16A & 42” *Water Main* - 180 days withdrawal notice’ emailed to Aloun on October 17, 2024 and (ii) ‘ALOUN - Phase 16B - 180 days withdrawal notice” emailed to Aloun on May 9, 2025.” (Emphasis added.) Phase 16A mass grading includes relocation of a 42” *water main*. There is no development “Phase 42.” Additionally, P/O has not yet evaluated or determined whether Phases 16A and 16B will include affordable housing.

2. Ho‘opili Urban Agriculture Initiative. Petitioner shall cause the full and complete development of no less than 251 acres of Urban Agriculture and establish the management entity responsible for compliance with Ho‘opili Sustainability Plan for the areas identified as Urban Agriculture prior to Ho‘opili’s full build-out. The distribution of acreage for the Urban Agriculture component shall not be less than 159 acres of Civic (commercial) Farms, 8 acres of Community Gardens, and 84 acres of Steward Farms (home gardens). The uses and activities of the Civic Farms shall be restricted to agricultural production and uses and activities directly accessory to agricultural production. This restriction shall run with the land. With respect to the 84 acres of Steward Farms, the Petitioner shall offer homeowners a professionally designed edible landscape plan to be installed in their respective lots upon the purchase of their home from the Petitioner that includes adequate irrigation. In addition, the Petitioner shall include explicit reference to the purpose and intent of Steward Farms in all promotional and sales material. Petitioner shall obtain the approval from the State Department of Agriculture (“DOA”) for the location of the Civic Farms prior to the submittal of a subdivision application. Petitioner’s annual report shall include a status of the progress in establishing the Civic Farms; a copy of the DOA approved map of the location of the Civic Farms; a copy of the paperwork establishing the management entity for the Civic Farms; and a copy of the draft edible landscaping package for the Steward Farms (home gardens).

a. Civic Farms. Petitioner will ensure that 159 acres of Civic Farms will meet the DOA’s standard that it “can be practicably used for an economically successful commercial farming operation.” If it is determined that certain areas identified are not feasible, the Petitioner shall locate other lands to replace those lands determined to not meet the DOA’s criteria set forth above and ensure that no less than 159 acres are set aside for Civic Farms.

DPP Letter: “Satisfaction of this condition was predicated on the May 23, 2013 letter from Russell S. Kokubun of the State Department of Agriculture. In that letter, Mr. Kokubun states that land designated for Civic Farms pursuant to Condition No. 2 will be restricted through covenants recorded against such parcels to agricultural production and uses and activities directly accessory

to agricultural production. Please provide copies of these covenants or other documentation that the covenants for the 203 acres were recorded.”

P/O Response: P/O has not yet recorded covenants on title to the civic farms, which P/O has been diligently working to subdivide as separate legal parcels since 2017. P/O’s effort to create the civic farms as separate legal parcels is nearly complete. The status is as follows:

- i. Lot 18, 131.162 acres, Ho‘opili Phase 5 Bulk Lot Subdivision, File Plan 2529 (approved by the Department on 11/15/2019 as 2017/SUB-85), further subdivided to create Lot 9, 130.803 acres, Ho‘opili Phase 10A Subdivision, File Plan 2537 (approved by the Department on 2/12/21 as 2019/SUB-122);
- ii. Lot 16, 6.058 acres, Ho‘opili Phase 11 Subdivision, File Plan 2567 (approved by the Department on 5/19/2023 as 2022/SUB-73); and
- iii. Lot 9-B-1, 86.606 acres, Ho‘opili Mauka 2023/SUB-187 (approved by the Department on 11/22/2024), File Plan remains pending.

In the meantime, P/O is working on the formation documents for the Ho‘opili Urban Agricultural Association (“HUAA”), which will control the civic farms, and a farm declaration that includes covenants restricting the civic farms to agricultural production, as well as other associated documents.

b. Steward Farms. Petitioner shall establish the Steward Lot program, design the gardens, and set up agriculture friendly covenants; but consistent with current practice, the individual homeowners shall be responsible for the cost of installation and ongoing care.

DPP Letter: “The Ho‘opili Urban Gardens (HUG) program featuring edible landscaping throughout single-family grew from 65 acres in 2024 to 74 acres in 2025 according to this year’s annual report. To date, there has been no determination how this is calculated. Please provide documentation as to how the size of the HUG is calculated. Ideally, the list of all homeowner lots involved in this program should be provided with specific square footages of edible landscaping on each lot. Again, an agriculture-friendly covenant is to be provided. Please provide a copy of this covenant as well as the promotional and sales material that explicitly references the purpose and intent of Steward Farms.”

P/O Response: The HUG program calculations are based on square footage measurements of the irrigation and topsoil area provided by P/O’s landscaping contractors. As to the single-family Ho‘opili communities constructed by P/O as of July 3, 2025, 41%-69% of each community’s total residential lot size is comprised of a professionally designed fully landscaped yard that includes edible plantings, fruit trees and an irrigation system installed by P/O, all of which is turned over along with the home at close of escrow.

Landscaping includes irrigated raised planter beds, planting areas, fruit trees, edible plantings, and an irrigation system that allows for homeowner customization, modification and expansion of their

individual Steward Farm. Some homeowners have chosen to take full advantage of their Steward Farm for edible landscaping. Enclosed as **Attachment B** are samples of community sales brochures promoting the HUG program, as well as an Urban Garden Addendum for each community that was reviewed and signed by all buyers as part of their purchase documents. For some communities, the Ho‘opili Urban Gardens brochure was provided to potential buyers along with the community brochure. For the community Ho‘oulu at Ho‘opili, P/O could not locate a copy of the Urban Garden Addendum.

P/O also installs edible landscaping throughout its multi-family condominium landscaping and overall community amenities. Future annual reports to the LUC will report on these additional square footages as part of P/O’s compliance with this condition.

P/O has undertaken agriculture-friendly covenants with the community by hosting quarterly agriculture events in Ho‘opili (“Ready, Set, Grow!”) and annual Urban Garden workshops (“Urban Garden Learning Fair”). Enclosed are the latest flyers from each event, which are posted and digitally distributed throughout Ho‘opili in advance, and a list of vendors from the Urban Garden Learning Fair. Since 2006, P/O has been supportive of and continues to allow Aloun Farms’ Annual Pumpkin Festival & Educational Tours.

3. Compliance with HRS § 205-3.5, Relating to Agriculture Uses on Adjacent Agricultural Land. For all land in the Petition Area or any portion thereof that is adjacent to land in the State Land Use Agricultural District, Petitioner shall comply with the following:

a. Petitioner and its successors and assigns shall not take any action that would interfere with or restrain farming operations conducted in a manner consistent with generally accepted agricultural and management practices on adjacent or contiguous lands in the State Land Use Agricultural District. For the purpose of these conditions, “farming operations” shall have the same meaning as provided in HRS § 165-2; and

b. Petitioner shall notify all prospective developers or purchasers of land or interest in the Petition Area, and provide or require subsequent notice to lessees or tenants of the land, that farming operations and practices on adjacent or contiguous land in the State Land Use Agricultural District are protected under HRS Chapter 165, the Hawaii Right to Farm Act. The notice shall disclose to all prospective buyers, tenants, or lessees of the Petition Area that potential nuisances from noise, odors, dust, fumes, spray, smoke, or vibration may result from agricultural uses on adjacent lands. The notice shall be included in any disclosure required for the sale or transfer of real property or any interest in real property.

DPP Letter: “The sample disclosures as provided in Exhibit 2 of the 2024 Annual Report is suggested language for fulfilling this condition. Please provide a copy of the actual mortgage document where the language of both these disclosures is stated.”

P/O Response: P/O does not have access to mortgage documents. However, enclosed as Attachment C are the following documents: (i) one executed, recorded deed from each Ho‘opili community constructed by P/O as of July 3, 2025, a specimen copy of which was provided to each buyer at contract signing, with relevant language outlined by red, dashed border; and (ii) the latest disclosure addendum for each community constructed by P/O as of July 3, 2025, with the relevant language outlined by red, dashed border.

5. Public School Facilities. Petitioner shall contribute to the development, funding for and construction of school facilities, on a fair-share basis, as determined by, and to the satisfaction of, the State of Hawaii Department of Education (“DOE”). Terms of any contribution shall be agreed upon in writing by the Petitioner and the education agency.

DPP Letter: “While the Education Contribution Agreement for Ho‘opili was signed on November 5, 2009, can the Petitioner and/or Owner provide a summary update in the annual reports about the implementation and execution towards completing and fulfilling this agreement? In other words, how are things progressing?”

P/O Response: P/O regularly reaches out to DOE for updates on the build-out of the five school sites identified in the Education Contribution Agreement dated November 5, 2009, with the goal of coordinating readiness of the five parcels of land. Below are the approximate statuses of the land parcels as of August 2025:

- i. *Elementary School/Ho‘opili Parcel 99 (Phase 13):* Subdivided, mass graded, and ready for turnover to DOE as of Q4 2023. DOE is in design and has completed two of the three steps of the DAB review process under the Ho‘opili Urban Design Plan.
- ii. *Middle School/Ho‘opili Parcel 93 (Phase 17A):* Subdivided and ready for mass grading upon notice from DOE. P/O understands that DOE expects to accept this site last of the five school sites in Ho‘opili since DOE recently completed construction and opening of the nearby Honouliuli Middle School.
- iii. *High School/Ho‘opili Parcel 47 (Phase 11):* Subdivided, mass graded, and ready for turnover to DOE as of Q4 2024. Awaiting notice from DOE.
- iv. *Elementary School/Ho‘opili Parcel 29 (Phase 7B):* Not yet subdivided or mass graded. P/O stands ready to proceed upon notice from DOE of school development plans.
- v. *Elementary School/Ho‘opili Parcel 60 (Phase 15):* Not yet subdivided and remains in agricultural dedication. P/O stands ready to withdraw the site from agricultural dedication upon notice from DOE of school development plans.

6. Water Resources. Petitioner shall provide potable and non-potable water source, storage, and transmission facilities and improvements to accommodate development of the Petition Area, to the satisfaction of the City Board of Water Supply (“BWS”) and other appropriate State and County agencies. The Project shall use non-potable water for irrigation of the Project’s greenbelts, parks and roadway medians if a suitable supply is available.

DPP Letter: “Please provide proof of Honolulu Board of Water Supply approval and acceptance of all constructed potable and non-potable water systems when complete.”

P/O Response: Enclosed as Attachment D are the executed title sheets signed by BWS for all Ho‘opili water facilities constructed by P/O and accepted by BWS as of July 3, 2025, as evidenced by BWS’s issuance of water meters and active collection of water usage and sewer fees as to all facilities covered by such plans.

7. Water Conservation Measures. Petitioner shall implement water conservation measures and Best Management Practices, such as use of endemic, indigenous and drought-tolerant plants and turf, and incorporate such measures into the Petition Area’s site design and landscaping.

DPP Letter: “Please provide the palette of endemic, indigenous, and drought-tolerant plantings that D.R. Horton uses throughout the Ho‘opili master-planned community.”

P/O Response: The landscape emphasis at Ho‘opili has been the utilization of edible and medicinal landscaping supplemented by drought tolerant, endemic, indigenous and Polynesian introduced plants, in addition to butterfly and lei flowers. The plant palette includes the following:

- i. *Edible Plants*: Avocado, citrus, clove, kumquat, allspice, tapioca, European olive, lychee, bay laurel, Surinam cherry, pummelo, mango, starfruit, loquat, jaboticaba, pak-lan, mountain apple, sugar cane, papaya, pomegranate, ginger, day lilies, salvia, sweet potato, rosemary, lemongrass, turmeric, society garlic, chives, sage, onion, asparagus, Okinawan spinach, mint, spearmint, basil, oregano, thyme, chili pepper, aloe, and pineapple.
- ii. *Endemic, Indigenous and Polynesian Introduced Plants*: Loulu palm, ulu, kukui, milo, hoawa, dwarf hau, hala, kou, banana, mamaki, naupaka, ginger, native hibiscus, ti, taro, awa, na‘u, pohinahina, laua’e fern, ahu’awa, ilie’e, nanea, pili grass, and kupukupu fern.
- iii. *Drought Tolerant Plants*: Silver Buttonwood, olive, podocarpus, Flame of Jamaica, silver trumpet, spider lily, copperleaf, chenille plant, croton, eldorado, fragrant ixora, tiare gardenia, eranthemum, bird-of-paradise, agave, pohinahina, lantana, Bermuda grass and buffel grass.
- iv. *Lei Plants*: Plumeria, puakenikeni, mei-sui-lan, and gardenia.
- v. *Butterfly Plants*: Lantana, verbena, lavender, star jasmine, and agapanthus.

8. Wastewater. Petitioner shall develop a wastewater collection and transmission system and other sewer improvements in the Petition Area and offsite, as required by the State Department of Health (“DOH”) and the City and County of Honolulu.

DPP Letter: “Sewer Master Plans have been previously submitted and approved by the DPP. It would be helpful in the annual reports to have a status report showing the wastewater facilities that were planned, their stage of completion, date of inspection, and if the facilities or parts of the system have been submitted for acceptance and dedication. This provides a measure as to the fulfillment of this condition.”

P/O Response: Enclosed as Attachment E is a tracking sheet for Ho‘opili wastewater facilities previously submitted and approved by the Department. Additionally, please see <https://www.honolulugis.org/> > “Honolulu Sewer Utilities Application” interactive map. This map appears to reasonably accurately display Ho‘opili’s wastewater system facilities installed to date.

9. Notification of Potential Nuisances.

a. Petitioner shall properly disclose to all prospective purchasers, residents and/or occupants in the Petition Area of the potential adverse impacts of aircraft activity at and from Kalaeloa Airport such as, but not limited to, noise, right of flight, emissions, vibrations and other incidences of aircraft operations.

b. Petitioner shall provide as part of any grant or transfer of interest in the Petition Area the notification of potential aircraft and airport activity by including it in any disclosure required for the sale or transfer to buyers and lessees and to other future owners, lessees or occupants.

DPP Letter: “Same comments as made under Condition No. 3. Rather than samples of what could be said, please provide a copy of the actual mortgage documents where these statements are made.”

P/O Response: See P/O’s response to Condition No. 3 above.

10. Transportation.

b. Petitioner shall submit an updated Traffic Impact Analysis Report (“TIAR”) for review and acceptance by the DOT, the City and County Department of Planning and Permitting (“DPP”), and the City and County of Honolulu Department of Transportation Services (“DTS”). The updated TIAR shall include the most current updated traffic data, and shall provide an validate all recommended mitigation measures for potential project-related traffic impacts on State and City facilities to the satisfaction of the DOT, the DPP and the DTS. The updated TIAR shall include the construction status and timeline for the City’s rail transit project, and shall specifically address the potential effects on traffic the rail project does not proceed as anticipated. Petitioner shall obtain acceptance of the updated TIAR from the DOT, the DPP, and the DTS, prior to submittal of a change in zoning application with the City and County.

DPP Letter: “Traffic Impact Analysis Reports (TIAR) are to be updated periodically as the number of dwelling units reach certain milestones in completion of this master-planned community. This schedule should be provided in the annual reports. As mentioned in Petitioner and/or Owner’s response in Condition No. 10c, an updated TIAR is being prepared, so Condition No. 10b will be fulfilled when that is submitted to the DPP. Future annual reports should state when those were submitted and a brief summary of what has been updated.”

P/O Response:

- i. *Schedule:* As of July 3, 2025, the total number of dwelling units closed is 3,209. This total includes Kulia (120 units) and The Element (318 units), which were developed by third parties, and excludes 25 total commercial units from Kohina and Kaikea.
- ii. *TIAR Update Status:* A Ho‘opili Traffic Impact Analysis Report (“TIAR Update”) dated November 3, 2022, was submitted by Austin, Tsutsumi & Associates, Inc. to State of Hawaii Department of Transportation (“DOT”), Highways Division Planning Branch on November 3, 2022, with copies to Mr. Jeyan Thirugnanam, HDOT Highways Division Planning Branch, Mr. Lance Watanabe, DPP Traffic Review Branch, and Mr. Kamaka Andrade, DPP Traffic Review Branch. As of the date of this letter, TRB has provided a second round of comments to the TIAR Update, and P/O awaits a second round of comments from DOT to the TIAR Update.
- iii. *Summary of TIAR Update:* The TIAR Update reflects the following changes from the TIAR dated April 28, 2013, revised May 30, 2014:
 - Updated 2021 traffic data along study roadways, including roadways constructed post-Original TIAR.
 - Updated traffic projections and timelines for developments within West Oahu, Skyline, and the Farrington Highway Widening Project.
 - Refined unit counts/square footages and phasing for the Ho'opili development and resulting trip generation updates.
 - Evaluation of an alternate capacity-constrained future scenario in line with policy and regional infrastructure planning by DOT and the City and County of Honolulu (C&C) to support pedestrian/bicycle/transit modes. The capacity-constrained scenario includes:
 - Increased pedestrian/bicycle/transit trips within planned Transit-Oriented Development (TOD) areas.
 - Additional reroutes/reductions for Skyline use.
 - Increased trips remaining in West Oahu based on Kapolei being developed as "The Second City" versus traveling to/from the Honolulu Urban Core.
 - Reroutes along regional roadways to minimize delays and avoid capacity-constrained intersections.
 - Updated recommended roadway improvements based on the capacity-constrained future scenario.

c. Any significant changes in Project phasing and development shall require the TIAR to be further updated to include any adjustments in the sequencing and timing for when the traffic improvements are to be built and/or scheduled to correspond to the adjusted phasing and development. Any updates to the TIAR shall include an update with respect to the construction status and projected timeline for the City’s rail transit project. Any additional mitigation required as a result of these changes shall be provided within the updated TIAR. Based on the foregoing, all changes to the updated TIAR shall be provided to the DOT, the DPP, and the DTS for review and acceptance.

DPP Letter: “Please include the results of the updated TIAR as it pertains to this condition: i.e., i) adjustments in the sequencing and timing for when the traffic improvements are to be built and/or scheduled to correspond to the adjusted phasing and development; ii) the construction status and projected timeline for the SkyLine *[sic]* rail transit project; and iii) any additional mitigation required as a result of these changes.”

P/O Response:

- i. Traffic improvements in the study area are shown in Table 6.1 from the TIAR Update enclosed as Attachment F (“Table 6.1”). A more detailed timeline for improvements related to the Ho‘opili development will be evaluated once the TIAR Update has been accepted by reviewing agencies.
- ii. Skyline was assumed to be completed from the East Kapolei Kualaka‘i Station to the Civic Center Ka‘ākaukukui Station in 2031. Impacts to traffic resulting from the completion of Skyline were evaluated under the Year 2040 conditions in the TIAR Update.
- iii. Traffic improvements in the study area are shown in Table 6.1.

d. Petitioner shall fund the planning, design and construction of all traffic improvements to mitigate local or direct project-generated and/or related traffic impacts, in accordance with the updated TIAR, as accepted by the DOT, the DPP, and the DTS. Petitioner shall fund its fair share of the planning, design and construction of all traffic improvements required to mitigate regional Project generated and/or traffic improvements in accordance with the updated TIAR, as accepted by the DOT, the DPP, and the DTS, or as set forth in a formal Memorandum of Agreement described in Condition No. 10(e) below. All required traffic improvements for each phase of the Project shall be constructed in accordance with the timing and schedule as recommended in the updated/revised TIAR.

DPP Letter: “The annual reports should provide a list of all traffic improvements that mitigate local or direct project-generated and/or related traffic impacts and the funding provided by the Petitioner and/or Owner as their fair share. This should then be updated annually.”

P/O Response: Condition No. 10(d) refers specifically to P/O funding “its fair share of the planning, design and construction of all traffic improvements required to mitigate regional Project generated and/or traffic improvements in accordance with the updated TIAR, as accepted by the DOT, the DPP, and the DTS, *or as set forth in a formal Memorandum of Agreement described in Condition No. 10(e) below.*” (Emphasis added.) Please see our response below regarding Condition No. 10(e).

e. A formal Memorandum of Agreement shall be established between Petitioner and the DOT, documenting all aspects of the agreed-upon improvements required to mitigate Project generated and/or related transportation impacts to State transportation facilities.

DPP Letter: “A formal Memorandum *[sic]* of Agreement dated March 3, 2020 with the State Department of Transportation (DOT) to mitigate impacts to the State transportation facilities within the master-planned community is attached to the 2020 Annual Report.”

P/O Response: The Memorandum of Agreement dated March 3, 2020 with DOT (“2020 DOT MOA”): (i) attaches as Exhibit “E” a list of the local and direct transportation improvements to be completed by P/O as part of the Phase I development of Ho’opili, provided that P/O may enter into cost-sharing or cost recovery agreements for any transportation improvements involving third party responsibility; and (ii) attaches as Exhibit “F” a list of the local and direct transportation improvements anticipated to be required for the development areas completed after Phase I, some of which are the responsibility of third parties, provided that if an updated TIAR requires said improvements to be constructed, P/O will cause them to be completed and may enter into cost-sharing or cost recovery agreements with such third parties.

The transportation improvements in Exhibits “E” and “F” that have been completed as of July 3, 2025 have been paid for by P/O. Additionally, P/O notes that as indicated in 2025 Annual Report, P/O entered into the October 3, 2024 “Memorandum of Agreement (MOA) with the DOT regarding the Farrington Widening Project (“DOT Farrington MOA”) to satisfy P/O’s obligations in full to contribute to traffic and roadway improvements for Farrington Highway arising under Conditions 10.a.ii and Condition 10.a.iii (collectively, “Farrington LUC Conditions”), *Exhibit E, Item 3 and Exhibit F, Items 12 and 18 of the 2020 DOT MOA referenced below (“Farrington Highway Obligation”)*, and the last sentence of Condition 10.a (providing that P/O “... recognizes that there will be additional future contributions and requirements by the DOT that are yet to be determined”) as such last sentence relates to the Farrington LUC Conditions and Farrington Highway Obligation.” Further, “P/O concurrently entered into an Amendment No. 1 to the City Farrington MOU with DDC and DPP to address, among other things, the delegation by the City to the DOT and the assumption by the DOT from the City of certain obligations under the City Farrington MOU, the revised scope of the Farrington Widening Project, and *P/O’s satisfaction of the Farrington LUC Conditions, Farrington Highway Obligation* and the last sentence of Condition 10.a as such last sentence relates to the Farrington LUC Conditions and Farrington Highway Obligation.” (Emphases added.) As of July 3, 2025, DOT has commenced construction of the Farrington Widening Project with an estimated completion in Spring 2027 (as stated on DOT’s website).

f. Petitioner shall continue to coordinate with the DOT, the DPP, and the DTS to ensure that all traffic impacts are adequately addressed and properly mitigated.

DPP Letter: “For the 2025 Annual Report, please describe the coordination the Petitioner is undertaking with the DOT, the DPP, and the Department of Transportation Services to ensure that all traffic impacts are adequately addressed and properly mitigated.”

P/O Response: Any and all coordination related to traffic impacts under the Ho’opili TIAR and TIAR Update have been and continue to be coordinated with DOT, the Department, and the Department of Transportation Services by P/O’s consultants, R. M. Towill Corporation, Gray,

Hong, Nojima & Associates, Inc., and Austin, Tsutsumi & Associates, Inc. This coordination is evidenced by approved construction plans.

11. Stormwater. Petitioner shall construct stormwater and drainage system improvements as designed in compliance with applicable federal, State and County laws and rules.

a. Prior to any subdivision approval, for lands that may drain onto adjacent Navy lands, the Petitioner shall provide a master drainage plan for review by the State Department of Health (“DOH”), the State Office of Planning (“OP”), and DPP, that either includes a letter of consent from the Navy allowing drainage onto its properties or a specific explanation of strategies to be employed so that drainage onto Navy lands is not necessary.

DPP Letter: “Please provide the documentation that corroborates that the Petitioner and/or Owner has met this condition of providing a master drainage plan to the State Department of Health (DOH), the State Office of Planning and Sustainable Development, and the DPP. This should include a letter of consent by the Navy allowing drainage onto its properties or a specific explanation of strategies to be employed so that drainage onto Navy lands is not necessary.”

P/O Response: As reported in the 2016 Annual Report to the LUC, the Ho‘opili Drainage Master Plan, dated August 24, 2015, was approved by the Department’s Site Development Division by letter dated September 16, 2015, a copy of which is enclosed as Attachment G. The Drainage Master Plan describes the Ho‘opili project’s backbone drainage system, which does not change the existing volume of runoff onto Navy lands, and therefore, a letter of consent from the Navy was not required. As stated in the 2016 Annual Report to the LUC, copy of the approved Ho‘opili Drainage Master Plan was provided to DOH and OP.

b. To the extent feasible, Petitioner shall mitigate non-point source pollution by incorporating low impact development practices for onsite stormwater capture and reuse into the Petition Area’s site design and landscaping, provided that such low impact development practices do not prevent dedication of drainage facilities to the counties, to prevent runoff onto affected State highway facilities, downstream properties and receiving gulches, streams, and estuaries that connect with coastal waters.

DPP Letter: “Please provide a descriptive summary of the non-point pollution sources and how the incorporated low impact development practices for capturing onsite stormwater are being reused in the Petition Area’s landscaping or on-site. Should any of these low impact development practices prevent the dedication of drainage facilities to the City and County of Honolulu, run-off onto affected State highway facilities, downstream properties and receiving gulches, streams, and estuaries, please describe other practices employed to capture non-point source pollution.”

P/O Response: P/O has installed hydrodynamic separators in all multi-family drainage facilities prior to connection to the City’s drainage system. Construction plans of these facilities were

submitted to the Department. Each multi-family Association of Unit Owners is contracted with Island Storm Drain Maintenance to regularly inspect and clean these hydrodynamic separators, which are not expected to impact or prevent the dedication of drainage facilities to the City as they are located in private property. P/O has also designed some parking areas to drain into landscaping areas versus flowing directly into storm drain inlets. Pursuant to the approved Drainage Master Plan, all stormwater runoff from Ho‘opili’s piped drainage systems flows into stormwater basins sized to provide storm water treatment. Water that infiltrates from these basins contributes to the water being pumped for use as irrigation in the ongoing farming operations.

12. Archaeological Survey. Petitioner shall comply with the conditions recommended and approved by the State Department of Land and Natural Resources, State Historic Preservation Division (“SHPD”), prior to issuance of a permit for grubbing and grading. Petitioner shall confirm in writing to the State of Hawaii Land Use Commission (“Commission”) that the SHPD has found Petitioner’s preservation mitigation commitments, if any, to be acceptable and has determined that any required historic preservation measures have been successfully implemented.

DPP Letter: “The annual reports should list the conditions recommended and approved by the State Historic Preservation Division (SHPD) and whether the SHPD has found the Petitioner’s preservation measures to be successfully implemented. A copy of the written confirmation to the State Land Use Commission (LUC) should also be provided in the annual report.”

P/O Response: By letter dated February 23, 2011, the State of Hawaii Department of Land and Natural Resources, State Historic Preservation Division (“SHPD”) accepted that certain Revised Preservation Plan for SIHP #s 50-80-12-4345, -4346, -4347 & -4348 Honouliuli Ahupua’a, ‘Ewa District, Island of O’ahu TMK: (1) 9-1 -010:002 & 9-1 -017:004, :059, :072 & 9-1-018:001, :004, :005 dated October 2009 (“Preservation Plan”).

As stated in SHPD’s February 23, 2011 acceptance letter, the Preservation Plan is intended to protect the ‘Ewa Plantation Railroad Berm, the North Pumping Station, the Central Pumping Station and the South Pumping Station (SIHP Sites 50-80-12-4345, -4346, -4347 & -4348). “Interim protection measures include the installation of orange web event fencing in a 6m or 20 foot buffer around the sites. The long term protection measures include the construction of a permanent fence in the same 6m or 20 foot buffer around the sites. The fences will display interpretive signage on all four sides of the enclosure.”

P/O has not applied for any permits for grubbing or grading affecting SIHP Sites 50-80-12-4345, -4346, -4347 & -4348. P/O will comply with this condition prior to seeking a permit for grubbing or grading affecting SIHP Sites 50-80-12-4345, -4346, -4347 & -4348.

13. Previously Unidentified Burials and Archaeological/Historic sites. In the event that historic resources, including human skeletal remains, are identified during construction activities, all work shall cease in the immediate vicinity of the find, the find shall be protected from additional disturbance, and the SHPD, Oahu Island Section, shall be contacted

immediately. Without any limitation to any other condition found herein, if any burials or archaeological or historic sites, such as artifacts, marine shell concentrations, charcoal deposits, stone platforms, paving, and walls not previously identified and studies referred to herein, are discovered during the course of construction of the Project, all construction activity in the vicinity of the discovery shall stop until the issuance of an archaeological clearance from the SHPD that mitigative measures have been implemented to its satisfaction.

DPP Letter: “Upon finding these historic resources during construction, please describe the SHPD approved mitigative measures taken to date as well as any during the reporting year.”

P/O Response: To date, no historic resources have been identified during construction. If historic resources are located during construction, P/O will comply with Chapter 6E HRS and relevant SHPD regulations.

14. Established Access Rights Protected. Pursuant to Article XI, Section 7 of the Hawaii State Constitution, Petitioner shall preserve any established access rights of native Hawaiians who have customarily and traditionally used the Petition Area to exercise subsistence, cultural, and religious practices or for access to other areas.

DPP Letter: “To corroborate that no established access rights have been identified, please identify the sources for your conclusion and what cultural practitioners or community groups have been consulted throughout the development.”

P/O Response: The FEIS for Ho‘opili concluded that “no contemporary or continuing cultural practices occur within the Petition Area at present.” Specifically:

Consultation

Hawaiian organizations, government agencies, community members, and cultural and lineal descendants with ties to ‘Ewa were contacted to: (1) identify potentially knowledgeable individuals with cultural expertise and knowledge of the Petition Area and its surroundings, and (2) identify cultural concerns and potential impacts within the Petition Area. An effort was made to locate informants with ties to ‘Ewa and neighboring ahupua‘a who live, or had lived in the region or who, in the past, used the area for traditional and cultural purposes. For this assessment, Arline Eaton, Richard Hirata, Richard Oshiro, Kenneth Soma, Charles Nakamatsu and other kupuna were interviewed. They mentioned that in the past there was traditional gathering of taro and salt, along with fish such as papio, mullet, as well as oysters, clams and a variety of crab along the banks of Pearl Harbor. They all referred to this area of rich marine resources as Chocolate Beach and Three Stones (along Pearl Harbor). The people contacted were not aware of any ongoing cultural practices, archaeological sites, trails, or burials within the Petition Area. Most of the people contacted mentioned that the Petition Area was heavily altered by plantation activities.

Conclusion

While Honouliuli is associated with a number of legendary accounts involving gods, demi-gods and chiefly lineages, there is no clear reference to powerful chiefs living permanently in Honouliuli. Access to Honouliuli lands, including the Petition Area, by Hawaiians for gathering or other cultural purposes was radically curtailed during the second half of the nineteenth century. Herds of cattle grazing across the 'Ewa Plain likely denuded the landscape, which was subsequently further distorted by the introduction and rapid development of commercial sugar cane cultivation. Throughout the twentieth century, sugar cane cultivation was the dominating land use activity. These two factors give evidence of the area's decline as a population center, and the disappearance of reasons to access it.

Based on results of the consultation process, the evidence from Land Court Awards (LCAs) and lack of resources, the vast majority of the Petition Area was utilized less intensively during traditional times. Based on this evidence, no contemporary or continuing cultural practices occur within the Petition Area at present.

The LUC's Decision and Order does not impose an ongoing obligation to continuously consult with cultural practitioners or community groups regarding access rights. To date and to the best of P/O's knowledge, no "established access rights of native Hawaiians" over and across the Petition Area have been identified pursuant to Chapter 6E HRS and the applicable Ka Pa'a Kai requirements.

16. Integrated Solid Waste Management Plan. Petitioner shall cooperate with the DOH and the City and County of Honolulu to conform to the program goals and objectives of HRS Chapter 342G and the City and County of Honolulu's approved integrated solid waste management plan in accordance with a schedule and timeframe satisfactory to the DOH. Petitioner shall, in coordination with appropriate State and County government agencies, assist in the planning and promotion of solid waste recycling facilities.

DPP Letter: "The DPP acknowledges that an ISWMP was prepared by the Petitioner and/or Owner and submitted to the State DOH and the Department of Environmental Services (ENV) in August 2017. The annual reports should include written acknowledgement of receipt and/or acceptance by the DOH and the ENV. As the Petitioner and/or Owner alludes to complying with this condition, the annual report should document to what extent it is implementing the ISWMP and how it is assisting in the planning and promotion of solid waste recycling facilities."

P/O Response: P/O did not receive acknowledgement of receipt of the ISWMP from DOH or ENV and will follow up with both agencies. Regarding implementing the ISWMP and assisting in the planning and promotion of solid waste recycling facilities: (i) cans and bottles are collected at each of P/O's job sites and field offices for recycling; (ii) all multi-family communities have recycling bins marked with stickers indicating "recycling;" (iii) any waste metal piping

(abandoned irrigation lines) found during construction is collected and taken to a recycling facility such as Radius Recycling; and (iv) clean waste concrete and asphalt paving is taken to West Oahu Aggregate for recycling.

17. Best Management Practices. Petitioner shall implement all appropriate Best Management Practices applicable to each proposed land use in order to minimize runoff from construction and vehicle operations, reduce or eliminate soil erosion and ground water pollution, and formulate dust control measures to be implemented during and after the development process in accordance with the DOH guidelines.

DPP Letter: “Please provide a description of the best management practices deployed for each proposed land use to minimize runoff from construction and vehicle operations, reduce or eliminate solid erosion or ground water pollution, and formulate dust control measures during and after development.”

P/O Response: Enclosed as Attachment H are the Erosion and Sediment Control Plan (ESCP) pages from all civil construction plan sets approved for P/O projects within Ho‘opili as of July 3, 2025. P/O has also enclosed as Attachment I: (i) BMP Declarations for Nahele, ‘Ikena Phase 2, Kanalani, Mamaka (Parcel 100), Ho‘oulu Phase 2, ‘Ikena (Parcel 103), Kaikoi (Parcel 19), Kaikoi (Parcel 26), Kohina Phase 2, Mamaka (Parcel 104), ‘Iliahi Phase 2, Kaikea, Nanaina, Phase 6 Backbone Roads; (ii) BMP Agreement for Ilima; (iii) BMP Affidavits for Hinahina, Lehua Phase 2, Ho‘oulu, Aulu, Olena, and Liko; (iv) BMP Record Drawings (Pre-Recording Requirement); and (v) approved BMP Plan (Record Drawings Pending with our Engineer). We note that Phase 5 Backbone Roads (pending revision), Ho‘opili IMX Intersection (pending review), and The Pearl – Phase 10A Parcel 111 (pending review) are not completed and, therefore, not enclosed.

20. Ho‘opili Sustainability Plan. Petitioner shall substantially comply with the Ho‘opili Sustainability Plan, Petitioner’s Hearing Exhibit 89B, including the implementation of the mitigation technologies, strategies and measures listed therein or the implementation of equivalent or better mitigation technologies, strategies, or measures. Petitioner shall detail the progress made in implementing the Ho‘opili Sustainability Plan.

DPP Letter: “The 2025 Annual Report loosely lists various sustainable technologies, strategies, and measures, that could be added to single-family homes at Ho‘opili. However, there is no quantification as to whether these have been installed. Please provide measurable data that can be used to substantiate whether progress has been made towards implementing the Ho‘opili Sustainability Plan. Please make reference to where the DPP may find a copy of the Ho‘opili Sustainability Plan as well.”

P/O Response: Enclosed as Attachment J is a copy of the Ho‘opili Sustainability Plan. The following is our detailed update regarding our implementation of sustainable technologies, strategies, and measures for Ho‘opili single-family and multi-family dwellings:

- i. Photovoltaic (PV)
 - 100% of the single-family homes have been provided with PV Ready infrastructure to facilitate and encourage the installation of PV systems by homeowners.
 - Annually, P/O tracks the installation of PV systems that the single-family homeowners have installed. As of August 2025, nearly 50% of single-family homes completed at Ho‘opili, from July 2017 to 2025 have installed a PV system. Actual data through August 2025 are: ~1264 single-family homes closed, ~629 PV Systems installed.
- ii. Electric Vehicle Ready Infrastructure (EV)
 - 100% of the single-family homes at Ho‘opili have been provided with EV infrastructure to the garage/carport/parking to facilitate and encourage the installation of EV charging systems by the homeowners.
 - 100% of the multi-family dwellings that have a garage have been provided with infrastructure to the garage to facilitate and encourage the installation of EV charging systems by the unit owners.
 - For all multi-family communities at Ho‘opili, P/O has included infrastructure to at least two common area parking stalls to facilitate and encourage the installation of EV charging systems by the AOUO.
- iii. Energy and Water Efficiency Features
 - All windows and sliding glass doors specified in single-family and multi-family dwellings are minimum dual-pane 1-inch thick insulated, low-emissivity (Low-E) glass units with a maximum solar heat gain coefficient (SHGC) of 0.23.
 - Roof/attics for all single-family and multi-family dwellings have radiant barrier sheathing and R-19 insulation.
 - All exterior walls of single-family and multi-family dwellings have a minimum of R-13 insulation.
 - All single-family and multi-family homes exceed the minimum point option per the latest International Energy Conservation Code (IECC).
 - Starting in 2019, all single-family and multi-family dwelling units are inspected by a third-party consultant to ensure compliance with the current International Energy Conservation Code (IECC). This includes modeling of the homes, pre-drywall inspections for insulation and sample blower-door tests to ensure minimal air infiltration.
 - Currently, all single-family and multi-family dwelling units are being provided energy efficient ductless split air conditioning. The average SEER2 ratings of the air conditioning systems is 22.8, far exceeding the Federal SEER2 minimum requirement of 13.8.
 - All single-family and multi-family dwelling units are provided with 100% LED energy efficient lighting.
 - Currently, all single-family homes are provided a solar hot water heating system.
 - All single-family and multi-family homes are provided a fan-rated junction box in the bedrooms, living rooms, and family rooms. P/O also offers a buyer’s option to provide and install DC ceiling fans.

- No less than 10% of P/O's single-family homes have been provided a solar tube for additional natural daylighting and a solar attic fan.
- Since 2018, all single-family and multi-family dwelling units have been provided a smart home system with expandable technologies to integrate energy and water saving features, such as remote landscape irrigation controls, air conditioning controls, and smart light switches.
- Water savings features included in all single-family and multi-family dwelling units include low-flow toilets (@1.28 gpf), bathroom faucets (@1.2 gpm), shower heads (@2.0 gpm), and kitchen faucets (@1.5 gpm)
- Since 2019, landscape irrigation systems include a "WaterSense" feature. WaterSense is a weather-based irrigation controller that adjust sprinkler watering schedules automatically, using local weather data to ensure the landscape receives only the necessary amount of water.

25. Notice of Imposition of Conditions. Within seven days of issuance of the Commission's Decision and Order for the subject reclassification, Petitioner shall: (a) record with the State of Hawaii Bureau of Conveyances ("Bureau of Conveyances") a statement that the Petition Area is subject to conditions imposed herein by the Commission in the reclassification of the Petition Area; and (b) file a copy of such recorded statement with the Commission.

DPP Letter: "It is not enough to say in the annual reports that this condition is satisfied without documentation or substantiation. Please provide a) a copy of the recorded statement with the State of Hawaii Bureau of Conveyances that the Petition Area is subject to the conditions imposed by the LUC; and b) evidence that a copy was filed with the LUC. If these documents were provided in earlier annual reports, please state which one and continue to provide that citation in future annual reports."

P/O Response: Enclosed as Attachment K is (i) a copy of the recorded statement with the State of Hawaii Bureau of Conveyances that the Petition Area is subject to the conditions imposed by the LUC (i.e., that certain Declaration of Conditions recorded in the Office of the Assistant Registrar of the Land Court as Document No. T-8267285 and in the Bureau of Conveyances as Document No. A-46150824), and (ii) a copy of the transmittal letter that was sent with a copy of the recorded statement to the LUC.

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Ms. Dina L. T. Wong
September 19, 2025
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If you have any questions do not hesitate to contact me at (808) 782-4109 or Esther Roberts at (808) 208-4911.

Sincerely,

D.R. HORTON HAWAII LLC
By Vertical Construction Corporation, Its Manager

A handwritten signature in black ink, appearing to be 'Tracy' followed by a stylized surname.

Tracy Tonaki
Division President

Enclosures: one (1) flash drive which contains all the enclosures uploaded to the flash drive

cc: Mr. Daniel Orodener, Executive Officer, Land Use Commission (w/ encl.)