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R. M. TOWILL CORPORATION
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August 22, 2025

Mr. Daniel E. Orodener Executive Officer
State of Hawaii
Land Use Commission
P.O. Box 2359
Honolulu, Hawaii 96804-2359



Dear Mr. Orodener:

**Royal Kunia Phase II
Compliance with Conditions of Amended Decision and Order Docket No. A92-683 and 97- 12
Annual Status Report**

On behalf of RK II Partners LLC ("RK II Partners"), we are submitting its Annual Status Report for 2024 in compliance with the Conditions of the State of Hawaii Land Use Commission Amended Decision and Order, Docket No. A92-683 and 97- 12. On November 4, 2021, RK II Partners purchased approximately 124 acres of light industrial (I-1) and business (B-1) zoned land at Royal Kunia II identified by TMK No. (1) 9-4-002:001 from HRT Realty, LLC. Most of the conditions relate to the residential development of the petition area and thus will be satisfied by the residential developer Haseko Royal Kunia, LLC ("Haseko") as it continues with its master plan and residential development of the petition area. As a fee owner of a portion of land that comprises the Royal Kunia Phase II area, RK II Partners will continue working with the adjoining landowners to satisfy the conditions set forth in the Amended Decision and Order, as modified by the Decision and Order Docket No. DFR24-78. Please note, however, that as between RK II Partners and Haseko, responsibility for satisfying most of the conditions has been assumed by Haseko pursuant to that certain Second Amended and Restated Agreement re Infrastructure, dated August 12, 2020, by and between HRT Realty, LLC (RK II's predecessor-in-interest) and Haseko. As such, RK II Partners is necessarily dependent upon Haseko in satisfying conditions applicable to RK II Partners and indeed, in timely developing its land.

If you have any questions or require further information, please feel free to call me at (808) 842-1133.

Sincerely,

David K. Tanoue, Esq.
Vice President

Enclosure

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Status Report on Royal Kunia Phase II Development Compliance with Conditions
State of Hawaii Land Use Commission Amended Decision and Order (Docket No. A92-683 and 97- 12) (D&O)
Submitted by RK II Partners LLC

BACKGROUND. RK II Partners LLC ("RK II Partners") is the owner of approximately 124 acres of land which it acquired on November 4, 2021 (the "Lands").¹ The Lands constitutes a portion of the original planned development that is often times referred to as Royal Kunia Phase II ("Phase II") located on Oahu, Hawaii.

Phase II has had a long and difficult history. As originally envisioned, Phase II comprised approximately 655 acres² with plans for single-family, two- family, and multi-family residences, an agricultural park, industrial area, public park, and a public-school site. Its original developer went bankrupt and, just as it was emerging from bankruptcy, the development was buffeted by the 2007/2008 financial crisis. This caused Phase II to proceed in fits and starts with different developers and, ultimately, to stall for decades leaving the lands of Phase II mostly vacant, overgrown, and undeveloped.

Despite this history, in 2008, the Honolulu City Council took the unusual step of overlooking the Phase II's technical non-compliance with its two underlying Unilateral Agreements (UA) for Conditional Zoning ("Unilateral Agreement") attached to Ordinance 95-08 and Ordinance 97-12, respectively, because the City Council decided that the housing and regional infrastructure benefits of the project outweighed strict compliance with the Unilateral Agreement conditions.³ In adopting Resolution 08-198, CD1, the City Council provided the Department of Planning and Permitting ("DPP") with discretion to allow the developer to proceed with the project despite the passing of deadlines for several of the UA conditions, as long as the developer continues to make reasonable progress in complying with the remaining conditions. Similarly, in approving an update to the Central Oahu Sustainable Communities Plan in early 2021, the City Council confirmed that Phase II, especially its residential and regional infrastructure components, remain a Central Oahu development priority.⁴

As a fee owner of the light industrial and business zoned portion of the original Phase II project area, RK II Partners is also submitting its 2024 annual report to the City and County of Honolulu, Department of Planning and Permitting to addresses the conditions imposed under the Unilateral Agreements for Ordinance Nos. 95-08 and 97-12. Under that certain Second Amended and Restated Agreement re Infrastructure dated August 12, 2020, by and between HRT Realty, LLC (RK II's predecessor-in-interest) and Haseko Royal Kunia, LLC ("Haseko"), Haseko assumed responsibility to satisfy most of these conditions.

PROJECT STATUS: Since acquiring the Lands on November 4, 2021, RK II Partners has retained numerous project consultants for the development of its conceptual masterplan for its industrial project. RK II Partners and/or its consultants have had numerous discussions with various City and State agencies including the State Department of Transportation ("DOT"), the City's Department of Transportation Services, the Board of Water Supply and the DPP for the review of various engineering studies, plans and subdivision applications. Additionally, RK II Partners and/or its consultants continue to have regular meetings with adjoining landowners Haseko; and as needed, Robinson Kunia Land LLC ("RKL") and its lessee Ho'ohana Solar I, LLC ("Ho'ohana Solar"), and

¹ Oahu TMK 9-4-002: 001 (123.712 acres).

² "Total Phase II Development Area" reflected in Land Use Commission's Amended Findings of Fact, Conclusions of Law, and Decision and Order filed on October 1, 1996 in Docket No. A92-683, at p. 9.

³ City Council Resolution 08-198, CD1 adopted September 24, 2008.

⁴ Central Oahu Sustainable Communities Plan, approved March 30, 2021 (Ordinance 21-6), Table 2.1 and Section 2.2.10.

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the State Department of Agriculture ("DOA"), to coordinate the development of Phase II and also to discuss the various agreements relating to the development of its Lands.

RK II Partners is moving forward to develop its first phase comprised of 37 acres (which has received tentative subdivision approval by DPP on April 25, 2024) in coordination with Haseko's Phase 1A and Phase 1B residential development (total 360 units) as described in Haseko's master plan phasing submitted to the Land Use Commission. Haseko's first phase requires the construction of the Anonui Street extension (Road Y Phase 1) and the start of a new connector road to Kunia Road (Road X Phase 1). RK II Partner's Phase 1 mass grading and infrastructure plans for 37 acres were recently approved. Construction is scheduled to begin between September and October 2025. Our understanding is Haseko will begin construction of Road X, Road Y, and Road 3 (Phase 1) in September 2025, with completion anticipated in 2026. RK II Partner's Phase 2 involves an additional 34-acres of its Phase 1 development, for which tentative subdivision approval has been issued by DPP on June 27, 2025.

RK II Partners submitted its Traffic Impact Analysis Report evaluating the development of its Phase I consisting of 37 acres and Haseko's Phase I encompassing 360 residential units to both the City's Department of Planning & Permitting and the State Department of Transportation for review. Over the past year, RK II Partners updated the traffic study for Haseko's 360 dwelling units and to include both Phase 1 and Phase 2 of its industrial development totaling approximately 71 acres. The updated studies conclude that the intersection of Kunia Road and Anonui Street will not be impacted by the proposed development. RK II Partners' coordinated development of the first 37 acres of I-1 Industrial zoned lands to coincide with Haseko's completion of Road X Phase 1 will provide new employment opportunities and services to the growing Royal Kunia community.

RK II Partners is improving the utility infrastructure to support Phase 1 of the development. Per the Board of Water Supply (BWS) recommendations, a third booster pump with a 2,000 gallons per minute (gpm) capacity is being installed at the existing 440 feet elevation reservoir to meet the 4,000 gpm fire flow requirement at the industrial development. Sewer connection approvals for Phase 1 have been obtained from the City. Additionally, Phase 1 drainage plans were approved as part of the mass grading plans, with off-site drainage to be routed through a new box culvert. On-site drainage will meet the City's drainage retention requirements.

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| Type of Condition | Description of Requirements | Compliance Status | Action Plan for Achieving Full Compliance |
|-----------------------------------|--|--|--|
| 1. Affordable Housing | Petitioner shall provide affordable housing opportunities for low to moderate income residents of the State of Hawai'i to the satisfaction of the City and County of Honolulu (City). Details as to the location, distribution and other provisions for affordable housing shall be as mutually agreed between Petitioner and City. [The basic affordable housing program requirement is to provide: (a) 10% of the project housing units affordable to households with incomes not exceeding 80% of the City's median income, and (b) an additional 20% of the project's housing units affordable to families with incomes between 81% and 120% of the City's median income.] | Future compliance by Haseko as the residential developer of the Phase II lands. | <p>The affordable housing requirements are set forth in greater detail in the Unilateral Agreements (UAs) that rezoned the RKII lands (Ordinances 95-08 and 97-12).</p> <p>Haseko's predecessor-in-interest, Halekua-Kunia, LLC (HK) submitted a Draft Affordable Housing Agreement as Attachment 1 in the May 2009 UA Project Status submittal. Comments were received from DPP in June 2009, and an updated version of the Agreement was included as Attachment 1 in the June 2010 UA Project Status submittal.</p> <p>Haseko continues to work with DPP regarding the terms of a binding affordable housing agreement. Such agreement between Haseko and DPP will provide details on the general location of the affordable housing units, anticipated construction schedule, size and distribution, and any required buy back or shared appreciation conditions.</p> |
| 2. Transportation Improvements | <p>Amended Condition per LUC 10/7/2013 First Amendment to the D&O:</p> <p>Petitioner shall fund, design, and construct the local transportation improvements necessitated by the proposed development, north of the Cane Haul Road intersection with Kunia Road, as determined and approved by the State Department of Transportation (DOT) and the City and</p> | <p>Partial completion and future compliance by Haseko.</p> <p>Construction of a third northbound lane on Kunia Road between Kunia Interchange and the south Kupuna Loop intersection has been completed.</p> | <p>Haseko and/or its consultants have held numerous meetings with the DOT, DTS and DPP TRB representatives to mutually determine and reach agreement on:</p> <ul style="list-style-type: none"> a. Right-of-way acquisition, funding and construction of various roadway and traffic improvements. b. Preparation of periodic traffic |

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| | <p>County of Honolulu Department of Transportation Services (DTS), including without limitation the dedication of any rights-of-way to the State or County. Petitioner shall provide its fair share contribution toward regional transportation mitigation improvements, including but not limited to the Interstate H-1 Kunia Interchange and Kunia Road, south of the intersection with the Cane Haul Road, as determined and approved by DOT. Petitioner shall also be required to provide the following:</p> <p>A. All of the other improvements needed (which will not be provided by the Village Park and Royal Kunia, Phase I projects) to make Kunia Road a 4-lane highway with auxiliary lanes for both left and right turning movements (between Cane Haul Road Intersection and the northernmost boundary of Royal Kunia, Phase II) and a third northbound lane between Cane Haul Road Intersection and the north Kupuna Loop intersection, provided that interim measures prior to full build out may be allowed with the approval of DOT.</p> <p>B. All of the other improvements needed (which will not be provided by the Village Park and Royal Kunia, Phase I projects) to make Kunia Road a 4-lane highway with auxiliary lanes for both left and right turning movements (between Cane Haul</p> | <p>Haseko will continue to work with DTS and/or DOT to comply with this condition.</p> <p>Road X, Road Y, and Road 3 (Phase 1) should begin construction in September 2025, by Haseko with completion anticipated in 2026. Multiple traffic studies determined that the intersection of Kunia Road and Anonui Street will not be impacted by RK II Partners' proposed development.</p> | <p>monitoring reports.</p> <p>c. Other off-site traffic improvements that may be warranted.</p> <p>On August 23, 2021, Haseko's traffic consultant also submitted a TIAR to DPP/DTS to identify and assess the traffic impacts related to the development of Phase II, based on a traffic study technical scope approved by DOT in 2020. DPP/DTS provided its comments and the TIAR has been approved by DPP.</p> <p>Haseko will continue to work with DTS and/or DOT to comply with this condition.</p> <p>RK II will coordinate its traffic studies and roadway improvements, with the development of Road X, Road Y and Road 3 (Phase 1), with the surrounding landowners, DTS and DOT.</p> |

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| | <p>Road Intersection and the northernmost boundary of Royal Kunia, Phase II) and a third northbound lane between Cane Haul Road Intersection and the north Kupuna Loop intersection, provided that interim measures prior to full build out may be allowed with the approval of DOT.</p> <p>C. A report that analyzes the impact of the proposed Phase II project's traffic on the Kunia Interchange and evaluate alternatives that will mitigate the impacts.</p> <p>D. Petitioner shall submit a revised Traffic Impact Study, including the Kunia Interchange Alternatives Report, and obtain DOT's acceptance prior to preliminary subdivision application.</p> <p>E. Plans for Construction work within the State highway right-of-way must be submitted to the DOT, Highways Division for review and approval.</p> <p>F. Agreement by the State Department of Transportation on the level of funding and participation shall be obtained prior to the Petitioner applying for county zoning.</p> | | |
| 3. Regional Transportation Management | Petitioner shall appoint a permanent transportation manager whose function is the formulation, use, and continuation of alternative transportation opportunities that | Prior & future compliance. Halekua Development Corporation ("HDC" and | To the extent applicable, RK II Partners will participate with Haseko in regional highway and transportation planning, including participation with LOTMA and the Ewa |

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| Program | would optimize the use of existing and proposed transportation systems. In the alternative, Petitioner may participate in a regional program for transportation management with other developers and/or landowners. This program shall address the transportation opportunities that would optimize the use of existing and proposed transportation systems. The program for either option shall be reviewed and approved by DOT prior to implementation, and will continue to be in effect unless otherwise directed by DOT. Petitioner shall conduct a yearly evaluation of the program's effectiveness and shall make a written report of its evaluation available to DOT for program review and modification, if necessary. | Haseko's predecessor-in-interest) was an active participant in Ewa Region Highway Transportation Master Plan Working Group and an active member of Leeward Oahu Transportation Management Association (LOTMA), but this activity was suspended while the HK property was in bankruptcy. | Region Highway Transportation Master Plan Working Group. |

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| 4. Traffic Monitoring | Petitioner shall monitor the traffic attributable to the proposed project at on-site and off-site locations and shall undertake subsequent mitigative measures that may be required. The mitigative measures shall be coordinated with and approved by DOT and DTS. | <p>Future compliance by Haseko.</p> <p>Road X, Road Y, and Road 3 (Phase 1) should begin construction in September 2025, with completion anticipated in 2026. Multiple traffic studies determined that the intersection of Kunia Road and Anonui Street will not be impacted by the proposed development.</p> | <p>Haseko and/or its consultants have held numerous meetings with the DOT, DTS and DPP TRB representatives to mutually determine and reach agreement on:</p> <ul style="list-style-type: none"> a. Right-of-way acquisition, funding and construction of various roadway and traffic improvements. b. Preparation of periodic traffic monitoring reports. c. Other off-site traffic improvements that may be warranted. <p>On August 23, 2021, Haseko's traffic consultant also submitted a TIAR to DPP/DTS to identify and assess the traffic impacts related to the development of Phase II, based on a traffic study technical scope approved by DOT in 2020. DPP/DTS has provided its comments and the TIAR has been approved by DPP.</p> <p>RK II will coordinate with Haseko, DTS and DOT on traffic studies, traffic monitoring and roadway improvements required for the development of RK II properties.</p> |

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| 5. Integrated Solid Waste Management Act | Petitioner shall cooperate with the State Department of Health (DOH) and the City and County of Honolulu Department of Public Works [now Department of Environmental Services (ENV)] to conform to the program goals and objectives of the Integrated Solid Waste Management Act, Chapter 342G, Hawai'i Revised Statutes, in accordance with a schedule satisfactory to the DOH and ENV. | No longer applicable. | With the City's Dept. of Environmental Services (ENV) implementation of its Automated Cart Collection program, participating residences receive a set of three carts for sorting refuse, green waste, and mixed recyclables. This program eliminates the need for the development of a waste management plan for the various residential developments to qualify for the City's Automated Cart Collection program. The owners of RK II Partners' commercial development will utilize private waste collection service providers. |
| 6. School Facilities | Petitioner shall contribute to the development, funding, and/or construction of school facilities on a pro rata basis as a result of the development on the Property, as determined by and to the satisfaction of the Department of Education (DOE). Agreement by DOE on the level of funding and participation shall be obtained prior to Petitioner applying for county zoning. | Partial completion and future compliance by Haseko. Per the March 6, 2007 School Site Agreement, the 12-acre school site has been conveyed to RKES, LLC. | HDC and DOE entered into a letter agreement dated September 26, 1996 that outlined the terms of HDC's contribution to the development of school facilities in satisfaction of this condition. The letter agreement was subsequently replaced with an updated "School Site Agreement" executed by HDC, RKES, LLC, and DOE on March 6, 2007. The 12-acre school site (TMK No. (1) 9-4-002-079) was previously conveyed to RKES, LLC on March 12, 2007 as part of an agreement between HDC, RKES, LLC and the DOE (the "School Site Agreement"). The School Site Agreement memorializes various letter agreements between HDC and DOE related to the conveyance of the school site lot and future incremental contributions of \$500,000. |

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| 7. Water Requirements | Petitioner shall coordinate with the Honolulu Board of Water Supply (BWS) and the State Department of Land and Natural Resources (DLNR) to obtain water required for the project. If water is not available from existing sources due to insufficient supply, Petitioner shall fund and develop the necessary water source, storage, and transmission systems and facilities. | Future compliance. | <p>RK II Partners will coordinate with BWS as necessary to obtain the required project water from the existing BWS system and continue to work with Haseko and develop additional water resources and/or supply system improvements for dedication to BWS if necessary.</p> <p>Per the Board of Water Supply (BWS) recommendations, a third booster pump with a 2,000 gallons per minute (gpm) capacity is being installed at the 440 feet elevation reservoir to meet the 4,000 gpm fire flow requirement at the industrial development.</p> |
| 8. Civil Defense Measures | Petitioner shall participate, on a pro rata basis, in the funding for construction and installation of appropriate civil defense measures as determined by State and City civil defense agencies. | <p>Partial completion and future compliance.</p> <p>Haseko is working with the State Hawaii Emergency Management Agency on coming to an agreement for the funding, installation and conveyance of a Civil Defense siren.</p> | <p>Since acquiring the Property in August 2020, Haseko has been working with the Hawaii Emergency Management Agency, a division of the State of Hawaii, Department of Defense, to reach an agreement for the funding, installation, and conveyance of a Civil Defense siren to be located on an adjacent property within Phase II.</p> <p>If required, RK II Partners will coordinate with Haseko on the location of any Civil Defense equipment to be located on RK II Partners' property.</p> |

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| 9. Chain Link Fence | Petitioner shall erect a chain link fence along the eastern boundary of the Property that is common with the Waikele Branch of Naval Magazine, Lualualei. | Future compliance by others. | HDC never acquired the land on which this fence and cleared area would be located, and neither Haseko nor RK II Partners plan to acquire the land, which is still owned by the Robinson Estate, and zoned for agricultural use. |
| 10. Clearance and Maintenance of Land | Petitioner shall clear and maintain the land situated within 20 feet of the eastern boundary of the Property, free of trees and vegetation taller than eight inches high. | Future compliance by Haseko. | RK II Partners' property is not adjacent to the eastern boundary. Haseko is expected to maintain its property boundary where required to meet this condition. |
| 11. Pollutants | Petitioner shall coordinate with the DOT and ENV to establish appropriate systems to contain spills and prevent materials, such as petroleum products, chemicals, solvents or other pollutants from leaching into the storm drainage system and adversely affecting the groundwater and coastal waters. | Future compliance. | RK II Partners' will ensure that its development shall meet all regulatory requirements for storm water and hazardous material management prior to initiating project construction of the industrial area and such other actions as are called for in the approved plans and program. |
| 12. Wastewater Treatment | Petitioner shall participate on a pro rata basis in the funding and construction of adequate wastewater treatment, transmission and disposal facilities, as determined by the DOH and ENV. | Future compliance. | <p>RK II Partners and/or Haseko will meet prior to initiating project construction to establish an approved program for compliance with this requirement, and will implement this program. Haseko submitted an updated wastewater master plan to ENV in June 2021, which reflects the wastewater demand estimates based on the ENV wastewater system design standards (July 2017) against the projected development of the various areas of RKII.</p> <p>RK II has obtained sewer connection approvals from the City Department of Environmental Services (ENV) for its Phase</p> |

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| | | | 1 (37-acre) development. |
| 13. Soil Erosion and Dust Control | Petitioner shall implement effective soil erosion and dust control measures both during and after construction to the satisfaction of the DOH. | Future compliance. | RK II Partners will obtain the required permits from the DOH prior to initiating project construction to establish an approved soil erosion and dust control program, and will implement this program. |
| 14. Air Quality Monitoring | Petitioner shall participate in an air quality monitoring program as specified by the DOH. | Future compliance. | RK II Partners will meet with DOH prior to initiating project construction to establish an agreement defining its participation in a DOH-specified air quality monitoring program for the area where the project site is located. |
| 15. Agricultural District Pollution | Petitioner shall provide notification to all owners and occupants of the Property of the potential odor, noise, and dust pollution resulting from surrounding Agricultural District lands, and that the Hawai'i Right-to-Farm Act, Chapter 165 HRS, limits the circumstances under which pre-existing farming activities may be deemed a nuisance. | Future compliance. | RK II Partners will provide such notification along with any sales or leases of commercial lots or other portions of the property to other parties. It will be the responsibility of these other parties to notify any new occupants of their properties that result from their resale, sub-lease and/or rental. |

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| 16. Drainage Improvements | Petitioner shall provide drainage improvements for the subject project and shall coordinate off-site improvements with adjoining landowners and developers, and/or other Federal, State, and City agencies. | Partial completion and future compliance. Phase 1, mass grading and infrastructure work for 37 acres was approved. | <p>Most off-site drainage improvements required for Phase II property were completed in connection with the infrastructure construction for Village Park and Royal Kunia Phase I. DOH issued a Notice of General Coverage Permit on October 10, 1996 for the project, which authorized HDC to discharge storm water associated with the construction of Phase II into certain streams.</p> <p>Prior to the initiation of construction on the Property, RK II Partners will work with adjoining landowners and developers, and with the appropriate Federal, State and City agencies, to coordinate and obtain required permits and approvals for plans and construction schedules related to site grading, on-site drainage improvements, and any additional off-site drainage improvements that may be required. Best management practices will be incorporated into both grading plans and the drainage system design.</p> <p>Drainage plans for RK II Partners' Phase 1 were approved as part of the mass grading plans, with off-site drainage to be routed through a new box culvert. On-site drainage is designed to meet the City's drainage retention requirements.</p> |

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| 17. Archaeological Resources | Should any archaeological resources such as artifacts, shell, bone or charcoal deposits, human burials, or rock or coral alignments, paving or walls of historic or prehistoric significance be encountered during the development of the Property, Petitioner shall immediately stop work on the impacted area and contact the DLNR Historic Preservation Division. | Partial completion and future compliance. | RK II Partners and Haseko will continue to fully comply with all established procedures to protect any archaeological resources that might be encountered during development of the Property. Haseko retained SWCA Environmental Consultants (“SWCA”) to assist Haseko in its compliance with HRS Chapter 6E. In early September 2021, SWCA initiated a HRS 6E-42 historic preservation review for the Property. RKII completed its Archaeological Literature Review and Field Inspection report, and submitted it to DLNR/SHPD in September 2024. SWCA Environmental Consultants concluded that no further archaeological work is recommended. |
| 18. Development Plan Approvals | Petitioner shall obtain Development Plan approvals from the City and County of Honolulu within five (5) years from the date of this Order. | Fully met. | All required Development Plan approvals have been obtained, and the RKII project is in full compliance with the current Central Oahu Sustainable Communities Plan. No further action is required. |
| 19. Agricultural Park | Amended and new conditions per LUC 11/1/2021 Amended Order Granting Successor Petitioner (as to Parcel 52), Ho'ohana Solar 1, LLC's Motion for Modification and Time Extension. Royal Kunia Agricultural Park Offsite Infrastructure. Within six (6) months of the date of the Commission's Order, the landowner(s) within the Petition Area shall execute an amendment to the Memorandum of Understanding (dated 1993 and | Partial completion and future compliance by Haseko and/or others. Title to the 150-acre agricultural park was transferred to the State of Hawaii in 2004. | HK previously met with DOA on May 9, 2007 to begin the process of establishing an agreed-upon plan and program to implement the provisions of the Amended MOU. Haseko’s infrastructure master plan includes permanent infrastructure facilities to serve the Ag Park which will be provided in conjunction with the development of an interior roadway (Roadway Y). Due to delays for the construction of Roadway Y and the DOA permanent infrastructure, |

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| | <p>subsequent amendments in 2007, 2009, 2012, 2015 and 2020) with the Department of Agriculture, and comply with this amended Memorandum of Understanding. This Memorandum shall require that off-site infrastructure to the State of Hawai'i's Kunia Agricultural Park be completed no later than June 30, 2023. "Offsite-infrastructure" includes, but is not limited to, all utilities and appurtenant works, roadways, potable water lines, electrical utilities, sewer lines, utility connections, and the non-potable waterline appurtenances in place, complete.</p> <p><u>Revised Master Plan.</u> All landowners within the Petition Area shall submit revised master plan(s) and schedule(s) for the development of their respective Increments 1, 2, and 3, comprising the Royal Kunia Phase II project to the Commission no later than December 31, 2021.</p> <p><u>Status Report.</u> By March 31, 2021, all landowners within the Petition area shall submit to the Commission a status report on the development of their respective parcels of land and their construction or contribution to the construction of the off-site infrastructure.</p> <p><u>Notice to Commission.</u> Petitioner shall provide notice to the Commission of any intent to sell, lease, assign, place in trust, or otherwise voluntarily alter the</p> | | <p>DOA and Haseko have agreed to amend the timeline for compliance to allow the installation of temporary utilities by Haseko to meet the DOA time schedule. In addition, Ho‘ohana Solar 1, LLC has completed installation of the irrigation water line to provide irrigation water to the Ag Park. Haseko completed the installation of the pumps in 2024.</p> <p>Haseko should commence construction of Road Y Phase 1 in September 2025 and expects to be completed in 2026.</p> <p>Pursuant to Decision and Order Docket No. DFR24-78, RK II and the Lands have been released from this condition.</p> |

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| | <p>ownership interests in the subject property prior to or during development of the subject property, excluding, however, sales or leases of the 53 individual lots or condominium units in a residential development, or leases in an industrial development.</p> <p><u>Compliance with Representations.</u> Failure of the landowners to construct the off-site infrastructure for the Kunia Agricultural Park will constitute good cause for the Commission to issue an Order to Show Cause to the landowners pursuant to HAR §15-15-93 of the Commission's Rules.</p> <p><u>Failure of Solar Project.</u> Should Ho'ohana fail to construct and complete the Solar Project, the easement(s), construction, maintenance and cost of the non-potable waterline described under Condition B.1. shall revert to the responsibility and expense of the landowners.</p> | | |
| 20. Compliance with Representations | Petitioner shall develop the property in substantial compliance with the representations made to the Land Use Commission (LUC). Petitioner's or its successor's failure to so develop the Property may result in reversion of the property to its former classification, or change to a more appropriate classification. | Partial completion and future compliance. | RK II Partners fully intends to continue to fulfill the requirement to develop the Lands in substantial compliance with representations made by its predecessors in interest to the LUC, except as modified by Decision and Order Docket No. DFR24-78. |

Status Report on Royal Kunia Phase II Development Compliance with Conditions
State of Hawaii Land Use Commission Amended Decision and Order (Docket No. A92-683 and 97- 12) (D&O)
Submitted by RK II Partners LLC

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|--|---|---|--|
| 21. Transfer of Petitioner's Interest in the Property | <p>Amended Condition per LUC 1/28/2015 Order Granting Successor Petitioner (to Parcel 52), Ho’ohana Solar 1, LLC's Motion for Order Amending the D&O and First Amendment to the D&O:</p> <p>Petitioner shall provide notice to the Commission of any intent to sell, lease, assign, place in trust, or otherwise voluntarily alter the ownership interests in the subject property prior to or during the development of the subject property, excluding, however, sales or leases of the individual lots or condominium units in a residential development, or leases in an industrial development.</p> | Partial completion and future compliance. | RK II Partners will notify the Commission of any intent to sell, lease, or otherwise voluntarily alter its ownership interest of the Property prior to the commencement of construction. |
| 22. Annual Reports | <p>Petitioner shall promptly provide, without any prior notice, annual reports to the LUC, OSP and DPP in connection with the status of the project and Petitioner's progress in complying with the conditions imposed. The annual reports shall summarize: (1) Petitioner's progress in complying with the conditions imposed; and (2) changes to the project as represented to the LUC. They shall also include a written statement from each State and City and County agency affected by these conditions that Petitioner's representations in the annual report related to the respective state or county agency being affected are true and accurate.</p> | Partial completion and future compliance. | RK II Partners will continue to prepare and submit annual reports in accordance with this condition. |

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| 23. Release of Conditions | <p>The LUC may fully or partially release these conditions as to all or any portions of the property upon timely motion and upon the provision of adequate assurance of satisfaction of these conditions by Petitioner.</p> <p>Adequate assurance of satisfaction may be evidenced by execution of a certificate of satisfaction in recordable form stating that such condition has been satisfied, in whole or in part. OSP will certify for itself and all state departments and agencies, and DPP will certify for itself and all County departments and agencies. Any other party to the boundary amendment proceeding may be asked to indicate whether they concur in the certification of satisfaction.</p> | Future compliance. No motions for a full or partial release of conditions have been filed to date. | RK II Partners intends to apply to the LUC for such releases in the future, as appropriate. |
| 24. Recording of Statement Re Property Subject to Conditions | Within 7 days of the issuance of the LUC's Decision and Order for the subject reclassification, Petitioner shall (1) record with the Bureau of Conveyances a statement to the effect that the property is subject to conditions imposed by the LUC in the reclassification of the property; and (2) shall file a copy of such recorded statement with the LUC. | Fully met. | No further action is required. |
| 25. Recording of Conditions | Petitioner shall record the conditions imposed by the LUC with the Bureau of Conveyances pursuant to Section 15- 15- 92, Hawai'i Administrative Rules. | Fully met. | No further action is required. |

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| <p>LIST OF ACRONYMS</p> <p>BWS City and County of Honolulu Board of Water Supply</p> <p>ENV City and County of Honolulu Department of Environmental Services</p> <p>DLNR State of Hawaii Department of Land and Natural Resources</p> <p>DOA State of Hawaii Department of Agriculture</p> <p>DOE State of Hawaii Department of Education</p> <p>DOH State of Hawaii Department of Health</p> <p>DOT State of Hawaii Department of Transportation</p> <p>DPP City and County of Honolulu Department of Planning and Permitting</p> <p>DTS City and County of Honolulu Department of Transportation Services</p> <p>HDC Halekua Development Corporation</p> <p>HK Halekua-Kunia LLC</p> <p>LOTMA Leeward Oahu Transportation Management Association</p> <p>LUC State of Hawaii Land Use Commission</p> <p>MOU Memorandum of Understanding</p> <p>OSP State of Hawaii Office of Planning</p> <p>RMTC RM Towill Corporation</p> <p>RP2 RP2 Ventures, LLC</p> <p>WOA Wilson Okamoto and Associates</p> | | | |