

# CARLSMITH BALL LLP

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OUR REFERENCE NO.:  
067337-00001

December 10, 2014

**VIA EMAIL: GTAKARA@HONOLULU.GOV & HAND DELIVERY**

Dean I. Hazama, Chair  
Planning Commission  
Department of Planning and Permitting, City and County of Honolulu  
650 South King Street, 7th Floor  
Honolulu, Hawaii 96813

DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU

14 DEC 10 P4:33

RECEIVED

Re: Waiawa PV LLC - State Special Use Permit No. 2014/SUP-3 (RY)  
TMK No. (1) 9-5-003: 004 (por.)

Dear Chair Hazama and Members of the Honolulu Planning Commission:

We represent Waiawa PV, LLC, the applicant for the above referenced State Special Use Permit ("SUP"). Waiawa PV, LLC is seeking a SUP in order to develop a 47 megawatt solar farm on approximately 313 acres of land. The land is designated within the State Land Use Agricultural District and has soils rated as Class B by the Land Study Bureau; therefore a State SUP Permit is required. The SUP application will be before the Honolulu Planning Commission on Wednesday, December 17, 2014.

This letter is to inform you that the applicant intends to file additional exhibits and other materials, including written direct testimony, with the Planning Commission on Monday, December 15, 2014, in order to supplement the information that was provided in the application. Because the final decision on the SUP will be made by the State Land Use Commission, and that decision will be based solely on the record that we create at the Planning Commission, we must take this additional step to insure that all issues relevant to both decision-making bodies are addressed in the record.

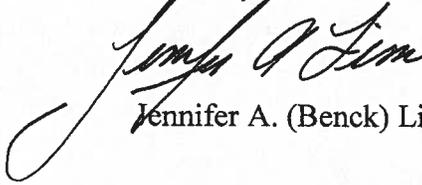
The Department of Planning and Permitting staff reviewing the SUP application has been detailed and comprehensive in its review. We recognize that this additional filing will come shortly before the hearing, and therefore reviewing the materials prior to the hearing may present a challenge to the Commission. We will make every effort to be economical with this filing, and

Dean I. Hazama  
Honolulu Planning Commission  
December 10, 2014  
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will have appropriate witnesses at the hearing on the 17<sup>th</sup> to address the additional materials filed.

Thank you for your consideration.

Sincerely,



Jennifer A. (Benck) Lim

JAB1/PPT

cc: George Atta, Director, DPP City and County of Honolulu  
Raymond Young, Planner, DPP, City and County of Honolulu  
Wren Wescoatt, Waiawa PV, LLC  
Winston Wong, Esq., Deputy Corporation Counsel, City and County of Honolulu  
Gloria Takara, Planning Commission Hearings Reporter, DPP - 1 + 25 copies

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REF. No. 067337-1

December 10, 2014

## VIA HAND DELIVERY

Mr. George Atta  
Director  
Department of Planning and Permitting  
650 South King St., 7th Floor  
Honolulu, HI 96813

RECEIVED  
14 DEC 10 P2:24  
DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU

Re: Waiawa PV LLC - State Special Use Permit No. 2014/SUP-3 (RY) - TMK No. (1) 9-5-003: 004 (por.)

Dear Mr. Atta:

We represent Waiawa PV, LLC, the applicant for the above referenced State Special Use Permit ("SUP"). Waiawa PV, LLC is seeking a SUP in order to develop a 47 megawatt solar farm on approximately 313 acres of land. The land is designated within the State Land Use Agricultural District and has soils rated as Class B by the Land Study Bureau; therefore a State SUP Permit is required.

The Department of Planning and Permitting deemed the SUP application complete on October 2, 2014. This matter is before the Honolulu Planning Commission next week (December 17, 2014), and we hope to be before the State Land Use Commission ("LUC") for final action by March 2015. This letter is to provide some clarification to the information submitted in the application with respect to the needed term of the SUP.

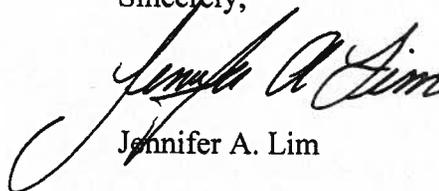
The application described an anticipated timeframe of approximately 27 years of operation. What was not explicitly addressed in the application was the additional time that will be needed to complete the land use entitlements process for the project, do site work and construction, and eventually to decommission the panels. Also not addressed in the application is the fact that the solar equipment, with regular maintenance, can still be operating productively for longer than 30 years. Taking these aspects of the project into consideration, we believe that an appropriate term for the SUP would be 35 years from the date of the LUC's decision and order approving the SUP. A 35 year term is consistent with the terms authorized by the LUC in two recently approved solar farm projects that, similar to the Waiawa PV, LLC project, are also among the low-cost waiver renewable energy solar projects approved by HECO.

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We respectfully request that you take into consideration the time needed for permitting, construction and decommissioning, as well as the timeframes utilized in other very similar solar farm projects, when analyzing the SUP application, and suggest that an appropriate term for the SUP is 35 years from the date of the LUC's written decision and order approving the SUP.

Thank you for your consideration. Please do not hesitate to contact me directly if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer A. Lim". The signature is fluid and cursive, with a large initial "J" and "L".

Jennifer A. Lim

JAL/jah

cc: Raymond Young, DPP  
Wren Wescoatt, Waiawa PV, LLC