

LAND USE COMMISSION
NOTIFICATION OF LAND USE COMMISSION MEETING
September 8-9, 2021 at 9:00 a.m.
via **Zoom Webinar Virtual Meeting** (to register, see below)

Considering the evolving COVID-19 situation, protecting the health and welfare of the community is of utmost concern. Pursuant to Exhibit C of the Governor's Emergency Proclamation Related to the COVID-19 Response, the Commission will hold meetings remotely by interactive conference technology, with Commission members, Staff and Applicants participating simultaneously online. Individuals and members of the public can view and listen to these live, online meetings by registering and using the links below. A registration e-mail will follow thereafter with a link to the day's meeting.

A G E N D A

September 8, 2021– 9:00 a.m.

Click to register for this Zoom meeting:

https://us02web.zoom.us/webinar/register/WN_Tjet0Jr4O36oVHclhOsILQ

- I. **CALL TO ORDER**
- II. **ADOPTION OF MINUTES**
August 25th, 2021 Minutes
- III. **TENTATIVE MEETING SCHEDULE**
- IV. **ACTION- DR21-72 Church (Hawai'i)**
To Consider Petitioner's Petition for a Declaratory Order requesting clarification and correction to the LUC, December 16, 1992 Boundary interpretation No. 92-48 and re-imbusement of LUC and Court Reporter fees.
- V. **ACTION - A11-794 State of Hawai'i, Dept. of Education – (Kihei High School) (Maui)**
 - To Consider Petitioner's Emergency Motion for Recusal or Disqualification of LUC's Chair from Participation in any Proceeding related to DOE's Motion to Amend the Land Use Commission's Findings of Fact, Conclusions of Law and Decision and Order filed July 29, 2013.
 - To Consider Petitioner's Motion to Amend the LUC's Findings of Fact, Conclusions of Law and Decision and Order Filed July 29, 2013.
 - To Consider Petitioner's Request for the Issuance of Written Findings as to its Aug 20, 2020 Motion to Amend the Land Use Commission's Findings of Fact, Conclusions of Law and Decision and Order filed July 29, 2013.
- VI. **RECESS/ADJOURNMENT**

A G E N D A

September 9, 2021– 9:00 a.m.

Click to register for this Zoom meeting:

https://us02web.zoom.us/webinar/register/WN_kgDUX61yTOerNb1gnUr_Iw

- VII. **CALL TO ORDER**

VIII. ACTION - SP21-412 Mahi Solar- (O'ahu)

To Consider Special Permit Application No. SP21-412 Mahi Solar Project, for an approximately 120 Megawatt alternating current (Mwac) solar and energy storage facility located in Kunia, O'ahu. TMK No. (1) 9-2 001:020 (por.) and (1)9-2-004:003 (por.), 006 (por.), 010 (por.), and 012 (por.)

IX. CONTINUED HEARING AND ACTION (IF NECESSARY)

A11-794 State of Hawai'i, Dept. of Education – (Kihei High School) (Maui)

X. EXECUTIVE SESSION

Pursuant to HRS Section 92-5(a)(2) to consider personnel matters where considerations of matters affecting privacy will be involved.

XI. ADJOURNMENT

Executive Session. During the scheduled meetings, the Commission may elect to consult with its legal counsel in executive session pursuant to HRS § 92-5.

Protocol for Testifying before the LUC. Interested persons can submit written testimony that will be distributed to Commissioners/Board Members prior to the meeting. Written testimony must be submitted no later than 24 hours before the meeting to ensure time for Commissioners to review it. Submit written testimony to: dbedt.luc.web@hawaii.gov. The mailing address for the Land Use Commission is P.O. Box 2359, Honolulu, Hawaii, 96814-2359. Mailed-in testimony must be received no later than 24-hours prior to the meeting to ensure review. All written testimony will be acknowledged at the meeting. To provide live oral/video testimony during the online meeting, you must register in advance—with your name, email address, and the agenda item you would like to testify on during the meeting—using the following URL links:

Wednesday September 8, 2021 (https://us02web.zoom.us/webinar/register/WN_Tjet0Jr4Q36oVHclhQsILQ)

Thursday September 9, 2021 (https://us02web.zoom.us/webinar/register/WN_kgDUX61yTOerNb1gnUr_Iw)

Once your request has been received, you will receive a Zoom link via which to attend the meeting. You will need a computer with internet access, video camera and microphone to participate.¹ If you require access by phone only, please indicate that in your email request. Public testimony will be taken when each agenda item is discussed.

Testifiers will be called on by the Chair to offer testimony. The Chair will call you name and enable you to join the on-screen panel. The Chair will unmute your microphone and turn on your video. When it is your turn to speak, you will be given full access to the meeting.

When testifying, please state your first and last name for the record. If you are testifying on behalf of an organization, please include the name of the organization as well. Testimony will be limited to a maximum of three (3) minutes per person, per item. You will be given notice when 30 seconds remain. If you continue to testify beyond your allotted time, the Chair will kindly ask you to complete your testimony. If you have submitted written testimony and have also signed up to deliver it orally, the Chair will ask you to kindly summarize your points. When you have finished testifying, please wait to see if the parties or Commissioners may have follow-up questions. If not, the Chair will return you to the audience side of the Zoom meeting. Staff will be monitoring people joining by video and will do their best to take each person in an orderly fashion. Please be patient as we continue to navigate this new platform.

Meeting Materials. Some materials for the agenda items may be available on the Land Use Commission's website prior to the Commission's meeting, available here: <http://luc.hawaii.gov>.

¹Please note that persons who require an auxiliary aid, service, or an accommodation due to a disability should call (808) 587-3822 no later than 12:00 noon, 2 business days before the date of the meeting.