

LAW OFFICE OF JENNIFER A. LIM LLLC

JENNIFER A. LIM 8357  
Law Office of Jennifer A. Lim LLLC  
2299 B Round Top Drive  
Honolulu, Hawaii 96822  
Tel No. 808.542.8516  
[JenniferLim@jenniferlimlaw.com](mailto:JenniferLim@jenniferlimlaw.com)



CARLSMITH BALL LLP

PUANANIONAONA P. THOENE 10005  
DEREK B. SIMON 10612  
ASB TOWER  
1001 Bishop Street, Suite 2100  
Honolulu, Hawai'i 96813  
Tel No. 808.523.2500  
Fax No. 808.523.0842  
[PThoene@carlsmith.com](mailto:PThoene@carlsmith.com)  
[DSimon@carlsmith.com](mailto:DSimon@carlsmith.com)

Attorney for Successor Petitioner  
**KAMEHAMEHA SCHOOLS**

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In the Matter of the Petition of

TOM GENTRY AND GENTRY-PACIFIC,  
LTD

To Amend the Agricultural Land Use District  
Boundary into the Urban Land Use District for  
Approximately 1,395 Acres at Waiawa, 'Ewa,  
O'ahu, State of Hawai'i, Tax Map Key Nos.:  
9-4-06: Portion of 26; 9-6-04: Portion of 1 and  
Portion of 16; and 9-6-05: Portion of 1, Portion  
of 7 and Portion of 14

DOCKET NO. A87-610

TRUSTEES OF THE ESTATE OF BERNICE  
PAUAHI BISHOP, DBA KAMEHAMEHA  
SCHOOLS' FIRST LIST OF EXHIBITS;  
DECLARATION OF DEREK B. SIMON;  
EXHIBITS 13-41; CERTIFICATE OF  
SERVICE

**TRUSTEES OF THE ESTATE OF BERNICE PAUHI BISHOP,  
DBA KAMEHAMEHA SCHOOLS' FIRST LIST OF EXHIBITS**

Successor Petitioner LANCE KEAWE WILHELM, ROBERT K.W.H. NOBRIGA, ELLIOT K. MILLS, and CRYSTAL KAUILANI ROSE, as TRUSTEES OF THE ESTATE OF BERNICE PAUHI BISHOP, dba KAMEHAMEHA SCHOOLS (“KS”), by and through its legal counsel, hereby respectfully submits to the Land Use Commission of the State of Hawai‘i its *First List of Exhibits* and Exhibits 13-41 in support of its *Motion for Modification, Time Extension, and Release and Modification of Conditions*, filed December 10, 2021.

KS reserves the right to amend its list of exhibits and identify additional exhibits not expressly noted herein in response to any pleadings, arguments, exhibits or witnesses identified by any party.

DATED: Honolulu, Hawai‘i, February 25, 2022.

*/s/ Derek B. Simon*

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JENNIFER A. LIM  
PUANANIONAONA P. THOENE  
DEREK B. SIMON

Attorneys for Successor Petitioner  
KAMEHAMEHA SCHOOLS

**LAND USE COMMISSION DOCKET NO. A87-610**  
**SUCCESSOR PETITIONER KAMEHAMEHA SCHOOLS' FIRST LIST OF EXHIBITS**

<b>KS EX. NO.</b>	<b>DESCRIPTION</b>	<b>PARTY OBJECTIONS</b>	<b>ADMIT</b>
Kamehameha Schools (“KS”) Exhibits 1-12 were filed on December 10, 2021 with the Motion for Modification, Time Extension, and Release and Modification of Conditions			
1.	Graphic showing the Tax Map Key parcels comprising the 1,395-acre Petition Area in Docket No. A87-610 and the State Land Use Districts of the Petition Area		
2.	Conceptual Site Plan Map for the solar farm proposed within a portion of the Petition Area dated August 5, 2021		
3.	Graphic showing City and County of Honolulu zoning districts of the Petition Area, dated August 5, 2021		
4.	Graphic showing Central O‘ahu Sustainable Communities Plan Map A-2: Urban Land Use, showing designations within the Petition Area, Source City & County of Honolulu, 2021		
5.	Mobility Assessment for the Proposed Waiawa Phase 2 Solar Plus Storage Project (Oahu, HI), dated August 11, 2021, by Fehr & Peers		
6.	Waiawa Phase 2 Solar + Storage Project Visual Simulations, dated August 2021, by Tetra Tech, Inc.		
7.	Glare Analysis Report for the Waiawa Phase 2 Solar Plus Storage Project, dated August 2021, by Tetra Tech		
8.	State Historic Preservation Division letter dated April 24, 2015 accepting Archaeological Inventory Survey of 1,395 Acres of Kamehameha Schools’ Land in Waiawa and Waipi‘o Ahupua‘a, ‘Ewa District, O‘ahu Island, Hawai‘i, dated		

	September 2014, prepared by TCP Hawai'i LLC		
9.	State Historic Preservation Division letter dated September 14, 2015, accepting the Archaeological Preservation Plan State Site No. 50-80-09-2273 Features 14 (Portion), 19, 22 & 23 (Portion) Kamehameha Schools' Land in Waiawa Ahupua'a, 'Ewa District, O'ahu Island, Hawai'i TMK (1) 9-6-004:024 (Portion), dated May 2015, prepared by TCP Hawai'i LLC		
10.	Waiawa Phase 2 Solar + Storage Project Biological Resources Survey Report, dated August 2021, by Tetra Tech		
11.	Act 97 (2015) of the Hawai'i State Legislature		
12.	KS Motion to Amend Service of Process Checklist, dated December 10, 2021		
KS Exhibits 13-41 are filed herewith, as supporting documents to the Motion for Modification, Time Extension, and Release and Modification of Conditions, filed December 10, 2021			
13.	Updated Conceptual Site Plan		
14.	Archaeological Inventory Survey of 1,395 Acres of Kamehameha Schools' Land in Waiawa and Waipi'o Ahupua'a, 'Ewa District, O'ahu Island, Hawai'i (2015), prepared by TCP Hawai'i LLC		
15.	Letter from City & County of Honolulu Department of Planning & Permitting to KS, dated April 29, 2014		
16.	Resume of Nicholas J. Molinari		
17.	Resume of Lisa S. Kettley		
18.	Resume of Jason Alapaki Jeremiah		

19.	Resume of Christopher M. Monahan		
20.	Resume of Shane Peters		
21.	Resume of Sohrab Rashid		
22.	Resume of Sam Ley		
23.	Resume of Paul T. Matsuda		
24.	Resume of Maya Lani LeGrande		
25.	Resume of Thomas Snetsinger		
26.	Written Direct Testimony of Dana K. N. Sato, dated February 24, 2022		
27.	Written Direct Testimony of Nicholas Molinari, dated February 25, 2022		
28.	Written Direct Testimony of Lisa S. Kettlely, dated February 25, 2022		
29.	Written Direct Testimony of Jason A. Jeremiah, dated February 25, 2022		
30.	Written Direct Testimony of Christopher M. Monahan, dated February 24, 2022		
31.	Written Direct Testimony of Sohrab Rashid, dated February 23, 2022		
32.	Community Outreach Report prepared by Peters Communications, dated October 15, 2021		
33.	Supplemental Community Outreach Report prepared by Peters Communications, dated February 22, 2022		
34.	Petitioner's Proposed Order Granting Petitioner's Motion for Modification, Time Extension, and Release and Modification of Conditions		

35.	Letter Memo – Completion of Installation/Marking Temporary (Construction) Preservation Buffer around SIHP # 50-80-09-2273, Features 14 (por.) & 19 in Support of Waiawa 2 Solar Project, from TCP Hawai‘i, LLC to Tetra Tech, Inc., dated November 15, 2021		
36.	Excerpt from Table 21-3 (Master Use Table), Chapter 21 of the Revised Ordinances of Honolulu		
37.	Waiawa Master Plan Exhibit 1 (Waiawa Master Planning Area and Potential State Land Use Districts Boundary Amendment Area), dated October 4, 2019		
38.	Waiawa Master Plan Exhibit 3 (Conceptual Land Use Plan Phase A and B (TOD Increment) w/ Solar), dated October 4, 2019		
39.	2021 Kamehameha Schools Annual Report		
40.	File-stamped Stipulated Proposed Conditions of Approval, dated and filed February 25, 2022		
41.	Preliminary Civil Engineering Considerations, prepared by Group 70 International, Inc., dated August 2021		

BEFORE THE LAND USE COMMISSION  
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In the Matter of the Petition of

TOM GENTRY AND GENTRY-PACIFIC,  
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To Amend the Agricultural Land Use District  
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of 7 and Portion of 14

DOCKET NO. A87-610

DECLARATION OF DEREK B. SIMON;  
EXHIBITS 13-41

**DECLARATION OF DEREK B. SIMON**

I, DEREK B. SIMON, declare under penalty of law as follows:

1. I am an attorney with Carlsmith Ball LLP, co-counsel for Successor Petitioner LANCE KEAWE WILHELM, ROBERT K.W.H. NOBRIGA, ELLIOT K. MILLS, and CRYSTAL KAUILANI ROSE, as TRUSTEES OF THE ESTATE OF BERNICE PAUAHI BISHOP, dba KAMEHAMEHA SCHOOLS ("KS"), in Land Use Commission ("Commission") Docket No. A87-610.

2. Attached hereto as **Exhibit 13** is a true and correct copy of an updated Conceptual Site Plan for the proposed solar farm project, prepared by Waiawa Phase 2 Solar, LLC.

3. Attached hereto as **Exhibit 14** is a true and correct copy of the Archaeological Inventory Survey of 1,395 Acres of Kamehameha Schools' Land in Waiawa and Waipi'o Ahupua'a, 'Ewa District, O'ahu Island, Hawai'i (2015), prepared by TCP Hawai'i, LLC.

4. Attached hereto as **Exhibit 15** is a true and correct copy of a letter from the Director of the City and County of Honolulu, Department of Planning and Permitting to KS, dated April 29, 2014.

5. Attached hereto as **Exhibit 16** is a true and correct copy of the resume of Nicholas J. Molinari.

6. Attached hereto as **Exhibit 17** is a true and correct copy of the resume of Lisa S. Kettley.

7. Attached hereto as **Exhibit 18** is a true and correct copy of the resume of Jason Alapaki Jeremiah.

8. Attached hereto as **Exhibit 19** is a true and correct copy of the resume of Christopher M. Monahan, Ph.D.

9. Attached hereto as **Exhibit 20** is a true and correct copy of the resume of Shane Peters.

10. Attached hereto as **Exhibit 21** is a true and correct copy of the resume of Sohrab Rashid.

11. Attached hereto as **Exhibit 22** is a true and correct copy of the resume of Sam Ley.

12. Attached hereto as **Exhibit 23** is a true and correct copy of the resume of Paul T. Matsuda.

13. Attached hereto as **Exhibit 24** is a true and correct copy of the resume of Maya Lani LeGrande.

14. Attached hereto as **Exhibit 25** is a true and correct copy of the resume of Thomas Snetsinger.



15. Attached hereto as **Exhibit 26** is a true and correct copy of the Written Direct Testimony of Dana K. N. Sato, dated February 24, 2022.

16. Attached hereto as **Exhibit 27** is a true and correct copy of the Written Direct Testimony of Nicholas Molinari, dated February 25, 2022.

17. Attached hereto as **Exhibit 28** is a true and correct copy of the Written Direct Testimony of Lisa S. Kettley, dated February 25, 2022.

18. Attached hereto as **Exhibit 29** is a true and correct copy of the Written Direct Testimony of Jason A. Jeremiah, dated February 25, 2022.

19. Attached hereto as **Exhibit 30** is a true and correct copy of the Written Direct Testimony of Christopher M. Monahan, dated February 24, 2022.

20. Attached hereto as **Exhibit 31** is a true and correct copy of the Written Direct Testimony of Sohrab Rashid, dated February 23, 2022.

21. Attached hereto as **Exhibit 32** is a true and correct copy of the Community Outreach Report prepared by Peters Communications, dated October 15, 2021.

22. Attached hereto as **Exhibit 33** is a true and correct copy of the Supplemental Community Outreach Report prepared by Peters Communications, dated February 22, 2022.

23. Attached hereto as **Exhibit 34** is a true and correct copy of Petitioner's Proposed Order Granting Petitioner's Motion for Modification, Time Extension, and Release and Modification of Conditions.

24. Attached hereto as **Exhibit 35** is a true and correct copy of a Letter Memo – Completion of Installation/Marking Temporary (Construction) Preservation Buffer around

SIHP # 50-80-09-2273, Features 14 (por.) & 19 in Support of Waiawa 2 Solar Project, from TCP Hawai'i, LLC to Tetra Tech, Inc., dated November 15, 2021.

25. Attached hereto as **Exhibit 36** is a true and correct copy of an excerpt from Table 21-3 (Master Use Table), Chapter 21 of the Revised Ordinances of Honolulu.

26. Attached hereto as **Exhibit 37** is a true and correct copy of Waiawa Master Plan Exhibit 1 (Waiawa Master Planning Area and Potential State Land Use Districts Boundary Amendment Area), dated October 4, 2019.

27. Attached hereto as **Exhibit 38** is a true and correct copy of Waiawa Master Plan Exhibit 3 (Conceptual Land Use Plan Phase A and B (TOD Increment) w/ Solar), dated October 4, 2019.

28. Attached hereto as **Exhibit 39** is a true and correct copy of the 2021 Kamehameha Schools Annual Report.

29. Attached hereto as **Exhibit 40** is a true and correct copy of the file-stamped Stipulated Proposed Conditions of Approval, dated and filed with the Commission on February 25, 2022, and signed by counsel for KS and the State of Hawai'i Office of Planning and Sustainable Development.

30. Attached hereto as **Exhibit 41** is a true and correct copy of the Preliminary Civil Engineering Considerations, prepared by Group 70 International, Inc., dated August 2021.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: Honolulu, Hawai'i, February 25, 2022.

*/s/ Derek B. Simon*  
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DEREK B. SIMON