



KAMEHAMEHA SCHOOLS\*

LAND USE COMMISSION  
STATE OF HAWAII

2021 APR -9 P 1:16

April 1, 2021

Daniel E. Orodenker, Executive Officer  
Land Use Commission  
235 South Beretania Street, Suite 406  
Honolulu, Hawaii 96813

Subject: **Docket No. A87-610, Trustees of the Estate of Bernice Pauahi Bishop dba Kamehameha Schools, Successor Petitioner to Tom Gentry and Gentry-Pacific, Ltd.**

Dear Mr. Orodenker:

On behalf of Successor Petitioner, Trustees of the Estate of Bernice Pauahi Bishop, dba Kamehameha Schools ("KS"), we hereby submit this 2021 Annual Report to the State of Hawaii Land Use Commission.

By Findings of Fact, Conclusions of Law and Decision and Order filed May 17, 1988, the State of Hawai'i Land Use Commission ("Commission") reclassified approximately 1,395 acres of land situate at Waiawa, Ewa, Oahu (the "KS Property"), from the State Land Use Agricultural District to the State Land Use Urban District, subject to 10 conditions of approval. By Order dated November 30, 1990, the Commission amended Condition No. 6, and reaffirmed all other conditions to the 1988 Decision and Order (the 1988 D&O, as amended in 1990, shall hereinafter be referred to as the "Waiawa Order").<sup>1</sup> On November 26, 2014, the Commission issued its *Order Granting Motion for Order Amending Findings of Fact, Conclusions of Law and Decision and Order Dated May 17, 1988*, subject to 16 conditions of approval (the "2014 Order") amending the Waiawa Order to: (1) expressly authorize the use of portions of the KS Property (an area of approximately 387 acres in the northern/makai portion of the KS Property, and an area of approximately 268 acres in the mauka portion of the KS Property approximately within the Zone of Contribution) for solar farm development for an interim period not to exceed 35 years from the issuance of the 2014 Order, i.e., a period terminating as of November 26, 2049, and (2) recognize KS as the successor Petitioner in this Docket.

KS sought the Commission's approval under the 2014 Order so that it could have time to reevaluate the development proposal that had originally been presented to the Commission, while at the same time, for an interim period, pursue a means of obtaining some financial return on the KS Property, in a manner consistent with KS' five values of: (1) culture; (2) environment; (3) education; (4) economics; and (5) community. The development of a renewable energy project was determined by KS

<sup>1</sup> After the Commission approved the Urban District reclassification in 1988, rezoning approvals were sought from the Honolulu City Council. In 1998 the City Council passed Ordinance 98-55, amending a portion of the Development Plan Land Use Map to support the Waiawa project. Next, the City Council approved the rezoning of approximately 1,049 acres within the KS Property. Ordinance Nos. 98-01, effective January 15, 1998 (as amended by Ordinance 98-69, effective December 17, 1998) rezoned 874 acres within the KS Property from Restricted Agriculture (AG-1) to Neighborhood Business District (B1), Community Business District (B2), Low Density Apartment District (A1), Industrial-Commercial Mixed Use District (IMX1), Residential (RS) and General Preservation (P-2). Ordinance No. 03-01, effective February 12, 2003, rezoned 175.43 acres within the KS Property from AG-1 to R-5, A-1, Medium Density Apartment District (A-2) and P-2. Copies of these zoning ordinances were previously transmitted for your files.

Daniel E. Orodener, Executive Officer  
Land Use Commission

to be consistent with the values, vision, mission, guiding principles and strategic goals set forth in the KS Strategic Plan 2000 - 2015, and the 2009 KS Strategic Agricultural Plan.

As previously reported, SunEdison, the intended solar developer for the solar farms approved under the 2014 Order, faced difficulty obtaining the necessary approvals from the Hawaii Public Utilities Commission for its power purchase agreement with Hawaiian Electric Company, Inc. ("HECO") and shortly thereafter went bankrupt. Accordingly, KS cancelled its agreements with SunEdison, but KS remained on the lookout for new renewable energy opportunities that would be compatible with the future development of the KS Property.

On July 24, 2019, KS submitted a Motion for Modification and Time Extension, a Memorandum in Support of Motion and Affidavits of Dana K. Sato and Jennifer A. Lim, requesting approval of certain amendments to the 2014 Order. The solar farm addressed in KS' 2019 Motion is approximately within the Zone of Contribution area that was approved for solar farm development under the 2014 Order. Additionally, consistent with Condition No. 1 of the 2014 Order, KS submitted its Revised Master Plan and Schedule for Development.

On February 11, 2020, the Commission issued its *Findings of Fact, Conclusions of Law, and Decision and Order Granting with Modification Motion for Modification and Time Extension* ("2020 Order"). Furthermore, as discussed at the Commission hearings related to the 2020 Order, KS has identified a second renewable energy project to be located in the northern/makai portion of the KS Property, approximately within the area previously approved for solar development under the 2014 Order. Since that time, KS has been working towards an Agreement to Lease with that solar farm developer. KS intends to file with the Commission a Motion to request modifications to the prior approvals to permit this proposed two-phased solar farm.

A matrix of all of the Commission's conditions of approval in this Docket, and the status of those conditions, is enclosed. We note that due to certain inconsistencies and redundancies in the 2020 Order, the numbering of the conditions could be difficult to follow. Therefore, although the Commission did not fashion the 2020 Order as an amendment and restatement of the 2014 Order, for the sake of clarity and brevity we have not repeated the identical conditions in both the 2014 Order and the 2020 Order. Please feel free to contact me at 534-8033 if you have any questions regarding this report.

Very truly yours,



Calvin Mann  
KAMEHAMEHA SCHOOLS  
Development Director, Commercial Real Estate

Enclosure

cc:

Mary Alice Evans, Director, Office of Planning  
Dean Uchida, Director, Honolulu Department of Planning & Permitting  
Mike McCartney, Director of Business, Economic Development and Tourism (DBEDT)

**State Land Use Commission Docket No.: A87-610**  
**2021 Report re Compliance with Conditions of Approval**

<b>Conditions Nos. 1 - 10 of the 1988 Order, as amended by the 1990 Order as to Condition No. 6</b>			
<b>No.</b>	<b>Condition</b>	<b>Status</b>	<b>Comments</b>
1. (1988)	A study funded by the U.S. Department of the Navy to review the potential for groundwater contamination resulting from the urbanization of the Property shall be completed prior to any site development and construction unless the Department of Health after consultation with the United States Navy and after review of the proposed study scope makes a determination that development and construction within a specified area will not cause groundwater contamination to wells in the area. Petitioner shall not proceed with the project until the study shows to the satisfaction of the Department of Health that groundwater contamination will not occur as a result of the proposed project, or until the Department of Health makes a determination that development or partial development may be allowed.	Satisfied	Condition 1 has been satisfied. In compliance with Condition 1, the DOH prepared a study ("Report to the Office of State Planning by the Department of Health Safe Drinking Water Branch on the Delineation of the Hydrologic Zone of Contribution for the U.S. Navy Waiawa Shaft" (Revised Dec. 1990)) ("ZOC Study"). The ZOC Study was undertaken to identify the zone of contribution of the Waiawa Shaft. The Navy concurred with the methodology of the ZOC Study and the location of the zone of contribution, and the DOH sent a copy of the ZOC Study to the State Office of Planning on January 2, 1991.
2. (1988)	Any urban development within the Property shall be subject to further review and subsequent approval by the Department of Health. The Department of Health may require appropriate mitigated measures and conditions relating to the proposed development's impact on the groundwater resources in the area.	On-going	Successor Petitioner acknowledges this condition and continues to comply.  In 2018, KS consulted with the State of Hawai'i Department of Health ("DOH") about KS's master plan development, including development within the Petition Area. DOH approved KS' proposed urban development, subject to several standard conditions related to the various divisions within DOH.
3. (1988)	For the first 1,000 dwelling units which may be constructed on the Property, Petitioner shall provide housing opportunities for low, low-moderate, and moderate income Hawaii residents by offering for sale at least thirty percent (30%) of the units at prices which families with an	On-going	Successor Petitioner shall comply with this condition.

**Conditions Nos. 1 - 10 of the 1988 Order, as amended by the 1990 Order as to Condition No. 6**

No.	Condition	Status	Comments
	<p>income range of 80 to 120 percent of Oahu's median income can afford and thirty percent (30%) of the units which families with an income range of 120 to 140 percent of Oahu's median income can afford. This condition may be fulfilled through projects, under such terms as may be mutually agreeable, between Petitioner and the Housing Finance and Development Corporation of the State, or other appropriate governmental agency. This condition may also be fulfilled, with the approval of the Housing Finance and Development Corporation, through the construction of rental units to be made available at rents which families in the specified income ranges can afford.</p>		
4. (1988)	<p>For the balance of the Property, the affordable housing requirements shall be satisfied in a manner that meets with the approval of the City and County of Honolulu and the State Housing Finance and Development Corporation. Said requirements shall take into consideration affordable on-site or off-site housing units or cash payments that satisfy the then current housing needs, or other necessary or desirable community facilities as determined above.</p>	On-going	Successor Petitioner shall comply with this condition.
5. (1988)	<p>Petitioner shall fund and construct the necessary improvements as determined by the State Department of Transportation which would mitigate impacts from the subject project. These improvements shall be implemented on a schedule acceptable to and approved by the Department of Transportation.</p>	Partially satisfied	As stated in the July 1, 2013 annual report to the Commission, substantial steps have been taken toward satisfaction of this condition. As reported to the Commission, lands valued in excess of \$637,000 were dedicated for the construction of Waipio Interchange. Prior to 2012, \$1.4 million dollars were paid by the developer to the State of Hawaii for improvements to Ka Uka Boulevard and for the construction of HOV lanes between the Waiawa and Waipio Interchanges of the H-2 Freeway.
6. (1990)	<p>Petitioner shall appoint and fund a transportation manager whose function is the formulation, use, and continuation of alternative transportation opportunities that would maximize the use of existing and proposed transportation systems.</p>	Satisfied and on-going	As reported in the 2013 annual report, KS has been an active participant in the Leeward Oahu Transportation Management Association, which is a regional program that seeks to promote alternative transportation opportunities and to optimize the capacity

**Conditions Nos. 1 - 10 of the 1988 Order, as amended by the 1990 Order as to Condition No. 6**

No.	Condition	Status	Comments
	<p>This will include construction and operation of a park and ride facility or other activities to encourage transit use or ridesharing. These activities and facilities shall be implemented on a schedule acceptable to and approved by the State Department of Transportation.</p> <p>In the alternative, Petitioner may participate in a regional program for the transportation management with other developers and/or landowners. This program shall address the formulation, use and continuation of alternative transportation opportunities that would optimize the use of existing and proposed transportation systems.</p>		<p>and use of existing and proposed transportation systems. Over the past few years, LOTMA has been somewhat dormant. However, KS continues to be a willing participant with LOTMA or any other suitable programs for regional transportation management. In addition, KS has retained a consultant to explore transportation management solutions with an eye toward KS' planned revised master plan for the Petition Area.</p>
7.	<p>Petitioner shall participate in an air quality monitoring program as specified by the State Department of Health.</p>	On-going	Successor Petitioner shall comply with this condition.
8.	<p>Petitioner shall immediately stop work and contact the State Historic Preservation Office should any archaeological resources such as artifacts, shell, bone, or charcoal deposits, human burial, rock or coral alignments, pavings or walls be encountered during the project's development.</p>	On-going	Successor Petitioner will comply with this condition.
9.	<p>Petitioner shall provide public access to the Conservation District land mauka of the Property.</p>	Satisfied	<p>There are no Conservation District lands adjacent to the KS Property. Furthermore, as determined by the State Department of Land and Natural Resources by letter dated June 21, 2000, the only feasible means of accessing any Conservation District lands is via the Waiawa Correctional Facility, and there are no public hiking trails or hunting areas that required public access over the KS Property.</p>
10.	<p>Petitioner shall provide annual reports to the Land Use Commission, the Department of Business and Economic Development and the City and County of Honolulu Department of General Planning in connection with the status of the project and Petitioner's progress in complying with the conditions imposed.</p>	On-going	Successor Petitioner has and will continue to comply with this condition.

<b>Conditions Nos. 1 - 18 of the 2014 Order, as amended by the 2020 Order</b>			
<b>No.</b>	<b>Condition</b>	<b>Status</b>	<b>Comments</b>
1.	<p><b>Revised Master Plan.</b> Petitioner shall submit to the Commission a revised master plan and schedule for development for the approximately 1,395-acre KS Property within five (5) years from the date of the Commission's issuance of an order approving the Motion to Amend.</p> <p><b>Access to the Waiawa Correctional Facility.</b> Petitioner shall cause the solar farm facility operator to ensure that the construction and installation of the solar farm within the KS Property shall not prevent roadway access to the Waiawa Correctional Facility.</p>	Satisfied	<p>Successor Petitioner submitted its revised master plan and schedule to the Commission on October 6, 2019, which was presented to the Commission at its November 20, 2019 and January 9, 2020 meetings.</p>
2.	<p><b>Access to the Waiawa Correctional Facility.</b> Petitioner shall cause the solar farm facility operator to ensure that the construction and installation of the solar farm within the KS Property shall not prevent roadway access to the Waiawa Correctional Facility.</p>	On-going	<p>Successor Petitioner will ensure that the solar farm facility complies with this condition.</p>
3.	<p><b>Previously Unidentified Burials and Archaeological/Historic Sites.</b> A supplemental AIS for the entire 1,395-acre Petition Area shall be prepared by a qualified archaeologist to determine potential impacts and to ensure that appropriate mitigation is implemented as needed. The supplemental AIS shall be submitted to the SHPD and accepted prior to the start of construction.</p> <p>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, O'ahu 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 in studies referred to herein, are discovered during the course of construction of the solar farm project, all construction activity in the vicinity of the discovery shall stop until the issuance of an archaeological clearance from</p>	Satisfied and on-going	<p>An Archaeological Inventory Survey of 1,395 Acres of Kamehameha Schools' Lands, Waiawa and Waipi'o Ahupua'a, Ewa District, Island of O'ahu was prepared by TCP Hawaii LLC, and accepted by SHPD by letter dated April 24, 2015.</p> <p>SHPD approved the Archaeological Site Preservation Plan for State Site No. 50-80-09-2273 by letter dated September 14, 2015.</p> <p>Successor Petitioner will continue to comply with the on-going portions of this condition.</p>

Conditions Nos. 1 - 18 of the 2014 Order, as amended by the 2020 Order		
No.	Condition	Comments
		Status
	the SHPD that mitigative measures have been implemented to its satisfaction.	
4.	<p><b>Aircraft Hazard.</b> If glint or glare from the PV array creates a hazardous condition for pilots, Petitioner shall cause the solar farm facility operator to be prepared to immediately mitigate the hazard upon notification by the DOT, Airports Division, or the FAA.</p> <p>If the PV systems emit RFI to aviation dedicated radio signals, disrupting the reliability of air-to-ground communications, Petitioner shall cause the solar farm facility operator to be prepared to immediately mitigate the hazard upon notification by the DOT, Airports Division, or the FAA.</p>	On-going
5.	<b>Traffic Impacts.</b> Petitioner shall submit a Traffic construction management plan for review and acceptance by the DOT prior to the start of construction.	On-going
6.	<b>Development Schedule.</b> The solar farm shall be substantially completed within five (5) years from the date of the Commission's issuance of this Decision and Order.	On-going
7.	<b>Interim Use of the Petition Area.</b> The interim use of the approximately 200-acre portion of the Petition Area as shown in Petitioner's Revised Master Plan and Schedule for Development filed on October 7, 2019, shall be limited to a utility-scale solar energy development, or solar farm. No other use shall be permitted without the prior written approval of the Commission.	On-going
8.	<b>Timeframe of Interim Use.</b> The interim use of the approximately 200-acre portion of the Petition Area as shown in Petitioner's Revised Master Plan and Schedule for Development filed on October 7, 2019, for the proposed solar farm, including all permitting, construction, operation, and decommissioning activities associated with the solar farm, shall not exceed November 26, 2049. If WSP or its	On-going

**Conditions Nos. 1 - 18 of the 2014 Order, as amended by the 2020 Order**

No.	Condition	Status	Comments
	<p>successor can demonstrate before November 26, 2049, that it has secured a PUC-approved PPA for extension of the operation of the solar farm and a lease extension with Petitioner, the interim use of the approximately 200-acre site for the proposed solar farm shall be extended to December 31, 2059.</p>		
9.	<p><b>Waiawa Master Plan Infrastructure Deadline.</b> Petitioner shall complete construction of the backbone infrastructure for the proposed Waiawa Master Plan Phase A, consisting of the primary roadways and access points, internal roadways, on- and off-site water and electrical system improvements, and stormwater/drainage and other utility system improvements, by December 31, 2030.</p>	On-going	<p>Successor Petitioner acknowledges this condition and continues to work with City and State agencies as well as its consultant team to move forward with required approvals for the backbone infrastructure for the proposed Waiawa Master Plan Phase A.</p>
10.	<p><b>Metes and Bounds Map Description.</b> The proposed solar farm shall be limited to the acreage and boundaries identified in Petitioner's Revised Master Plan and Schedule for Development filed on October 7, 2019. Petitioner shall provide a metes and bounds map and description of the solar farm site to the Commission within one year from the date of this Decision and Order.</p>	Satisfied	<p>By letter dated Feb. 2, 2021, counsel for KS submitted the required map and metes and bounds description to the Commission.</p>
11.	<p><b>Groundwater Resource Protection.</b> The operator of the solar farm to be developed in the central/eastern portion of the Petition Area shall implement mitigative measures to prevent the introduction of contamination to the ZOC from the solar farm's operations, consistent with the representations made and relied upon by the DOH in its letter of March 28, 2019, to Petitioner and the Navy in its letter to the solar farm operator dated September 30, 2019, in reference to the solar farm operator's representations in its letter dated July 22, 2019.</p>	On-going	<p>Successor Petitioner will ensure that the solar farm facility complies with this condition.</p>
12.	<p><b>Decommissioning of the Solar Farm.</b> The solar farm shall be decommissioned following its operational timeframe. The decommissioning activities shall include, but not be limited to, the complete removal of the foundational piers</p>	On-going	<p>Successor Petitioner will ensure that the solar farm facility complies with this condition.</p>



**Conditions Nos. 1 - 18 of the 2014 Order, as amended by the 2020 Order**

No.	Condition	Status	Comments
	<p>and modules and all associated components. All metal components shall be recycled to the extent possible and no solar farm components shall be disposed of in any landfill in the State of Hawaii. Any future use of the Petition Area following the decommissioning of the solar farm shall be subject to the environmental review process promulgated under HRS chapter 343, as applicable, and shall require the filing of a motion to amend the Decision and Order with the Commission. Such motion to amend shall include a revised master development plan of the proposed use and shall further include, but not be limited to, a revised Traffic Impact Analysis Report, Engineering Report, Socio-Economic Analysis Report, Environmental Report, and AIS.</p>		
13.	<p><b>Compliance with Representations.</b> Petitioner shall cause the solar farm facility operator to develop and operate the solar farm, including the implementation of measures to mitigate potential impacts of the development, in substantial compliance with the representations made to the Commission as reflected in this Decision and Order. Such mitigation measures include, but are not limited to, the use of temporary and permanent BMPs to ensure that the development and operation of the solar farm do not result in an increase in stormwater runoff that adversely impacts downstream properties. Failure to do so may result in reversion of the Petition Area to its former classification, or change to a more appropriate classification.</p>	On-going	<p>Successor Petitioner will ensure that the solar farm facility complies with this condition (KS informed the Executive Officer of minor changes to the gen-tie route to make it shorter and better fit the KS Master Plan development).</p>
14.	<p><b>Notice of Change of Ownership.</b> Petitioner shall give notice to the Commission of any intent to sell, lease, assign, place in trust, or otherwise voluntarily alter the ownership interests in the Petition Area, prior to development of the Petition Area.</p>	On-going	<p>Successor Petitioner will comply with this condition.</p>
15.	<p><b>Annual Reports.</b> Petitioner shall timely provide without any prior notice, annual reports to the Commission, OP, and the DPP in connection with the status of the subject project</p>	On-going	<p>Successor Petitioner has and will continue to comply with this condition.</p>

**Conditions Nos. 1 - 18 of the 2014 Order, as amended by the 2020 Order**

No.	Condition	Status	Comments
	and Petitioner's progress in complying with the conditions imposed herein. The annual report shall be submitted in a form prescribed by the Executive Officer of the Commission.		
16.	<b>Release of Conditions.</b> The Commission may fully or partially release the conditions provided herein as to all or any portion of the Petition Area upon timely motion and upon the provision of adequate assurance of satisfaction of these conditions by Petitioner.	N/A	Several conditions imposed under the 2014 Order and repeated in the 2020 Order have been satisfied. Successor Petitioner understands that it may file a motion to have those conditions released.
17.	<b>Notice of Imposition of Conditions.</b> Within seven (7) days of the issuance of the Commission's Decision and Order for the subject reclassification, Petitioner shall: (a) record with the Bureau of Conveyances a statement that the Petition Area is subject to conditions imposed herein by the Commission in the granting of this Decision and Order; and (b) shall file a copy of such recorded statement with the Commission.	Satisfied	On February 18, 2020, Successor Petitioner filed a Notice of Imposition of Conditions with the Bureau of Conveyances as Document No. A73530848.
18.	<b>Recordation of Conditions.</b> Petitioner shall record the conditions imposed herein by the Commission with the Bureau of Conveyances pursuant to HAR §15-15-92.	Satisfied	On April 8, 2020, Successor Petitioner filed a Declaration of Conditions with the Bureau of Conveyances as Document No. A74030801.

4820-0432-3480.1.030088-00319



KAMEHAMEHA SCHOOLS®



Daniel E. Orodener, Executive Officer  
Land Use Commission  
235 South Beretania Street, Suite 406  
Honolulu, Hawaii 96813

RE: Docket No. A87-610 Waiawa, 'Ewa, O'ahu, State of Hawai'i

Dear Mr. Orodener:

Thank you for meeting with Larry Sumida and me on August 18, 2020 to discuss a revised route for the gen-tie line to serve the solar farm project that was approved by the Land Use Commission ("LUC") in the above-entitled matter via the Findings of Fact, Conclusions of Law, and Decision and Order Granting with Modification Motion for Modification and Time Extension issued February 11, 2020 ("2020 Order"). Neither the points of connection, nor the solar farm project itself, has changed.

Attached is a map showing the original gen-tie route in light green and the revised gen-tie route in purple. As discussed, the revised gen-tie route was proposed for the following reasons:

- The original gen-tie route runs through a parcel proposed to be a high school site.
- The revised gen-tie route is approximately 1,800 linear feet shorter than the original gen-tie route and is a more efficient use of the land.
- The revised gen-tie route is further mauka and not within the vicinity of the earlier planned phases for residential development.

Please be assured that the construction of the gen-tie line will be in compliance with the Archaeological Inventory Survey and the Preservation Plan, both of which have been accepted by the State Historic Preservation Division.

Thank you for your time and consideration in confirming that the revised gen-tie route is in substantial compliance with the representations made to the LUC as reflected in the 2020 Order.

If you have any questions, please contact me at 534-8114.

Mahalo,

DocuSigned by:

*Michelle Swartman*

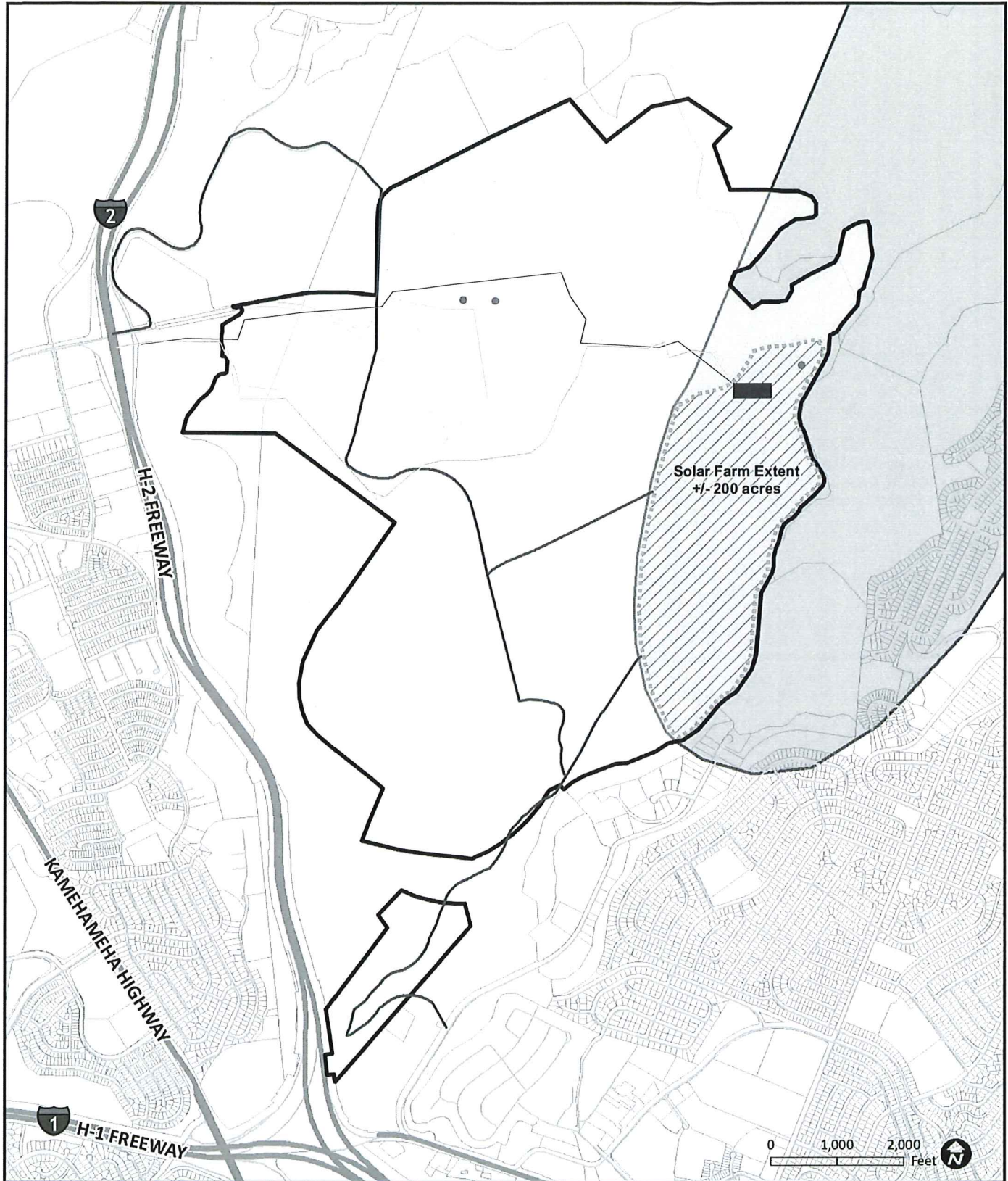
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Michelle Swartman

Planning and Development Manager

Cc: State Office of Planning  
City and County of Honolulu, Department of Planning and Permitting








**WAIAWA SOLAR POWER, LLC CONCEPTUAL SITE PLAN**


**Legend**


 Solar Farm Extent, ~200 acres


 Utility Improvements Area (~ 2.5 acres)


 KS Waiawa Property (SLUD- Urban, Docket A87-610)


 Hydrologic Zone of Contribution (ZoC)

 Archaeological Preservation Area

 Gen-Tie Alignment

 Access Route

 ORIGINAL GENTIE ROUTE (12,140 LF)

 ALIGNMENT 1 (10,340 LF)

Disclaimer: This Graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.





KAMEHAMEHA SCHOOLS®

April 20, 2020 – Corrected (6/22/20)

Daniel E. Orodener, Executive Officer  
Land Use Commission  
235 South Beretania Street, Suite 406  
Honolulu, Hawaii 96813



Subject: **Docket No. A87-610, Trustees of the Estate of Bernice Pauahi Bishop dba Kamehameha Schools, Successor Petitioner to Tom Gentry and Gentry-Pacific, Ltd.**

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KS sought the Commission's approval under the 2014 Order so that it could have time to reevaluate the development proposal that had originally been presented to the Commission, while at the same time, for an interim period, pursue a means of obtaining some financial return on the KS Property, in a manner consistent with KS' five values of: (1) culture; (2) environment; (3) education; (4) economics; and (5) community.

To that end, KS sought Commission approval to utilize a portion of the KS Property (approximately 655 acres) for the development of a two-phase utility scale solar farm. Phase 1 of the solar farm project was planned to be within approximately 387-acres and could generate up to 50 MW of power. Phase 2 of the solar farm was planned to be within approximately 268-acres of the KS Property,

<sup>1</sup> After the Commission approved the Urban District reclassification in 1988, rezoning approvals were sought from the Honolulu City Council. In 1998 the City Council passed Ordinance 98-55, amending a portion of the Development Plan Land Use Map to support the Waiawa project. Next, the City Council approved the rezoning of approximately 1,049 acres within the KS Property. Ordinance Nos. 98-01, effective January 15, 1998 (as amended by Ordinance 98-69, effective December 17, 1998) rezoned 874 acres within the KS Property from Restricted Agriculture (AG-1) to Neighborhood Business District (B1), Community Business District (B2), Low Density Apartment District (A1), Industrial-Commercial Mixed Use District (IMX1), Residential (RS) and General Preservation (P-2). Ordinance No. 03-01, effective February 12, 2003, rezoned 175.43 acres within the KS Property from AG-1 to R-5, A-1, Medium Density Apartment District (A-2) and P-2. Copies of these zoning ordinances were previously transmitted for your files.

