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LAND USE COMMISSION
STATE OF HAWAII

'22 AUG 25 P1:07

LETTER OF TRANSMITTAL

TO: Daniel E. Orodener
Executive Officer
Land Use Commission
State Office Tower
Leiopapa A Kamehameha
235 South Beretania Street, Room 406
Honolulu, HI 96813

DATE: August 25, 2022

RE: Docket No. A87-610 - Successor
Petitioner Kamehameha Schools -
Declaration of Conditions Imposed
by the State Land Use Commission

☐ Mailed

☒ Hand Delivered



THE FOLLOWING IS (ARE) TRANSMITTED HERewith:

<u>COPIES</u>	<u>DATE</u>	<u>DESCRIPTION</u>
One (1) Certified Copy	8/24/2022	Declaration of Conditions Imposed by the State Land Use Commission

☐ For Your Information

☐ For Your Files

☐ Per Your Request

☐ Per Our Conversation

☐ For Review and Comment

☒ For Necessary Action

☐ For Signature and Return (**Black Ink**)

☒ See Remarks Below

REMARKS: Pursuant to Hawai'i Administrative Rules § 15-15-92(b)(3), enclosed please find one certified copy of the Declaration of Conditions Imposed by the State Land Use Commission in the above referenced Docket, filed with the Bureau of Conveyances of the State of Hawai'i on August 24, 2022. If you have any questions or concerns, please contact me at pthoene@carlsmith.com or (808) 523-2596.

By Michelle Park

Michelle Park,
Secretary of Onaona P. Thoene

Enclosure(s)

I hereby certify that this is
a true copy from the records
of the Bureau of Conveyances,


Registrar of Conveyances
Assistant Registrar, Land Court
State of Hawaii



STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED

August 24, 2022 10:43 AM
Doc No(s) A - 82710697

Pkg 12076918 OFC

/s/ LESLIE T KOBATA
REGISTRAR

LAND COURT

REGULAR SYSTEM

Return By Mail ☒ Pick-Up ☐ To:

CARLSMITH BALL LLP
ASB Tower, Suite 2100
1001 Bishop Street
Honolulu, Hawai'i 96813

Attention: Onaona P. Thoene
Telephone: (808) 523-2500

22 AUG 25 P 1:07

LAND USE COMMISSION
STATE OF HAWAII

TITLE OF DOCUMENT:

DECLARATION OF CONDITIONS
IMPOSED BY THE STATE LAND USE COMMISSION

PARTIES TO DOCUMENT:

DECLARANT: LANCE KEAWE WILHELM, ELLIOT K. MILLS, ROBERT K.W.H.
NOBRIGA, CRYSTAL KAUILANI ROSE and JENNIFER NOELANI
GOODYEAR-KA'ŌPUA, as TRUSTEES OF THE ESTATE OF
BERNICE PAUAHI BISHOP, dba KAMEHAMEHA SCHOOLS

TAX MAP KEY(S): (1) 9-4-006: 034 (por.), 035 (por.), 036, 037 (por);
(1) 9-6-004: 024 (por.), 025, and 026;
(1) 9-6-005: 003 (por.)

TCT(S): 600,991
600,990 (Deregistration Document No. A-81820775)
1,047,298 (Deregistration Document No. A-81820778)

(This document consists of 12 pages.)

**DECLARATION OF CONDITIONS
IMPOSED BY THE STATE LAND USE COMMISSION**

THIS DECLARATION OF CONDITIONS IMPOSED BY THE STATE LAND USE COMMISSION (the "**Declaration**") is made this 17th day of August, 2022, by LANCE KEAWE WILHELM, ELLIOT K. MILLS, ROBERT K.W.H. NOBRIGA, CRYSTAL KAUILANI ROSE and JENNIFER NOELANI GOODYEAR-KA'ŌPUA, as TRUSTEES OF THE ESTATE OF BERNICE PAUAHI BISHOP, dba KAMEHAMEHA SCHOOLS, as Successor Petitioner ("**Petitioner**" or "**Declarant**") in the State of Hawai'i Land Use Commission (the "**Commission**") Docket No. A87-610.

WITNESSETH:

WHEREAS, the Commission reclassified approximately 1,395 acres of land situate at Waiawa and Waipi'o, 'Ewa, O'ahu, Hawai'i (the "**Petition Area**"), from the State Land Use ("**SLU**") Agricultural District into the SLU Urban District, subject to certain conditions enumerated in its Findings of Fact, Conclusions of Law, and Decision and Order that was certified, filed and effective on May 17, 1988, as amended on November 30, 1990 (the "**Waiawa Order**");

WHEREAS, the Petition Area is more fully described in that certain Declaration of Conditions Imposed By The State Land Use Commission, recorded on July 19, 1988, in the Office of the Assistant Registrar of the Land Court of the State of Hawai'i (the "**Land Court**") as Land Court Document No. 1565292, and in the Bureau of Conveyances of the State of Hawai'i (the "**Bureau**") in Liber 22151 Page 250 (the "**Original Declaration**");

WHEREAS, the Petitioner filed with the Commission a Motion for Order Amending the Waiawa Order on May 13, 2014, asking the Commission to (a) recognize the Petitioner, as the fee owner of the Petition Area, as the Successor Petitioner to Tom Gentry and Gentry-Pacific, Ltd., and (b) issue an order modifying the Waiawa Order to expressly authorize the use of portions of the Petition Area for a two-phase solar farm development: Phase 1 located in the northwest portion of the Petition Area, within Tax Map Key Nos.: (1) 9-4-006: 036 and (1) 9-6-004: 024 (por.), 025, and 026 ("**Phase 1**"), and Phase 2 located in the east portion of the Petition Area, within Tax Map Key No. (1) 9-6-004: 024 (por.) ("**Phase 2**");

WHEREAS, the Commission granted the Petitioner's Motion for Order Amending the Waiawa Order by Order Granting Motion for Order Amending Findings of Fact, Conclusions of Law and Decision and Order Dated May 17, 1988, that was certified, filed, and effective on November 26, 2014, as revised by the replacement of page 11 to said Order on December 1, 2014 (collectively, the "**2014 Order**");

WHEREAS, pursuant to the 2014 Order, the Petitioner recorded against the entire Petition Area that certain Declaration of Conditions Imposed By The State Land Use Commission, dated January 20, 2015, recorded in the Bureau on January 21, 2015, as Document No. A-54991338 (the "**2014 Declaration**"), encumbering the Petition Area, which was identified by Tax Map Key Nos.: (1) 9-4-006: 034 (por.), 35 (por.), 36, 37 (por.); (1) 9-6-004: 024 (por.), 025, and 026; and (1) 9-6-005: 001 (por.), and identifying Phase 1 and Phase 2 as aforesaid;

WHEREAS, on July 24, 2019, the Petitioner filed with the Commission a Motion for Modification and Time Extension, seeking certain amendments to the 2014 Order relating to Phase 2 of the solar farm development;

WHEREAS, Petitioner's July 24, 2019 Motion identified the correct TMK Parcels within the Petition Area as follows: TMK Nos. (1) 9-4-006: 034 (por.), 35 (por.), 36, 37 (por); (1) 9-6-004: 024 (por.), 025, and 026; (1) 9-6-005: 003 (por.), and explained that the prior identification of TMK No. (1) 9-6-005: 001 (por.) was in error, and that the correct parcel number is TMK No. (1) 9-6-005: 003 (por.), as shown on a survey map prepared by a professional land surveyor and filed with said Motion as KS Exhibit 1;

WHEREAS, the Commission, by Findings of Fact, Conclusions of Law, and Decision and Order Granting with Modification Motion for Modification and Time Extension, that was certified, filed, and effective on February 11, 2020 (the "**2020 Order**"), (a) amended certain conditions of the 2014 Order relating to Phase 2 of the previously-approved solar farm development, which, as modified under the 2020 Order, shall hereinafter be referred to as the "**WSP Site**", and (b) imposed additional conditions upon the WSP Site;

WHEREAS, pursuant to the 2020 Order, the Petitioner recorded against the entire Petition Area that certain Declaration of Conditions Imposed By The State Land Use Commission, dated April 7, 2020, recorded in the Bureau on April 8, 2020, as Regular System Document No. A-74030801 (the "**2020 Declaration**"), encumbering the Petition Area, which was identified by Tax Map Key Nos.: (1) 9-4-006: 034 (por.), 35 (por.), 36, 37 (por.); (1) 9-6-004: 024 (por.), 025, and 026; and (1) 9-6-005: 003 (por.), and identifying Phase 2 as aforesaid;

WHEREAS, on December 10, 2021, the Petitioner filed with the Commission a Motion For Modification, Time Extension, and Release and Modification of Conditions ("**2021 Motion**"), seeking amendments the 2014 Order to (a) identify Waiawa Phase 2 Solar, LLC ("**WP2S**"), a wholly-owned, indirect subsidiary of The AES Corporation ("**AES**"), as the solar developer for the previously-approved Phase 1 solar farm development within the Petition Area, and (b) release and modify certain conditions of the 2014 Order;

WHEREAS, Petitioner also agreed to the modification and/or addition of certain conditions as stated in the Second Stipulated Proposed Conditions of Approval, filed with the Commission on May 25, 2022;

WHEREAS, the Commission, by Findings of Fact, Conclusions of Law, and Decision and Order Granting with Modification Motion for Modification and Time Extension, that was certified, filed, and effective on June 30, 2022 (the "**2022 Order**"), granted the 2021 Motion (a) amending certain conditions of the 2014 Order relating to Phase 1 of the previously-approved solar farm development, which, as modified under the 2022 Order shall hereinafter be referred to as the "**WP2S Site**", and (b) imposed additional conditions upon the WP2S Site;

WHEREAS, under Hawai'i Administrative Rules ("**HAR**") § 15-15-91, conditions imposed by the Commission shall run with the land and shall be binding upon the Petitioner and each and every subsequent owner, lessee, sub-lessee, transferee, grantee, assignee, or developer;

WHEREAS, under HAR § 15-15-92, Successor Petitioner filed a Notice of Imposition of

Conditions by the Land Use Commission with the Bureau on July 7, 2022, as Regular System Document No. A-82230778;

WHEREAS, the conditions imposed by the 2022 Order shall be in addition to the conditions imposed under the Waiawa Order, as recorded by the Original Declaration, which are hereby reaffirmed and shall continue in full force and effect;

WHEREAS, the conditions imposed by the 2022 Order shall only be applicable on the WP2S Site and shall replace and supersede all conditions of the 2014 Order relating to the previously-approved Phase I solar farm; and

NOW THEREFORE, Declarant hereby declares that the 2022 Order amending the 2014 Order to authorize the use of the WP2S Site, consisting of approximately 387 acres of land within Tax Map Key Nos. (1) 9-6-004: 024 (por.), 025, 026, and (1) 9-4-006: 036 of the Petition Area, as approximately shown on Exhibit A attached hereto and incorporated herein by reference, for solar farm development, is made subject to the following 18 conditions, which are more fully set forth on pages 46 through 51 of said 2022 Order:

1. **Revised Master Plan.** Petitioner shall submit to the Commission a revised master plan and schedule for development for the approximately 1,395-acre Petition Area by February 11, 2025; provided, however, that this condition may be satisfied by publication of a Draft Environmental Impact Statement that addresses the Petition Area prior to February 11, 2025.
2. **Access to the Waiawa Correctional Facility.** Petitioner shall cause the solar farm 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.
3. **Previously Unidentified Burials and Archaeological/Historic Sites.** Petitioner shall implement, or cause the solar farm operator to implement, the Preservation Plan approved by SHPD by letter dated September 14, 2015 within the vicinity of the Phase I Site prior to operation. 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, 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 the SHPD that mitigative measures have been implemented to its satisfaction.
4. **Protection and Preservation of Native Hawaiian Traditional and Customary Practices (Article XII, Section 7).** Petitioner has conducted an archeological inventory survey, an archaeological preservation plan, a cultural impact assessment, cultural resources preservation plan, and an ethno-historic study that included the Petition Area. Although no cultural resources or practices have been identified within the Petition Area that would be adversely impacted by the proposed interim solar farm, this finding is limited to the Phase I Site (Parcels A and B), and the Phase 2 Site within the Petition Area.

5. **Aircraft Hazard.** If glint or glare from the photovoltaic 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 Department of Transportation Airports Division or the Federal Aviation Administration. 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.

6. **Traffic Impacts.** Prior to the start of construction of the Updated Phase I Project, Petitioner shall cause the solar farm operator to submit a traffic construction management plan for review and acceptance by the State Department of Transportation.

7. **Development Schedule.** Both portions of the Updated Phase I Project solar farm (Parcel A and Parcel B) shall be substantially completed within five (5) years from the date of the Commission's issuance of this Decision and Order.

8. **Interim and Temporary Use of the Petition Area.** The interim and temporary use of the approximately 387-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. However, this proposed Updated Phase I Project, and the previously approved Phase 2 solar farm, is not "substantial commencement with use of the land in accordance with subject representations" pursuant to HRS §205-4(g). No other use shall be permitted without the prior written approval of the Commission, except for "compatible agricultural activities" as that term is used in HRS §205-4.5(a)(21)(A).

9. **Timeframe of Interim Use.** The interim use of Parcel A for the proposed solar farm, including any and all permitting, construction, operation, and decommissioning activities associated with the solar farm, shall not exceed December 31, 2044, without the prior written approval of the Commission. The interim use of Parcel B for the proposed solar farm, including any and all permitting, construction, operation, and decommissioning activities associated with the solar farm, shall not exceed December 31, 2054, without the prior written approval of the Commission; provided, however, that in the event the solar farm project owner fails to secure a PUC-approved extension to the PPA, or a new PPA, within 12 months after the expiration of the current PPA, the project owner will immediately commence with the decommissioning of the solar farm on Parcel B and complete decommissioning within two years after the expiration of the current PPA.

10. **Motion to Amend.** Petitioner shall file a motion to amend the Waiawa Order by December 31, 2030.

11. **Waiawa Master Plan Infrastructure Deadline.** 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 storm water/drainage and other utility system improvements, by December 31, 2030. In addition, Petitioner shall complete construction of similar backbone infrastructure for the proposed Waiawa Master Plan Phase B by December 31, 2038.

12. **Decommissioning of the Solar Farm.** Both portions of the Updated Phase I Project solar farm (Parcel A and Parcel B) shall be decommissioned following their respective operational timeframes. The decommissioning activities shall include, but not be limited to, the complete removal of the foundational piers and modules and all associated components. The decommissioning shall be in accordance with all laws and rules in effect at the time, potentially including the Department of Health HAR Chapter 11-273.1.

Any other future uses of the Petition Area, including future uses of the solar farm sites following the decommissioning of the solar farms, 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 uses and shall further include, but not be limited to, a revised Traffic Impact Analysis Report, Engineering Report, Socio-Economic Analysis Report, and AIS (if required). As applicable, said future uses of the Petition Area shall also be subject to the environmental review process promulgated under HRS Chapter 343 and its related administrative rules

13. **Wildlife Protection.** The Petitioner shall cause the operator of the Updated Phase I Project to implement the following measures regarding landscaping vegetation and the protection of endangered Hawaiian hoary bat, Hawaiian short-eared owl, and endangered and threatened Hawaiian water bird and shorebird species at the Phase I Site:

a. If landscaping is installed as part of the solar farm project, non-invasive plants and native plant species shall be utilized to the maximum extent practicable, and a landscape plan describing the non-invasive plants and native plant species to be utilized shall be submitted to the Department of Planning and Permitting for approval prior to the issuance of any grading permit.

b. Invasive species minimization measures shall be implemented to avoid the unintentional introduction or transport of new invasive species to the area. This would include utilizing on-site gravel, rock, and soil (or purchasing from a local supplier) when practicable, utilizing certified, weed-free seed mixes; and washing construction equipment and/or visually inspecting for excessive debris, plant materials, and invasive or harmful non-native species.

c. To minimize the spread of the fungal pathogen responsible for Rapid Ohia Death (CTAHR 2020), the most recent Rapid Ohia Death decontamination protocols recommended by United States Fish and Wildlife Service ("USFWS") and the Department of Land and Natural Resources, Division of Forestry and Wildlife ("DOFAW") shall be implemented.

d. No trees or shrubs greater than 15 feet tall shall be disturbed, trimmed or removed during the Hawaiian hoary bat birthing and pupping season (June 1 through September 15).

e. Any fences that are erected as part of the Project shall not have barbed wire to prevent entanglements of the Hawaiian hoary bat.

- f. A wildlife education and observation program (WEOP) shall be implemented for all construction and regular on-site staff. Staff shall be trained to identify listed species that may be found on-site (including Hawaiian hoary bat, pueo, Hawaiian seabirds and waterbirds) and to take appropriate steps if these species are observed. If a federally or state-listed species is observed to be impacted by the project, the USFWS and DOFAW shall be notified, and a systematic post-construction monitoring program shall be developed and implemented.
- g. Construction activities shall be restricted to daylight hours as much as possible during the seabird peak fallout period (September 15-December 15) to avoid the use of nighttime lighting that could attract seabirds.
- h. Speed limits shall be established and enforced within the Phase I Site and along the access road to the Phase I Site within the Petition Area.
- i. Should nighttime construction be required during the seabird peak fallout period, a biological monitor shall be present in the construction area from approximately 0.5-hour before sunset to 0.5-hour after sunrise to watch for the presence of seabirds. Should a seabird (or other listed species) be observed and appear to be affected by the lighting, the monitor shall notify the construction manager to reduce or turn off construction lighting until the individual(s) move out of the area.
- j. Any on-site lighting shall be fully shielded, triggered by motion detector, and fitted with light bulbs having a correlated color temperature of four thousand Kelvin or less, to the extent possible. Lighting shall also be directed away from the solar arrays to minimize the potential for reflection and shall only be used when necessary.
- k. Construction of overhead lines shall be minimized to reduce the collision risk for seabird species.
- l. Prior to clearing vegetation within the Phase I Site, pre-construction pueo surveys shall be conducted by a qualified biologist following the Pueo Project survey protocol.
- m. If a pueo is observed in the Phase I Site at any time (prior to construction, during construction, or during operation), all activities in the immediate area shall stop immediately. The location of the bird should be reported to a designated representative, and a qualified biologist should check the area for the presence of a pueo nest. If a ground nest or a pueo nesting on the ground is observed at any time (prior to construction, during construction, or during operation), an approximately 100-foot buffer shall be established around the nest and marked in the field by a qualified biologist. DOFAW should be contacted immediately. If the nest is confirmed as a pueo nest, no work should occur in the buffer area until pueo nesting is complete. No vegetation clearing shall occur until pueo nesting ceases.
- n. No rodent baiting shall take place within the Phase I Site to prevent secondary poisoning from toxins in pueo prey.

14. **Compliance with Representations.** Petitioner shall cause the solar farm operator to develop and operate the Updated Phase I Project, 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.

15. **Notice of Change of Ownership.** 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.

16. **Annual Reports.** Petitioner shall timely provide without any prior notice, annual reports to the Commission, Office of Planning and Sustainable Development, and the Department of Planning and Permitting in connection with the status of the subject project 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.

17. **Release of Conditions.** 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.

18. **Notice of Imposition of Conditions.** Within seven (7) days of the issuance of the Commission's Decision and Order granting the Motion to Amend, 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 the Motion to Amend; and (b) shall file a copy of such recorded statement with the Commission.

Upon recordation at the Bureau, this Declaration of Conditions Imposed by the State Land Use Commission supersedes and automatically revokes the Notice of Imposition of Conditions by the Land Use Commission that was recorded with the Bureau on July 7, 2022 as Regular System Document No. A-82230778.

This instrument has been executed by or on behalf of the Trustees of the Estate of Bernice Pauahi Bishop in their fiduciary capacities as said Trustees, and not in their individual capacities. No personal liability or obligation under this instrument shall be imposed or assessed against said Trustees in their individual capacities.

IN WITNESS WHEREOF, the parties have executed these presents on the 17th day of August, 2022.

Approved as to Content, Authority,
and Compliance with KS Policy:

/s/ Todd Gray
Manager

/s/ Marissa Harman
Director

Approved as to Form:

/s/ Emi Aukai
Legal Group

/s/ Jennifer A. Lim
Retained Outside Counsel

TRUSTEES OF THE ESTATE OF
BERNICE PAUAHI BISHOP, as aforesaid

By: 
Name: **LEANNE NIKAI DO**, Director
Their Attorney-in-Fact

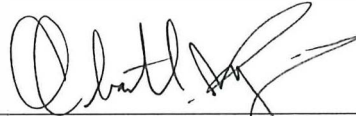
By: 
Name: **PAULA W. CHONG**, Senior Counsel
Their Attorney-in-Fact

Successor Petitioner

STATE OF HAWAII)
)
CITY AND COUNTY OF HONOLULU) ss.

On this 17th day of August, 2022, before me personally appeared LEANNE NIKAIKO, Director and PAUL W. CHONG, Senior Counsel, personally known, who, being by me duly sworn or affirmed, did say that they are two of the attorneys-in-fact for LANCE KEAWE WILHELM, ELLIOT K. MILLS, ROBERT K.W.H. NOBRIGA, CRYSTAL KAUILANI ROSE and JENNIFER NOELANI GOODYEAR-KA'ŌPUA, as TRUSTEES OF THE ESTATE OF BERNICE PAUAHI BISHOP, dba KAMEHAMEHA SCHOOLS, duly appointed under Limited Power of Attorney effective as of April 25, 2022, recorded in the Bureau of Conveyances of the State of Hawai'i as Document No. A-81610460, and in the Office of the Assistant Registrar of the Land Court of the State of Hawai'i as Document No. T-11819168; and that the foregoing instrument was executed in the name and on behalf of LANCE KEAWE WILHELM, ELLIOT K. MILLS, ROBERT K.W.H. NOBRIGA, CRYSTAL KAUILANI ROSE and JENNIFER NOELANI GOODYEAR-KA'ŌPUA, as TRUSTEES OF THE ESTATE OF BERNICE PAUAHI BISHOP, by such persons in their capacities as attorneys-in-fact; and they acknowledge the instrument to be the free act and deed of the Trustees of the Estate of Bernice Pauahi Bishop, as aforesaid.





Notary Public, State of Hawaii

Name: Chantal Cruz

My commission expires: AUG 08 2025

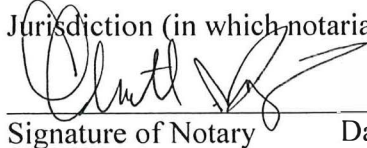
NOTARY CERTIFICATION STATEMENT

Document Identification or Description: **DECLARATION OF CONDITIONS
IMPOSED BY THE STATE LAND USE COMMISSION (2022)**

Document Date: **AUG 17 2022**

No. of Pages (including this page): 12

Jurisdiction (in which notarial act is performed): **First Circuit**



Signature of Notary

AUG 17 2022

Date of Notarization and
Certification Statement

CHANTAL CRUZ

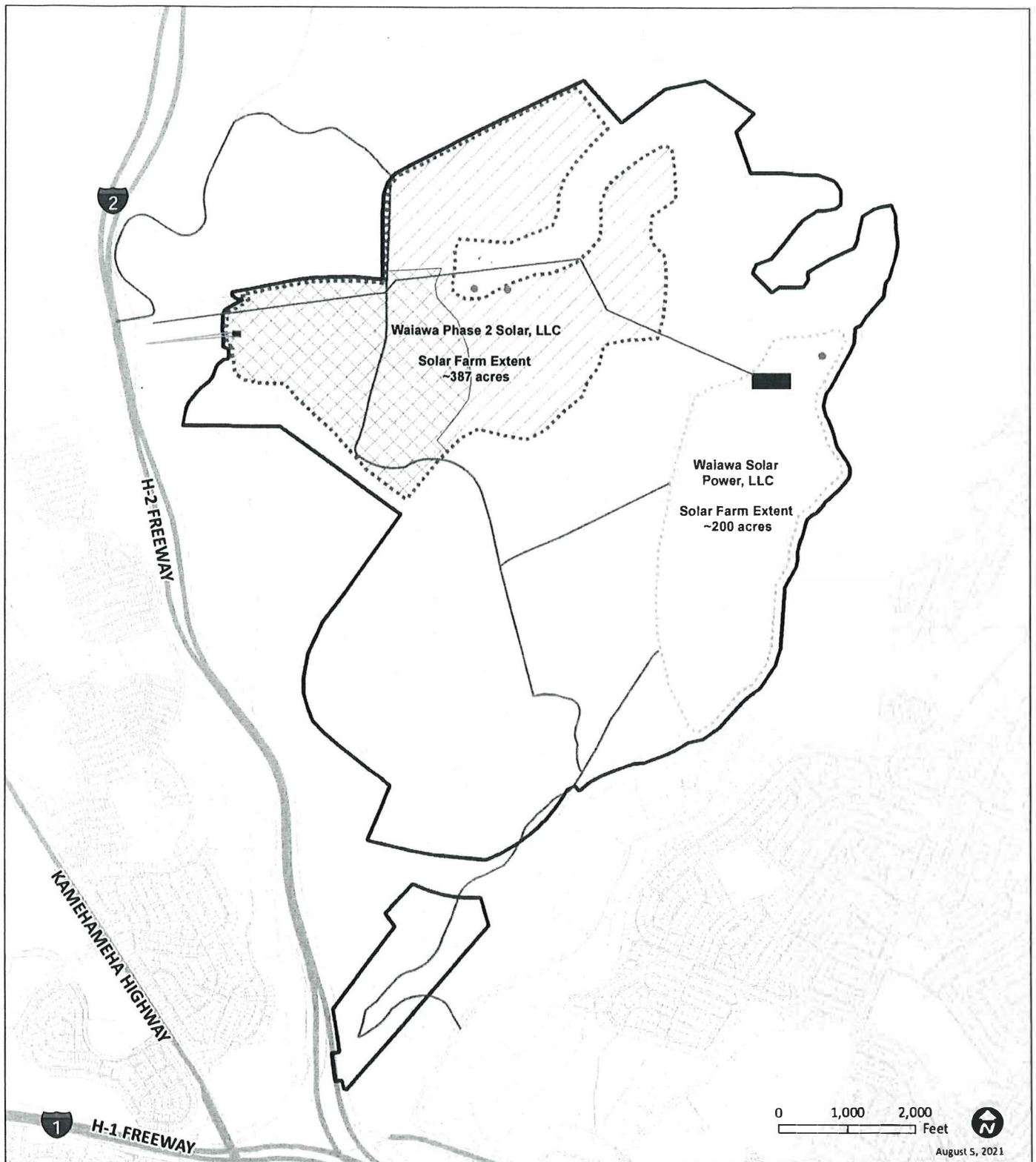
Printed Name of Notary

My commission expires: **AUG 08 2025**



(Stamp of Seal)

Exhibit A



Legend

- Waiawa Phase 2 Solar, LLC Solar Farm Extent ~387 acres
- Waiawa Solar Power, LLC Solar Farm Extent ~ 200 acres
- Utility Improvements Area
- KS Waiawa Property (SLUD- Urban, Docket A87-610)

- Parcel A
- Parcel B
- Archaeological Preservation Area
- Waiawa Phase 2 Solar, LLC "Gen-Tie Alignment"
- Waiawa Solar Power, LLC "Gen-Tie Alignment"
- Access Route

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

CONCEPTUAL SITE PLAN MAP

G7O

EXHIBIT A