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LAND USE COMMISSION
STATE OF HAWAI'I

Adoption of Form of Order)
SP15-405 Waiawa PV, LLC (O'ahu)
_____)

TRANSCRIPT OF PROCEEDINGS

The above entitled matter came on for a Public Hearing
via video conference between ICSD simultaneously on
O'ahu at the Kalanimoku Building, 1151 Punchbowl
Street, Room B10, Honolulu, Hawai'i; and Kahului, Maui
Department of Transportation District Office, 650
Palapala Drive, Kahului, Hawai'i 96732.

REPORTED BY: HOLLY M. HACKETT, CSR #130, RPR
Certified Shorthand Reporter

A P P E A R A N C E S

COMMISSIONERS:

ACTING CHAIR: ARNOLD WONG
EDMUND ACZON
BRANDON AHAKUELO
KENT HIRANAGA
JONATHAN SCHEUER

EXECUTIVE OFFICER: DAN ORODENKER

CHIEF CLERK: RILEY HAKODA

STAFF PLANNER: SCOTT DERRICKSON

DEPUTY ATTORNEY GENERAL: DIANE ERICKSON

Docket No. SP15-405 Waiawa PV, LLC (now known as
Waipio PV, LLC)

For the Petitioner: JENNIFER LIM, Atty. at Law

For the City and
County DPP: RICHARD D. LEWALLEN, ESQ.
Deputy Corporation Counsel

1 ACTING CHAIR WONG: I call the March 25th
2 Land Use Commission to order. Everyone received the
3 minutes for the March 15, 2015 meeting we had? Is
4 there any changes?

5 COMMISSIONER ACZON: I move to approve.

6 COMMISSIONER AHAKUELO: Second.

7 ACTING CHAIR WONG: Commissioner Aczon
8 moved for approval. Commissioner Ahakuelo second.
9 All in favor? "Aye". Minutes adopted. Mr. Orodenger,
10 can you go over the meeting schedule.

11 MR. ORODENKER: Thank you, Mr. Chair. The
12 calendar is clear until May 29 when we're having the
13 McClean Honokohau Petition in Kona. Then subsequent
14 to that on June 10 we have Island Schools on Kaua'i.
15 The calendar is still subject to be determined after
16 that.

17 ACTING CHAIR WONG: Thank you, sir.
18 We're in recess subject to the Chair. (Gavel).
19 (Recess in place) (Gavel). The meeting is called back
20 to order. This is a meeting on Docket No. SP15-405
21 Waiawa PV, LLC now known as Waipio PV, LLC to Adopt
22 the Form of the Order for a New Special Permit
23 Application, DPP SUP Application No. 2014/SUP-3 to
24 Allow Development of a 47-megawatt photovoltaic (PV)
25 Energy Generation Facility and Accessory Uses and

1 Structures On Lands Rated Class B by the Land Study
2 Bureau, Waipio, 'Ewa, O'ahu, Hawai'i. Tax Map Key
3 9-5-003 Portion of Parcel 004.

4 Will the Applicant or its representatives
5 please identify themselves for the record.

6 MS. LIM: Good morning, Acting Chair and
7 Members of the Commission, this is Jennifer Lim. And
8 I'm representing the Applicant Waipio PV, LLC.

9 ACTING CHAIR WONG: Thank you. On
10 March 5th, 2015 the Commission Chair took official
11 notice and recognized the change in name of the
12 Petitioner to be known as Waipio PV, LLC. And the
13 Commission voted to grant the Applicant's application
14 for the Special Permit.

15 On March 17, 2015 the Commission sent a
16 March 25th, 2015 LUC agenda notice to the Parties and
17 to the Statewide and O'ahu mailing lists.

18 On March 24, 2015 the Commission was
19 advised via e-mail that OP would waive its appearance
20 at today's meeting.

21 Commissioner Scheuer, please confirm that
22 you received a copy of the transcripts for the
23 March 5th, 2015 meeting on this matter and have
24 reviewed the County Planning Commission's record and
25 the March 5th, 2015 transcript for this docket and are

1 prepared to participate in these proceedings.

2 COMMISSIONER SCHEUER: Acting Chair, I've
3 received the materials. I've reviewed them and I'm
4 prepared to participate in these proceedings.

5 ACTING CHAIR WONG: Thank you. I will now
6 call for those individuals desiring to provide public
7 testimony on Docket DR14-52 to identify themselves.
8 All such individuals will be called in turn to our
9 witness box where they will be sworn in prior to their
10 testimony. (pause) Hearing none, thank you.
11 Petitioner, do you have any comments?

12 MS. LIM: No. Except on behalf of my
13 client and also myself to thank the Commission for an
14 extremely efficient process here, going through a lot
15 of material from the county. You received it. You
16 have this agenda in a really good amount of time. And
17 we appreciate it very much. I know it's a lot of time
18 especially for a volunteer Commission. So other than
19 to say 'thank you' I have no further comments.

20 ACTING CHAIR WONG: Thank you.
21 Commissioners, before you is the form of the Order
22 granting the Petition in this Docket No. SP15-405.
23 The form of the Order is the form submitted by the
24 Petitioner with amendments adopted by the Commission,
25 and only technical, non-substantive changes. The

1 Chair will entertain a Motion to Approve the form of
2 the Order in this matter. Commissioners, what is your
3 pleasure?

4 COMMISSIONER AHAKUELO: I move to approve
5 the form in its current Order.

6 COMMISSIONER SCHEUER: Second.

7 ACTING CHAIR WONG: Commissioner Ahakuelo
8 made the motion. Commissioner Scheuer seconded.
9 Okay. Dan, please take the roll.

10 MR. ORODENKER: Thank you, Mr. Chair. The
11 motion is to adopt the Order as prepared by staff.
12 Commissioner Ahakuelo?

13 COMMISSIONER AHAKUELO: Aye.

14 MR. ORODENKER: Commissioner Scheuer?

15 COMMISSIONER SCHEUER: Aye.

16 MR. ORODENKER: Commissioner Mahi is
17 absent. Commissioner Aczon?

18 COMMISSIONER ACZON: Aye.

19 MR. ORODENKER: Commissioner Hiranaga?

20 COMMISSIONER HIRANAGA: Aye.

21 MR. ORODENKER: Chair Wong?

22 ACTING CHAIR WONG: Aye.

23 MR. ORODENKER: Mr. Chair, the motion
24 passes unanimously by 5 Commissioners.

25 ACTING CHAIR WONG: Thank you,

1 Commissioners. Let's take a brief recess.

2 (Recess in place. Deputy Attorney General
3 Diane Erickson now present 8:38)

4 ACTING CHAIR WONG: (Gavel) Back on the
5 record. Mr. Orodanker, is there anything else to
6 discuss legislatively?

7 MR. ORODENKER: There is really nothing to
8 discuss since the last meeting. There are a couple of
9 bills that are still winding their way through the
10 Legislature that we are taking notice of but nothing
11 that impacts us directly or of any concern.

12 The bills that would have given us
13 additional authority are being held in committee so
14 you might see those again next year, but everything
15 else is static. I don't know, and, Diane, if it's
16 appropriate, but I did get a call from Bill Wynhoff
17 yesterday with regard to an update on the Bridge Aina
18 Le'a case. Is that something we can discuss now?

19 MS. ERICKSON: It's not on the agenda.
20 We'd have to amend the agenda to update on the next.

21 MR. ORODENKER: We can put it on the next
22 one.

23 ACTING CHAIR WONG: Commissioners, do you
24 have anything to add? (no response) Okay. That's it.
25 Thank you. (Proceedings adjourned at 8:40 a.m.)

C E R T I F I C A T E

I, HOLLY HACKETT, CSR, RPR, in and for the State
of Hawai'i, do hereby certify;

That I was acting as court reporter in the
foregoing LUC matters on the 25th day of March 2015;

That the proceedings were taken down in
computerized machine shorthand by me and were
thereafter reduced to print by me;

That the foregoing represents, to the best
of my ability, a true and correct transcript of the
proceedings had in the foregoing matters.

DATED: This_____ day of_____2015

HOLLY M. HACKETT, HI CSR #130, RPR #5910

Certified Shorthand Reporter