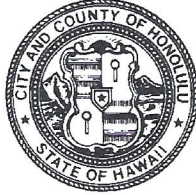


**ZONING BOARD OF APPEALS
CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 768-8006 • FAX: (808) 768-4663

KIRK CALDWELL
MAYOR



LYLE M. ISHIDA, Chair
KEN C. KAWAHARA, Vice-Chair
GLADYS Q. MARRONE
LONDON D. KANESHIRO

2019/ZBA-7 and
2020/ZBA-3 (Consolidated)

July 7, 2020

Lance D. Collins, Esq.
Law Office of Lance D. Collins
P. O. Box 782
Makawao, Hawaii 96768

Bianca K. Isaki, Esq.
1720 Huna Street, 401B
Honolulu, Hawaii 96837

RE: Order Granting in Part and Denying in Part Kahuku
Community Association's Application to Intervene in
Appeal of Director's Approvals of Conditional Use
Permits, Waiver, and Modifications, or Alternatively,
to Appeal the Same
Na Pua Makani Wind Project – Subproject A
Na Pua Makani Wind Project – Subproject B
56-668 Kamehameha Highway – Kahuku
Tax Map Key: 5-6-8:6

Dear Mr. Collins and Ms. Isaki:

Transmitted herewith is a copy of the Order Granting in Part and Denying in Part Kahuku Community Association's Application to Intervene in Appeal of Director's Approvals of Conditional Use Permits, Waiver, and Modifications, or Alternatively, to Appeal the Same, which was executed by the Zoning Board of Appeals ("ZBA") at its meeting on June 25, 2020.

Lance D. Collins, Esq.
Bianca K. Isaki, Esq.
Page 2
July 7, 2020

If you have any questions, you may contact Dawn D. M. Spurlin, Deputy Corporation Counsel, for the ZBA at 768-5296.

Very truly yours,

A handwritten signature in cursive script that reads "Jeanne Sumida".

For LYLE M. ISHIDA, Chair
Zoning Board of Appeals

LMI:js

Attach.

cc: Jodi S. Yamamoto, Esq.
Brad T. Saito, Deputy Corporation Counsel
Dawn D. M. Spurlin, Deputy Corporation Counsel for the Zoning

BEFORE THE ZONING BOARD OF APPEALS
 CITY AND COUNTY OF HONOLULU
 THE STATE OF HAWAII

In the Matter of the Petitions of) Case No. 2019/ZBA-7 (Consolidated)
)
 KEEP THE NORTH SHORE COUNTRY, a)
 nonprofit corporation, and THE KAHUKU)
 COMMUNITY ASSOCIATION, a nonprofit)
 corporation, concerning the Na Pua Makani)
 Wind Project - Subprojects A & B, 56-668)
 Kamehameha Highway, Kahuku, O'ahu, Tax)
 Map Key (1) 5-6-008:006 & 5-6-006:018)
)
 From the Actions of the Director of Planning)
 and Permitting, dated October 24, 2016)
 (2016/CUP-49); January 20, 2017 (2016/CUP-69)
 & 2016/W-63), & June 7, 2019 (2019/MOD-34,
 -35 & -36)

ORDER GRANTING IN PART AND DENYING IN PART KAHUKU COMMUNITY
 ASSOCIATION'S APPLICATION TO INTERVENE IN APPEAL OF DIRECTOR'S
 APPROVALS OF CONDITIONAL USE PERMITS, WAIVER, AND MODIFICATIONS, OR
 ALTERNATIVELY, TO APPEAL THE SAME

On February 7, 2020, Applicant/Movant Kahuku Community Association filed its Application to Intervene in Appeal of Director's Approvals of Conditional Use Permits, Waiver and Modifications, or Alternatively to Appeal the Same. On February 13, 2020, Intervenor/Respondent filed a letter response in part in opposition to the application and in part in support.


The Board held a hearing on February 20, 2020. Lance D. Collins and Bianca K. Isaki were present for the Appellant and Applicant/Movant, Brad Saito was present for Respondent Director, and Jodi S. Yamamoto was present for Intervenor/Respondent Na Pua Makani.

The Board having considered the Application, the Board HEREBY GRANTS the Application to the extent it treats the Application as a new appeal, with the understanding that Na

Pua Makani and the Director reserve their rights to challenge the appeal, DENIES the Application for intervention and ORDERS the appeal be consolidated with the KCA appeal in Case No. 2019/ZBA-7.

LYLE ISHIDA, CHAIR
ZONING BOARD OF APPEALS

APPROVED AS TO FORM:



LAW OFFICE OF LANCE D COLLINS
LANCE D. COLLINS
LAW OFFICE OF BIANCA ISAKI
BIANCA ISAKI

Attorneys for THE KAHUKU COMMUNITY
ASSOCIATION & KEEP THE NORTH
SHORE COUNTRY



BRAD SAITO
DEPUTY CORPORATION COUNSEL

Attorney for DIRECTOR OF THE
DEPARTMENT OF PLANNING AND
PERMITTING OF THE CITY AND
COUNTY OF HONOLULU

JODI S. YAMAMOTO
WIL K. YAMAMOTO
BRADLEY S. DIXON
YAMAMOTO CALIBOSO, LLLC

Attorneys for NA PUA MAKANI POWER
PARTNERS, LLC

Pua Makani and the Director reserve their rights to challenge the appeal, DENIES the Application for intervention and ORDERS the appeal be consolidated with the KCA appeal in Case No. 2019/ZBA-7.



LYLE ISHIDA, CHAIR
ZONING BOARD OF APPEALS

APPROVED AS TO FORM:

LAW OFFICE OF LANCE D COLLINS
LANCE D. COLLINS
LAW OFFICE OF BIANCA ISAKI
BIANCA ISAKI

Attorneys for THE KAHUKU COMMUNITY
ASSOCIATION & KEEP THE NORTH
SHORE COUNTRY

BRAD SAITO

DEPUTY CORPORATION COUNSEL

Attorney for DIRECTOR OF THE
DEPARTMENT OF PLANNING AND
PERMITTING OF THE CITY AND
COUNTY OF HONOLULU



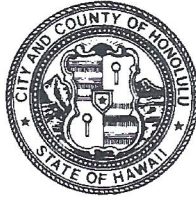
JODI S. YAMAMOTO
WIL K. YAMAMOTO
BRADLEY S. DIXON
YAMAMOTO CALIBOSO, LLC

Attorneys for NA PUA MAKANI POWER
PARTNERS, LLC

ZONING BOARD OF APPEALS
CITY AND COUNTY OF HONOLULU

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MAYOR



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GLADYS Q. MARRONE
LONDON D. KANESHIRO

2019/ZBA-7 and
2020/ZBA-3 (Consolidated)

July 7, 2020

Jodi S. Yamamoto, Esq.
Yamamoto Caliboso
1100 Alakea Street, Suite 3100
Honolulu, Hawaii 96813

RE: Order Granting Na Pua Makani Power Partners, LLC's
Application to Intervene Regarding Keep the North
Shore Country's Petition to Appeal Director's Approvals
of Conditional Use Permits, Waiver, and Modifications
Filed December 23, 2019
Na Pua Makani Wind Project – Subproject A
Na Pua Makani Wind Project – Subproject B
56-668 Kamehameha Highway – Kahuku
Tax Map Key: 5-6-8:6

Dear Ms. Yamamoto:

Transmitted herewith is a copy of the Order Granting Na Pua Makani Power Partners, LLC's Application to Intervene Regarding Keep the North Shore Country's Petition to Appeal Director's Approvals of Conditional Use Permits, Waiver, and Modifications Filed December 23, 2019, which was executed by the Zoning Board of Appeals ("ZBA") at its meeting on June 25, 2020.

If you have any questions, you may contact Dawn D. M. Spurlin, Deputy Corporation Counsel, for the ZBA at 768-5296.

Very truly yours,

A handwritten signature in cursive script that reads "Lyle M. Ishida".

For LYLE M. ISHIDA, Chair
Zoning Board of Appeals

LMI:js
Attach.

cc: Lance D. Collins, Esq.
Bianca K. Isaki, Esq.
Brad T. Saito, Deputy Corporation Counsel
Dawn D. M. Spurlin, Deputy Corporation Counsel for the Zoning

BEFORE THE ZONING BOARD OF APPEALS

CITY AND COUNTY OF HONOLULU

THE STATE OF HAWAII

In the Matter of the Petition of)
)
KEEP THE NORTH SHORE COUNTRY, a) Case No. 2019/ZBA-7
nonprofit corporation, concerning the Na Pua)
Makani Wind Project – Subprojects A & B,)
56-668 Kamehameha Highway, Kahuku,)
O’ahu, Tax Map Key (1) 5-6-008:006 & 5-6-)
006:018)
)
From the Actions of the Director of Planning)
and Permitting, dated October 24, 2016)
(2016/CUP-49); January 20, 2017)
(2016/CUP-69 & 2016/W-63), & June 7, 2019)
(2019/MOD-34, -35 & -36))

**ORDER GRANTING NA PUA MAKANI POWER PARTNERS, LLC’S
APPLICATION TO INTERVENE REGARDING KEEP THE NORTH SHORE
COUNTRY’S PETITION TO APPEAL DIRECTOR’S APPROVALS OF CONDITIONAL
USE PERMITS, WAIVER, AND MODIFICATIONS FILED DECEMBER 23, 2019**

On December 23, 2019, Keep the North Shore Country (“KNSC”) filed a Petition to Appeal Director’s Approvals of Conditional Use Permits, Waiver, and Modifications. On January 15, 2020, Na Pua Makani Power Partners, LLC (“NPM”) filed its Application to Intervene in the above-referenced matter.

At its meeting on January 23, 2020, the ZBA considered NPM’s Application to Intervene. Lance Collins, Esq., and Bianca Isaki, Esq., appeared on behalf of KNSC. Brad Saito, Esq., appeared on behalf of the Director of the Department of Planning and Permitting of the City and County of Honolulu (“Director”). Jodi Yamamoto, Esq., appeared on behalf of NPM. Neither KNSC nor the Director objected to NPM’s

Application to Intervene. Having considered NPM's Application to Intervene, the ZBA
HEREBY GRANTS NPM's Application to Intervene in the above-referenced matter.



LYLE ISHIDA, CHAIR

ZONING BOARD OF APPEALS

AGREED AS TO FORM:



LANCE D. COLLINS, ESQ.

LAW OFFICE OF LANCE D. COLLINS

BIANCA ISAKI, ESQ.

ATTORNEY AT LAW

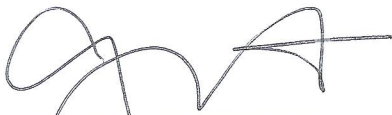
Counsel for KEEP THE NORTH SHORE
COUNTRY



BRAD SAITO, ESQ.

DEPUTY CORPORATION COUNSEL

Counsel for THE DEPARTMENT OF
PLANNING AND PERMITTING OF THE
CITY AND COUNTY OF HONOLULU



JODI S. YAMAMOTO, ESQ.
WIL K. YAMAMOTO, ESQ.
BRADLEY S. DIXON, ESQ.

YAMAMOTO CALIBOSO
A Limited Liability Law Company

Counsel for NA PUA MAKANI POWER
PARTNERS, LLC