



October 22, 2020

Kathy Sokugawa, Director
c/o Mr. Raymond Young
City & County of Honolulu
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, HI 96813
Submitted via email: ksokugawa@honolulu.gov; rcsyoung@honolulu.gov

Subject: AES West O'ahu Solar, LLC State Special Use Permit No. 2020/SUP-6, TMK 9-2-002:007 (por.)

Dear Ms. Sokugawa:

As the authorized agent for AES West O'ahu Solar, LLC, we are transmitting information related to the State Special Use Permit (SUP) application for the West O'ahu Solar Plus Storage Project (Project) and respectfully request that this documentation be incorporated into the Project record. Specifically the information presented herein is related to (1) a slight reduction of the Project area, (2) the status of the historic preservation review process, and (3) an update regarding the easement(s) to secure land rights for the Project. Each of these topics is further discussed below.

Reduction of Project Area

Based on information shared by the Department of Planning and Permitting (DPP) and upon further investigation of the underlying data, it was determined that there was a translation error in the spatial data depicting the Land Study Bureau (LSB) soil classification that was used to develop the Project design and layout, resulting in a minor overlap of the Project area with land classified as LSB Class A soils. This issue has been resolved and minor adjustments have been made to the Project boundary to ensure that no LSB Class A soils occur within the Project area.

Based on the adjustments to the boundary, the overall Project area is approximately 96.353 acres, which is a slight reduction from the 96.846-acre Project area described in the SUP application. The adjusted Project area falls entirely within the limits of the original Project area described in the Final Environmental Assessment (EA) and SUP application. Table 5 in the SUP application provides the approximate acreage of each LSB soil class within the permanent footprint of the Project facilities, as well as the approximate acreage of each LSB soil class within the overall Project area. An updated version of this table per the adjusted Project area is provided below. As referenced in the table, the Project would not involve construction of any facilities on LSB Class A soils.

Project Acreage by LSB Soil Classification

Area	LSB Soil Class (acres)					Total Area (acres)
	A	B	C	D	E	
Permanent Footprint of Project Facilities ^{1,2}	0.0	2.01	0.0	0.17	0.004	2.2
Overall Project Area	0.0	45.9	0.0	36.7	13.8	96.4
Percentage of Project Area Occupied by Project Footprint	0.0%	4.4%	0.0%	0.5%	0.03%	2.3%
¹ Additional detail regarding calculation of the permanent project footprint is provided as part of Table 2 in the SUP application. ² The area occupied by the Project components are calculated based on a 60 percent level of design. The dimensions used for these calculations will be refined through the final design process; in particular, refinements are anticipated based on Hawaiian Electric’s technical review and the equipment procurement process. Any refinements are expected to be relatively minor, such that the resulting calculations would not substantively differ from those reported above.						

The site plan for the Project (provided as Attachment H in the SUP application) has been updated to reflect the corrected LSB classification data and the adjusted Project area boundary. In particular, Drawing C1 depicts the adjusted Project area boundary, including metes and bounds. Drawing C2 also presents this information along with the corrected LSB soil layer. The site plan (based on a 60-percent level of design) is shown in Drawings C2 and C3. The Project figures (provided as Attachment A in the SUP) have also been updated to reflect the adjusted Project area boundary. An additional figure (Figure 18), which shows the proximity of surrounding land uses relative to the adjusted Project area, has been included in the set of figures. Revised versions of Attachments A and H are enclosed as part of this submittal.

In light of the reduction in the Project area, each of the due diligence and supporting technical studies referenced in the SUP application was reviewed to determine whether this revision would have any bearing on the study results. Signed statements documenting that the reduction in the Project area would not materially affect the findings and conclusions of the studies are also enclosed.

Historic Preservation Review

As discussed in Section 2.7 of the SUP application, an archaeological inventory survey (AIS) was conducted by Cultural Surveys Hawai‘i to identify, document and assess the significance of historic properties within the Project area. In accordance with Hawai‘i Revised Statutes (HRS) § 6E and Hawai‘i Administrative Rules (HAR) § 13-284, the AIS Report was submitted to the State of Hawai‘i Historic Preservation Division (SHPD) on February 5, 2020. At the time the SUP application was submitted to DPP on August 31, 2020, SHPD had not yet provided a response regarding their review of the AIS Report and the effect determination for the Project. Subsequently, on September 15, 2020, SHPD contacted DPP to request a copy of the SUP application. It is understood that DPP provided SHPD with a link to the SUP application; in addition, Cultural Surveys Hawai‘i also transmitted a link to the SUP application and receipt was acknowledged by SHPD. In addition, a meeting was held with SHPD staff September 25, 2020 to discuss the AIS Report. During this meeting, SHPD staff indicated that review comments on the AIS Report would be forthcoming. Copies of recent correspondence with SHPD regarding the historic preservation review process are contained in Attachment 3.

System Easement

As discussed in Section 1 of the SUP application, under an August 2019 option agreement with UH (as amended in May 2020), AES will enter into a Grant of System Easement under which AES will have the right to develop, construct, install, operate, maintain, repair, and replace the Project upon and/or remove the Project on a portion of the UH West O'ahu Mauka Lands property. The easements will include an exclusive easement for the Project facilities, a non-exclusive utility easement for Hawaiian Electric, and a non-exclusive access easement along existing shared-use access roads. As noted in the SUP application, it is anticipated that the area to be secured for the Project through the easement(s) required under the option agreement with UH will be a subset of the Project area, subject to a possible reduction of approximately 25-35 acres; the final area secured for Project use from UH will be based on the final design and engineering plans, subject to review and input by Hawaiian Electric. This area will be defined through the easement designation process, and submitted to the City and County of Honolulu and Land Court for approval. Any such reduction in the area secured for Project use from UH would not substantively change the size, scope, intensity, use, location or timing of the Project itself (as described in either the Final EA or the SUP application), nor would it change the area for which SUP approval is requested. The easements are currently being defined and it is anticipated that draft plans for the proposed easement designation areas may be provided as part of a supplemental filing for DPP's reference in advance of the formal decision making.

We appreciate your efforts in support of processing the SUP application for the West O'ahu Solar Plus Storage Project. If you have any questions regarding the information provided herein, please do not hesitate to contact me.

Sincerely,



Tetra Tech

Lisa Kettley

Agent for AES Distributed Energy

Enclosures:

Attachment H (Revised)

Attachment A (Revised)

Signed Statements Regarding Supporting Technical Studies

Correspondence with State Historic Preservation Division staff

Cc: Nick Molinari, AES Distributed Energy (West O'ahu Solar, LLC)