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MEETING OF THE PLANNING COMMISSION
CITY AND COUNTY OF HONOLULU
TRANSCRIPT
WEDNESDAY, JANUARY 6, 2021

The Planning Commission held a meeting on Wednesday, January 6, 2021, at 1:36 p.m, remote meeting and at the Mission Memorial Auditorium, Mission Memorial Building, 550 South King Stret, Honolulu, Hawaii. Chair Challacombe presided.

Pursuant to HRS 92-3.5 and Proclamation issued by Governor David Ige relating to the COVID-19 Pandemic, Commission members may be participating in the meeting by interactive technology from remote locations.

COMMISSIONERS PRESENT: Arthur D. Challacombe, Chair [remote]
Ken K. Hayashida [remote]
Gifford K. F. Chang
Brian Lee [remote]
Ryan Kamo

COMMISSIONERS EXCUSED: Arthur B. Tolentino
[prior notice given]
Steven Lim
[recused; prior notice given]

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1

Aki Marceau

2

[recused; prior notice given]

3

4

DEPUTY CORPORATION COUNSEL: Rozelle A. Agag

5

[Advisory to the Commission]

6

[remote]

7

8

COMMISSION STAFF: Gloria Takara

9

Secretary-Hearings Reporter

10

11

DIT STAFF: Gregory Cieless, WebEx Support

12

13

DPP REPRESENTATIVE: Raymond Young, Staff Planner

14

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1 P R O C E E D I N G S

2 293

3 01:00:14.820 --> 01:00:20.730

4 The next item on the agenda. Ewa District, State Special
5 use Permit.

6

7 294

8 01:00:20.730 --> 01:00:24.090

9 2020/SUP-6.

10

11 295

12 01:00:24.090 --> 01:00:27.389

13 AES West Oahu

14

15 296

16 01:00:27.389 --> 01:00:34.110

17 Solar, LLC.

18

19 297

20 01:00:34.110 --> 01:00:41.099

21 LIM:

22 Mr. Chairman, this is Commissioner Lim. I'm going to recuse
23 myself for a client conflict.

24

25 298

00004

1 01:00:41.099 --> 01:00:51.989
2 So, I'll leave the meeting now.

3

4 CHAIR:
5 Okay. Thank you.

6

7 LIM:
8 Okay. Bye-bye everybody.

9

10 MARCEAU:
11 Mr. Chairman, I'd like to--This is Commissioner Marceau. I'd
12 also like to refuse myself.

13

14 299

15 01:00:51.989 --> 01:00:55.920

16 CHAIR:

17 Okay. Thank you, Commissioner Marceau.

18

19 300

20 01:00:55.920 --> 01:01:02.340

21 Gloria, do we have a quorum to vote on this item?

22

23 HEARINGS REPORTER:

24 Yes. You may proceed. We do have quorum.

25

00005

1

2

3

4

5 301

6 01:01:02.340 --> 01:01:05.760

7 CHAIR:

8 Okay. Thank you. DPP

9

10 302

11 01:01:05.760 --> 01:01:09.420

12 would you please make a presentation on this item?

13

14 303

15 01:01:09.420 --> 01:01:17.070

16 STAFF PLANNER YOUNG:

17 Hello. Can you hear me? Hello?

18

19 HEARINGS REPORTER:

20 Hi, Ray. Yes. We can hear you.

21

22 304

23 01:01:17.070 --> 01:01:21.150

24 STAFF PLANNER YOUNG:

25 Okay. Thank you very much. Yes. This is

00006

1
2 305
3 01:01:21.150 --> 01:01:26.699
4 staff planner Raymond Young from the Department of Planning
5 and Permitting representing
6
7 306
8 01:01:26.699 --> 01:01:29.760
9 Director's recommendation on this
10
11 307
12 01:01:29.760 --> 01:01:37.380
13 Special Use Permit request. But before I get into that, I
14 would like to thank the Commission
15
16 308
17 01:01:37.380 --> 01:01:41.460
18 and its staff and all the technical
19
20 309
21 01:01:42.480 --> 01:01:51.510
22 personnel that went into putting this meeting, this remote
23 meeting together. It's really great that
24
25 310

00007

1 01:01:51.510 --> 01:01:55.469
2 we can stay safe and work remotely
3
4 311
5 01:01:55.469 --> 01:01:59.699
6 and keep our loved ones, friends and
7
8 312
9 01:01:59.699 --> 01:02:06.389
10 fellow co-workers safe during this pandemic. Thank you
11 again.
12
13 313
14 01:02:06.389 --> 01:02:14.130
15 So, regarding this request by AES West Oahu Solar, LLC
16
17 314
18 01:02:14.130 --> 01:02:17.489
19 the proposal is to establish
20
21 315
22 01:02:17.489 --> 01:02:20.519
23 at the slopes of Puukapui.
24
25 316

00008

1 01:02:20.519 --> 01:02:25.889
2 It's in the zone located in Kapolei just
3
4 317
5 01:02:25.889 --> 01:02:30.599
6 2000 feet north of the intersection of the H1
7
8 318
9 01:02:30.599 --> 01:02:34.889
10 Freeway and the Kualakai Parkway
11
12 319
13 01:02:34.889 --> 01:02:38.519
14 in the neighborhood of the Makakilo
15
16 320
17 01:02:38.519 --> 01:02:44.039
18 residential subdivision and surrounding agricultural lands
19 of Ewa.
20
21 321
22 01:02:44.039 --> 01:02:48.090
23 A 96.35 acre
24
25 322

00009

1 01:02:48.090 --> 01:02:51.360
2 solar photovoltaic
3
4 323
5 01:02:51.360 --> 01:02:58.260
6 energy project which intends to upon completion produce
7
8 324
9 01:02:58.260 --> 01:03:01.500
10 about 12.5 megawatts
11
12 325
13 01:03:01.500 --> 01:03:05.369
14 of direct current energy.
15
16 326
17 01:03:05.369 --> 01:03:08.699
18 And along with that storage capacity
19
20 327
21 01:03:08.699 --> 01:03:18.630
22 battery wise built on site to hold up to 50 megawatt hours
23 of energy generated by the PV panels so that
24
25 328

00010

1 01:03:18.630 --> 01:03:22.019
2 energy can be fed into the
3
4 329
5 01:03:22.019 --> 01:03:26.159
6 energy grid during
7
8 330
9 01:03:26.159 --> 01:03:32.070
10 the evening times when there is no sun. And this is a
11
12 331
13 01:03:32.070 --> 01:03:40.079
14 great proposal because in the past projects that the
15 Planning Commission and the Land Use Commission have been
16 approved by
17
18 332
19 01:03:40.079 --> 01:03:46.380
20 Special Use Permit. There have been no battery storage
21 facilities
22
23 333
24 01:03:46.380 --> 01:03:49.860
25 as I am aware of. So today

00011

1

2 334

3 01:03:49.860 --> 01:03:58.260

4 as we move forward in this combination, energy generation

5 and storage, this is a great both to our

6

7 335

8 01:03:58.260 --> 01:04:03.000

9 Quest, to the state's quest for renewable energy;

10

11 336

12 01:04:03.000 --> 01:04:06.030

13 100% renewable energy, but

14

15 337

16 01:04:06.030 --> 01:04:11.909

17 I think it was 2045. We really need more of these types of

18 projects.

19

20 338

21 01:04:11.909 --> 01:04:24.630

22 So the site is part of an 861 acre parcel owned by the

23 University of Hawaii West Oahu,

24

25 339

00012

1 01:04:24.630 --> 01:04:33.269
2 and it's located at the base of this (inaudible) to avoid
3 being invisible,
4
5 340
6 01:04:33.269 --> 01:04:37.619
7 the public area of West Oahu.
8
9 341
10 01:04:38.849 --> 01:04:42.960
11 The proposal will be established
12
13 342
14 01:04:42.960 --> 01:04:51.539
15 on what they call fix-tilt frames so that panels would be
16 tilted toward the sun face south.
17
18 343
19 01:04:51.539 --> 01:04:59.219
20 We're looking at four areas all fenced off in the petition
21 area to
22
23 344
24 01:04:59.219 --> 01:05:04.170
25 have PV panels, supporting infrastructure,

00013

1
2 345
3 01:05:04.170 --> 01:05:07.829
4 Roadways. And also
5
6 346
7 01:05:07.829 --> 01:05:12.960
8 agricultural uses as
9
10 347
11 01:05:12.960 --> 01:05:16.650
12 testified by
13
14 348
15 01:05:16.650 --> 01:05:20.190
16 Hawaii State Land Use Law Chapter 205.
17
18 349
19 01:05:20.190 --> 01:05:23.309
20 And there are two uses, ag uses that are
21
22 350
23 01:05:23.309 --> 01:05:26.730
24 being proposed
25

00014

1 351
2 01:05:26.730 --> 01:05:31.440
3 which was supported by Professional Consultant, one
4
5 352
6 01:05:31.440 --> 01:05:35.280
7 of which is beekeeping extinction,
8
9 353
10 01:05:35.280 --> 01:05:44.369
11 and the other are young cattle. Because the height of the
12 panels are only between 3 feet above grade,
13
14 354
15 01:05:44.369 --> 01:05:47.789
16 mounted on post.
17
18 355
19 01:05:47.789 --> 01:05:54.150
20 A full grown cattle would probably damage the port, perhaps
21 the panel.
22
23 356
24 01:05:54.150 --> 01:05:58.440
25 So the applicant along with their ag consultant

00015

1

2 357

3 01:05:58.440 --> 01:06:01.650

4 has proposed young cattle.

5

6 358

7 01:06:01.650 --> 01:06:05.159

8 Now, what about--

9

10 359

11 01:06:05.159 --> 01:06:09.300

12 Since these lands, the highly rated on the

13

14 360

15 01:06:09.300 --> 01:06:12.690

16 Land Study Bureau, we've got lands rated "B"

17

18 361

19 01:06:12.690 --> 01:06:17.099

20 which is second best down to "D".

21

22 362

23 01:06:17.099 --> 01:06:24.989

24 Unfortunately, for crop production that will be very

25 difficult because there is no water there.

00016

1

2 363

3 01:06:24.989 --> 01:06:31.289

4 And the existing infrastructure that once brought water to
5 the area has been abandoned.

6

7 364

8 01:06:31.289 --> 01:06:40.590

9 This is what I'm talking about, the stension of the Waihole
10 Beach. So what's left is a lot of abandoned irrigation
11 infrastructure

12

13 365

14 01:06:40.590 --> 01:06:44.849

15 including a former sugar mill

16

17 366

18 01:06:44.849 --> 01:06:53.280

19 pump house and the site of a former plantation camp, which
20 the archaeological study

21

22 367

23 01:06:53.280 --> 01:06:58.079

24 found in evidence. But based on old maps of the area

25

00017

1 368
2 01:06:58.079 --> 01:07:02.250
3 pump Camp 5 was right (inaudible)
4 369
5 01:07:02.250 --> 01:07:06.360
6 Now, the project is also going to
7
8 370
9 01:07:06.360 --> 01:07:10.289
10 partially offset energy
11
12 371
13 01:07:10.289 --> 01:07:15.929
14 lost from the closing, (inaudible) the whole
15
16 372
17 01:07:15.929 --> 01:07:21.570
18 energy generations. This is very helpful to allow
19
20 373
21 01:07:21.570 --> 01:07:26.400
22 the AES company continue producing energy
23
24 374
25 01:07:26.400 --> 01:07:32.190

00018

1 (inaudible). The project is intended to last
2
3 375
4 01:07:32.190 --> 01:07:35.610
5 about 29 years. You'll note that
6
7 376
8 01:07:35.610 --> 01:07:39.420
9 our report mentioned it was originally 25 years. But
10
11 377
12 01:07:39.420 --> 01:07:45.989
13 the applicant has come back perhaps better to go to 29 years
14 based upon time to
15
16 378
17 01:07:45.989 --> 01:07:50.730
18 get the permitting also construct, put it into commercial
19 production.
20
21 379
22 01:07:50.730 --> 01:07:54.179
23 So, I don't think we have a problem with that.
24
25 380

00019

1 01:07:54.179 --> 01:07:59.340
2 Now, the project was sent to various
3
4 381
5 01:07:59.340 --> 01:08:03.000
6 public agencies, private
7
8 382
9 01:08:03.000 --> 01:08:08.400
10 neighborhood boards and various individuals on island.
11
12 383
13 01:08:08.400 --> 01:08:13.289
14 No public agency opposed the project.
15
16 384
17 01:08:13.289 --> 01:08:20.489
18 The Land Use Commission and the Office of Planning had some
19 concerns about
20
21 385
22 01:08:20.489 --> 01:08:25.050
23 the lack of comments from
24
25 386

00020

1 01:08:25.050 --> 01:08:28.079
2 the Department of Land and Natural Resources,
3
4 387
5 01:08:28.079 --> 01:08:33.000
6 State Historic Preservation division at the time the
7
8 388
9 01:08:33.000 --> 01:08:38.369
10 application was being reviewed. So up until the time, did
11 the director signed
12
13 389
14 01:08:38.369 --> 01:08:42.720
15 the recommendation to the Planning Commission, we did not
16 receive SHPD
17
18 390
19 01:08:42.720 --> 01:08:45.899
20 Comment. But
21
22 391
23 01:08:45.899 --> 01:08:49.079
24 since then I think as of
25

00021

1 392
2 01:08:49.079 --> 01:08:53.189
3 late December, we did get comments from the
4
5 393
6 01:08:53.189 --> 01:08:58.170
7 SHPD and essentially I will defer to the applicant
8
9 394
10 01:08:58.170 --> 01:09:03.180
11 in their explanation what was mentioned, (inaudible).
12
13 395
14 01:09:04.859 --> 01:09:09.270
15 Now, even though the site does not have water,
16
17 396
18 01:09:09.270 --> 01:09:14.640
19 of course, cattle does need water, so does the bees.
20
21 397
22 01:09:17.069 --> 01:09:20.430
23 The applicant intends to truck in water or perhaps
24
25 398

00022

1 01:09:20.430 --> 01:09:27.060
2 this system--because just northwest of the site Board of
3 Water Supply
4
5 399
6 01:09:27.060 --> 01:09:30.329
7 440 foot elevation reservoir.
8
9 400
10 01:09:30.329 --> 01:09:34.020
11 There's a big water (inaudible) dirt road that
12
13 401
14 01:09:34.020 --> 01:09:37.109
15 eventually feeds the community of Kapolei.
16
17 402
18 01:09:37.109 --> 01:09:40.890
19 So, hope that (inaudible) provides water
20
21
22 403
23 01:09:40.890 --> 01:09:44.729
24 for (inaudible).
25

00023

1 404
2 01:09:44.729 --> 01:09:48.720
3 (inaudible)
4
5 405
6 01:09:50.550 --> 01:09:55.829
7 The agencies that also commented on
8
9 406
10 01:09:55.829 --> 01:09:58.890
11 include.
12
13 407
14 01:09:58.890 --> 01:10:03.210
15 comments by the Fish and Wildlife.
16
17 408
18 01:10:04.619 --> 01:10:08.880
19 We received comments from other agencies (inaudible).
20
21 409
22 01:10:08.880 --> 01:10:13.289
23 CHAIR:
24 Ray, we're
25

00024

1 410
2 01:10:14.880 --> 01:10:18.090
3 having trouble hearing you.
4
5 411
6 01:10:18.090 --> 01:10:21.510
7 STAFF PLANNER YOUNG:
8 Oh, okay. Sorry. I need to get closer to my mike.
9
10 412
11 01:10:21.510 --> 01:10:25.199
12 CHAIR:
13 Yes, yes, please do.
14
15 STAFF PLANNER YOUNG:
16 Okay. You can hear me now?
17
18 413
19 01:10:25.199 --> 01:10:30.180
20 CHAIR:
21 Yes, we can hear you now.
22
23
24 STAFF PLANNER YOUNG:
25 Thank you.

00025

1
2 414
3 01:10:30.180 --> 01:10:36.750
4 So, we will, uh--we have recommended that the project
5
6 415
7 01:10:36.750 --> 01:10:42.600
8 include conditions that address fish and wildlife concerns.
9
10 416
11 01:10:42.600 --> 01:10:47.850
12 We also had comments come in from the Department of
13 Transportation
14
15 417
16 01:10:47.850 --> 01:10:56.250
17 with respect to glint and glare, but they noted that there
18 should be no impact on the nearby Kalaeloa Airport.
19
20 418
21 01:10:56.250 --> 01:11:05.670
22 We got standard comments from the Honolulu Fire Department,
23 and our Department of Transportation Services.
24
25 419

00026

1 01:11:05.670 --> 01:11:10.229
2 But none of the comments are detrimental to the
3 establishment of the project.
4
5 420
6 01:11:10.229 --> 01:11:17.430
7 We believe that the project is consistent with the five
8 tests of the Planning Commission rules.
9
10 421
11 01:11:17.430 --> 01:11:24.210
12 And without going into too much in detail about those.
13
14 422
15 01:11:24.210 --> 01:11:30.899
16 I would like to conclude my recommendation that the project
17
18 423
19 01:11:30.899 --> 01:11:37.619
20 as recommended by the Director be approved with conditions,
21 And these conditions are not new conditions.
22
23 424
24 01:11:37.619 --> 01:11:43.020
25 The Planning Commission have seen these and other projects

00027

1 before, including those that
2
3 425
4 01:11:43.020 --> 01:11:54.090
5 Kualoa on the North Shore and the Waipio projects, for large
6 scale or grid scale PV project development.
7
8 426
9 01:11:54.090 --> 01:11:58.170
10 I am open to questions and--
11
12 427
13 01:11:58.170 --> 01:12:04.949
14 CHAIR:
15 Okay. Thank you, Ray. Do any of the commissioners have a
16 question
17
18 428
19 01:12:04.949 --> 01:12:08.489
20 for DPP?
21
22 429
23 01:12:11.399 --> 01:12:20.520
24 Okay. If not, at this time we'll start the public
25 testimony.

00028

1

2 430

3 01:12:20.520 --> 01:12:26.550

4 Participants can press *6 to unmute and remute themselves.

5

6 431

7 01:12:26.550 --> 01:12:35.159

8 Please mute your devices except to testify and use your
9 outside voice so the public and the commissioners can hear
10 you clearly.

11

12 432

13 01:12:35.159 --> 01:12:39.060

14 We ask for your patience as there may be a delay.

15

16 433

17 01:12:39.060 --> 01:12:43.979

18 HEARINGS REPORTER:

19 Excuse me, Chair, we also have the agents and applicants
20 here. I'm not sure--

21

22 434

23 01:12:43.979 --> 01:12:52.170

24 CHAIR:

25 Oh, we do. Okay. Will the applicant please give us a

00029

1 presentation?

2

3 435

4 01:13:05.880 --> 01:13:11.520

5 NICK MOLINARI:

6 Afternoon Chair and members of the Planning Commission. My
7 name is Nick Molinari.

8

9 436

10 01:13:11.520 --> 01:13:17.520

11 I'm a project development manager with AES for the West
12 O'ahu Solar Plus Storage Project.

13

14 437

15 01:13:17.520 --> 01:13:22.560

16 First off, I just wanted to say thank you for the
17 opportunity to provide a brief overview of our project

18

19 438

20 01:13:22.560 --> 01:13:25.920

21 in support of our request for a special use permit.

22

23 439

24 01:13:25.920 --> 01:13:33.270

25 I'm joined by a couple other members of our project team,

00030

1 Kirstin Punu, our Community Relations Manager is here behind
2 me,
3
4 440
5 01:13:33.270 --> 01:13:37.710
6 as well as our project planner Lisa Kettley with Tetra Tech.
7
8 441
9 01:13:37.710 --> 01:13:45.960
10 There are also several subject matter experts on the WebEx
11 and available to answer questions as needed.
12
13 442
14 01:13:45.960 --> 01:13:52.859
15 The purpose of the project is to generate clean locally
16 produced renewable energy
17
18 443
19 01:13:52.859 --> 01:13:56.699
20 and to advance the local agricultural economy.
21
22 444
23 01:13:56.699 --> 01:14:05.430
24 The main project components 12-1/2 megawatt, solar
25 photovoltaic system along with a 50 megawatt hour battery

00031

1 storage system and

2

3 445

4 01:14:05.430 --> 01:14:08.460

5 compatible agricultural facilities.

6

7 446

8 01:14:08.460 --> 01:14:17.100

9 The power that the project produces will be sold directly to
10 Hawaiian Electric for distribution throughout the entire
11 island of Oahu.

12

13 447

14 01:14:17.100 --> 01:14:25.350

15 And as Ray mentioned, this project would support the state's
16 goal to achieve 100% renewable energy by the year 2045.

17

18 448

19 01:14:25.350 --> 01:14:29.279

20 Power will be sold to HECO for 25 years.

21

22 449

23 01:14:29.279 --> 01:14:35.579

24 At the end of that period, the project would be
25 decommissioned and the land would be restored to its

00032

1 original condition.

2

3 450

4 01:14:35.579 --> 01:14:40.050

5 This project was pursued in partnership with the University
6 of Hawaii.

7

8 451

9 01:14:40.050 --> 01:14:45.569

10 It's sited on UH West Oahu Mauka Lands in an area that was
11 specifically designated

12

13 452

14 01:14:45.569 --> 01:14:50.220

15 for an energy farm and the long range UH West Oahu land use
16 plan.

17

18 453

19 01:14:50.220 --> 01:14:56.640

20 In addition to the solar facilities, compatible agricultural
21 activities would be incorporated as well.

22

23 454

24 01:14:56.640 --> 01:15:10.170

25 We have worked and are continuing to work with local

00033

1 agricultural operators for beef production and honey
2 production and the land for these activities would be made
3 available to these farmers at no cost.

4

5 455

6 01:15:11.279 --> 01:15:15.449

7 And I'll turn the presentation over to my colleague, Kirstin
8 Punu.

9

10 456

11 01:15:16.470 --> 01:15:29.729

12 KIRSTIN PUNU:

13 Aloha. So this project brings with it a number of important
14 benefits beginning with environmental. The energy generated
15 by the project will serve 4,600 Oahu homes.

16

17 457

18 01:15:29.729 --> 01:15:42.149

19 Energy generated is also anticipated to replace a portion of
20 energy that's currently generated by burning fossil fuels.
21 In particular, this project will offset 546,000 barrels of
22 oil.

23

24 458

25 01:15:42.149 --> 01:15:45.510

00034

1 Next slide please.

2

3 459

4 01:15:45.954 --> 01:16:00.864

5 We recognize the many challenges that many are facing as a
6 result of COVID-19, and we're committed to starting
7 construction and bringing this project online and with it
8 the important economic benefits that it brings in accordance
9 with the Power Purchase Agreement.

10

11 460

12 01:16:00.895 --> 01:16:07.225

13 The power generated will be sold at a low priced fixed cost
14 over the term of the contract, 25 years.

15

16 461

17 01:16:07.225 --> 01:16:18.505

18 Construction of the project is anticipated to contribute to
19 the generation of 118 local jobs, which will also contribute
20 \$20.2 million to the local economic market.

21

22 462

23 01:16:21.779 --> 01:16:32.064

24 We partnered with existing agricultural partners to offer
25 the project area at no cost for agricultural activities.

00035

1

2 463

3 01:16:32.425 --> 01:16:39.625

4 These activities will generate meaningful agricultural
5 products again, beef and honey.

6

7 464

8 01:16:40.199 --> 01:16:44.635

9 In addition, the project will reintroduce native plants
10 species to the area.

11

12 465

13 01:16:45.204 --> 01:16:55.225

14 These native plants will provide a certain level of
15 screening as part of our landscape plan as well as we'll
16 provide forage for the agricultural activities.

17

18 466

19 01:16:56.274 --> 01:17:05.604

20 Finally, this project will benefit the University of Hawaii
21 as well as the state as a whole. The project is in
22 alignment with the university sustainability goals.

23

24 467

25 01:17:06.175 --> 01:17:17.664

00036

1 It will provide a valuable source of revenue to the
2 University, and it is in alignment with the states and will
3 contribute directly to the states. 100% renewable energy.
4 Cool. I'll turn the slides over to our project planner Lisa
5 Kettley.

6
7 468

8 01:17:18.689 --> 01:17:25.800

9 ELISA KETTLEY:

10 So, this slide shows the location of the project. You can
11 see

12
13 469

14 01:17:25.800 --> 01:17:31.409

15 it's mauka, located mauka of H-1 near the intersection with
16 Kualakai Parkway.

17
18 470

19 01:17:31.409 --> 01:17:38.819

20 For a few points of reference, you can see down to the south
21 kind of at the bottom of the map. That's the location of the
22 UH.

23
24 471

25 01:17:38.819 --> 01:17:47.609

00037

1 UH West Oahu campus. A little bit to the southwest of there
2 is Makakilo Quarry and to the west is the Makakilo
3 neighborhood.

4

5 472

6 01:17:47.609 --> 01:17:56.189

7 The area that's shown in the light gray outline. I know it's
8 hard to see in here is the overall TMK.

9

10 473

11 01:17:56.189 --> 01:18:01.529

12 And that TMK parcel combined with a few smaller adjacent
13 parcel makes up the mauka lands, the UH West Oahu

14

15 474

16 01:18:01.529 --> 01:18:05.069

17 mauka lands.

18

19 475

20 01:18:05.069 --> 01:18:12.630

21 The project area, which is the sub petition area is the area
22 shown outlined in orange. That's 96.353 acres.

23

24 476

25 01:18:12.630 --> 01:18:20.460

00038

1 And we'll share on the next slide a site layout and you'll
2 see that based on the current layout

3

4 477

5 01:18:20.460 --> 01:18:25.470

6 the projects actually expected to occupy only a subset of
7 this overall area.

8

9 478

10 01:18:26.670 --> 01:18:32.970

11 Because the project area is state owned land, it did trigger
12 compliance with Chapter 343.

13

14 479

15 01:18:32.970 --> 01:18:41.069

16 We prepared an environmental assessment and DPP issued a
17 finding of no significant impact in the summer of 2020.

18

19 480

20 01:18:41.069 --> 01:18:52.289

21 In terms of the land use designations the entire project
22 area is within the state agricultural district. The soils
23 are classified by the land study bureau as Class B, D, and
24 E.

25

00039

1 481

2 01:18:52.289 --> 01:19:00.989

3 Solar facilities are allowed in these areas with issuance of
4 a Special Use Permit and that is the application that's
5 before the Commission today.

6

7 482

8 01:19:00.989 --> 01:19:09.180

9 At the county level, the entire project area is within the
10 AG-1 zone. Again, solar facilities are permitted in the zone

11

12 483

13 01:19:09.180 --> 01:19:13.350

14 with the Conditional Use Permit or CUP minor.

15

16 484

17 01:19:13.350 --> 01:19:19.170

18 And we will be seeking a CUP miner from DPP following the
19 SUP permit process.

20

21 485

22 01:19:20.250 --> 01:19:32.819

23 NICK MOLINARI:

24 All right. Nick Molinari, project development manager. So
25 here's an overview of our site layout. As Ray mentioned,

00040

1 there flour main areas of solar panels.
2
3 486
4 01:19:32.819 --> 01:19:37.109
5 Each of these areas has its own set of battery containers.
6
7 487
8 01:19:37.109 --> 01:19:40.289
9 And these battery containers were situated at the lowest
10
11 488
12 01:19:40.289 --> 01:19:43.380
13 elevation possible. So the lower end of each
14
15 489
16 01:19:43.380 --> 01:19:52.470
17 solar panel area. The equipment to support the compatible
18 agricultural activities is dispersed throughout the entire
19 project area.
20
21 490
22 01:19:52.470 --> 01:19:57.329
23 And the entire project area would be secured with
24 chain-linked fencing.
25

00041

1 491

2 01:19:59.069 --> 01:20:02.760

3 So, here's a couple representative photographs of the
4 technology.

5

6 492

7 01:20:02.760 --> 01:20:06.989

8 You can see the solar panels here from another project in
9 Hawaii.

10

11 493

12 01:20:06.989 --> 01:20:12.779

13 Plenty of space between the rows of panels to allow calves
14 and small cattle to

15

16 494

17 01:20:12.779 --> 01:20:21.449

18 safely graze. And here's a close-up of the batteries. The
19 batteries themselves are inside the containers.

20

21 495

22 01:20:21.449 --> 01:20:27.180

23 Each container is fully integrated. It has a built-in HVA
24 system for temperature control of the batteries

25

00042

1 496

2 01:20:27.180 --> 01:20:32.579

3 as well as a system of controls and alarms so that we can
4 monitor the performance remotely.

5

6 497

7 01:20:32.579 --> 01:20:38.460

8 Additionally, there's a built-in fire suppression system for
9 an added layer of safety.

10

11 498

12 01:20:38.460 --> 01:20:42.390

13 The batteries are set on concrete pads.

14

15 499

16 01:20:42.390 --> 01:20:51.090

17 And each pad has a non-vegetated fire break built around it,
18 again for another layer of fire safety.

19

20 500

21 01:20:56.034 --> 01:21:06.925

22 LISA KETTLEY:

23 Thank you very much. We partnered with existing agricultural
24 partners to develop a compatible agricultural plan. Again,
25 we were proactive in development of this plan.

00043

1

2 501

3 01:21:07.524 --> 01:21:19.375

4 We looked at the site conditions and parameters as well as
5 the current use that is Bud Gibson with Rocker G Livestock
6 currently grazes the area for rotational cattle grazing.

7

8 502

9 01:21:19.645 --> 01:21:28.015

10 And again, we identify the most promising agricultural
11 activities to be production of honey as well as production
12 of beef.

13

14 503

15 01:21:29.005 --> 01:21:29.664

16 Next slide please,

17

18 504

19 01:21:30.984 --> 01:21:33.354

20 we also developed a landscape plan.

21

22 505

23 01:21:33.744 --> 01:21:44.154

24 and we looked at the particular site parameters as well as
25 considered the feedback from the community and plant native

00044

1 plant species that could be found in and around the area.

2

3 506

4 01:21:44.454 --> 01:21:53.215

5 Again, the plan reintroduces these plant species, which will
6 also support and provide forage for the proposed
7 agricultural activities.

8

9 507

10 01:21:55.500 --> 01:22:06.029

11 NICK MOLINARI:

12 Okay. So, one of the things we heard early on in the
13 process was questions about the overall size and footprint
14 of the project.

15

16 508

17 01:22:06.029 --> 01:22:13.859

18 With that feedback in mind, we worked really hard through
19 the development and design process to reduce the overall
20 footprint, and

21

22 509

23 01:22:13.859 --> 01:22:17.520

24 we were able to achieve an overall reduction of 20%.

25

00045

1 510

2 01:22:17.520 --> 01:22:21.659

3 You can see the original layout on the left compared to the
4 current layout

5

6 511

7 01:22:21.659 --> 01:22:34.680

8 On the right. We moved everything away from the nearby
9 Makakilo community and, you know, through higher efficiency
10 panels and good design practice, we were able to reduce the
11 footprint by

12

13 512

14 01:22:34.680 --> 01:22:49.170

15 20%. So here's a couple quick visual simulations of the
16 project area. This one is looking mauka from Farrington
17 Highway.

18

19 513

20 01:22:49.170 --> 01:22:56.069

21 Existing conditions--This was our original lay out. You can
22 see in yellow how vast the original design was.

23

24 514

25 01:22:56.069 --> 01:23:00.720

00046

1 And this is the current lay out. So it's been scaled way
2 back.
3
4 515
5 01:23:00.720 --> 01:23:05.520
6 And from Kualakai Parkway looking mauka at the project area,
7
8 516
9 01:23:05.520 --> 01:23:11.430
10 original layout everything kind of extended way up way up to
11 Pueonani. And
12
13 517
14 01:23:11.430 --> 01:23:16.979
15 here's our current lay out. Everything has been brought
16 down and focused on the lower elevation.
17
18 518
19 01:23:18.539 --> 01:23:23.640
20 And here's from the end of Pueonani Street, which is the
21 nearest residential community.
22
23 519
24 01:23:23.640 --> 01:23:26.640
25 Original layout in yellow there,

00047

1

2 520

3 01:23:28.079 --> 01:23:32.489

4 compared to the current layout. You can see the project out
5 there in the background.

6

7 521

8 01:23:33.689 --> 01:23:40.770

9 So, I just wanted to provide a quick overview of the
10 timeline. We've done a lot to get here including a full
11 environmental assessment.

12

13 522

14 01:23:40.770 --> 01:23:51.539

15 We're currently at the Special Use Permit stage. If we're
16 approved for the Special Use Permit, we still need a CUP and
17 a full suite of construction permits before we can actually
18 begin construction.

19

20 523

21 01:23:51.539 --> 01:23:58.800

22 Our hope is to have all those approvals later this year,
23 early next and then construction will take about a year.

24

25 524

00048

1 01:23:58.800 --> 01:24:06.329

2 The project will operate for 25 years, and then at the end
3 of that period it would be decommissioned within a year. So

4

5 525

6 01:24:06.329 --> 01:24:13.890

7 One of the items on the agenda today is a requested
8 modification to the DPP Director's

9

10 526

11 01:24:13.890 --> 01:24:23.069

12 recommendation for a 25-year term. As you can see when you
13 add in the development and the permitting and the
14 construction, decommissioning,

15

16 527

17 01:24:23.069 --> 01:24:28.319

18 a 29-year term is our request.

19

20 528

21 01:24:29.034 --> 01:24:33.295

22 There's two other requests in that December 11th letter,

23

24 529

25 01:24:33.295 --> 01:24:35.274

00049

1 which at the end of this presentation
2
3 530
4 01:24:35.274 --> 01:24:41.125
5 I'm going to ask if the Chair would activate our legal
6 counsel Curtis Tabata
7
8 531
9 01:24:41.125 --> 01:24:45.774
10 to just provide a brief statement on those requests.
11
12 532
13 01:24:46.979 --> 01:24:51.119
14 The project has a strict
15
16 533
17 01:24:51.119 --> 01:25:04.494
18 mandate to be online by 2023. That's set by the Public
19 Utilities Commission. So, you know, we need to kind of keep
20 things moving. We've done a lot to get to this point, and we
21 respectfully request the Commission's urgent action
22
23 534
24 01:25:06.329 --> 01:25:19.710
25 to move this forward on time. So, in conclusion, the

00050

1 project will bring clean local, renewable energy to all of
2 Oahu. It will help the state get to 100% renewable.

3

4 535

5 01:25:19.710 --> 01:25:25.439

6 It will support in advance the local agricultural economy
7 through beef and honey production.

8

9 536

10 01:25:25.439 --> 01:25:28.920

11 It will contribute new local jobs

12

13 537

14 01:25:28.920 --> 01:25:32.909

15 and \$20 million in economic output at a time when it's badly
16 needed,

17

18 538

19 01:25:32.909 --> 01:25:36.119

20 as well as revenue to the University of Hawaii

21

22 539

23 01:25:36.119 --> 01:25:39.960

24 and the state through the use of these lands.

25

00051

1 540

2 01:25:41.604 --> 01:25:56.515

3 We will now welcome any questions from the Commission. I
4 thank you very much for the opportunity today to talk about
5 the project. Before we do that. I would just ask Chair if
6 you'd be willing to activate and recognize Curtis Tabata to
7 make a brief statement related to

8

9 541

10 01:25:57.510 --> 01:26:02.550

11 the request for SHPD in our December 11th letter.

12

13 542

14 01:26:02.550 --> 01:26:06.869

15 CHAIR:

16 Absolutely. Mr. Tabata, would you

17

18 543

19 01:26:06.869 --> 01:26:10.829

20 come forward and speak to the Commission.

21

22 544

23 01:26:12.899 --> 01:26:19.710

24 CURTIS TABATA:

25 Sure, Mr. Chair.

00052

1

2 545

3 01:26:21.239 --> 01:26:26.159

4 CHAIR:

5 Yes, sir.

6

7 546

8 01:26:26.159 --> 01:26:30.510

9 CURTIS TABATA:

10 Thank you. Good afternoon, Mr. Chair and the members of the
11 Commission. I'm

12

13 547

14 01:26:30.510 --> 01:26:33.810

15 Curtis Tabata, attorney for AES West O'ahu.

16

17 548

18 01:26:33.810 --> 01:26:37.319

19 As Mr. Molinari indicated

20

21 549

22 01:26:37.319 --> 01:26:40.500

23 we do have a change to our request

24

25 550

00053

1 01:26:40.500 --> 01:26:43.890
2 in our December 11th letter.
3
4 551
5 01:26:43.890 --> 01:26:48.869
6 At the time of the December 11th letter, we were waiting for
7
8 552
9 01:26:48.869 --> 01:26:52.680
10 an acceptance letter from
11
12 553
13 01:26:55.409 --> 01:26:58.890
14 SHPD, the State Historic Preservation Division.
15
16 554
17 01:26:58.890 --> 01:27:03.180
18 Luckily and thankfully since then we have received
19
20 555
21 01:27:03.180 --> 01:27:09.930
22 For SHPD's letter accepting our Archaeological Inventory
23 Survey.
24
25 556

00054

1 01:27:09.930 --> 01:27:13.529
2 We received that letter yesterday and submitted it
3
4 557
5 01:27:13.529 --> 01:27:17.069
6 by email yesterday evening and filed it
7
8 558
9 01:27:17.069 --> 01:27:20.789
10 as an Exhibit this morning
11 559
12 01:27:20.789 --> 01:27:24.510
13 with the Commission. Therefore
14
15 560
16 01:27:24.510 --> 01:27:28.260
17 we do have a modification to our request in our December
18 11th
19
20 561
21 01:27:28.260 --> 01:27:33.659
22 letter, which actually simplifies our request.
23
24 562
25 01:27:33.659 --> 01:27:38.520

00055

1 We no longer are asking for a condition regarding that
2 letter.

3

4 563

5 01:27:38.520 --> 01:27:44.310

6 Instead we believe that a short additional Finding a Fact

7

8 564

9 01:27:44.310 --> 01:27:49.500

10 will (inaudible) reflect

11

12 565

13 01:27:49.500 --> 01:27:54.810

14 the Planning Commission's receipt of the letter. Language

15 that we are offering at this time

16

17 566

18 01:27:54.810 --> 01:28:00.270

19 would state the following. The Planning Commission has

20 received

21

22 567

23 01:28:00.270 --> 01:28:04.529

24 the letter dated January 4, 2021

25

00056

1 568
2 01:28:04.529 --> 01:28:07.739
3 From the State Historic Preservation Division
4
5 569
6 01:28:07.739 --> 01:28:11.640
7 accepting the archaeological inventory survey
8
9 570
10 01:28:11.640 --> 01:28:16.560
11 for the project period. We believe this would adequately
12 reflect
13
14 571
15 01:28:16.560 --> 01:28:19.800
16 in the Commission's Order
17
18 572
19 01:28:19.800 --> 01:28:23.489
20 the receipt of the SHPD letter.
21
22 573
23 01:28:23.489 --> 01:28:30.329
24 In addition, I also have a quick housekeeping matter.
25

00057

1 574
2 01:28:30.329 --> 01:28:33.930
3 If the Commission would indulge us,
4
5 575
6 01:28:33.930 --> 01:28:37.739
7 we request that
8
9 576
10 01:28:37.739 --> 01:28:40.800
11 the SUP application
12
13 577
14 01:28:40.800 --> 01:28:45.689
15 it supplements all public testimony
16
17 578
18 01:28:45.689 --> 01:28:50.039
19 and our Exhibits 1 through 27 be
20
21 579
22 01:28:50.039 --> 01:28:53.609
23 admitted into evidence. If that will be possible.
24
25 580

00058

1 01:28:53.609 --> 01:28:58.079

2 We believe that would

3

4 581

5 01:28:58.079 --> 01:29:05.699

6 as a housekeeping matter help us organize this proceeding as
7 we

8

9 582

10 01:29:05.699 --> 01:29:09.270

11 hopefully will continue on to the State Land Use Commission.

12

13 583

14 01:29:09.270 --> 01:29:12.960

15 And that's all I have, and I'll be happy to answer, try

16

17 584

18 01:29:12.960 --> 01:29:17.189

19 to answer any questions the Commission may have. Thank you.

20

21

22

23

24 585

25 01:29:18.204 --> 01:29:27.654

00059

1 CHAIR:

2 Thank you, Mr. Tabata. I have a question for deputy
3 corporation counsel. Regarding the letter mentioned by Mr.
4 Tabata,

5

6 586

7 01:29:27.654 --> 01:29:33.595

8 does the Commission have to take any special action or can

9

10 587

11 01:29:34.020 --> 01:29:38.430

12 it just be submitted as part of the record of this meeting?

13

14 588

15 01:29:42.029 --> 01:29:50.069

16 COUNSEL ROZELLE AGAG:

17 Good afternoon, Chair.

18

19 589

20 01:29:50.069 --> 01:29:53.189

21 No. You don't have to take action

22

23 590

24 01:29:53.189 --> 01:30:01.800

25 as in response to the request. I think DPP has submitted a

00060

1 letter response to the
2
3 591
4 01:30:01.800 --> 01:30:06.090
5 December 11th request.
6
7 592
8 01:30:06.090 --> 01:30:12.600
9 What I think needs to happen is the Commission needs to give
10 instruction as to
11
12 593
13 01:30:12.600 --> 01:30:16.739
14 how they want to include
15
16 594
17 01:30:16.739 --> 01:30:20.640
18 the requested modifications into the
19
20 595
21 01:30:20.640 --> 01:30:24.329
22 Findings of Fact, and Conclusions of Law,
23
24 596
25 01:30:24.329 --> 01:30:31.529

00061

1 so that that's clear on the record.

2

3 CHAIR:

4 Okay. I think we can do that with a simple motion and a
5 second.

6

7 597

8 01:30:31.529 --> 01:30:37.739

9 COUNSEL ROZELLE AGAG:

10 Does that answer your question?

11

12 CHAIR:

13 Yes, it does. Thank you.

14

15 COUNSEL ROZELLE AGAG:

16 Okay. So you're welcome.

17

18 598

19 01:30:37.739 --> 01:30:49.590

20 CHAIR:

21 And in terms of accepting the Exhibits, I think we can take
22 that as part of the public testimony.

23

24 599

25 01:30:49.590 --> 01:30:54.090

00062

1 Gloria, do you have those Exhibits for the record?

2

3 600

4 01:30:54.090 --> 01:30:57.449

5 HEARINGS REPORTER:

6 Yes, I do.

7

8 CHAIR:

9 Okay.

10

11 601

12 01:30:57.449 --> 01:31:00.720

13 I think we've covered Mr. Tabata's concerns.

14

15 602

16 01:31:00.720 --> 01:31:05.819

17 Thank you, Mr. Tabata.

18

19 603

20 01:31:05.819 --> 01:31:10.649

21 CURTIS TABATA:

22 Thank you.

23

24 CHAIR:

25 Okay.

00063

1

2 604

3 01:31:10.649 --> 01:31:18.720

4 Are there any questions to DPP or the applicant from the
5 Commissioners regarding this project?

6

7 605

8 01:31:22.979 --> 01:31:28.260

9 CHANG:

10 Commissioner Chair. Chair?

11

12 606

13 01:31:28.260 --> 01:31:31.859

14 CHAIR:

15 Yes, sir.

16

17 CHANG:

18 Yes. I have a question to ask of the applicant.

19

20 607

21 01:31:31.859 --> 01:31:37.859

22 There was a mention that initially the plan was selected
23 back by 20%.

24

25 608

00064

1 01:31:37.859 --> 01:31:43.890
2 Do you know why and whom requested the 20% reduction of your
3
4 609
5 01:31:43.890 --> 01:31:47.579
6 original plan?
7
8 610
9 01:31:47.579 --> 01:31:53.010
10 NICK MOLINARI:
11 Thank you Commissioner. Nick Molinari, project development
12 manager with AES.
13
14 611
15 01:31:53.010 --> 01:31:59.668
16 It was early on it was a general community
17
18 612
19 01:31:59.668 --> 01:32:09.689
20 consideration about, you know, the size of the project and
21 the proximity to the Makakilo--the nearby Makakilo
22 communities.
23
24 613
25 01:32:09.689 --> 01:32:16.979

00065

1 So our goal was--there wasn't a specific metric as to well
2 how much you need to reduce it by. Obviously we want to
3
4 614
5 01:32:16.979 --> 01:32:23.939
6 achieve the power output that we need by, with using the
7 least amount of land as possible.
8
9 615
10 01:32:23.939 --> 01:32:29.639
11 So, through the design process and by using better
12 technology
13
14 616
15 01:32:29.639 --> 01:32:33.628
16 we were able to move everything away from the Makakilo
17 community and,
18
19 617
20 01:32:33.628 --> 01:32:40.498
21 you know, it resulted in a 20% reduction and the footprint,
22 and we're still able to get the same
23
24 618
25 01:32:40.498 --> 01:32:47.969

00066

1 Power. So it's less land use with the same outcome.

2

3 CHANG:

4 Thank you. May I have a follow-up question, Commissioner
5 Chang.

6

7 619

8 01:32:47.969 --> 01:32:55.139

9 Was it the neighborhood board that kind of asked you to do
10 some kind of reduction or is it just listening to

11

12 620

13 01:32:55.139 --> 01:32:58.738

14 public comments or letters or writings?

15

16 621

17 01:32:58.738 --> 01:33:02.729

18 NICK MOLINARI:

19 Public comments, early in the process

20

21 622

22 01:33:02.729 --> 01:33:10.048

23 back when there was an initial community meeting at Kapolei
24 High School,

25

00067

1 623

2 01:33:10.048 --> 01:33:15.389

3 February 2019.

4

5 CHANG:

6 Follow-up question. Do you think this

7

8 624

9 01:33:15.389 --> 01:33:20.609

10 so-called 20% reduction would satisfy the community or

11

12 625

13 01:33:20.609 --> 01:33:29.788

14 you feel that they are indifferent to--what if it was a 10%

15 reduction versus 20, that's what I'm trying to say.

16

17 626

18 01:33:29.788 --> 01:33:32.788

19 NICK MOLINARI:

20 Sure. I think,

21

22

23 627

24 01:33:32.788 --> 01:33:39.809

25 you know, I think generally folks are supportive of

00068

1 everything, the opportunities that the project brings,
2
3 628
4 01:33:39.809 --> 01:33:48.868
5 you know, environmentally, the fact that it's balancing two
6 of the States goals, which are local energy, renewable
7 energy, and also local agriculture.
8
9 629
10 01:33:48.868 --> 01:33:51.899
11 You know, I think in general
12
13 630
14 01:33:51.899 --> 01:34:03.658
15 Reducing, trying to achieve those outcomes with as with the
16 least amount of space as possible is, is always kind of the,
17
18 631
19 01:34:03.658 --> 01:34:10.198
20 you know, the general consensus. And so we made a best
21 faith effort to respond as best we could.
22
23 632
24 01:34:10.198 --> 01:34:17.609
25 And this was the result.

00069

1

2 CHANG:

3 Thank you. It was just my thought that if you could

4

5 633

6 01:34:17.609 --> 01:34:21.899

7 scale it to rather than 10% that would be better for
8 everyone, community,

9

10 634

11 01:34:21.899 --> 01:34:27.929

12 renewable energy, all of these wonderful environmental
13 impacts that could help

14

15 635

16 01:34:27.929 --> 01:34:31.618

17 reduce the use of on fuel, right? So

18

19 636

20 01:34:31.618 --> 01:34:39.238

21 I'm just thinking if you could increase it back that'd be
22 fine, but we'll also let DPP give their recommendation.

23

24 637

25 01:34:39.238 --> 01:34:42.448

00070

1 Thank you.

2

3 NICK MOLINARI:

4 Thank you, Commissioner.

5

6 638

7 01:34:44.368 --> 01:34:58.498

8 CHAIR:

9 Are there any other questions of the applicant?

10

11 HAYASHIDA:

12 Chair Challacombe, this is Commissioner Hayashida, I just
13 want a brief discussion on glare and who is impacted by the
14 glare of the PV system?

15

16 639

17 01:35:04.259 --> 01:35:08.488

18 LISA KETTLEY:

19 Hi. This is Lisa Kettley. I'm a planner with Tetra Tech.

20

21 640

22 01:35:08.488 --> 01:35:13.859

23 Yes. Glare study was done early on using the glare gauge

24

25 641

00071

1 01:35:13.859 --> 01:35:19.139
2 modeling software, which is the industry standard for
3 analyzing glare. Looked at a number of
4
5 642
6 01:35:19.139 --> 01:35:23.338
7 points in the surrounding community, some of the adjacent
8 roadway, segments
9
10 643
11 01:35:23.338 --> 01:35:30.509
12 as well as the nearby airports, Kalailoa as well as
13 Honolulu, the Honolulu International Airport.
14
15 644
16 01:35:30.509 --> 01:35:37.259
17 And the results of that study showed a limited amount of
18 glare on a few of the roadway segments
19
20 645
21 01:35:37.259 --> 01:35:45.538
22 along Farrington and H-1, but this is very limited. It's
23 less than 15 minutes per day for short periods of the year,
24
25 646

00072

1 01:35:45.538 --> 01:35:52.948
2 in the evening hours. And these results are conservative
3 and the model does not take into account
4
5 647
6 01:35:52.948 --> 01:35:57.179
7 atmospheric conditions, whether conditions, intervening
8 topography.
9
10 648
11 01:35:57.179 --> 01:36:03.298
12 So, you know, in combination of those factors the glare
13 impacts are expected to be
14
15 649
16 01:36:03.298 --> 01:36:08.219
17 very minimal. The results were submitted to FAA, and FAA
18
19 650
20 01:36:08.219 --> 01:36:20.128
21 issued a determination of no effect. Does that answer your
22 question, Commissioner?
23
24 HAYASHIDA:
25 Commissioner Hayashida, again. So no mitigation measures

00073

1 are being taken for glare?
2
3 651
4 01:36:20.128 --> 01:36:26.458
5 LISA KETTLEY:
6 None at the moment. Results are showing very minimal impact
7 on glare.
8
9 652
10 01:36:26.458 --> 01:36:30.569
11 HAYASHIDA:
12 Okay. That's all I had.
13
14 653
15 01:36:30.569 --> 01:36:44.668
16 LISA KETTLEY:
17 Thank you.
18
19 HAYASHIDA:
20 Oh, Commissioner Hayashida, I had one more question. Kind
21 of more of my self-interest. So what happens at the end of
22 the--when you have to dispose of batteries?
23
24 654
25 01:36:44.668 --> 01:36:50.729

00074

1 What do you guys do and your proposal to dispose of
2 batteries as you need to replace them and

3

4 655

5 01:36:50.729 --> 01:36:55.948

6 get them going?

7

8 NICK MOLINARI:

9 Sure. Nick Molinari again. Thank you, Commissioner.

10

11 656

12 01:36:55.948 --> 01:37:07.979

13 The batteries would be--So we're working with the
14 manufacturer on kind of a take back program. So any
15 disposal end of life treatment, reuse would be handled

16

17 657

18 01:37:07.979 --> 01:37:13.078

19 off island. The exact nature and specifics of,

20

21 658

22 01:37:13.078 --> 01:37:17.548

23 you know, battery decommissioning and end-of-life treatment,

24

25 659

00075

1 01:37:17.548 --> 01:37:23.998

2 you know, it's kind of developing now. But our preliminary
3 decommissioning plan which was included

4

5 660

6 01:37:23.998 --> 01:37:31.679

7 in our environmental assessment is that, you know, any
8 disposal or recycling of materials, including the batteries
9 would

10

11 661

12 01:37:31.679 --> 01:37:39.538

13 occur on the mainland or overseas.

14

15 HAYASHIDA:

16 Thank you.

17

18 662

19 01:37:39.538 --> 01:37:46.019

20 NICK MOLINARI:

21 Thank you.

22

23 CHAIR:

24 Are there any other questions to DPP or the applicant from
25 the Commission? [no response]

00076

1

2 663

3 01:37:50.729 --> 01:37:55.078

4 CHAIR:

5 Okay. If not at this time we're going to start the

6

7 664

8 01:37:55.078 --> 01:38:03.899

9 public testimony. Before we began, I want to say that we
10 received-Gloria, how many written testimonies have we
11 received so far?

12

13 665

14 01:38:03.899 --> 01:38:07.109

15 HEARINGS REPORTER:

16 Fourteen.

17

18 666

19 01:38:07.109 --> 01:38:10.559

20 CHAIR:

21 Okay. Fourteen written testimonies.

22

23 667

24 01:38:10.559 --> 01:38:15.628

25 Finally for those giving testimony, I ask that you state

00077

1 your full name,

2

3 668

4 01:38:15.628 --> 01:38:20.189

5 spell both your first and last names when you start your
6 testimony.

7

8 669

9 01:38:20.189 --> 01:38:25.828

10 As a reminder, the meeting is being audio recorded, and we
11 want to ensure

12

13 670

14 01:38:25.828 --> 01:38:29.939

15 an adequate public record, which will be posted at a later
16 date.

17

18 671

19 01:38:29.939 --> 01:38:33.988

20 Let's begin. First, we will take

21

22 672

23 01:38:33.988 --> 01:38:37.679

24 the public testifiers present in the auditorium

25

00078

1 673

2 01:38:37.679 --> 01:38:43.979

3 and next those on their telephones or devices. Please say

4 and spell your first and last names.

5

6 674

7 01:38:43.979 --> 01:38:50.099

8 Thank you. The first registered speaker to sign up to speak

9 is Michael Pacheco

10

11 675

12 01:38:50.099 --> 01:38:54.359

13 of IBEW 1186.

14

15 676

16 01:38:57.988 --> 01:39:05.819

17 MICHAEL PACHECO:

18 Thank you, Chair. First off, thank you, Chair and

19 Commissioners.

20

21 677

22 01:39:05.819 --> 01:39:09.088

23 Thank you for

24

25 678

00079

1 01:39:09.088 --> 01:39:13.828
2 your time. My name is Michael, M-I-C-H-A-E-L
3
4 679
5 01:39:13.828 --> 01:39:15.623
6 P-A-C-H-E-C-O,
7
8 680
9 01:39:15.623 --> 01:39:29.064
10 and I am with IBEW 1186 for going on 15 years now. On
11 behalf of Damien Kim, our business manager, financial
12 secretary, and our 3500 members that consist of
13 electricians, telecom workers,
14
15 681
16 01:39:31.828 --> 01:39:45.988
17 Spectrum, and AT&T workers, civil service workers and the
18 marine, marine and motor side divisions and now private
19 school teachers. I'm here to strongly approve for the
20
21 682
22 01:39:45.988 --> 01:40:00.208
23 acceptance of the special permit use. You know, there's
24 been some really great points that have been brought up by
25 Nick and his team and very good conversation going back and

00080

1 forth about some of these issues.

2

3 683

4 01:40:00.208 --> 01:40:12.868

5 And to respect the time of the committee and not trying to
6 sound like a broken record, I won't bring up some of those
7 points, but I do have 3 points that I would like to make.

8 First being

9

10 684

11 01:40:12.868 --> 01:40:26.394

12 with the priorities that our state is looking at, you know,
13 we definitely feel strongly that these are one of those
14 projects that aligns with building up that momentum of
15 getting us back to where we once were economically.

16

17 685

18 01:40:27.054 --> 01:40:28.913

19 Of course, you can see some of those

20

21 686

22 01:40:30.179 --> 01:40:31.944

23 statistics that they put on,

24

25 687

00081

1 01:40:31.944 --> 01:40:43.854
2 but I'd like to just draw a little bit more of a different
3 perspective and kind of bringing it a little more to light.
4 Because not only is it a great thing where we have our union
5 workers and people in the labor force getting jobs.
6
7 688
8 01:40:44.213 --> 01:40:44.844
9 Sometimes
10
11 689
12 01:40:44.844 --> 01:40:51.354
13 I think it's the point is forgotten of how much that when
14 you put good money and good jobs into
15
16 690
17 01:40:51.689 --> 01:41:05.663
18 our hands, it rally does stimulate the economy where, you
19 know, our guys go out to mom and pop stores to buy their
20 drinks and their pupus and their coffees and stuff and not
21 only considering,
22
23 691
24 01:41:05.663 --> 01:41:15.894
25 you know, when we go out to lunch and the food trucks and

00082

1 small businesses that we support. You know, when we got
2 money in our pockets, we take our families to dinner a
3 little bit more often.

4

5 692

6 01:41:16.104 --> 01:41:20.753

7 I know a lot of people in a lot of different trades that
8 went to

9

10 693

11 01:41:21.059 --> 01:41:29.003

12 home lunches because things were tough. Where now with
13 these type of projects, we're going to be able to kind of
14 jump start the economy.

15

16 694

17 01:41:29.184 --> 01:41:37.554

18 I think another great point that I like to bring up is that
19 we've also been in conversation with AES in regards to

20

21 695

22 01:41:38.759 --> 01:41:44.698

23 Not only completion on schedule and budget, but making sure
24 that we set that standard

25

00083

1 696

2 01:41:44.698 --> 01:41:54.713

3 a good quality project coming out of--going into this new
4 year. And finally, you know, I just like to say that thank
5 you guys for your time again.

6

7 697

8 01:41:54.984 --> 01:42:04.224

9 And I feel confident with you guys in what comes out of this
10 and moving us forward with this project. So, thank you very
11 much.

12

13 698

14 01:42:04.679 --> 01:42:11.819

15 CHAIR:

16 Thank you, Mr. Pacheco. Is there any other public
17 testifiers in the Auditorium?

18

19 699

20 01:42:11.819 --> 01:42:15.809

21 HEARINGS REPORTER:

22 None.

23

24 700

25 01:42:15.809 --> 01:42:24.899

00084

1 CHAIR:

2 Okay. The next--any public testifiers on their devices or
3 telephones?

4

5 701

6 01:42:24.899 --> 01:42:28.679

7 HEARINGS REPORTER:

8 Next registered speaker we have Nathaniel Kinney.

9

10 702

11 01:42:28.679 --> 01:42:33.149

12 CHAIR:

13 Okay. Nat, are you there?

14

15 703

16 01:42:35.128 --> 01:42:39.088

17 NATHANIEL KINNEY:

18 Hello can you hear me?

19

20 CHAIR:

21 Hi, Nat.

22

23 704

24 01:42:39.088 --> 01:42:46.679

25 NATHANIEL KINNEY:

00085

1 Great. My name is Nathaniel Kinney. That's
2 N-A-T-H-A-N-I-E-L

3

4 705

5 01:42:46.679 --> 01:42:56.099

6 Kenny K-E-N-N-E-Y. I'm the executive director for the Hawaii
7 Construction Alliance, and we're testifying in support of
8 the applicant.

9

10 706

11 01:42:56.099 --> 01:43:07.048

12 Again, just reiterating some of the points that I've put in
13 my written testimony. This project is going to be producing
14 a bunch of renewable energy,

15

16 707

17 01:43:07.048 --> 01:43:16.679

18 and it's going to be producing a bunch of jobs and economic
19 activity. And it's probably one out of a few

20

21 708

22 01:43:16.679 --> 01:43:23.788

23 projects that are gonna provide like a pipeline especially
24 at this critical time in 2022, 2023.

25

00086

1 709

2 01:43:23.788 --> 01:43:30.328

3 What we're seeing a lot of projects kind of falling off
4 because of COVID-19, because of the pandemic.

5

6 710

7 01:43:30.328 --> 01:43:33.748

8 What we're seeing is that projects deeper in the pipeline

9

10 711

11 01:43:33.748 --> 01:43:43.134

12 are actually that didn't get entitled or didn't get
13 (inaudible) start falling off. So, what we really need to
14 do is we really need to pass these types of projects to help
15 generate jobs.

16

17 712

18 01:43:44.543 --> 01:43:53.304

19 We do note that this project incorporates agriculture in a
20 meaningful way, and it does provide a revenue for the state
21 and the University of Hawaii.

22

23 713

24 01:43:53.609 --> 01:44:06.748

25 But some of the things that, you know--My testimony, my oral

00087

1 testimony wants to stand around is that there's some, I
2 think either miscommunication or

3

4 714

5 01:44:06.748 --> 01:44:18.569

6 something is going on because there was these rumors out
7 there that saying that this land was supposed to be
8 dedicated for agriculture when Hoopili was entitled.

9

10 715

11 01:44:18.569 --> 01:44:25.408

12 And, you know, from our, our estimates, this is state land.
13 This has nothing to do with D.R. Horton.

14

15 716

16 01:44:25.408 --> 01:44:34.139

17 There's this other fallacy that's being promoted out there
18 that somehow this project displaces farm use. From our

19

20 717

21 01:44:34.139 --> 01:44:44.969

22 research we believe that this is untrue. And that this farm
23 has, this land hasn't been used for agricultural purposes
24 for decades ever since sugar production has left.

25

00088

1 718

2 01:44:44.969 --> 01:44:55.109

3 And somehow that this, this approving this project was
4 somehow put agriculture in the backseat and

5

6 719

7 01:44:55.109 --> 01:45:01.469

8 that's just that's just patently wrong and false, because
9 there are going to be agricultural

10

11 720

12 01:45:02.694 --> 01:45:12.923

13 aspects with honey and beef production that's going to be
14 melted into this project. So for us it's a win-win for both
15 the community and in many ways.

16

17 721

18 01:45:12.953 --> 01:45:19.854

19 And we're just really happy to support this project and
20 happy to answer any questions that you guys might have.
21 Thank you.

22

23 722

24 01:45:20.219 --> 01:45:23.639

25 CHAIR:

00089

1 Thank you.

2

3 723

4 01:45:23.639 --> 01:45:30.899

5 Do we have any other testifiers?

6

7 HEARINGS REPORTER:

8 Next registered speaker is Christopher Delaunay followed by

9 Jan Gouveia.

10

11 724

12 01:45:30.899 --> 01:45:35.578

13 CHRISTOPHER DELAUNAY:

14 Aloha, Chair. Christopher Delaunay, C-H-R-I-S-T-O-P-H-E-R

15

16 725

17 01:45:39.328 --> 01:45:43.259

18 D-E-L-A-U-N-A-Y.

19

20 726

21 01:45:43.259 --> 01:45:48.538

22 And I'm speaking on behalf of Pacific Resource Partnership.

23

24 727

25 01:45:48.538 --> 01:45:59.279

00090

1 And we are in strong support of the AES Solar Project. As
2 we all know Hawaii faces an economic crisis without parallel
3 and its history as a state.

4

5 728

6 01:45:59.279 --> 01:46:09.628

7 The AES West Oahu Project provides a valuable opportunity to
8 stimulate our economy both by creating new jobs and by
9 creating infrastructure which can help

10

11 729

12 01:46:09.628 --> 01:46:12.779

13 lower energy cost to consumers and businesses.

14

15 730

16 01:46:12.779 --> 01:46:16.498

17 Hawaii's unemployment continues to be the highest in the
18 nation.

19

20 731

21 01:46:16.498 --> 01:46:22.529

22 Forecast by (inaudible), anticipate significant shortfalls
23 and employment numbers

24

25 732

00091

1 01:46:22.529 --> 01:46:26.519
2 versus what it forecast a year ago. (inaudible) predicts
3 that Hawaii's
4
5 733
6 01:46:26.519 --> 01:46:32.279
7 employment will not return to 2019 levels before 2026.
8
9 734
10 01:46:32.279 --> 01:46:37.679
11 Construction of this project will support approximately 118
12 jobs in the state of Hawaii
13
14 735
15 01:46:37.679 --> 01:46:42.479
16 and approximately \$11.3 million in labor income
17
18 736
19 01:46:42.479 --> 01:46:46.708
20 with total economic output of approximately @20.2 million.
21
22 737
23 01:46:46.708 --> 01:46:52.259
24 Additionally, this project will generate and store
25 electricity derived from solar

00092

1

2 738

3 01:46:52.259 --> 01:46:55.769

4 resources providing clean, renewable energy for Oahu.

5

6 739

7 01:46:55.769 --> 01:46:59.639

8 This project will produce clean, locally produced renewable
9 energy,

10

11 740

12 01:46:59.639 --> 01:47:05.578

13 by reducing the need for fossil field, burning power plants
14 such as Campbell and Kahe

15

16 741

17 01:47:05.578 --> 01:47:15.719

18 in the West O'ahu region. When completed this nearly
19 propose solar project will be capable of generating enough
20 energy to power approximately 4,600

21

22 742

23 01:47:15.719 --> 01:47:19.529

24 homes, which will advance to stay closer

25

00093

1 743

2 01:47:19.529 --> 01:47:24.929

3 towards achieving its goal to generate 100% clean energy by
4 2045.

5

6 744

7 01:47:24.929 --> 01:47:30.509

8 Also, lastly, I like to add that this project incorporates
9 agriculture

10

11 745

12 01:47:30.509 --> 01:47:37.498

13 in a good way. As you heard from the presentation it
14 incorporate honey and beef production.

15

16 746

17 01:47:37.498 --> 01:47:44.729

18 So, given all this, we request, we respectfully request your
19 favorable decision on this application. Thank you.

20

21 747

22 01:47:44.729 --> 01:47:49.168

23 CHAIR:

24 Thank you. Next speaker?

25

00094

1 748
2 01:47:49.168 --> 01:47:54.059
3 JAN GOUVEIA:
4 Good afternoon, Chair Challacombe, and members of the
5 Commission.
6
7 749
8 01:47:54.059 --> 01:47:57.509
9 I am Jan Gouveia, J-A-N,
10
11 750
12 01:47:57.509 --> 01:48:02.639
13 last name G-O-U-V, as in Victor, E-I-A,
14
15 751
16 01:48:02.639 --> 01:48:05.639
17 and I'm the vice president for the University of Hawaii.
18
19 752
20 01:48:05.639 --> 01:48:10.378
21 We have submitted written testimony in strong support
22
23
24
25 753

00095

1 01:48:10.378 --> 01:48:14.099
2 Of the West Oahu Solar Plus Storage Project.
3
4 754
5 01:48:14.099 --> 01:48:20.069
6 I won't read the testimony before you, but would like to
7 highlight the significance of this project
8
9 755
10 01:48:20.069 --> 01:48:29.668
11 particularly for the University of Hawai'i. Besides the
12 obvious benefits of increasing the inventory of solar PV and
13 battery storage
14
15 756
16 01:48:29.668 --> 01:48:35.729
17 for all citizens of Oahu, this particular project allows the
18 University
19
20 757
21 01:48:35.729 --> 01:48:41.368
22 to productively utilize land that would otherwise go unused.
23
24 758
25 01:48:41.368 --> 01:48:47.939

00096

1 This project advances a critical strategic goal of our board
2 of regents and our president

3

4 759

5 01:48:47.939 --> 01:48:58.019

6 to maximize efficient use of our lands as well as find
7 alternative sources of revenue to reduce our reliance in
8 general funds to operate our campuses.

9

10 760

11 01:48:58.019 --> 01:49:03.179

12 We have been working closely with the applicant, AES, on
13 this project,

14

15 761

16 01:49:03.179 --> 01:49:07.319

17 and we are very excited about the progress that we have made
18 to date.

19

20 762

21 01:49:07.319 --> 01:49:11.788

22 So, we thank you for your thoughtful consideration of this
23 project.

24

25 763

00097

1 01:49:11.788 --> 01:49:15.059

2 We respectfully request your support of this application.

3

4 764

5 01:49:15.059 --> 01:49:18.179

6 Thank you.

7

8

9 CHAIR:

10 Thank you.

11

12 765

13 01:49:18.179 --> 01:49:24.298

14 Next speaker?

15

16 HEARINGS REPORTER:

17 Scott Enright followed by Bud Gibson.

18

19 766

20 01:49:28.828 --> 01:49:38.753

21 SCOTT ENRIGHT:

22 Good afternoon, Chair, Commission members. My name is Scott

23 Enright,

24 S-C-O-T-T E-N-R-I-G-H-T. I'm an ag consultant

25

00098

1 767

2 01:49:38.783 --> 01:49:41.873

3 that's been part of the AES team on this project.

4

5 768

6 01:49:42.923 --> 01:49:44.154

7 But prior in my career

8

9 769

10 01:49:44.154 --> 01:49:50.423

11 I served as the director of the Hawaii Department of

12 Agriculture in both the Abercrombie administration

13

14 770

15 01:49:50.453 --> 01:49:53.963

16 and the Ige administration. And in that capacity,

17

18 771

19 01:49:54.083 --> 01:50:04.373

20 I reviewed every ag plan for solid projects that came

21 through when I was there. And this project is unique

22 Commissioners.

23

24 772

25 01:50:04.703 --> 01:50:11.213

00099

1 This is the first time we're actually leaving the
2 agricultural (inaudible) that might have been using the land
3 on the land.

4

5 773

6 01:50:12.024 --> 01:50:23.243

7 Having Bud Gibson and Rocker G Livestock continue to run
8 cattle where they've been running cattle for the last couple
9 of decades is, in fact unique.

10

11 774

12 01:50:23.963 --> 01:50:36.623

13 Bud Gibson is known in the livestock industry as a good
14 steward of the land. He understands that land the climatic
15 conditions is actually a perfect partnership with
16 agriculture and alternative energy.

17

18 775

19 01:50:37.708 --> 01:50:50.279

20 If there is any other further questions on agriculture, I
21 know DPP Raymond Young, and the team from AES have done an
22 excellent job. But I'm available to answer any agricultural
23 questions.

24

25 776

00100

1 01:50:50.279 --> 01:50:54.569

2 Thank you, Chair.

3

4 CHAIR:

5 Thank you. Next speaker?

6

7 777

8 01:50:57.899 --> 01:51:03.479

9 HEARINGS REPORTER:

10 Bud Gibson.

11

12 778

13 01:51:09.689 --> 01:51:13.019

14 BUD GIBSON:

15 Good afternoon, Chair and Commissioners. Can you hear me
16 all right?

17

18 779

19 01:51:13.019 --> 01:51:20.609

20 CHAIR:

21 Yes, I can.

22

23 BUD GIBSON:

24 This is Bud Gibson representing Rocker G Livestock.

25

00101

1 780
2 01:51:20.609 --> 01:51:24.479
3 B-U-D, G-I-B-S-O-N.
4
5 781
6 01:51:24.479 --> 01:51:27.538
7 Excuse me.
8
9 782
10 01:51:27.538 --> 01:51:31.288
11 On a little history on that property.
12
13 783
14 01:51:31.288 --> 01:51:34.948
15 In 1989 it was still part of Oahu Sugar.
16
17 784
18 01:51:34.948 --> 01:51:41.578
19 And I was asked to come in and run some cattle on there for
20 fire prevention, and so we fenced that off.
21
22 785
23 01:51:41.578 --> 01:51:45.389
24 And the original, the original acre--excuse me,
25

00102

1 786

2 01:51:45.389 --> 01:51:48.868

3 was actually 800, I mean, I'm sorry,

4

5 787

6 01:51:48.868 --> 01:52:02.309

7 690 acres is where we were proposed to fence. And then we
8 ended up with 658 acres, which is that past. We talk about
9 that Kapuwai as you all know.

10

11 788

12 01:52:04.554 --> 01:52:19.434

13 Also if I give you just a little bit of the weather
14 situation. For example, right now, if you went out there,
15 you would see where this 96 acres and AES proposed to put
16 the site for this for the solar farm. You would see there
17 wasn't a blade of grass there.

18

19 789

20 01:52:19.434 --> 01:52:31.104

21 It's just, there's nothing. We don't have any cattle in
22 there. That makai side of the ranch in the last since
23 September. We've only had a little less than 16th hundred
24 inch of rain. Yet mauka, we've had almost 3.75 inches. So

25

00103

1 790
2 01:52:34.078 --> 01:52:47.154
3 it can be very dry. And so the good thing with this is with
4 this, with the solar farm being there is that when it's in a
5 situation like it is right now, we can't run cattle on it.
6 At least it's producing something that would benefit the
7 community.
8
9 791
10 01:52:47.213 --> 01:52:50.663
11 Obviously, as you've heard previous to my to my comments.
12
13 792
14 01:52:50.939 --> 01:52:54.359
15 The most important thing I feel is the
16
17 793
18 01:52:54.359 --> 01:53:06.868
19 cooperative stewardship it is so necessary for our
20 agriculture production here in Hawaii. Our little operation
21 we run a little over 425 mother cows from the Waimanalo
22 landfill all the
23
24 794
25 01:53:06.868 --> 01:53:10.918

00104

1 way around to this area here.

2

3 795

4 01:53:10.918 --> 01:53:25.163

5 And we produce a little over 270000 pounds of beef a year
6 and that feeds quite a few people. Yet we're not any close
7 to being--but the point being is that we've learned over the
8 years how important it is to be good stewards of the land.
9 And because we rely on our rainfall

10

11 796

12 01:53:27.149 --> 01:53:34.918

13 and especially on the leeward side, we know it's not that
14 not as good as we'd like to have it as it is on the windward
15 side.

16

17 797

18 01:53:34.918 --> 01:53:41.158

19 We have, all our pastures across fence. So we have a
20 rotation system

21

22 798

23 01:53:41.158 --> 01:53:54.838

24 That can actually (inaudible) with the whether especially in
25 a drought. Right now, we're in--like I said, we haven't had

00105

1 any rain for the last 4 months and so we're in the process
2 of some of our parts of that ranch--We were actually feeding
3 cattles up there this morning.

4

5 799

6 01:53:54.838 --> 01:54:01.048

7 Being able to have AES there with

8

9 800

10 01:54:01.048 --> 01:54:07.229

11 their energy and sustainability of renewal energy

12

13 801

14 01:54:07.229 --> 01:54:19.588

15 is a plus not just for the land itself, but obviously it's

16 for the whole community. Now, one of the most important

17 things I believe is that we need to have cooperative

18 stewardship

19

20 802

21 01:54:19.588 --> 01:54:22.948

22 is so necessary for her us to reach our sustainability

23

24 803

25 01:54:24.173 --> 01:54:35.394

00106

1 especially for more productive results for agriculture. If
2 you have any questions that you need to ask me about the
3 cattle. I think Nick mentioned earlier the size of cattle we
4 will put in there

5

6 804

7 01:54:35.634 --> 01:54:46.913

8 so they don't have any damage will be what we call smaller
9 cattles between (inaudible) to go in there. And what
10 happens is with that area real quick, when we do get it
11 rainfall

12

13 805

14 01:54:48.238 --> 01:54:51.238

15 it comes. If we get 2 inches within

16

17 806

18 01:54:51.238 --> 01:54:55.918

19 a little-we'll follow-up within a week or 2 after that, that
20 grass will be up 3 foot high.

21

22 807

23 01:54:55.918 --> 01:54:59.849

24 So, what we do is we come in and what we call power graze,
25 and we'll come in there

00107

1

2 808

3 01:54:59.849 --> 01:55:06.359

4 Put in our cattle in there, graze it down and then take the
5 cattle out. So those cattles won't be in there that area

6

7 809

8 01:55:06.359 --> 01:55:16.168

9 all the time. It'd be a rotation system, and we'll just add
10 that rotation system to our, our rotation system that we
11 have in place right now.

12

13 810

14 01:55:16.168 --> 01:55:23.368

15 Thank you for the opportunity to share this with you guys.
16 If have any questions I will be more than willing to answer
17 for you.

18

19 CHAIR:

20 Okay. Thank you, Mr. Gibson.

21

22 811

23 01:55:23.368 --> 01:55:30.599

24 Do we have our next speaker?

25

00108

1 HEARINGS REPORTER:

2 No one else registered to speak.

3

4 812

5 01:55:30.599 --> 01:55:34.918

6 But if there's people on more devices

7

8 813

9 01:55:34.918 --> 01:55:37.979

10 now is the time to speak.

11

12 814

13 01:55:42.538 --> 01:55:46.229

14 CHAIR:

15 Again, is there anyone else who wishes to give public
16 testimony?

17

18 815

19 01:55:46.229 --> 01:55:50.279

20 Anyone.

21

22 816

23 01:55:50.279 --> 01:55:56.878

24 RYAN KOBAYASHI:

25 This is Ryan Kobayashi from Hawaii's Laborer's Union. Is it

00109

1 okay if I testify?

2

3 817

4 01:55:56.878 --> 01:56:11.519

5 CHAIR:

6 Go right ahead.

7

8 RYAN KOBAYASHI:

9 Okay. So thank you very much, Chair Challacombe. Ryan
10 Kobayashi from Hawai'i Laborer's Union Local 638. First
11 name R-Y-A-N,

12

13 818

14 01:56:11.519 --> 01:56:15.628

15 last name K-O-B-A-Y-A-S-H-I

16

17 819

18 01:56:15.628 --> 01:56:25.408

19 I'll keep this short. One of the hazards of testifying in
20 support and after a whole bunch of other people before you
21 testify in support.

22

23 820

24 01:56:25.408 --> 01:56:29.668

25 But, yes, the Hawaii Laborer's Union does support this

00110

1 project.
2
3 821
4 01:56:29.668 --> 01:56:36.179
5 And we hope that this Commission moves this project forward.
6
7 822
8 01:56:36.179 --> 01:56:40.498
9 As far as the other items, you know,
10
11 823
12 01:56:40.498 --> 01:56:46.198
13 I submitted the testimony, and we can go from that. Like I
14 said
15
16 824
17 01:56:46.198 --> 01:56:50.668
18 A lot of people (inaudible) support
19
20 825
21 01:56:50.668 --> 01:56:59.519
22 (inaudible). But thank you very much.
23
24 826
25 01:56:59.519 --> 01:57:03.088

00111

1 CHAIR:

2 Thank you, Mr. Kobayashi. Again

3

4 827

5 01:57:03.088 --> 01:57:06.658

6 is there anyone else who wishes to give to public testimony?

7

8 828

9 01:57:06.658 --> 01:57:11.399

10 Anyone in the auditorium or anyone else on telephone or

11 devices?

12

13 829

14 01:57:14.279 --> 01:57:24.838

15 Last call. Are there any questions of the speakers from the

16 Commissioners? [no response]

17

18 830

19 01:57:31.198 --> 01:57:35.309

20 Okay. Can we have a motion to close the public hearing?

21

22 CHANG:

23 I, Commissioner Chang, make a motion.

24

25 831

00112

1 01:57:37.078 --> 01:57:40.708
2 LEE:
3 Commissioner Lee, I second.
4
5 832
6 01:57:40.708 --> 01:57:46.679
7 CHAIR:
8 Okay. We have a motion and a second to close the public
9 hearing.
10
11 833
12 01:57:46.679 --> 01:57:49.798
13 Discussion.
14
15 834
16 01:57:49.798 --> 01:57:55.408
17 Okay. I'm gonna call another roll call vote. Commissioner
18 Chang.
19
20 835
21 01:57:55.408 --> 01:57:59.189
22 CHANG:
23 Aye.
24
25 CHAIR:

00113

1 Commissioner Hayashida.

2

3 836

4 01:58:02.998 --> 01:58:08.759

5 HAYASHIDA:

6 Aye.

7

8 CHAIR:

9 Commissioner Kamo.

10

11 KAMO:

12 Aye.

13

14 CHAIR:

15 Commissioner Lee.

16

17 837

18 01:58:08.759 --> 01:58:12.628

19 LEE:

20 Aye.

21

22 838

23 CHAIR:

24 01:58:12.628 --> 01:58:17.698

25 And Chair Challacombe, aye. Okay.

00114

1

2 839

3 01:58:17.698 --> 01:58:24.719

4 Are there any questions from the Commissioners to DPP, to
5 the agent at this time?.

6

7 840

8 01:58:27.149 --> 01:58:32.878

9 CHANG:

10 Commissioner Chang has a question.

11

12 CHAIR:

13 Okay.

14

15 CHANG:

16 How would one apply for

17

18 841

19 01:58:32.878 --> 01:58:36.658

20 land to to agriculture if there was any available?

21

22 842

23 01:58:43.319 --> 01:58:50.158

24 NICK MOLINARI:

25 Commissioner, can you repeat the question?

00115

1

2 CHANG:

3 Yes. If you had any available agricultural

4

5 843

6 01:58:50.158 --> 01:58:54.359

7 land for no charge to do agriculture work, how

8

9 844

10 01:58:54.359 --> 01:59:00.509

11 would one apply? Would they go through you or the

12 University of Hawaii or some other agency?

13

14 845

15 01:59:00.509 --> 01:59:07.288

16 NICK MOLINARI:

17 They could contact us directly

18

19 846

20 01:59:07.288 --> 01:59:13.109

21 or through the University.

22

23 CHANG:

24 Thank you.

25

00116

1 NICK MOLINARI:
2 Thank you, Commissioner.
3
4 847
5 01:59:14.309 --> 01:59:17.878
6 CHAIR:
7 Any other questions
8
9 848
10 01:59:17.878 --> 01:59:25.979
11 from the Commissioners to any of the testifiers or the
12 applicant or DPP? [no response]
13
14 849
15 01:59:25.979 --> 01:59:32.009
16 If not,
17
18 850
19 01:59:32.009 --> 01:59:40.529
20 can I get a motion to approve, approve with conditions or a
21 motion to deny.
22
23 851
24 01:59:40.529 --> 01:59:53.009
25 LEE:

00117

1 Chair Challacombe, this is Commissioner Lee. I would like
2 to make a motion to approve with the conditions recommended
3 under the Director's report with two additional conditions,
4

5 852

6 01:59:53.009 --> 02:00:01.859

7 or modifications. 1) Modifications to the Findings the Fact
8 as described by the applicant's attorney for the SHPD,
9

10 853

11 02:00:01.859 --> 02:00:15.509

12 Archaeological Inventory Survey acceptance, and 2) extension
13 of the SUP duration from 25 years to 29 years as requested
14 by the applicant and supported by DPP.
15

16 854

17 02:00:15.509 --> 02:00:18.599

18 CHAIR:

19 Okay. Thank you, Commissioner Lee. Do we have a second?
20

21 855

22 02:00:18.599 --> 02:00:24.779

23 CHANG:

24 Commissioner Chang, second.
25

00118

1 CHAIR:

2 Okay. We have a motion and a second. Discussion.

3

4 856

5 02:00:26.338 --> 02:00:34.948

6 Any discussion? [no response] Okay. I can say or myself
7 that

8

9 857

10 02:00:34.948 --> 02:00:41.158

11 going into this meeting I was inclined to approve this

12

13 858

14 02:00:41.158 --> 02:00:46.349

15 Project, and in so hearing about the

16

17 859

18 02:00:46.349 --> 02:00:50.939

19 fire safety

20

21 860

22 02:00:50.939 --> 02:00:58.048

23 protocols by the applicant that made me feel even better and
24 also

25

00119

1 861

2 02:00:58.048 --> 02:01:01.109

3 the

4

5 862

6 02:01:02.064 --> 02:01:14.724

7 director's report mentioned that Dr. Po-Yung Lai also
8 recommends approval of this project. And I happen to have
9 worked with Dr. Lai.

10

11 863

12 02:01:14.724 --> 02:01:27.923

13 Dr. Lai, if you're not familiar with him is a leading expert
14 in agricultural research in the state of Hawaii. I've had
15 the privilege of working with him personally and not only is
16 he an expert

17

18 864

19 02:01:27.923 --> 02:01:40.104

20 but he is also a gentleman of impeccable character. So that
21 definitely put me in favor of this project. So I will be
22 voting to support this project.

23

24 865

25 02:01:41.458 --> 02:01:47.309

00120

1 Are there any other questions or comments, discussion on the
2 item?

3

4 866

5 02:01:49.163 --> 02:02:03.713

6 LEE:

7 Chair Challacombe, I'd just like to make one comment. This
8 is a project that's going to be very much needed in order
9 for the state to reach its renewable energy goals and it's a
10 carbon neutral net

11

12 867

13 02:02:05.429 --> 02:02:07.764

14 carbon zero goals.

15

16 868

17 02:02:07.974 --> 02:02:11.963

18 And I'm just a little bit disappointed that I haven't seen
19 any of the environmentalists

20

21 869

22 02:02:11.963 --> 02:02:17.094

23 and those who are pushing for these projects who often
24 oppose building projects and other things

25

00121

1 870

2 02:02:17.094 --> 02:02:20.604

3 but yet advocate for a greener environment.

4

5 871

6 02:02:20.908 --> 02:02:31.259

7 I don't really see them here making testimony. And that's

8 my only disappointment that I wish they would show their

9 support here much as they show their opposition to other

10 projects.

11

12 872

13 02:02:31.259 --> 02:02:43.288

14 CHAIR:

15 Okay. I understand your concern Commissioner, but here, I

16 think, as the Commission we can speak for that in our vote

17 today.

18

19 873

20 02:02:45.298 --> 02:02:48.988

21 CHANG:

22 Commissioner Chang, I'd like to make a comment that if

23 there's a way that we could

24

25 874

00122

1 02:02:48.988 --> 02:02:52.649
2 go back and increase their reduction
3
4 875
5 02:02:52.649 --> 02:02:58.708
6 to create more area of usage that would be great. But I
7 don't know, how that
8
9 876
10 02:02:58.708 --> 02:03:04.828
11 would affect your financial models. But that would be a
12 strong support on my side.
13
14 877
15 02:03:04.828 --> 02:03:12.238
16 CHAIR:
17 I think if we were to do that Commissioner, we would have to
18 hold another public hearing.
19
20 878
21 02:03:12.863 --> 02:03:24.264
22 Because the hearing that was publicized was for the request
23 before us today. So we would have to probably start over
24 again.
25

00123

1 879
2 02:03:24.743 --> 02:03:28.613
3 I'll defer to deputy corporation counsel. Is that correct?
4
5 880
6 02:03:28.918 --> 02:03:38.759
7 COUNSEL ROZELLE AGAG
8 Hi. I'm sorry, I didn't hear the initial request.
9
10 881
11 02:03:38.759 --> 02:03:44.128
12 CHAIR:
13 Okay. Commissioner Chang, can you-
14
15 CHANG:
16 The request was that
17
18 882
19 02:03:44.128 --> 02:03:47.998
20 they showed a map showing the original plans of
21
22 883
23 02:03:47.998 --> 02:03:51.748
24 the development of this facility,
25

00124

1 884
2 02:03:51.748 --> 02:03:55.078
3 and then the scaled it back by about 20%
4
5 885
6 02:03:55.078 --> 02:04:00.448
7 based upon just community interaction, but not to
8 opposition.
9
10 886
11 02:04:00.448 --> 02:04:06.389
12 And so the question from Chair is, if they were able to go
13 back to a different figure
14
15 887
16 02:04:06.389 --> 02:04:10.769
17 between zero and 20%, would they have to come before
18
19 888
20 02:04:10.769 --> 02:04:14.429
21 the Planning Commission again, or would that not be an
22
23 889
24 02:04:14.429 --> 02:04:19.649
25 issue of their change in plans because I don't see it in the

00125

1 request.

2

3 890

4 02:04:19.649 --> 02:04:23.908

5 So, it seems to me that our vote is about

6

7 891

8 02:04:23.908 --> 02:04:29.519

9 allowing them to do it on the AG-2 land versus the size of
10 it.

11

12 892

13 02:04:32.158 --> 02:04:37.679

14 COUNSEL ROZELLE AGAG:

15 Yeah. I think a change like that would require

16

17 893

18 02:04:37.679 --> 02:04:41.698

19 input from both sides as well as from the public again.

20

21 894

22 02:04:41.698 --> 02:04:46.618

23 I don't think that the Commission can unilaterally change
24 anything at this point without

25

00126

1 895
2 02:04:46.618 --> 02:04:50.158
3 Back-up or evidence.
4
5 896
6 02:04:50.158 --> 02:04:54.029
7 CHANG:
8 Understood. I just was reading the request and it doesn't
9 say anything of
10
11 897
12 02:04:54.029 --> 02:04:57.118
13 unlimited acreage usage, that's why.
14
15 898
16 02:05:00.899 --> 02:05:06.899
17 If you read the request, it says to approximately 96.353
18 acres.
19
20 899
21 02:05:06.899 --> 02:05:12.448
22 It doesn't show any restrictions of it. So, what I'm saying
23 is our Commission is voting to say, "hey,
24
25 900

00127

1 02:05:12.448 --> 02:05:17.399

2 If we vote yes, then they could use 96.353 acres.

3

4 901

5 02:05:20.729 --> 02:05:30.149

6 COUNSEL ROZELLE AGAG

7 I think at this point, you guys can, I think there's

8 discussion can be had amongst the commissioners if you want

9 to put a condition

10

11 902

12 02:05:30.149 --> 02:05:33.569

13 on your Findings

14

15 903

16 02:05:33.569 --> 02:05:37.798

17 or on your recommendations and

18

19 904

20 02:05:37.798 --> 02:05:43.048

21 according to the rules, you are allowed to put--

22

23 905

24 02:05:44.698 --> 02:05:51.149

25 CHAIR:

00128

1 Okay. Rozelle, I don't believe that we are going to
2 recommend, we are going to either issue or not issue

3

4 906

5 02:05:51.149 --> 02:05:54.658

6 a Special Use Permit today.

7

8 CHANG:

9 Correct.

10

11 907

12 02:05:54.658 --> 02:05:58.828

13 There's no restrictions from us.

14

15 908

16 02:05:58.828 --> 02:06:09.389

17 COUNSEL ROZELLE AGAG:

18 Okay. I mean, I understand that, but I do think that you
19 guys are, I'm looking at the rules. Sorry, give me one
20 second,

21

22 909

23 02:06:09.389 --> 02:06:13.708

24 what you guys are allowed to do.

25

00129

1 910

2 02:06:13.708 --> 02:06:16.708

3 You can attach, and this is under

4

5 911

6 02:06:16.708 --> 02:06:27.359

7 Planning Commission Rule 2-46, the Planning Commission may

8 attach such conditions to any special use permit as it

9 considers necessary to protect the public health, safety,

10 and welfare.

11

12 912

13 02:06:27.359 --> 02:06:32.128

14 So, if this condition or this concern that you have right

15 now

16

17 913

18 02:06:32.128 --> 02:06:38.939

19 addresses public safety, health concern and welfare, you can

20 put it on as a condition

21

22 914

23 02:06:38.939 --> 02:06:44.219

24 to whatever ruling you guys put out today. And that's open

25 for discussion.

00130

1

2 915

3 02:06:44.219 --> 02:06:47.998

4 You know, going forward.

5

6 916

7 02:06:49.408 --> 02:06:54.149

8 LEE:

9 Chair Challacombe, can we hear from the applicant if that it

10 is

11

12 917

13 02:06:54.149 --> 02:06:57.569

14 within their desire to request something like that?

15

16 918

17 02:06:57.569 --> 02:07:01.828

18 CHAIR:

19 Sure. Will the applicant step forward, please?

20

21 919

22 02:07:01.828 --> 02:07:05.368

23 NICK MOLINARI:

24 Yes. Hi. This is Nick Molinari.

25

00131

1 920

2 02:07:06.024 --> 02:07:20.783

3 We very much appreciate the sentiment. I don't believe it's
4 necessary. This is one of the benefits of efficient
5 technology and so the power capacity to generate all these
6 benefits

7

8 921

9 02:07:21.029 --> 02:07:27.509

10 can be achieved with what is proposed today.

11

12 922

13 02:07:27.509 --> 02:07:33.509

14 There's no need to-our petition is the 96.353 acres.

15

16 923

17 02:07:33.509 --> 02:07:38.849

18 We can hit our our power output for Hawaiian Electric

19

20 924

21 02:07:38.849 --> 02:07:42.029

22 and all the benefits can be achieved

23

24 925

25 02:07:42.029 --> 02:07:45.838

00132

1 with the more efficient technology. So our request would be
2 to,

3

4 926

5 02:07:45.838 --> 02:07:50.429

6 you know, the stick to the proposal that

7

8 927

9 02:07:50.429 --> 02:07:57.809

10 we brought forth today.

11

12 CHANG:

13 Thank you. Commissioner Chang. All I'm seeing is that in
14 the future

15

16 928

17 02:07:57.809 --> 02:08:12.029

18 between now and 25 years that in the event that this island
19 of Oahu needs more energy, we would want you to expand and
20 work within the acreage already approved rather than come
21 back to the Planning Commission

22

23 929

24 02:08:12.029 --> 02:08:18.389

25 for changes again. And that's what we trying to prevent is

00133

1 allow you to do business, and that's the whole purpose of
2 this

3

4 930

5 02:08:18.389 --> 02:08:22.889

6 Discussion.

7

8 NICK MOLINARI:

9 Certainly. We would appreciate that. Thank you.

10

11 CHANG:

12 Okay.

13

14 931

15 02:08:22.889 --> 02:08:34.498

16 CHAIR:

17 Thank you. Okay. Thank you, Commissioner Chang. Is there
18 any other discussion from the Commissioners

19

20 932

21 02:08:34.498 --> 02:08:38.279

22 regarding the motion?

23

24 933

25 02:08:38.279 --> 02:08:42.088

00134

1 CHANG:
2 I call for the vote.
3
4 CHAIR:
5 Okay.
6
7 934
8 02:08:42.088 --> 02:08:46.948
9 We're going to again do a roll call vote.
10
11 935
12 02:08:46.948 --> 02:08:57.719
13 Commissioner Chang.
14
15 CHANG:
16 Approve.
17
18 CHAIR:
19 Commissioner Hayashida.
20
21 HAYASHIDA:
22 Approve.
23
24 CHAIR:
25 Commissioner Kamo.

00135

1

2 KAMO:

3 Approve.

4

5 936

6 02:08:57.719 --> 02:09:01.979

7 CHAIR:

8 And Chair Challacombe, aye.

9

10 937

11 02:09:01.979 --> 02:09:11.729

12 Okay. The motion passes unanimously.

13

14 LEE:

15 Chair Challacombe, I didn't get to vote.

16

17 CHAIR:

18 Oh, I'm sorry, Commissioner Lee.

19

20

21 LEE:

22 I vote to approve. Thank you, Chair.

23

24 938

25 02:09:11.729 --> 02:09:26.698

00136

1 CHAIR:

2 Oh, no problem. Commissioner Lee, my apologies.

3

4 LEE:

5 Thank you, Chair.

6

7 CHAIR:

8 Okay. Thank you. Okay. Again, a unanimous decision.

9

10 939

11 02:09:28.048 --> 02:09:35.099

12 Thank you all for your work on this, and I thank the
13 applicant

14

15 940

16 02:09:35.099 --> 02:09:39.448

17 for their presentation.

18

19 941

20 02:09:39.448 --> 02:09:43.498

21 Okay. Next item for decision-making is a request,

22

23 942

24 02:09:43.498 --> 02:09:52.198

25 Nick Molinari, project development manager, AES West Oahu

00137

1 Solar, LLC,
2
3 943
4 02:09:52.198 --> 02:10:06.474
5 dated December 11, 2020, request for modifications to
6 recommendations of Findings and Fact for Special Use
7 Application, File No. 2020/SUP-6 included in the recently
8 filed
9
10 944
11 02:10:06.474 --> 02:10:07.974
12 director's report, dated December 2, 2020.
13
14 945
15 02:10:10.439 --> 02:10:14.069
16 Okay. DPP
17
18 946
19 02:10:17.009 --> 02:10:20.309
20 can you explain this request to us?
21
22 947
23 02:10:23.548 --> 02:10:29.668
24 STAFF PLANNER YOUNG:
25 Sorry. The second item on the agenda--

00138

1

2 948

3 02:10:29.668 --> 02:10:33.359

4 CHAIR:

5 Yes.

6

7 949

8 02:10:33.359 --> 02:10:41.128

9 STAFF PLANNER YOUNG:

10 You know, I only received this today. I think I would like

11 to defer to the applicant to

12

13 950

14 02:10:41.128 --> 02:10:47.819

15 better clarify what their request is.

16

17 CHAIR:

18 Sure. Okay.

19

20 951

21 02:10:47.819 --> 02:10:51.538

22 Mr. Molinari, can you step forward and explain this request?

23

24 952

25 02:10:51.538 --> 02:11:01.469

00139

1 NICK MOLINARI:

2 Sure. Thank you, Chair. I'm going to call if, if you would
3 be willing to call Curtis Tabata, counsel for AES West Oahu.

4

5 953

6 02:11:01.469 --> 02:11:09.179

7 CHAIR:

8 Okay. Okay. Mr. Tabata, can you explain this to us. I
9 thought we took care of this already?

10

11 954

12 02:11:13.469 --> 02:11:17.609

13 Mr. Tabata, I don't think we can hear you.

14

15 955

16 02:11:17.609 --> 02:11:23.038

17 CURTIS TABATA:

18 I'm sorry, Chair. Curtis Tabata for AES. You are correct,
19 Chair.

20

21 956

22 02:11:23.038 --> 02:11:26.189

23 This December 11th letter and its request

24

25 957

00140

1 02:11:26.189 --> 02:11:31.048
2 was discussed and resolved in the prior agenda item.

3
4 958

5 02:11:31.048 --> 02:11:35.099
6 So, there is no need to address this item.

7
8 959

9 02:11:35.099 --> 02:11:46.139
10 It's been resolved.

11
12 CHAIR:

13 Okay. That's what I thought. So, just to check with
14 Corporation, deputy corporation counsel. Rozelle, we don't
15 have to take action on this, right?

16
17 960

18 02:11:49.828 --> 02:11:57.929

19 COUNSEL ROZELLE AGAG:

20 Hi, Chair. No. You don't have to take action, but what you
21 should probably do for the record is make clear what

22
23 961

24 02:11:57.929 --> 02:12:03.868

25 the Planning Commission's Findings of Facts and Conclusions

00141

1 of Law
2
3 962
4 02:12:03.868 --> 02:12:09.359
5 will include. So for example, there is a
6
7 963
8 02:12:09.359 --> 02:12:13.469
9 Findings of Fact, Conclusions of Law that was provided by
10 DPP.
11
12 964
13 02:12:13.469 --> 02:12:18.208
14 This letter currently--the November--I'm sorry--
15
16 965
17 02:12:18.208 --> 02:12:29.759
18 the December 11th letter requested modifications. So that
19 was from AES. The January 4th
20
21 966
22 02:12:29.759 --> 02:12:33.599
23 letter from DPP
24
25 967

00142

1 02:12:33.599 --> 02:12:39.088
2 had no objections to the modifications. And also Mr. Tabata
3 had also
4
5 968
6 02:12:39.088 --> 02:12:42.628
7 put on the record some language to
8
9 969
10 02:12:42.628 --> 02:12:50.458
11 include into the Findings as Fact, and Conclusions of Law
12 about the SHPD letter. So
13
14 970
15 02:12:50.458 --> 02:12:55.408
16 to be clear, I would ask one of the parties to provide a
17 draft or proposed
18
19 971
20 02:12:55.408 --> 02:13:00.569
21 Findings of Fact, and Conclusions of Law for the Planning
22 Commission
23
24 972
25 02:13:00.569 --> 02:13:04.288

00143

1 to consider.

2

3 973

4 02:13:04.288 --> 02:13:13.109

5 And that is what will be produced by or approved by the
6 Planning Commission based on your vote earlier.

7

8 974

9 02:13:13.109 --> 02:13:18.389

10 And that's also what will go into the record to the Land Use
11 Commission.

12

13 975

14 02:13:18.389 --> 02:13:22.139

15 Does that make sense to everyone?

16

17 976

18 02:13:22.139 --> 02:13:27.929

19 CHANG:

20 Yes. So the suggestion is the applicant should provide
21 that, correct?

22

23 977

24 02:13:29.548 --> 02:13:33.509

25 COUNSEL ROZELLE AGAG:

00144

1 I don't--either one. I mean, however way.

2

3 978

4 02:13:33.509 --> 02:13:37.948

5 I know that DPP has already provided the

6

7 979

8 02:13:37.948 --> 02:13:44.429

9 proposed Findings of Fact in their submission. So if
10 there's any modifications to it

11

12 980

13 02:13:44.429 --> 02:13:52.948

14 that was discussed in today's meeting approved by the board,
15 then that language should be included in those Findings of
16 Facts, and Conclusions of Law.

17

18 981

19 02:13:54.359 --> 02:14:01.408

20 LEE:

21 Madam, deputy corp counsel, do we need a motion for this?

22

23 982

24 02:14:02.698 --> 02:14:08.399

25 COUNSEL ROZELLE AGAG:

00145

1 You don't need a motion. This is what's required by rule.

2

3 983

4 02:14:08.399 --> 02:14:13.469

5 So, based on your approval and on the discussions and the
6 public testimony,

7

8 984

9 02:14:13.469 --> 02:14:16.859

10 you approved the application.

11

12 985

13 02:14:16.859 --> 02:14:21.658

14 In the application was the DPP's Findings of Fact and
15 Conclusions.

16

17 986

18 02:14:22.524 --> 02:14:35.154

19 Also, considered within the hearing that we just had was the
20 modifications that the applicant had provided, as well as
21 Mr. Tabata's language that he wanted included in the
22 Findings of Fact with regards to SHPD.

23

24 987

25 02:14:35.963 --> 02:14:41.154

00146

1 Now, my assumption is that when he approved everything on
2 this application, and that

3

4 988

5 02:14:41.458 --> 02:14:49.889

6 approval considered all of the discussion. If I'm not
7 correct on that, then we should probably have further
8 discussion on that.

9

10 989

11 02:14:49.889 --> 02:15:02.849

12 LEE:

13 I'm just, I'm sorry. Commissioner Lee.

14

15 I'm just asking because I think my motion to approve
16 included using language described by the applicant's
17 attorney for the Findings of Fact.

18

19 990

20 02:15:02.849 --> 02:15:07.588

21 CHANG:

22 That is correct. And Commissioner Chang second that.

23

24 CHAIR:

25 Yes. And--

00147

1

2 COUNSEL ROZELLE AGAG:

3 Okay.

4

5 991

6 02:15:07.588 --> 02:15:12.628

7 CHAIR:

8 In the previous discussion I asked Mr. Tabata

9

10 992

11 02:15:12.628 --> 02:15:23.819

12 if that was submitted to the Commission prior to our
13 meeting. He said in the affirmative. All

14

15 993

16 02:15:23.819 --> 02:15:27.269

17 those documents are

18

19 994

20 02:15:27.269 --> 02:15:30.328

21 in the record. They are part of the record

22

23 995

24 02:15:30.328 --> 02:15:36.088

25 for our approval. So that was my conclusion on that.

00148

1

2 996

3 02:15:36.088 --> 02:15:41.158

4 CURTIS TABATA:

5 Chair, if I may, Curtis Tabata for AES.

6

7 997

8 02:15:41.158 --> 02:15:46.109

9 We did submit all of those materials that was discussed.

10 However,

11

12 998

13 02:15:46.109 --> 02:15:50.219

14 the additional Findings of Fact that I described earlier

15

16 999

17 02:15:50.219 --> 02:16:04.319

18 and read to the Commission has not been submitted in writing

19 yet. I simply spoke it into the record. So what I propose

20 is that we submit

21

22 1000

23 02:16:04.319 --> 02:16:12.418

24 the additional language, the additional Findings of Fact in

25 writing to the Commission and

00149

1

2 1001

3 02:16:12.418 --> 02:16:15.988

4 submit it for your consideration and further use.

5

6 1002

7 02:16:15.988 --> 02:16:22.439

8 And

9

10 1003

11 02:16:22.439 --> 02:16:29.309

12 CHANG:

13 Commissioner Chang. I think you should submit for
14 clarification otherwise we might have an issue with

15

16 1004

17 02:16:29.309 --> 02:16:36.088

18 this additional submission. Because we already voted
19 approval.

20

21 1005

22 02:16:37.289 --> 02:16:40.289

23 So, if you don't mind

24

25 1006

00150

1 02:16:40.289 --> 02:16:45.449

2 legal counsel could just submit a clarification of what you
3 said and that we could

4

5 1007

6 02:16:45.449 --> 02:16:50.009

7 add it into the minutes,

8

9 CURTIS TABATA:

10 Yes.

11

12 CHANG:

13 Okay.

14

15 1008

16 02:16:50.009 --> 02:16:55.078

17 CURTIS TABATA:

18 Okay. Just to clarify, what I would submit would be exactly
19 the same as I

20

21 1009

22 02:16:55.078 --> 02:17:01.769

23 read into the record. So there will be no additional new
24 information being submitted.

25

00151

1 1010

2 02:17:01.769 --> 02:17:08.668

3 It would simply assist the Commission in gathering

4

5 1011

6 02:17:08.668 --> 02:17:12.869

7 the language that I spoke today. If you wait for your

8 transcript.

9

10 CHANG:

11 Perfect.

12

13 1012

14 02:17:12.869 --> 02:17:20.099

15 CURTIS TABATA:

16 It would be the exact same language that I would submit in

17 writing.

18

19 1013

20 02:17:20.099 --> 02:17:24.029

21 So, it's just a--

22

23 1014

24 02:17:24.029 --> 02:17:28.709

25 it's just a clerical assistance on my part, not

00152

1

2 1015

3 02:17:28.709 --> 02:17:32.398

4 adding anything new into the record.

5

6 1016

7 02:17:32.398 --> 02:17:44.728

8 That's all it is.

9

10 CHAIR:

11 Okay. I understand. And for the Commissioner's information,
12 any of the actions that

13

14 1017

15 02:17:44.728 --> 02:17:54.174

16 the Commission takes on the SUP, the DPP is the agency that
17 enforces those approvals and conditions.

18

19 1018

20 02:17:54.504 --> 02:18:01.793

21 So, Mr. Tabata, if you could submit that directly to DPP, I
22 think that should cover the situation.

23

24 1019

25 02:18:02.818 --> 02:18:06.058

00153

1 CURTIS TABATA:
2 Will do. Thank you, Chair.

3

4 CHAIR:
5 Thank you.

6

7 1020
8 02:18:06.058 --> 02:18:11.369

9 COUNSEL ROZELLE AGAG:
10 Just to be clear that discussion was had before

11

12 1021
13 02:18:11.369 --> 02:18:16.349

14 the Commission voted. So Mr. Tabata's language,

15

16 1022
17 02:18:16.349 --> 02:18:20.998

18 proposed language was submitted to the Commission before

19

20 1023
21 02:18:20.998 --> 02:18:27.359

22 the vote.

23

24 CHAIR:
25 That's correct.

00154

1

2 1024

3 02:18:30.539 --> 02:18:38.338

4 CHANG:

5 Chair, so I think there's no action taken on this last item

6 that you talked about. So

7

8 1025

9 02:18:38.338 --> 02:18:42.898

10 if there's no other business, may I make a motion to

11 adjourn?

12

13 1026

14 02:18:42.898 --> 02:18:50.488

15 CHAIR:

16 We do have one further business. Okay. Are are we completed

17 with that item? Or are we pretty much done

18

19 1027

20 02:18:50.488 --> 02:18:54.119

21 with that?

22

23 1028

24 02:18:56.009 --> 02:19:04.134

25 LEE:

00155

1 Okay. Should there be a motion to include the application
2 and the supplemental exhibits and testimony into the record?

3

4 1029

5 02:19:05.394 --> 02:19:20.363

6 CHAIR:

7 I don't think we need to do that since that was submitted
8 prior to our vote. It was part of the record. Gloria, was
9 that submitted prior to this public hearing?

10

11 HEARINGS REPORTER:

12 Yes. That is correct.

13

14 1030

15 02:19:20.818 --> 02:19:33.299

16 LEE:

17 Okay. Thank you, Chair.

18

19 CHAIR:

20 Okay. We have one further--if that's completed, we have one
21 further item on our agenda.

22

23 1031

24 02:19:33.299 --> 02:19:37.109

25 That is the election of officers,

00156

1
2 1032
3 02:19:37.109 --> 02:19:40.738
4 to elect a chair and a vice chair.
5
6 1033
7 02:19:40.738 --> 02:19:45.898
8 So, if anyone wants to be either one of those--
9
10 1034
11 02:19:45.898 --> 02:19:54.869
12 LEE:
13 This is Commissioner Lee, I would make a motion to nominate
14 Chair Challacombe
15
16 1035
17 02:19:54.869 --> 02:20:03.478
18 as the new Chair.
19
20 1036
21 02:20:03.478 --> 02:20:14.158
22 CHANG:
23 Commissioner Chang, second that motion.
24
25 1037

00157

1 02:20:14.158 --> 02:20:20.099

2 MARCEAU:

3 Hi, Commissioner Challacombe. This is Commissioner Marceau.

4 I just wanted to let you know that I've rejoined the
5 meeting.

6

7 1038

8 02:20:20.099 --> 02:20:26.668

9 CHAIR:

10 Oh, okay. Is commissioner Lim also with us?

11

12 HEARINGS REPORTER

13 He's not.

14

15 1039

16 02:20:26.668 --> 02:20:39.058

17 CHAIR:

18 Pardon?

19

20 HEARINGS REPORTER:

21 No. He has left the meeting.

22

23 CHAIR:

24 Okay. Thank you, Commissioner Marceau. Anyway, there's a
25 motion and second.

00158

1

2 CHANG:

3 Call for the vote.

4

5 1040

6 02:20:43.498 --> 02:20:48.808

7 CHAIR:

8 I'm going to make a roll call vote.

9

10 1041

11 02:20:48.808 --> 02:20:52.738

12 Commissioner Chang.

13

14 CHANG:

15 Aye.

16

17 1042

18 02:20:52.738 --> 02:20:58.558

19 CHAIR:

20 Commissioner Hayashida

21

22 HAYASHIDA:

23 Aye.

24

25 1043

00159

1 02:20:58.558 --> 02:21:02.699

2 CHAIR:

3 Commissioner Kamo.

4

5 KAMO:

6 Aye.

7

8 CHAIR:

9 Commissioner Lee.

10

11 LEE:

12 Aye.

13

14 1044

15 02:21:02.699 --> 02:21:08.039

16 CHAIR:

17 Commissioner Marceau.

18

19 MARCEAU:

20 Aye.

21

22 1045

23 02:21:08.039 --> 02:21:11.189

24 CHAIR:

25 And do I get to vote or--I don't know. Aye.

00160

1

2 1046

3 02:21:15.449 --> 02:21:21.478

4 Anyway, we have an approval.

5

6 1047

7 02:21:21.478 --> 02:21:27.299

8 Motion. I guess, I will be the Chair.

9

10 1048

11 02:21:27.299 --> 02:21:31.289

12 And, thank you all for your confidence in me.

13

14 1049

15 02:21:31.289 --> 02:21:44.638

16 Really appreciate it. But we need also--we need a Vice

17 Chair. So do we have any volunteers?

18 HAYASHIDA:

19 Commissioner Hayashida nominate Brian Lee for Vice Chair

20

21 CHAIR:

22 Excellent.

23

24 CHANG:

25 Commissioner Chang, second.

00161

1

2 1050

3 02:21:44.638 --> 02:21:49.619

4 CHAIR:

5 Okay.

6

7 1051

8 02:21:49.619 --> 02:21:53.668

9 Roll call vote. Commissioner Chang.

10

11 CHANG:

12 Aye.

13

14 1052

15 02:21:54.384 --> 02:22:07.013

16 CHAIR:

17 Commissioner Kamo.

18

19 KAMO:

20 Aye.

21

22 CHAIR:

23 Commissioner Hayashida.

24

25 HAYASHIDA:

00162

1 Aye.

2

3 CHAIR:

4 Commissioner Marceau.

5

6 MARCEAU:

7 Aye.

8

9 1053

10 02:22:07.013 --> 02:22:12.593

11 CHAIR:

12 Commissioner Lee.

13

14 LEE:

15 Yes, with reservations.

16

17 1054

18 02:22:13.138 --> 02:22:21.779

19 CHAIR:

20 And Chair Challacombe a strong aye.

21

22 1055

23 02:22:21.779 --> 02:22:25.978

24 So, the motion passes unanimously.

25

00163

1 1056
2 02:22:25.978 --> 02:22:33.869
3 Okay. Thank you all for your hard work today. Do we have
4 any announcements from--
5
6 1057
7 02:22:33.869 --> 02:22:38.908
8 any announcements?
9
10 1058
11 02:22:38.908 --> 02:22:43.228
12 STAFF PLANNER YOUNG:
13 This is-Chair, this is Raymond Young.
14
15 CHAIR:
16 Yes.
17
18 STAFF PLANNER YOUNG:
19 I don't have any announcements,
20
21 1059
22 02:22:43.228 --> 02:22:52.679
23 but I just wanted to make sure that the petitioners
24 presentation today, the slide show will be
25

00164

1 1060

2 02:22:52.679 --> 02:22:57.209

3 submitted as part of the record, if it hasn't.

4

5 1061

6 02:22:57.209 --> 02:23:01.769

7 CHAIR:

8 It is part of the record.

9

10 1062

11 02:23:01.769 --> 02:23:15.658

12 It was part of this--all the documents submitted to the
13 Commission. I know I had it, and I assume all the other
14 Commissioners received the same information I did.

15

16 1063

17 02:23:15.658 --> 02:23:20.039

18 So, I don't think we need to take any other action on that.

19

20 1064

21 02:23:20.843 --> 02:23:34.974

22 STAFF PLANNER YOUNG:

23 Okay. Just want to make sure that the PowerPoint is part of
24 the record.

25

00165

1 CHAIR:

2 It it, it is.

3

4 STAFF PLANER YOUNG:

5 All right. Thank you.

6

7 CHAIR:

8 Okay. Thank you. If there's no further business, again

9 Happy New Year to all.

10

11 1065

12 02:23:36.299 --> 02:23:40.709

13 Yes, Hello?

14

15 1066

16 02:23:43.193 --> 02:23:51.804

17 HEARINGS REPORTER:

18 Oh, no sorry that completes it.

19

20 CHAIR:

21 Thank you. Okay. Thank you. Again, thank you to deputy

22 corp counsel.

23

24 1067

25 02:23:52.193 --> 02:23:59.603

00166

1 Gloria and Greg for steering us through this meeting.
2
3 1068
4 02:23:59.603 --> 02:24:00.293
5 I know that
6
7 1069
8 02:24:00.414 --> 02:24:00.894
9 um,
10
11 1070
12 02:24:00.984 --> 02:24:03.593
13 due to this COVID, this is a very
14
15 1071
16 02:24:03.593 --> 02:24:03.953
17 uh,
18
19 1072
20 02:24:04.554 --> 02:24:05.004
21 um,
22
23 1073
24 02:24:05.183 --> 02:24:08.783
25 much more complicated than it was when we were doing things

00167

1 in person.

2

3 1074

4 02:24:08.783 --> 02:24:12.953

5 But I just want to thank all of you for all your patients
6 and hard work on this.

7

8 1075

9 02:24:12.953 --> 02:24:13.433

10 And again

11

12 1076

13 02:24:13.433 --> 02:24:16.193

14 a Happy New Year to you all. Meeting is adjourned. [bangs
15 gavel]

16

17 1077

18 02:24:16.558 --> 02:24:23.099

19 Thank you guys.

20

21 [The meeting was adjourned at approximately 3:30
22 p.m.]

23

24

25

00168

1

--o0o--

2

3

I certify that the foregoing is
a true and correct transcription
of the proceedings, prepared to
the best of my ability, of the
meeting helding on Wednesday,
January 6, 2021.

9

10

11

Gloria Takara

12

Secretary-Hearings Reporter

13

14

15

Date

16

17

