

CITY AND COUNTY OF HONOLULU

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

PLANNING COMMISSION

\_\_\_\_\_  
IN THE MATTER OF )  
State Special Use Permit (SUP)  
2020/SUP-07 (FK) )  
 )  
 )  
\_\_\_\_\_ )

PUBLIC HEARING

EWA DISTRICT - STATE SPECIAL USE PERMIT (SUP)

Remote Meeting and at Mission Memorial Auditorium, Mission  
Memorial Building, 550 South King Street, Honolulu, Hawaii  
on Wednesday, June 23, 2021 at 1:36 P.M.

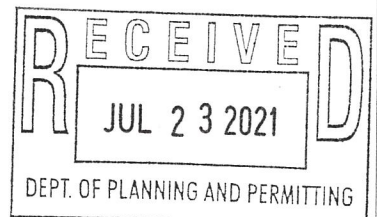
APPEARANCES:

COMMISSIONERS:

Chair Brian Lee  
Vice Chair Ken Hayashida  
Gifford Chang  
Ryan Kamo  
Nathaniel Kinney

Reported by: Mary Beth W. Kunihiro, RPR, HI CSR#234

Ralph Rosenberg Court Reporters  
(808) 524-2090



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

APPEARANCES:

For the Applicant Mahi Solar, LLC:

RANDALL F. SAKUMOTO, ESQ.  
BRETT R. TOBIN  
McCorrison, Miller, Mukai, MacKinnon LLP  
Five Waterfront PLaza, 4th Floor  
500 Ala Moana Boulevard  
Honolulu, Hawaii 96813

Also Present:

Rozelle Agag, Deputy Corporation Counsel  
(Remotely)

Gloria Takara, Secretary-Hearings Reporter  
Planning Commission

Gregg Cieless, DIT WebEx

Franz Krintz, DPP Staff Planner  
Wren Wescoatt, Director of Development  
Tracy Camuso, G70  
Deron Lawrence, Ecologist (Remotely)  
Earl Yamamoto, Planner, Hawaii Department of  
Agriculture on behalf of Phyllis  
Shimabukuro-Geiser, Chairperson of the Hawaii  
Department of Agriculture  
Cameron Black, Renewable Energy Program  
Manager, Hawaii State Energy Office (Remotely)

--oOo--



1 HONOLULU, HAWAII, JUNE 23, 2021, 1:36 P.M. <sup>3</sup>

2 --oOo--

3 CITY AND COUNTY OF HONOLULU

4 PLANNING COMMISSION

5 Meeting of the Planning Commission

6 DATE: Wednesday, June 23, 2021

7 TIME: 1:30 p.m.

8 AGENDA

9 I. CALL TO ORDER

10 THE CHAIR: All right, let's call this  
11 meeting to order.

12 Thank you, everybody.

13 Aloha, everyone.

14 And, welcome, fellow Commissioners to the  
15 June 23rd, 2021, Meeting of the Honolulu Planning  
16 Commission.

17 For our listeners, and, for the record, I  
18 would like to introduce our Commission Members who are  
19 present here in the Mission Memorial Auditorium and anyone  
20 else that might be joining us via remote teleconference.

21 My name is Brian Lee and I will be serving  
22 today as your Chair.

23 II. ROLL CALL

24 But, first, I'd like to take the roll call of  
25 my fellow Commissioner Members present, and, also, I'd

Ralph Rosenberg Court Reporters  
(808) 524-2090

1 like to welcome our new Commissioner Nathaniel Kinney.

2 Nat, do you have a few words you would like  
3 to say?

4 COMMISSIONER KINNEY: No. No. Thank you,  
5 Brian.

6 CHAIR: Nat have already said a lot getting  
7 here, so, thank you very much for serving.

8 All right, for the record, please respond  
9 verbally when Secretary Gloria Takara calls your name.

10 BY SECRETARY TAKARA:

11 Q. Chang.

12 A. Present.

13 Q. Hayashida.

14 A. Present.

15 Q. Kamo.

16 A. Present.

17 Q. Kinney?

18 A. Present.

19 Q. And, Lee?

20 A. Present.

21 CHAIR LEE: All right, we have five  
22 Commissioners present and we do have a quorum to convene.

23 Present here today also is Commission  
24 Secretary Gloria Takara and DIT Staff Member Gregg Cieless  
25 to manage and support the audio/visual remote WebEx

1 platform.

2 And, also present is a court reporter Mary  
3 Kunihiro.

4 And, joining with us today remotely is the  
5 Commission Attorney Madam Deputy Corporation Counsel  
6 Rozelle Agag.

7 MS. AGAG: Good afternoon, Commissioner --  
8 Chair.

9 CHAIR LEE: Okay, thank you very much.

10 I would like to ask those of you from the  
11 public participating remotely to please mute your audio  
12 devices at this time and unmute yourself if you intend to  
13 speak.

14 Our telephone participants can press star six  
15 to unmute and re-mute themselves.

16 I'd like to also note today that under the  
17 circumstances we had to make some modifications to the way  
18 we conduct our regular meetings in light of Governor David  
19 Ige's Twenty-First Proclamation issued on June 7, 2021,  
20 and, Mayor Blangiardi's Emergency Orders 2021-08 effective  
21 June 11th, 2021.

22 No more than 50 people are permitted in the  
23 Mission Memorial Auditorium at a time. And, all people  
24 inside the Auditorium must abide by the social distancing  
25 guidelines and only sit where there's a sign that says sit

1 here.

2 Any distance -- Any person are waiting  
3 outside the auditorium must abide by social distancing  
4 guidelines and wear a mask that covers their nose and  
5 mouth.

6 I want to thank everyone in advance today for  
7 being flexible and helping to keep everyone safe while  
8 maximizing the opportunity for members of the public to  
9 provide testimony and to be heard.

10 Please note that this meeting is being audio  
11 recorded. And, for those of you presenting testimony,  
12 please verbalize your presentation or testimony as much as  
13 possible without using hand gestures, nods or shaking of  
14 heads.

15 And, for a couple of housekeeping matters,  
16 those present in the Mission Memorial Auditorium bathrooms  
17 are located across the auditorium in the next building.

18 At 3:30 P.M. King Street becomes a tow-away  
19 zone.

20 And, everyone coming to the Mission Memorial  
21 Auditorium must wear face covering at all times even when  
22 it's your time to speak or you will not be allowed in.

23 This is in accordance with Moka (?) and the  
24 Mayor's Emergency Order 2021-08 that requires a public to  
25 wear a face covering when interacting with the City's

1 essential workers.

2 Also, no food or drinks are allowed in the  
3 auditorium despite what you might see here.

4 We have the auditorium until 5:30 P.M..

5 At this time I would like to officially open  
6 the Public Hearing. For the record it is now 1:36 P.M..

7 And, just a reminder for us Commissioners, we  
8 need to identify ourselves first before we speak or make  
9 any motions.

10 III. APPROVAL OF MINUTES

11  
12 And, so, with that being said, the first item  
13 on the Agenda was the Approval of Minutes, but, I'm going  
14 to defer that due to the lack of a proper quorum.

15  
16 IV. PUBLIC HEARING

17  
18 All right, we're going to move to Item Number  
19 IV. Public Hearing.

20 This Public Hearing Notice was published in  
21 the Honolulu Star Advertiser on Monday, May 24th, 2021.

22 It's the Ewa District - State Special Use  
23 Permit 2020/SUP-7 (FK) Mahi Solar, LLC. The applicant is  
24 Mahi Solar, LLC. The Landowner is Monsanto Technology,  
25 LLC; Hartung Brothers Hawai'i, LLC; and Fat Law's Farm

1 Inc.

2 The location is at various parcels on the  
3 mauka or Waianae side of Kunia Road beginning  
4 approximately 10,000 feet north-northwest of the  
5 intersection of Kunia Road and the H-1 Freeway,  
6 Honouliuli, Ewa.

7 The Tax Map Key is 9-2-001:020 portion,  
8 9-2-004:003 portion, and, 9-2-004:006 portion, and,  
9 9-2-004:010 portion, and 9-2-004:012 portion.

10 The Existing Use is for diversified crops,  
11 cultivation of seed corn, fallow fields, and open space.

12 The Existing Zoning is AG-1 Restricted  
13 Agricultural District.

14 The Area of the SUP is approximately 620.0  
15 acres.

16 The Request is to construct a 120-megawatt  
17 (MW) solar energy generation facility (SEF), a  
18 480-megawatt-hour (MWh) battery energy storage (BESS)  
19 facility to address peak energy demand, and accessory  
20 support infrastructure and uses.

21 The entire SUP application can be downloaded  
22 from: <https://bit.ly/397SEF0> that's 397 Sierra Echo  
23 Foxtrot 0.

24 All right, the first person you want to come  
25 up for is the DPP's presentation.



1 Is there anyone here?

2 PRESENTATION:

3 MR. KRAINTZ: Yes. Aloha. Good afternoon,  
4 Chair Lee, Members of the Planning Commission, especially,  
5 New Commissioner Kinney, City Officials, Industry and  
6 Agency Representatives as well as interested citizens both  
7 in attendance and virtually.

8 My name is Franz Kraintz for the Department  
9 of Planning and Permitting. And, I'm the Project Manager  
10 and Planner that processed this Special Use Permit (SUP)  
11 2020/SUP-7.

12 On this slide you have before you I have a  
13 map that shows the general location of the Project area.

14 Chairman Lee you did quite a good  
15 introduction. A lot of my work is going to be done, I  
16 think, in terms of describing what the property -- what  
17 the Proposal is about.

18 But, on the slide it shows the -- the five  
19 areas that consist of what we call the Petition Area and  
20 they are on the Waianae side of Kunia Road. And, it is  
21 about between over a mile and up to two miles north, I  
22 guess you could say mauka in this instance, of the H-1  
23 freeway and Kunia Road interchange.

24 As was mentioned the 620 acres that does  
25 comprise or encompass the petition area covers three land



1 owners Hartung Brothers, Fat Law Farms, and, Monsanto.

2 And, this area has been known for quite  
3 sometime, decades in fact, for good agricultural  
4 production.

5 And, the reason we're here or the way we're  
6 allowed to be here is that in 2014 the Chapter 205 which  
7 governs the use of State Agriculture lands was modified to  
8 allow the dual purpose of use of solar energy facilities  
9 on what are considered good agricultural land.

10 In this case the lands identified 83 percent  
11 of the 620 acres as being lands rated B and C.

12 And, I bring that up because in Chapter 205  
13 Subchapter 21 by Special Use Permit a Solar Energy  
14 Facility is allowed on LSB rated B and C lands if, there  
15 are three conditions, if, first, that the land is offered  
16 at 50 percent below market value for comparable  
17 agricultural activities; second, proof of financial  
18 security to decommission the project; and, then, the third  
19 one is the actual responsibility of decommissioning that  
20 is removing the Solar Facility once the operation has  
21 ceased.

22 As mentioned, the Project does entail the  
23 creation and construction of solar panels that would  
24 generate 120-megawatts (MW) of electricity with a battery  
25 energy storage capability of 480-megawatts storage

1 capacity.

2 I will let the Applicant get into the  
3 technical aspects of all that. But, I did just want to  
4 cover some of these -- these technical components because  
5 they do involve the land use on the site.

6 The shaded areas on the map here over these  
7 five areas they're actually about twelve separated  
8 separately fenced areas within them. But, these five  
9 areas will host or have up to 370,000 of these panels and  
10 they're roughly 26 square foot each at zero tilt that is  
11 flat. They'll probably be 6 to 8 feet above the ground.  
12 And then with a 50 degree tilt they'll be up to 9 to 12  
13 feet from the ground height and the clearance on the grade  
14 from one to three feet.

15 There will be nine foot aisles between the  
16 rows or arrays of panels and they'll be able to tilt, will  
17 be able to tilt to follow the sun in order to maximize the  
18 sun's exposure.

19 There will be a connection to the Waiawa --  
20 I'm sorry, Waiiau Electrical Transmission Line which is  
21 just to the bottom part of the screen here and that will  
22 feed into the grid for HECO.

23 It is expected that the size of this project  
24 will provide electricity to 37,000 homes and contribute up  
25 to 4 percent of the Electrical needs of Oahu.

1                   This will be the largest Solar Energy  
2 Facility in the State at this particular time and was  
3 awarded by HECO a year or so ago to proceed.

4                   It will contribute to the State's goal of  
5 becoming 100 percent renewable energy by 2045 and  
6 is a major component in addressing the closure of  
7 the coal plant later next year.

8                   Now, the agricultural side of this which is  
9 equally impressive is in order to meet State goals, and,  
10 it is has to be, is the -- the partnership by the  
11 Applicant with the Hawai'i Agricultural Research Center.

12                   And, making the -- the land available for  
13 agriculture is -- is important in the sense that they are  
14 going to rather than just provide the token amount of  
15 grazing sheep and goats, whatever, they really are they're  
16 trying to establish a program.

17                   And, so, rather than proof of concept it will  
18 be proof beyond concept to study and research what will  
19 grow well and stay tolerant condition and then to maximize  
20 -- to maximize the productivity of the land.

21                   Currently, a lot of it is -- is unused and  
22 very little only 100 of the 600 acres is an actual fruit  
23 production.

24                   The plan through this effort in combining  
25 both the dual solar generation -- solar energy generation

1 agricultural production to coin the term Agrivoltaics will  
2 actually make all of the land available for agricultural  
3 production and increase local fruit production to almost  
4 500 acres of the total amount.

5 The Applicant has already garnered a lot of  
6 support not only from HARC the Agriculture Research Center  
7 but a number of the other farmers in the area who already  
8 had experience doing this.

9 But, again, with the concerted effort that  
10 HARC will endeavor to take of researching, studying the --  
11 what works in this area will help go a long way toward  
12 success.

13 Through the program that the Applicant is  
14 proposing in this particular is a way to incentivize  
15 farming under these conditions. That is working around  
16 and with solar energy generation. And, that is by  
17 providing at minimal cost to the farmers land, water and  
18 support services.

19 And, again, I'll let the applicant get into  
20 the details of how that will all be arranged.

21 Through the process and for this Project  
22 there were a number of environmental considerations.  
23 Glare is always one that comes up with solar panels but  
24 these are dark and they're expected to absorb as much of  
25 the solar energy as possible. So glare is at a minimum.

1 But the Glare Analysis Study that was done  
2 for this concluded that there will be no impact to the  
3 adjacent the nearby Kalaeloa Airport or Wheeler Army Air  
4 Field nor any of the motorists on Kunia Road or H-1  
5 freeway.

6 In terms of the visibility it's somewhat  
7 surprising that actually when you're close to it you're  
8 not likely to see it particularly if you're on the  
9 highways and roadways because of the existing vegetation  
10 that lines or fronts these road.

11 Where you're more apt to see it is from the  
12 longer distance even from here in town. But, there's  
13 really no way to screen 'em.

14 The best way to look at it, however, though  
15 is from afar it will look like a lake or water. And, on a  
16 very clear day if there's clouds it might look like the  
17 shade from calm dark features from that.

18 As for Archeological and Historic Resources,  
19 this area as was mentioned had decades of cultivation but  
20 there still is some sensitivity in proximity to some of  
21 the resources that are available namely, the Waiahole  
22 Bridge, the Honouliuli National Historic Site the  
23 Internment Camp as well as Pohakea Trail.

24 Unfortunately, we do not have approval of the  
25 Archeological Inventory Survey that was done for this



1 study from the State Historic Preservation Division;  
2 however, we will discuss the condition for the FTP (?)  
3 Consideration that -- that should be -- that should help  
4 at least address and mitigate possible concerns.

5 The Biological Resource Report which is  
6 Appendix D of the -- of the Application did note that a  
7 number of either special species that are either  
8 endangered or threatened may have a potential of visiting  
9 this site because it is on the -- on the slopes of the  
10 Waianae range; however, they thought through a number of  
11 avoidance of minimization measures post construction  
12 mitigation and monitoring and reporting that a lot of  
13 these could be avoided.

14 And, these will be part of the conditions  
15 that we will be discussing.

16 The operations for the -- for the Solar  
17 Energy Facility will be 24/7. And, the construction is  
18 expected to take between two and three years with  
19 possible decommissioning at the end of the operational  
20 life which has been awarded at 25 years with an additional  
21 10 year option the decommission period of about one year.

22 Part of the Application included a surety  
23 estimate of the -- of what it will cost to decommission or  
24 remove the facility and are at a rate of just over  
25 \$6800 per acre.

1                   We are looking -- We recommend that the bond  
2 placement for the proof of security financial security for  
3 removal is just approximately 4.2 million dollars which as  
4 stipulated in the State Statutes is to be for the  
5 operational life of the facility.

6                   In terms of the process, once the Application  
7 is accepted for approval we went out for Agency comment  
8 starting April 9th and they have a 30 day response or  
9 comment period.

10                   We received comments from approximately 23  
11 different Agencies. Some had no comment. Others had  
12 quite substantial comments. But none opposed the Project.  
13 They wanted to make sure that first of all, the  
14 agricultural plan is viable and had chances of success.

15                   We've had several conversations with the  
16 Department of Agriculture since then. And, the Applicant  
17 has also gone out to the neighborhood boards and made  
18 presentations on this proposal. And, based on all these  
19 efforts, to my knowledge, we've had no opposition  
20 registered verbally or in writing except for, I will add,  
21 because it is part of your package a State Senator who I  
22 think sent the letter out prior to receiving any  
23 information about the Project.

24                   And, that was the same letter, I believe,  
25 that was sent -- it had the same wording from the previous



1 solar energy facility that you saw at your last meeting  
2 on solar energy facilities of AES.

3 So, based on the Finding of Fact and our  
4 analysis, we recommend approval of this Special Use  
5 Permit. It is in conformance with all the plans  
6 sustainable community plans for the Central Oahu Region as  
7 well as Ewa DP and it meets the rules of the Planning  
8 Commission by meeting the requirements of the five  
9 guidelines that you have and consider in Special Use  
10 Permits.

11 And, we believe there are a lot positive  
12 impacts from the Proposal including the less reliance on  
13 fossil fuels, the generation of renewable energy, the  
14 creation of jobs but more importantly, we feel the  
15 supporting the farming agricultural community for use of  
16 these lands dual purpose.

17 I suppose now at this time, if you may, if  
18 you'll allow me to consider how you consider the  
19 conditions.

20 If there's time, we'll quickly go through  
21 those.

22 VOICE: Yes, please.

23 MR. KRAINTZ: A lot of the conditions where  
24 include ones we've used previously but we tweaked them to  
25 reflect the comments that we received from the agencies to

1 a large extent.

2 As previously mentioned, we have met with the  
3 Applicant. And, they suggested some revisions that I  
4 provided to you were provided in depth both captioned as  
5 well in the clean version.

6 And, we'll go those real quickly.

7 So, Item 1, Condition 1, it's really the  
8 attempt to make sure that the agricultural productivity of  
9 this site is -- is implemented.

10 So we're talking a lot about making sure that  
11 the -- and, if you'll note there the Condition is actually  
12 6A not 4A on the first part of the usable land. They've  
13 made available from compatible agriculture.

14 What we'll require is that the Applicant  
15 submit to the Department of Planning and Permitting the  
16 operational activities that they have. We had a chance to  
17 review that the agriculture Agrivoltaics Program is in  
18 place and is working according to the Application in terms  
19 of HARC doing the research, providing assistance and  
20 support farmers and actually having farmers and those  
21 agricultural producers in place on the property.

22 One item that we felt or saw in the  
23 Application was I believe this is one of the other  
24 items the Department of Agriculture had brought up was  
25 drip irrigation you know as a conservation, water

1 conservation.

2 The applicant feels in order to stay --  
3 remain flexible their plan that actual specific  
4 requirement be dropped that is the drip irrigation portion  
5 but that they still intend to abide by providing more  
6 irrigation on the property than there currently is for  
7 their crops.

8 And, in deference to the Department of  
9 Agriculture as well we brought up the idea 1 D fencing to  
10 make sure that -- keep all the agricultural activities  
11 separate from each.

12 Item Condition 2 is very similar to what  
13 you've seen before in terms of after a six-month period to  
14 make sure confirm that the -- all the agricultural  
15 activities are in place and functioning.

16 The operational period as mentioned there  
17 stipulate and set out set forth the time frame 25 years 10  
18 year extension but deleting that instead of two years we  
19 allowed three years for construction -- full construction  
20 of the Project. And, then, rather than two years  
21 decommissioning just one as stipulated by Statute.

22 Condition 4 is to establish the Project  
23 within two years standard.

24 Condition 5 this is the approval of the  
25 Archaeological Inventory if we have that approved by the

1 Historic Preservation Division before the issuance of  
2 conditions which is the permit that follows this one  
3 Special Use Permit. And, that the Director will have the  
4 ability to add specific conditions by shifting the  
5 Conditional Use Permit.

6 Condition 6 is prior -- again, prior to any  
7 of the subgrading or grading that these items landscaping  
8 plan, the agricultural plan be submitted and approved  
9 before construction or grading is permitted.

10 You'll see that the item for the Pohakea  
11 Trail that that is removed as a requirement or condition  
12 of this.

13 This follows the discussions we had with the  
14 Applicant. The Application stated that they would attempt  
15 to do so but I think since that time this is the way it  
16 was explained to us they can tell you later during their  
17 presentation or testimony that they're having difficulty  
18 obtaining or finding any information about it through  
19 either the consult they've had with the Kupuna out there  
20 or to actually find evidence on the ground that that trail  
21 exists.

22 So, unless there's any reason otherwise,  
23 we're in agreement to having that removed.

24 Condition 7 talks about the decommissioning  
25 although I do see this it still says 24 months. That

1 could be at the out side limit but again it's a  
2 requirement that it be done in 12 months.

3 And, then, Condition 8 is the proof of  
4 financial security.

5 As I mentioned before, I believe the way this  
6 should be an estimate of 4.2 million that is the \$6830 per  
7 acre that was estimated to remove a facility of this  
8 nature and that will be in the form of a financial  
9 instrument that we've heard either as a performance bond,  
10 escrow account or other financial instrument that ensures  
11 that the security is in effect for the life of the  
12 spreadsheets from that other facility.

13 As for Condition 9 these are the conditions  
14 that the mitigating measures of the Biological Resource  
15 Report advocated that I mentioned to you that with the  
16 proper monitoring and avoidance measures and post  
17 construction mitigation that a lot of the -- any adverse  
18 impacts can be avoided.

19 Similarly, for Condition 10 as we've done in  
20 the past require a annual report. And, in that annual  
21 report we're looking for again, evidence of reporting of  
22 not only agricultural activity continuation of evidence  
23 from proof of financial security other detailed records  
24 having to do with Biological -- Biological Resources  
25 and avoidance measures and then again with Department of



1 Agriculture's request the identification of the amount or  
2 quantity of water that are used because they felt that  
3 that was an important indicator of how productive viable  
4 that agriculture program would be.

5 And, then, finally, Condition 11, 12 and 13  
6 are the standard ones that we've had in Special Use Permit  
7 cases before where if there's any modification that the  
8 Department be notified. The Director has the ability to  
9 make enforcements and minor modifications to those  
10 conditions. 1:13:43

11 So, discussion this Special Use Permit  
12 hearing today this will be -- your action today will be a  
13 recommendation to the Land -- State Land Use Commission.  
14 And, then, ultimately, depending on their actions, should  
15 it be approved, it would require conditions permit from  
16 our Department following that and then as well as Building  
17 Permits.

18 So, I can take any questions. At this time  
19 that concludes my presentation.

20 CHAIR LEE: Thank you, Mr. Kraintz.

21 Members, do you have any questions for the  
22 Department of Planning and Permitting?

23 COMMISSIONER HAYASHIDA: This is Commissioner  
24 Hayashida, Franz. We recently approved a solar. How far  
25 away are we?

1 MR. KRAINTZ: I'm sorry.

2 COMMISSIONER HAYASHIDA: We just approved one  
3 recently, right? How far away are we?

4 MR. KRAINTZ: Oh, it's -- On the screen it's  
5 going to be -- at the bottom of the screen probably a mile  
6 or so in Makakilo. It's -- It's at the next interchange  
7 on H-1 as you head over to Waianae side.

8 COMMISSIONER HAYASHIDA: I have question.  
9 You said there was 100 acres that are in agricultural  
10 production today?

11 MR. KRAINTZ: Yes.

12 COMMISSIONER HAYASHIDA: Is this project  
13 removing that 100 acres?

14 MR. KRAINTZ: Is this property?

15 COMMISSIONER HAYASHIDA: Removing the 100  
16 acres --

17 MR. KRAINTZ: No. It will be in addition to  
18 that.

19 COMMISSIONER HAYASHIDA: In addition to.  
20 Thank you.

21 CHAIR: And, thank you.  
22 Members, any further questions for the  
23 Department? If not, thank you very much.

24 MR. KRAINTZ: Thank you.

25 CHAIR LEE: I appreciate your testimony.



1 Will the Agent and/or Petitioner make your  
2 Appearance.

3 MR. SAKUMOTO: Thank you, Chair Lee.

4 Randall Sakumoto and my colleague Brett  
5 Tobin. We are here representing the Petitioner Mahi  
6 Solar, LLC.

7 If it's okay with you, I'd like to address  
8 the Commission sitting down. Thank you.

9 THE CHAIR: Sure.

10 MR. SAKUMOTO: Like I said we represent Mahi  
11 Solar, LLC which is an affiliate of Longroad Development  
12 Company in this Special Use Permit Application.

13 Mahi Solar's SUP Application is the product  
14 of comprehensive studies of the Project lands and the  
15 potential Project impacts, extensive community outreach  
16 and numerous meetings and discussions with various  
17 Government Agencies including the Department of Planning  
18 and Permitting.

19 On April 9, 2021, Mahi Solar's Application  
20 was formally accepted by the DPP.

21 And, today we are pleased to present our  
22 Application to the Commission and respectfully request  
23 your approval.

24 Our brief presentation will provide the  
25 Commission with a high level overview of the Application.

1 The presentation will be made by Wren  
2 Wescoatt and Deron Lawrence of Mahi Solar and Tracy  
3 Camuso of G70.

4 After our presentation we'll be happy to  
5 respond to any questions the Commission may have.

6 We also have with us today on-line our  
7 experts in Archaeology, Native Hawaiian Cultural  
8 Resources, Project Construction, Civil Engineering and  
9 Glint and Glare Studies.

10 So, to start off, we'd like to call our  
11 first witness Mr. Wren Wescoatt.

12 WREN WESCOATT, DIRECTOR OF DEVELOPMENT

13 MR. WESCOATT: Aloha, Chair, Commissioner.

14 EXAMINATION

15 BY MR. SAKUMOTO:

16 Q. Would you please state your name and business  
17 address for the record.

18 A. My name is Wren Wescoatt, Mahi Solar, LLC.  
19 Care of Longroad Development Company, 333 Congress Street,  
20 Sixth Floor, Boston, Massachusetts 02210.

21 Q. And, what is your occupation, Mr. Wescoatt?

22 A. I'm the Director of Development for Longroad  
23 Energy.

24 Q. How long have you worked there?

25 A. I have worked in this role for 13 years.

1 And, prior to Longroad for a company that most of the same  
2 people.

3 Q. And, can you describe for the Commission what  
4 it is you do as a energy developer.

5 A. I'm responsible for identifying sites for  
6 renewable energy projects working with the landowner,  
7 Hawaiian Electric, permitting agencies and helping get the  
8 Project all the -- helping the engineering and design and  
9 get the Project through financing prior to construction.

10 Q. What can you tell the Commission with respect  
11 to the State's energy goals and why Mahi Solar was  
12 selected by HECO.

13 A. Hawai'i, as everyone knows, set a goal which  
14 is now law of generating a hundred percent of our energy  
15 from renewable sources by 2045 on even nearer term on  
16 Oahu. We also have to replace the coal burning plant in  
17 Campbell Industrial Park which is going to shut down in  
18 2022.

19 So, we need to get a lot of renewable energy  
20 on line specifically and most of that is solar, solar plus  
21 -- projects.

22 So Hawaiian Electric put out an RFP in 2019,  
23 1 2018, 1 2019. Mahi Solar was selected as the largest  
24 Project.

25 It's three percent of the State's total a

1 hundred percent is what the Project can produce.

2 For three percent of the State's energy, four  
3 percent of Oahu's energy. And, it was also the lowest  
4 priced Project approved in this round of Projects from  
5 HECO.

6 Most of these Projects will be on-line by  
7 2023.

8 Q. Can you describe the purpose of the Mahi  
9 Solar Project.

10 A. The purpose is to provide low cost renewable  
11 energy in the form of solar generated electricity to  
12 Hawaiian Electric's existing grid.

13 The Project is projected to generate a total  
14 of 120-megawatts. That's enough power for 37,000 homes as  
15 Franz mentioned.

16 It also would allow us to not burn about 11  
17 million gallons -- sorry, 11 million barrels of oil over  
18 the life of the Project. And it will save Oahu consumers  
19 -- Hawaiian Electric projected it would save Oahu  
20 consumers between 100 and 175 million dollars over the  
21 course of the -- of the Project's life.

22 Q. Thank you.

23 Commissioners, I apologize but we are showing  
24 a slide show behind you. I'm sorry that you have to turn  
25 around to see it.

1 Will the Mahi Solar Project be an energy  
2 project, agricultural project or both?

3 A. So it's actually -- it's an energy project  
4 but it will -- the Project area will be used to produce  
5 energy and agriculture.

6 Currently, the two graphs on the screen there  
7 show on the left-hand side is what's currently going on on  
8 the site. About half of the land in gray 52 percent is  
9 not being used right now and about 32 percent of it in the  
10 brown is seed corn. And, the bottom section is the -- is  
11 the -- it's the 100 acres that Franz mentioned which is  
12 food production right now.

13 What we will be doing is taking that whole  
14 area and putting almost all of it into -- you know once we  
15 build the solar project to bring all of that land into  
16 some kind of productive agricultural use.

17 So this will include -- it will include  
18 hydroponic lettuce. And, we've had farmers approach us  
19 about wanting to use the land for these different purposes  
20 so there's interest out there already.

21 Growing alfalfa and other like nutritious  
22 forage for cattle. Also, sweet potato, basil and other  
23 vegetables, mint have been suggested.

24 So, there's lots of opportunity here. And,  
25 our goal is that different sections will be farmed by

1 different local farmers.

2           And, there's bee hives. The folks that  
3 manage bee hives they want to do a section in you know  
4 flowers so that the bees have plenty of pollen and they  
5 can you know increase honey production.

6           So, lots of interest. And, the goal is to  
7 shift from the left graph to the right graph so after we  
8 have completed the Project we're doing a lot more.

9           Previously, there were solar projects  
10 approved. The easiest thing is to put sheep here. But  
11 what we wanted to do is sort of push further and look for  
12 -- try to find new -- new ways and more ways that we can  
13 use the Project for agriculture. So there may be some  
14 agri -- some grazing on the less productive high slope  
15 lands. But most of this is going to be in some kind of  
16 farming.

17           Q.       What can you tell us about the most efficient  
18 use of the land as it relates to combining solar and  
19 agriculture?

20           A.       Sure. So, the cartoon on the lefthand side  
21 sort of shows if we split up our solar and agriculture  
22 land and we have less area for both.

23                    Find some way to combine so that we can do  
24 agriculture under solar we are able to make more  
25 productive use of our land and use more acres.



1                   And, so, on my righthand side there's some of  
2 the uses I mentioned. In addition to grazing there's low  
3 growing but shade crops lettuce and other types of crops  
4 that actually do better without full sun and there's some  
5 herbs on the righthand side different things that have  
6 been tried on different solar projects. So, we're looking  
7 for doing more of this.

8                   Q.       Mr. Kraintz in his presentation referenced  
9 the Hawai'i Agricultural Resource Research Center. And  
10 how would -- how would you describe their role in this  
11 process.

12                  A.       As the first thing we decided if we're going  
13 to pursue this because we're solar folks and aren't smart  
14 about farming we need to work with someone who is.  
15 So, we have contracted Hawai'i Agriculture Research Center  
16 to start with some research.

17                         They said the first thing you have to do is  
18 you have to go to an existing solar farm and you got to  
19 try some things and see what works.

20                         And, so, they are conducting that study right  
21 now.

22                         So, the first phase is we're going to study  
23 what grows well in Hawai'i at a existing solar farm in  
24 Mililani that is owned by Clear Way Energy.

25                         So we're partnering. Longroad and Clear Way



1 are working together and contract with HARC to do like two  
2 years of research. I'm trying to do some trials to find  
3 out what can work well under solar.

4 The second phase is once the Project is  
5 completed we work with local farmers to come on site and  
6 grow out some of these at commercial scale.

7 So Mahi Solar is going to be providing the  
8 land at a nominal cost to farmers. Same with the water  
9 and even some start up funding to get them going. And, s  
10 so, you know, around the site you can envision sort of  
11 different farmers growing different things you know  
12 between and under the solar panels.

13 And, then, the third phase is it's going to  
14 involve continued research.

15 We know the first thing we try may not work.  
16 Second thing we try may not work. But, we're going --  
17 While we're trying like ten or twelve different things and  
18 we're going to keep generating research to find what --  
19 what works, what doesn't, what are best practices, what  
20 should we be trying next so that together with local  
21 farmers and HARC overseeing their research we're able to  
22 share this data with other solar companies, with other  
23 farmers because solar is a key priority for the State.  
24 You know renewable energy so is food production.

25 So, rather than just say oh, let's do solar

1 over here, do production over here, let's try to find work  
2 together find ways and get smarter about using the whole,  
3 using the land for both purposes

4 Q. In terms of job creation, what is the  
5 estimated number of jobs that will be created from this  
6 Project?

7 A. Well, we are -- We're working with our  
8 contractor Moss and Associates. We're planning to -- This  
9 Project should employ a total of 340 jobs roughly 340 jobs  
10 over the entire course of construction but we think that  
11 will probably peak at about 200 jobs during the peak  
12 installation.

13 Q. In terms of community outreach, --

14 A. Oh, I did want to mention I wrote in my notes  
15 here that almost all those jobs will be union jobs.

16 Q. Thank you.

17 In terms of community outreach, what has Mahi  
18 Solar done to date?

19 A. We have done a lot of community outreach.

20 Having been doing this for a while you have  
21 to go out early and talk to a lot of people especially  
22 people who might not like what you're proposing.

23 We have spoken with -- we did a couple of  
24 virtual public meetings during COVID so we got pretty well  
25 attended. One in July and one in October of last year.

1 And, then, once we could go in person we had presented  
2 surrounding neighborhood boards Waipahu, Mililani. I'm  
3 going again to Mililani tonight. And, then Kapolei,  
4 Makakilo informing them about what's going on as well as  
5 the Community Associations nearby. Royal Kunia Community  
6 Association and then the folks at Kunia Loa Ridge Farm  
7 Lands presented to their board. And, so, -- As well as  
8 agricultural non profits -- Hawai'i Ag and etc..

9 So, we've done a lot of outreach. The goal  
10 is to inform people about our project but I also listen to  
11 suggestions.

12 And, by far the priority for this Project the  
13 big concern was not displacing farmers.

14 So, you know, even the folks who are doing  
15 the hundred acres of food production right now they're the  
16 first ones we went to and said hey, you want -- you think  
17 you can do -- grow mint and other things under the basil  
18 near the panels.

19 So, we're trying to work with farmers so that  
20 there's actually more agriculture in this area rather than  
21 -- that less

22 MR. SAKUMOTO: Thank you very much,  
23 Mr. Wescoatt.

24 We'd now like to call, Chair, with your  
25 permission, Miss Tracy Camuso.

TRACY CAMUSO

BY MR. SAKUMOTO:

Q. Would you please state your name and business address for the record.

A. Tracy Cumuso, Associate Principle

Q. What is your occupation?

A. I'm a Land Use Environmental Planner.

Q. And, how long have you served as an Environmental Land Use Planner?

A. About sixteen years.

Q. And, in that field, do you specialize in any particular area?

A. I specialize in Land Use Entitlements particularly for renewable energy projects in Hawaii.

Q. So, with respect to the Mahi Solar Project, what -- what has been your role?

A. My role for Mahi Solar is to complete the land use entitlements including the Special Use Permit, Conditional Use Permit Minor and Waiver Permit all which will be filed with the City Department of Planning and Permitting.

Q. So, why does the Project require a Special Use Permit?

A. The Project requires a Special Use Permit to allow the use of space designated agricultural lands for

1 solar energy facilities particularly land as Franz had  
2 mentioned LSB or Land Study Bureau rating B and C.

3 Special Use Permit is required filed with DPP  
4 approved by the Planning Commission and then ultimately  
5 the Land Use Commission as our project is greater than 15  
6 acres.

7 Q. Does the Project comply with State Land Use  
8 law?

9 A. Yes, the Project does comply with State Land  
10 Use law there Chapter 205-4.5 in particular relating to  
11 permissible uses within the agricultural district.

12 As you can see solar energy facilities are a  
13 permitted use LSB so it's with the approval of a Special  
14 Use provided three items which again Franz covered and  
15 that's one, being compatible ag be provided with the  
16 renewable energy facilities, two, proof of financial  
17 security commissioning, and, then, three, that you  
18 actually carry out the decommission including removal of  
19 equipment and then restoring the site.

20 Q. So with respect to these three criteria, how  
21 does Mahi Solar satisfy them?

22 A. So, with respect to the first criteria Wren  
23 went over in a lot of detail about our compatible  
24 agriculture that we're proposing in terms of farm crops  
25 again looking at alfalfa, basil, sweet potatoes and again



1 doing some ranching activities and some bee keeping.

2 The Project will also provide farm crops and  
3 some plots of land and water to farmers at a nominal cost  
4 again below the lease rent of 50 percent below compatible  
5 property fees.

6 For decommissioning we will be providing  
7 proof of financial security to be posted prior to  
8 operation to ensure that decommissioning is carried out.  
9 And, then, of course, decommissioning which all must occur  
10 with twelve months from the close of the solar operations.  
11 All equipment will be moved off the site and the site will  
12 be restored to its existing condition prior to the  
13 development of the solar farm.

14 Q. So you mentioned land study bureau rating for  
15 the soil. What can you tell us about the LSB rating as  
16 relates to this property.

17 A. Yeah, so, in back of you there's a Land Study  
18 Bureau map. There's a lot of colors here. But,  
19 essentially, this is the ratings we were speaking of  
20 related soils with B being your lowest.

21 You can see Mahi Solar is comprised mostly of  
22 B & C soil. However, we do have other soil types in there  
23 with the exception of A.

24 Solar energy facilities are not permitted on  
25 A rated land.



1 Q. Recently there's been a lot of talk about  
2 important agricultural lands. Can the IAL. lands be used  
3 for solar projects?

4 A. Yes. We are developing the IAL land list  
5 with crops. We're doing agriculture. So, the solar  
6 energy facilities will include agriculture production.

7 You can see here on the slide are existing  
8 IAL lands.

9 Within our current Project site is about  
10 69.5 acres of the total 620 acre Project area. So, this  
11 area is actually not being farmed right now even if it is  
12 designated as IAL with Mahi Solar we will farm it.

13 So, we are actually increasing and supporting  
14 the intent of IAL.

15 Q. Earlier I said to the Commission that there  
16 were a lot of studies done to examine the potential  
17 impacts of this Project.

18 Can you tell us more about what these studies  
19 were.

20 A. Sure. So, again, on the slide there are  
21 numerous studies that we conducted for the purpose of the  
22 Special Use Permit land also for the design of the  
23 Project.

24 You know, there's a really long list here  
25 just to name a few. Traffic study, reflectivity analysis

1 or glare, view study, archaeology and biological  
2 assessment.

3           These studies basically look at existing  
4 conditions at the site and then examine what potential  
5 impacts could occur with the development of the Project  
6 and then propose mitigation measures as appropriate.

7           So, in all, with all of these findings, we  
8 determined that Mahi Solar is not -- will not result in  
9 significant adverse impacts to surrounding communities  
10 or areas.

11           Q.       So, if we just look at the first one, traffic  
12 study, what -- what can you tell the Commission about what  
13 the results of the traffic study show.

14           A.       So, the traffic study, we did do a traffic  
15 study. We looked at construction and operation. Following  
16 construction during operation there will be no employees  
17 on site on a regular basis. It will be pretty much  
18 maintenance if anyone is going there.

19           Also, for the long term there will be no road  
20 improvement required to operate the Project.

21           During construction, of course, you know, we  
22 are going to have increased larger trucks there, there  
23 will be worker vehicles but that is a short term  
24 construction related impact.

25           So, with that, I think it's important to note

1 that there will be ebbing flow of traffic because  
2 depending on the construction phase you won't have anyone  
3 being at the site at the exact same time and so, you know,  
4 we will be encouraging carpooling, workers to travel  
5 during off peak hours. And, as a result of the traffic  
6 study some mitigation that was recommended was to post  
7 signage at the access point to just notify drivers of a  
8 large truck coming in and out of the site and increase  
9 awareness and safety.

10 Q. So, another thing that was done were view  
11 studies to determine whether to what extent the Project  
12 would be visible from the surrounding communities.

13 What can you tell the Commission about the  
14 result of those studies.

15 A. And, so, we did do view studies and we did  
16 mostly just adjacent to the Project, particularly, along  
17 Kunia Road and then also from neighborhood communities or  
18 distance communities.

19 The Project is, you know, it does have -- go  
20 back one. The Project does have a very low profile with  
21 panels of no higher than twelve feet from grade and it's  
22 also following the same topography of the land so we're  
23 not you know grading everything and putting panels  
24 everywhere. It's following the existing topography.

25 So, with that, again, we're looking at Kunia

1 Road you'll see that really big buffer very lush buffer  
2 that's there right now so there's already some existing  
3 buffers that are there. However, there are a couple of  
4 pockets where you may be able to see the solar farm from a  
5 distant view in certain pockets along Kunia Road.

6 In terms of residential, we did look at  
7 residential areas. There are no residential communities  
8 east or adjacent to or around our Project site so we  
9 looked at it from a distance.

10 And, most areas we looked at had -- you could  
11 not see the Project at all. It's just one spot that we  
12 did find that there are maybe some visual views of the  
13 Project from Makakilo Drive just at a elevation higher  
14 looking down on Mahi so there will be some very distant  
15 view impact. But, the concept, you know, the panels are  
16 darker. They're on existing agricultural land and kind of  
17 blending with the landscape.

18 Q. Staying on the subject of views, what  
19 measures will be implemented to screen the Project and  
20 mitigate more potential visual impacts?

21 A. So we did a very detailed landscaping plan to  
22 minimize impact to the extent possible. You can see from  
23 this visual we will be planting on top of that berm  
24 providing even more buffer and additional height for  
25 drivers along Kunia Road.

1 We also looked at doing some visual screening  
2 plants ranging from two to eight feet tall and then also  
3 adding some trees that will be from twelve to fifteen feet  
4 tall. And, that will mostly be around the perimeter areas  
5 so we think that that landscaping will help to mitigate  
6 views.

7 But, you know, I think overall it's important  
8 to mention that this Project is being integrated with ag  
9 all throughout so when you're looking at the Project  
10 there's farming underneath, there's farming next to  
11 between the roads. And, so, I think from a view  
12 standpoint it will really be integrated with the  
13 agricultural setting that it's in.

14 MR. SAKUMOTO: Thank you. Very much.

15 Mr. Chair, our next witness is on line. We  
16 would like to call Mr. Deron Lawrence.

17 DERON LAWRENCE

18 MR. LAWRENCE: Any --

19 BY MR. SAKUMOTO:

20 Q. Yes. Hi, Deron. Would you please state your  
21 name and business address for the record.

22 A. Good afternoon, Mr. Commissioners. Thank you  
23 for considering our Application.

24 My name is Deron Lawrence and my business  
25 address is 735 Montgomery Street, Suite 400, San



1 Francisco, California 94111. And, apologize I'm not there  
2 in person to do this presentation.

3 Q. And, what, is your current occupation?

4 A. I'm an ecologist and I'm also the current  
5 lead Director at Longroad Energy.

6 Q. And, how long have you worked in the  
7 environmental field?

8 A. Well, I've got more than 20 years as an  
9 ecologist as well as permitting projects throughout the  
10 United States and in many countries around the world.

11 Q. Okay. You broke up there. Did you say 20  
12 years?

13 A. Yes, more than 20 years of experience.

14 Q. Okay, thank you. And, do you specialize in  
15 any particular area?

16 A. Yes. My background is ecology quality and so  
17 I look closely at biological resources for all of our  
18 projects but more broadly as the Permitting Director, I  
19 consider all the different resources that would affect our  
20 projects, any of our projects.

21 So, specifically, for the Mahi Project I  
22 worked really closely with G 70 team and all of our  
23 outreach partners and agencies to ensure that we have all  
24 the comments and consider all the different resources that  
25 we need to for the Project.



1 Q. Earlier Mr. Kraintz referenced a Glint and  
2 Glare study that was done for the Project. What can you  
3 tell us about that study.

4 A. The Glint and Glare study is something that  
5 we do for our solar projects it is a concern in many  
6 communities.

7 We follow the Federal Aviation Administration  
8 methodology that was developed for airports but is now  
9 being applied to all different receptors around a solar  
10 project boats and residences and commercial areas.

11 The Project Glint and Glare Study that was  
12 completed as you see on this map that unfortunately is  
13 behind you it shows there are three airports that are more  
14 than seven miles away. And, I'll just make a note that  
15 normally the FAA might you have more sort of consideration  
16 if an airport's within a mile. So, to say that these  
17 three receptors are you know quite far away from our  
18 Project and had no concerns about any glint or glare for  
19 any of the air flow traffic.

20 Q. Okay. Thank you.

21 What can you tell us about Archaeology.  
22 Mr. Kraintz mentioned an Archaeological Inventory Survey  
23 being completed for this property.

24 A. Yes. We had did complete an Archaeological  
25 Survey for the Project and that was done in compliance

1 with HRS 6E-42.

2 Q. And, was it submitted to the State Historic  
3 Preservation Division?

4 A. Yes, it was on April 6th, 2021.

5 If I could just add you know that AIS  
6 includes both desk top review for any resources previously  
7 identified in the area and a buffer around the Project.

8 It also is a field component where we look  
9 for any features in the fields. And, then, that work is  
10 being done in coordination with the Project Archaeologist  
11 and --

12 Q. Can you briefly summarize what the results  
13 of the AIS were.

14 A. Yeah, the, you know, the quick summary is  
15 that the Project is avoiding all potential significant  
16 features that were identified and that were identified  
17 outside of the Project.

18 There was one potentially rock pile that's  
19 being avoided down in the southern part of the Project  
20 area five and then the Waiahole Ditch is another feature  
21 that again was completely avoided for many projects  
22 impacts.

23 Q. Let's switch gears to biological resources  
24 now. Was a biological resource assessment done for the  
25 Project?

1           A.       Yes, they were.  And, similar to the AIS,  
2           that included a desk top review, field survey for species  
3           suitable habitat for species and then a report was  
4           generated that was also shared with Department of Stream  
5           Wildlife as well as U.S. Fish and Wildlife Service.

6           Q.       And, are there any endangered or threatened  
7           plants located in the Project area?

8           A.       No.  No.

9           Q.       What about endangered or threatened animal  
10          species within the Project area?

11          A.       So we looked really closely for any  
12          potentially endangered or threatened wildlife species  
13          because we know that a lot of people are really concerned  
14          about them and likewise I'm an ecologist so I'm also  
15          concerned that we treat these well.

16                    What we found are three species that we gave  
17          more focus the Hawaiian -- the Hawaiian Short-eared Owl or  
18          Pueo and then the Elepaio.

19                    These three species have potentially suitable  
20          habitat in the Project area.  And, so, based on those  
21          findings, we coordinated with the Fish and Wildlife  
22          Service and made sure that we came up with our own  
23          recommendations for the Project as well as following the  
24          guidance that was provided by Fish and Wildlife Service.

25                    MR. SAKUMOTO:  Thank you very much.

1 Mr. Chair, that actually concludes our  
2 presentation.

3 As I mentioned earlier, all of the witnesses  
4 that you heard today are available for any questions that  
5 the Commission may have.

6 We also have on-line other experts to answer  
7 any questions about their subject matter.

8 CHAIR LEE: Thank you, Mr. Sakumoto.

9 Commissioners, do you have any questions for  
10 the Applicant or his witnesses?

11 Any questions?

12 COMMISSIONER HAYASHIDA: Mr. Hayashida.

13 The Senator mentioned or prior measures  
14 taken?

15 MR. WESCOATT: Hello. This is Wren Wescoatt.  
16 This -- You're speaking of the Senator's -- the Senator's  
17 letter.

18 COMMISSIONER HAYASHIDA: Yeah.

19 MR. WESCOATT: So, I did have an opportunity  
20 to speak with Senator Fevella after that letter was  
21 written and explained about the Project.

22 One of the issues he asked about was fire.

23 And, we had explained that there's you know  
24 some concern about a previous fire at a battery facility  
25 in Kahuku which happened in, I believe, 2011.

1                   Since that time the whole battery industry  
2 has been -- has really moved toward a different technology  
3 of battery. There are more components in containers with  
4 fire suppression systems.

5                   So, all of that technology will be used in  
6 this Project to mitigate fire risk. And, then, more  
7 broadly we maintain a fire break inside the fence of all  
8 -- around all the solar areas both can prevent any fire  
9 from coming in to damage the panels as well as any  
10 additional fire going out.

11                   COMMISSIONER HAYASHIDA: Thank you.

12                   One more question. So we have all this open  
13 ag land, why would ag want to grow under panels or next to  
14 panels?

15                   MR. WESCOATT: I think our goal is to  
16 encourage farmers to work on this site which is why we're  
17 providing the land at a nominal cost and the water at a  
18 nominal cost essentially as well as start-up funding. So,  
19 we're encouraging farmers to come to use this site and  
20 farm on this site so that we can, you know, we can  
21 continue to learn and hopefully, that's the kind of  
22 investment that lowers their costs and they can be  
23 successful there by lowering land and water costs.

24                   COMMISSIONER HAYASHIDA: We -- If they have  
25 open land and lower water costs in these open lands,



1 wouldn't they be more successful?

2 MR. WESCOATT: Yeah. I guess it depends.  
3 We're providing the land essentially free, the water is  
4 essentially free so we're taking away some of their costs  
5 you know major costs, I think.

6 There's a lot of things that make farming  
7 difficult and we're trying to lower some of those  
8 barriers.

9 COMMISSIONER HAYASHIDA: Is it easier to farm  
10 open land than land with solar panels?

11 MR. WESCOATT: Yes. If that's your question,  
12 yes. But, I think that's why this is a compromise here.

13 COMMISSIONER HAYASHIDA: Okay.

14 CHAIR LEE: Thank you.

15 Any further questions, Commissioners?

16 COMMISSIONER KAMO: Commissioner Kamo. I  
17 have a question for the Applicant.

18 In one of the testimonies I recall reading  
19 that the solar arrays have a radio frequency which  
20 potentially could have conflicts with air travel.

21 Do you see that as a potential risk  
22 and do you have any input on how you might safeguard or  
23 mitigate that?

24 MR. WESCOATT: So, I am not familiar with  
25 anything like that at all. I've never heard of anything



1 like that occurring.

2 I would just ask my colleague Deron Lawrence  
3 are you -- is that something that you're familiar with,  
4 Deron?

5 MR. LAWRENCE: It is. If I could address the  
6 Commission to answer that question.

7 CHAIR LEE: Go ahead.

8 MR. LAWRENCE: Yes. Thank you.

9 What I -- What I would say is the NTIA has a  
10 coordination tool that we go through to ensure that any  
11 radio frequencies what we would use on the Project site  
12 would not interfere with not only interfere air traffic  
13 but also cell tower and microwave communication.

14 MR. WESCOATT: Is that a concern for our  
15 Project?

16 MR. LAWRENCE: I -- You know I could -- I  
17 will need to make sure that it's not. And, I'd need to go  
18 back and check and we see whether we did review that at  
19 this point or not.

20 At this point I think what I'd also say the  
21 nature of the lands and the lack of any immediate towers  
22 that we would have seen on the site are immediately  
23 adjacent I'm really confident it's not a problem.  
24 Normally, the issues occur when you do have a higher  
25 profile site like where you do see those towers would be

1 obvious and near the site.

2 And, in the case of the airports, I'm very  
3 confident they're not an issue because we don't have you  
4 know for example, a doppler radar station or any airports  
5 that are in immediately in the vicinity.

6 So, what I do want to go back and just review  
7 just would be just the microwave communication which again  
8 for panels that are only ten feet high at this point we  
9 haven't seen that a problem. We've only seen it  
10 potentially at something a site around wind towers but  
11 again not for a solar site.

12 MR. WESCOATT: Perfect. Thank you.

13 CHAIR: Any other questions?

14 COMMISSIONER CHANG: I do.

15 Hi. Commissioner Chang.

16 In some of the letters sent from the  
17 landowners where you plan to put your Project on said that  
18 agreements will be executed in the next several months and  
19 require that Mahi Solar post financial security to assure  
20 that sufficient funds are available to decommission the  
21 Project after operation and remove the equipment to  
22 restore the property.

23 Can you explain to us what are the agreements  
24 about and what is the security in place in order to make  
25 that happen?

1 MR. WESCOATT: Yes. For each of the -- This  
2 Project we're working with three different landowners.  
3 Right now we're working on leases for the Project site  
4 where -- and these are typically the leases are executed  
5 you know within the next you know before commercial  
6 financing so within the next seven to nine months.

7 The lease it's standard that the landowner  
8 wants to make sure that after the solar project is done  
9 you're going to remove everything you know that was  
10 involved with that project so they can have their land  
11 back to the way it was.

12 So, this -- That's called decommissioning  
13 other utility electrical equipment facilities.

14 So, that decommissioning process which takes  
15 about twelve months is required in our power purchase  
16 agreement with Hawaiian Electric. It's also required in  
17 each of our leases.

18 And, so, with the landowners they -- we have  
19 to also put up financial security in the form of a letter  
20 of credit or a bond or an escrow account so that if for  
21 some reason the developer you know the owner of the solar  
22 project is not able or doesn't remove everything, the  
23 landowner has access to those funds and they can use that  
24 funds to clean up their land.

25 So, in the case of the Project each of those

1 lease agreements is going to require -- is going to  
2 require of Mahi Solar to post some amount of money so that  
3 those funds are available for decommissioning.

4 That's equivalent to the number that  
5 Mr. Kraintz spoke about previously the 4.2 million dollars  
6 that's the cost to remove everything from the site and  
7 recycle the panels everything and return the land to its  
8 previous condition.

9 So that 4.2 million will be split between the  
10 landowners depending on how much acres of equipment that  
11 they have.

12 COMMISSIONER CHANG: Is there any financial  
13 burden for each of the landowners to leasing the land fee  
14 or would they be also financially rewarded in some form or  
15 fashion?

16 MR. WESCOATT: Yes, they're also -- They're  
17 all going to receive lease revenue for the Project. And,  
18 so, for many of the landowners -- for -- the landowners  
19 they're all farmers so all three of the landowners are  
20 agriculture you know they do agriculture themselves. What  
21 they have done is they've taken a portion -- a portion of  
22 their land the least productive and they're leasing that  
23 to us so they can make some revenue off of that part while  
24 they continue to farm the more productive portion of their  
25 land.

1                   So, yeah, they'll be getting lease revenue in  
2                   addition.

3                   COMMISSIONER CHANG: Thank you very much.

4                   CHAIR: Thank you.

5                   Any other questions, Commissioners?

6                   COMMISSIONER HAYASHIDA: I have one more.

7                   Commissioner Hayashida.

8                   So most of the previous approval we've given  
9                   have had grazing goats. Can you tell me how that  
10                  experience has gone. Has that worked and been successful?

11                  MR. WESCOATT: Yes. And, so, you know, I --

12                  Two of the projects that I was previously  
13                  involved in and came before this Commission we sought a  
14                  Special Use Permit to allow sheep grazing along with the  
15                  solar project, yeah.

16                  Both of those projects now have several  
17                  hundred sheep each. The herd is growing quickly you know  
18                  at each site and they represent the largest sheep ranch on  
19                  Oahu right now.

20                  So I think so far while it's still in its  
21                  very early stages so far it's been very successful.

22                  There's a lot of learning that's going on and  
23                  I believe too, you know, the goal is to become, for that  
24                  operation, for that rancher to be able to market you know  
25                  at a broader scale. So I think the goal is to grow the



1 herd he can have a steady stream of you know need to  
2 provide land and to process to restaurants, stores, etc..  
3 So it's going well. Still in the early stages. But we're  
4 -- there's over five hundred sheep on those two locations.

5 COMMISSIONER HAYASHIDA: Thank you.

6 CHAIR LEE: Okay, Commissioners, any other  
7 questions?

8 Okay, hearing none, thank you.

9 All right at this time we're going to start  
10 Public Testimony.

11 Telephone participants can press star six to  
12 unmute and mute themselves.

13 Please mute your devices except for when you  
14 testify and please use your outdoor voice so the Public  
15 and Commissioners can hear you clearly.

16 And, so, we ask for your patience as there  
17 may be a delay.

18 And, now, for the record, I want to ask  
19 Secretary Takara to take another roll call again.

20 Commissioners, please respond verbally when  
21 your name is called.

22 BY SECRETARY TAKARA:

23 Q. Chang?

24 A. Present.

25 Q. Hayashida?



1 A. Present.

2 Q. Kamo?

3 A. Present.

4 Q. Kinney?

5 A. Present.

6 Q. And, Lee?

7 A. Present.

8 THE CHAIR: All right, for a few weeks now  
9 we've been accepting written testimonies and it has been  
10 shared with all the Commissioners.

11 If -- I will ask, Gregg, is there anyone  
12 signed up to testify in person?

13 MR. CIELESS: Nothing --

14 CHAIR LEE: Okay. Nothing remotely. No one  
15 has signed up remotely to testify?

16 Secretary Takara, has anyone signed up to  
17 testify in person?

18 SECRETARY TAKARA: Not in person.

19 CHAIR: Okay. Well, that's good then.

20 All right, is there anyone who didn't sign up  
21 anywhere that wishes to testify?

22 Okay.

23 Hearing none, is there a remote registered  
24 speaker Earl Yamamoto that was signed up?

25 MR. YAMAMOTO: Yes.

1 CHAIR: Okay, do you wish to testify at this  
2 time?

3 MR. YAMAMOTO: Yes.

4 CHAIR: Okay, I'm going to ask that as a  
5 reminder this meeting is being visual and audio recorded  
6 and it will be posted at a later date so please state your  
7 full name. Spell both your first and last names and then  
8 start your testimony. And, if you've already submitted  
9 written testimony, please do not read or repeat it but  
10 summarise or add anything new that you might have.

11 Please go ahead.

12 EARL YAMAMOTO

13 MR. YAMAMOTO: Okay, my name is Earl  
14 Yamamoto, E-a-r-l, Y-a-m-a-m-o-t-o. I'm a Planner with  
15 the Hawai'i Department of Agriculture. And, I'm -- I'm  
16 here to present or summarize the testimony or the -- yeah,  
17 the testimony submitted by Chair Person  
18 Shimabukuro-Geiser.

19 CHAIR: Please go ahead.

20 MR. YAMAMOTO: Okay. Boy, it's going to be  
21 kind of hard to summarize my summary.

22 I think the -- the one key point I would like  
23 to make that I'll read off because it is important is our  
24 -- what was in our written comments to the Department of  
25 Planning and Permitting our concluding remark and which is

1 as follows:

2 The Departments strongly support -- The  
3 Department strongly encourages Mahi Solar to fulfill its  
4 commitments and assertions and go beyond the minimum  
5 statutory requirement of making the Project site available  
6 for agricultural activities at a lease rate that is at  
7 least 50 percent below the fair market rent for comparable  
8 properties.

9 The Department believes that research alone  
10 is not a satisfactory outcome nor is sheep use only for  
11 weed control.

12 The majority of the land area under the  
13 Project site contains some of the State's most potentially  
14 productive soils for intensive agricultural production.

15 The Department expects the research to be  
16 done by HARC the Hawai'i Agriculture Research Center  
17 along with the field trials with interested farmers to  
18 result in intensive agricultural activity on the Project's  
19 site.

20 We have extensive comments on some key things  
21 like -- like irrigation and water the availability of  
22 irrigation water. It's -- It's not -- It wasn't clear to  
23 me, I'm the reviewer of all the documentation that was --  
24 that was made available to us. And, without that  
25 irrigation water, the optimal agricultural use in that

1 area is -- is going to be -- it will not be possible  
2 especially during the windy and, you know, the windy and  
3 dry summer months.

4 So we have that recommendation about that the  
5 -- that the Applicant provide data and information on what  
6 maximum water demand, sources, storage, pumping, delivery  
7 and year round availability to all five project areas to  
8 be developed prior to Phase II of the agricultural plan as  
9 described in the Application.

10 Fencing, I believe, was covered by both the  
11 Applicant and DPP.

12 Yeah, and, it is important to separate in the  
13 case when there is any livestock being proposed for the  
14 Project area that fencing be provided to separate the uses  
15 the crop pipe whether it be off ground or in ground  
16 agricultural cultivation from -- from any livestock that  
17 may be -- may be located upon the same property.

18 Regarding the -- the agricultural plan, okay,  
19 Mahi Solar needs to make consistent its intention to make  
20 the research in Phase I of the plan and its Application by  
21 farmers and ranches in Phase II.

22 The -- Is -- It wasn't too clear -- too clear  
23 to me when I was reviewing both the -- the agricultural  
24 plan and then also conversing with Steve Walen (?) of HARC  
25 what exactly was going to be the outcome of this

1 relationship between HARC and the farmers.

2 Let's see.

3 The Department supports proof of concept as  
4 the best way to determine the suitability of the to be  
5 determined agricultural activities to be researched and  
6 field trialed by HARC that interested farming operations  
7 at the Clear Way Mililani Solar Facility.

8 Now, as far as I know that is the -- that's  
9 the plan.

10 With respect to the market for sheep and  
11 lambs, the Department understands that the Oahu's primary  
12 livestock slaughter facility that's the one out in  
13 Kalaeloa has expressed reluctance to offer services to  
14 hogs.

15 The Department is not aware that this  
16 reluctance applies to sheep and lambs.

17 The Department recommends that Oahu Grazers  
18 be the operation that the sheep under the two other solar  
19 energy facilities mentioned earlier during this broadcast  
20 to have Oahu Grazers confirm their agreements with their  
21 slaughter facilities.

22 While sales of sheep and lamb is not required  
23 by the sale of agricultural products that are grown under  
24 and around the Mahi Solar Facilities it's not required by  
25 State law.



1                   It is the generation of revenue by  
2     agricultural operators selling their agricultural products  
3     such as vegetables, melons, fruits, honey and so forth  
4     that will ensure continued agricultural activity. This is  
5     why is the Department focuses on the Application's  
6     references and commitments to infrastructure, research and  
7     field trials that affect agricultural operators and the  
8     establishment of the generation of their agricultural  
9     activities.

10                   The -- I'm wrapping up.

11                   The Department has read the -- the Hawai'i  
12     Agricultural Research Center's solar white paper which was  
13     made part of the agricultural plan and has every  
14     confidence the Hawai'i agricultural institution will  
15     follow through on their commitments to the best of their  
16     ability and produce data and information that will help  
17     those agricultural operators who are committed to the  
18     Project site be economically --

19                   That concludes my presentation.

20                   I'll be available for any questions.

21                   CHAIR LEE: Thank you, Mr. Yamamoto.

22                   Commissioners, are there any questions for  
23     Mr. Yamamoto?

24     BY COMMISSIONER CHANG: Commissioner Chang.

25                   Q.     Mr. Yamamoto, is it a concern for you that

1 you feel as each landowner leases out the property to Mahi  
2 Solar that they maybe now grow less agriculture produced  
3 less agriculture to the island? Is that what your concern  
4 is?

5 A. Well, as a matter of what you're familiar  
6 when you say less, you mean not -- not undertake it  
7 themselves and leave it to third party like Oahu Grazers  
8 or something like that or are you saying that the -- the  
9 agricultural activity footprint I believe it's one  
10 hundred acres was mentioned will be -- will somehow be  
11 diminished. I can't say that.

12 But it is a concern for the Department that  
13 -- that lands like this under their current condition  
14 which is open without any restriction you know these lands  
15 are unique not only out in the Kunia area but Oahu as well  
16 as the rest of the State their potential productivity  
17 which is why we -- we are paying particular attention to  
18 the any agricultural commitment being made. We want to  
19 make sure that it appears that it's not get glossed over  
20 later on and forgotten regardless of any conditions that  
21 may be placed upon the Applicant.

22 Q. So it's partly both of your concerns, right,  
23 one is the reduction of growing and the second is the  
24 limitation or farming out to a third party to grow on  
25 their behalf now? That's what it sounds like.

1           A.       Yes. I'm sorry, Commissioner Chang if it is  
2 -- if the Project -- if the Project's agricultural  
3 activity in the eventually turns out to be just sheep  
4 grazing of what you call organic weed control study then  
5 if the sheep are sold, and, right now, you know, I was  
6 looking for that, I was looking for that little bit  
7 somewhere in the report. I read -- tend to read reports  
8 from the cover page to the last sheet, and, I couldn't  
9 find any reference to the product the animals being sold.

10                       That's a concern for us.

11                       Again, the State law doesn't require that.  
12 The City may or may not have -- make that into a  
13 recommendation or condition but for the Department we  
14 would really like to see that.

15                       If products are only just grown what  
16 difference is that from landscaping?

17                       We would like to see the agricultural  
18 activities result in -- result in sales. I think we all  
19 would like to see that. It's appropriate for not only  
20 just agricultural lands or important agricultural lands  
21 just for this and to make -- to fulfill the intent of the  
22 law not to minimize the expectation but to fulfill the  
23 intent to the maximum extent that the City feels that is  
24 reasonable.

25           Q.       I see. Thank you. Commissioner Chang again.

1                   In certain states some County government  
2 whether it's County or State they but also Federal  
3 government they also give subsidies to farmers to take  
4 land out of production and they subsidize them with other  
5 tax benefits or financial benefits.

6                   Do you know if any of these landowners have a  
7 similar arrangement or are you familiar with that?

8                   A.       Yeah. On the mainland that's primarily for  
9 the major commodity crops cereals and grains.

10                   That's something I -- The processing we had  
11 was sugar cane where we had the sugar cane support among  
12 at the federal level but for the minimum crops the minor  
13 crops specialty crops as people call it there isn't  
14 something similar.

15                   COMMISSIONER CHANG: Thank you, very much,  
16 Mr. Yamamoto.

17                   MR. YAMAMOTO: You're welcome.

18                   CHAIR: Thank you.

19                   Commissioners, any further questions?

20                   Okay, hearing none, would the Applicant like  
21 to respond to the comments.

22                   WREN WESCOATT

23                   MR. WESCOATT: Wren Wescoatt, Longroad Energy.

24                   Yeah, we fully -- I mean the purpose of this  
25 agricultural plan is to work with local farmers and to you

1 know to be accountable for putting these lands into  
2 agricultural production. So we certainly are not trying  
3 to have a pet sheep and landscaping. The goal is that  
4 These farmers are going to be doing this for the money and  
5 so they -- we want them to be successful. And, we're  
6 fine, too, you know, we're going to be providing an annual  
7 report as part of this Project where we can report out on  
8 the type of agriculture going on, the -- what's working,  
9 you know, what's working successfully and that will, you  
10 know, be increasing year after year the Project as more  
11 and more agriculture gets -- is grown out on the Project.

12 CHAIR LEE: Commissioners, any questions for  
13 Mr. Wescoatt?

14 COMMISSIONER CHANG: Yes, sir.

15 Commissioner Chang.

16 BY COMMISSIONER CHANG:

17 Q. I think, and, I'm only guessing a portion  
18 of what Mr. Yamamoto is saying, I think his concern is  
19 that he would like to be comforted to know hat the  
20 agriculture production whatever so many pounds for  
21 whatever vegetable is not being reduced but at least keep  
22 a minimal amount and maybe and hopefully improve more  
23 supply to the island.

24 And, the second part is that in some business  
25 aspects I think the concern is that now that you'll be



1 leasing the land from various landowners that might give  
2 'em not working as hard and therefore reducing some  
3 production. That could be another risk as another  
4 investment of revenue on the operations.

5 And, finally, to make sure the landscape  
6 keeps us agriculture versus landscaping for just a nice  
7 grass and whatever lands that are available. And, I think  
8 that is one of his concerns there.

9 That's the thing if you could assure  
10 Mr. Yamamoto that, that would be helpful.

11 And, one final thing that I didn't touch upon  
12 was the irrigation thing so if you could kind of answer to  
13 that, that would be helpful.

14 MR. WESCOATT: Sure.

15 So, first of all, we are -- we are fully  
16 intending to -- the goal what we're going to be doing is  
17 providing the land, water and start-up funding to farmers  
18 so that they can be successful. The goal is for them to  
19 be commercially successful not we're not you know we're  
20 not paying them to farm. We're just lowering the cost so  
21 that they can come on and farm this land successfully.  
22 We're absolutely willing to commit to that. We were --  
23 That's what we're -- That's what this whole application is  
24 about.

25 We are you know right now there is about a

1 hundred acres in food production. Now, we're talking  
2 about our goal is five hundred acres goes into farming and  
3 food production not you know all of this stuff has to --  
4 you know the goal of the farm is to sell it to make money.  
5 We're not going to make money doing this on our property.  
6 We're just going to lower the cost so they can be  
7 successful as farmers. They're the experts not us, yeah.

8 And, then, here we go. So on the screen  
9 there's a chart that shows you know currently in food  
10 production there's 98 acres. And, then, the goal would  
11 there be 488.9 acres planned into agriculture for  
12 production. So quite a bit more acres.

13 There's a -- There's a portion that will be  
14 -- there is, you know, there's one portion the high  
15 voltage portion the substation in the battery yard that  
16 can't be farmed but that's just a small, very small  
17 fraction of the site.

18 And, then, I believe your final question was  
19 about irrigation.

20 COMMISSIONER CHANG: Yeah.

21 MR. WESCOATT: So, we have a -- That's a good  
22 question. We are still talking with the Kunia Water  
23 Association. We will be provide -- We are actually  
24 re-routing one of the lines in the Kunia Water Association  
25 area. We're -- So it will be a new section of line so

1 that everyone who has access will still have access and  
2 then the land that we are leasing which currently receives  
3 water from an allocation from Kunia Water Association, we  
4 will continue to receive that allocation and we will  
5 provide irrigation for every farmer on our site.

6 So the only change we made was the Department  
7 of Ag had suggested drip irrigation or soft hose  
8 irrigation. We just recommended we just say we'll provide  
9 irrigation because somebody might do hydroponic it's kind  
10 of different. So we didn't want to be like too specific  
11 paint into a corner. We want to make sure they get  
12 whatever kind of irrigation they want but we'll provide it  
13 to every farmer and rancher that's on the site.

14 COMMISSIONER CHANG: Thank you very much.

15 MR. WESCOATT: Thank you.

16 CHAIR LEE: Thank you.

17 Members, any further questions?

18 COMMISSIONER HAYASHIDA: Commissioner  
19 Hayashida.

20 BY COMMISSIONER HAYASHIDA:

21 Q. When you look at this as a developer the  
22 agriculture component is that a money maker or is that a  
23 lost leader where you guys are actually certain dollar  
24 amount of community benefit over 25 years?

25 A. Yeah. So, I guess when -- if we just look at

1 it strictly as a developer this makes this solar project  
2 really complicated. It's an additional cost for the solar  
3 project. But, I believe it's our responsibility, if we're  
4 using this type of agricultural land in Hawai'i that is --  
5 it is important that we make that additional investment.

6 So, it is, and, we -- So -- Mahi Solar is not  
7 going to make any money off of this. It's going to be a  
8 cost. So we are providing costs paying for the water and  
9 not charging much for the land just a -- it will just be a  
10 nominal amount and then provide start-up fund. So, it's a  
11 cost to the solar project but I feel it's worth it,  
12 definitely worth it you know for part of encouraging  
13 continuing farming on this land. It's not the perfect  
14 solar situation. It's is not the perfect farming  
15 situation. But we're in a place where we kind of have to  
16 look for creative solutions to work together.

17 Q. So, I mean you still could provide open land  
18 provide cheap leases and provide the water to farmers as a  
19 way to promote agriculture. It's still -- But it wouldn't  
20 be on their land it would be on land close by subsidized  
21 for farmers to use.

22 A. Somewhere else like off the site?

23 Q. Not far, yeah.

24 A. That could be done.

25 Q. All they need is cheaper land and water?

1 A. That could be done.

2 Q. Interesting.

3 A. Well, I think the law is we have to use this  
4 land for both at the same time. So we're trying to come  
5 up with a way -- you know, we're trying to do than when  
6 done in the past yeah.

7 COMMISSIONER HAYASHIDA: It seems like a odd  
8 regulation.

9 Okay. Thank you.

10 CHAIR: Any further questions?

11 COMMISSIONER CHANG: To just follow-up on  
12 Commissioner Hayashida.

13 Commissioner Chang again

14 BY COMMISSIONER CHANG:

15 Q. So, but, in the long run, obviously, you're  
16 going to net more than less so that you're profitable,  
17 right, I mean that's what we want to make sure. All these  
18 things that you're investing to the farmers agriculture we  
19 expect you to make money so that you'll be okay.

20 A. The solar farmer.

21 Q. Yeah. Right.

22 A. The solar farmers should still, you know, --

23 Q. Desirable.

24 A. But what I was saying is we're not -- the --  
25 when the rancher goes out and sells his sheep or the guy



1 goes out and sells his basil, he keeps all that money.

2 We don't get any revenue from the farming, right.

3 COMMISSIONER CHANG: Thank you.

4 MR. WESCOATT: Sure.

5 CHAIR LEE: Commissioners, any questions?

6 MR. LAWRENCE: Sorry, Mr. Chairman, this is  
7 Deron Lawrence.

8 Could I add to Mr. Wescoatt's response.

9 CHAIR LEE: Please go ahead.

10 DERON LAWRENCE

11 MR. LAWRENCE: I just want to add you know  
12 working internationally this question of dual use is  
13 coming up in many, many agricultural areas throughout the  
14 country. And, I can just say when I think of my  
15 colleagues National Energy Laboratory, Department of  
16 Energy, the Lab and a number of the developer colleagues  
17 many of us are exploring dual use both in the United  
18 States and around the world.

19 We recognize that it is an emerging and  
20 challenging dual use but it's something that we think more  
21 and more is the future. And, so, while there's a cost in  
22 the operational phase especially to manage and assess and  
23 ensure things are working we see this is possible because  
24 we recognize that solar does take up a lot of acres of  
25 land. And, you know, I think over the next many decades

1 we think there will be a lot of acres of solar so we want  
2 to be productive and respectful of the prior agricultural  
3 value while also being able to produce energy.

4 Thank you. I just wanted to add that.

5 CHAIR: Thank you.

6 Mr. Kraintz.

7 MR. KRAINTZ: Thank you. Franz Kraintz,  
8 DPP.

9 I would just like to add to the comments have  
10 been provided.

11 From the Department's standpoint assurances  
12 to make sure that the agricultural efforts are undertaken  
13 in this fashion, you'll find in the conditions of your  
14 proposed conditions recommendations of the SUP Conditions  
15 1 and 2 particularly.

16 And, they address, I think, Mr. Yamamoto's  
17 concerns as best as possible.

18 The irrigation waters Condition 10 E -- I'm  
19 sorry, that's 1 C as well and the data on the water  
20 source will be provided under annual reports under  
21 Condition 10 E.

22 And, the fencing was under 1 D and the ag  
23 plan again, Conditions 1 and 2.

24 We really think at least without being too  
25 prescriptive trying to make sure.

1 I mean, of course, if it doesn't then they  
2 have to come back and answer to you.

3 CHAIR: Thank you, Mr. Kraintz.

4 BY CHAIR:

5 Q. Mr. Wescoatt, I just wanted to clarify with  
6 your Project beside acres shall be net increase of ag  
7 production versus the existing condition?

8 A. That is correct. So, -- So, currently, we're  
9 just talking about food production specifically. We're  
10 going to be going from about a hundred acres to about five  
11 hundred acres.

12 Q. Well, I'm talking not just in terms of  
13 acreage use but actual output production. Do you foresee  
14 that there will be a net increase?

15 A. I believe there will be a net increase.  
16 Yeah, I believe there will be a net increase.

17 CHAIR: Thank you.

18 Any further questions, commissioners?

19 COMMISSIONER: None.

20 COMMISSIONER: None.

21 CHAIR: Okay. Thank you. Thank you,  
22 Mr. Wescoatt.

23 All right, is there anyone else who wishes to  
24 give public testimony either here in the auditorium or  
25 remotely.

1 I know that the Hawai'i State Energy Office  
2 had signed up.

3 Is there any representative there ready to  
4 testify?

5 Okay.

6 MR. BLACK: Chair.

7 THE CHAIR: Okay, please, go ahead,  
8 Mr. Black.

9 CAMERON BLACK

10 MR. BLACK: Good afternoon, Chair,  
11 Commissioners, and, everyone else there.

12 I was out there my name is Cameron Black,  
13 C-a-m-e-r-o-n B-l-a-c-k the Renewable Energy Program  
14 Manager at the Hawaii State Energy Office.

15 And, thanks for opportunity to add to our  
16 written testimony. I'll try not to repeat much of what  
17 was provided.

18 We appreciate a lot of aspects to this  
19 Project such as agricultural topics that we just or that  
20 you folks just discussed.

21 My testimony is going to focus on the energy  
22 aspects only and I'll try not to sound like a drone use my  
23 testimony here.

24 You heard about the 100 percent Renewable  
25 Energy Mandate by 2045. In case you're wondering in 2020

1 the State reached just over 36 percent renewable energy  
2 collectively across all the islands.

3 In 2020 looking at Oahu, Oahu reached almost  
4 31 percent renewable energy generation again 2020 which is  
5 good progress but this means we still have to replace over  
6 65 percent of Oahu's fossil fuel electricity in the next  
7 23 and a half years to reach that goal.

8 In addition, it's a significant energy  
9 reduction and efficiency.

10 According to the U. S. Department of Energy  
11 in 2019 over 90 percent of Hawai'i's crude oil came from  
12 two countries Russia and Libya. The remaining 9 percent  
13 came from South Sudan and Argentina.

14 Since 2010 crude oil has also been imported  
15 to Hawai'i from South East Asia and the Middle East.

16 In addition to crude oil, Hawai'i imports its  
17 petroleum products such as gas fuel, propane and those  
18 come from diesel fuel from Asia, the Caribbean and South  
19 America.

20 We'll be getting into the gist of my  
21 testimony a bit.

22 What's important to Hawai'i we refine finish  
23 good petroleum products are transported throughout the  
24 Hawaiian Islands by barge.

25 In addition to the environmental, ecological,



1 and supply chain in this the oil prices fluctuate  
2 unpredictably and are forecasted to increase in the coming  
3 years.

4 As was brought up already today, Oahu's only  
5 coal plant 180-megawatt facility at Campbell Industrial  
6 Park provides around 12 to 16 percent of Oahu's electrical  
7 energy every year. Much of the coal from this power plant  
8 comes from Indonesia.

9 The coal mining operations cause rain forest  
10 destruction and water pollution and increase the air  
11 pollution.

12 Oahu's coal plant is the second highest  
13 single stationary source of Greenhouse conditions in  
14 Hawai'i behind the Kahi Power Plant and it generates about  
15 19 percent of our State wide GHT from power plants and  
16 refinery.

17 This coal plant is scheduled to be retired on  
18 September 1st, 2022, as prohibited by State law from  
19 operating after December 2022.

20 In addition to retiring the coal plant, in  
21 2024 Hawaiian Electric is planning to retire two of it's  
22 Waiiau fossil fuel generating units totalling over  
23 90-megawatts.

24 This means a considerable amount of Oahu's  
25 fossil fuel generation must be replaced by renewable

1 energy in the next four or five years to maintain  
2 electrical reliability while keeping us on pace with our  
3 renewable energy goals.

4 We believe the Mahi Solar Project is a  
5 critical project for our energy transformation met its  
6 role relative to end the use of coal and petroleum for  
7 electricity in Hawai'i.

8 Of the nine million solar plus storage  
9 projects now being developed proposed on Oahu including  
10 80 S 1 West Oahu one you folks brought up earlier the Mahi  
11 project is the largest in capacity. It's twice as large  
12 as the biggest project.

13 As you heard, if built, the project can  
14 provide around 4 percent of Oahu's annual energy need at a  
15 fixed price for 25 years

16 Last month Longroad informed the Public  
17 Utilities Commission of its intention to move up their  
18 development timeline to as early as July 2023 to help  
19 mitigate any potential reliability risk caused by the  
20 retirement of the coal plant which also depends on the  
21 development of the other 8 or plus storage projects and  
22 the stand alone battery project proposed in Kapolei.

23 Meeting this earlier commercial operation  
24 would require that the earliest project by all appropriate  
25 regulatory agencies and stakeholders including the public.

1 We hope this project receives your approval  
2 or the SUP receives your approval and we ask that the  
3 Planning Commission at least keep a timely decision so  
4 that all involved can integrate your decision into how we  
5 as an island move forward on the coal plant and other  
6 projects involved.

7 I'd be happy to answer any questions you  
8 have.

9 Thank you.

10 CHAIR: Thank you, Mr. Black.

11 Any questions for Mr. Black?

12 Okay, I want to ask the court reporter how  
13 you doing? Do you need a rest?

14 Okay. Great. Thank you.

15 MR. BLACK: Oh, I'm sorry.

16 CHAIR: Sorry. Do you want to say anything.

17 Mr. Black: I apologize to the court reporter  
18 for rambling on like that.

19 CHAIR: She's obviously quite talented.

20 Thank you.

21 All right, is there anyone else who wishes at  
22 this time to give public testimony either here in the  
23 auditorium or remotely?

24 Okay, hearing none, is there a motion now to  
25 close the public testimony portion of this meeting?

1 COMMISSIONER HAYASHIDA: Commissioner  
2 Hayashida, motion to close public testimony.

3 CHAIR: Is there a second?

4 COMMISSIONER KAMO: Commissioner Kamo second.

5 CHAIR: Okay, it's been moved and seconded.  
6 Any discussion?

7 Hearing none, I'll ask Secretary Takara to  
8 take roll call vote.

9 BY SECRETARY TAKARA:

10 Q. Chang?

11 A. Present.

12 Q. Hayashida?

13 A. Present.

14 Q. Kamo?

15 A. Aye.

16 Q. Kinney?

17 A. Present.

18 Q. Lee 5-0

19 CHAIR LEE: Aye. I think we're supposed to  
20 say aye.

21 COMMISSIONER KINNEY: Aye.

22 CHAIR: Motion.

23 Okay, present and we agree, all right.

24 Thank you, everyone. At this time the  
25 Commission declares the public testimony portion of this

1 meeting closed.

2 Is there any motion now to recommend  
3 approval, deny or approve of conditions or restrictions  
4 the Application of the Ewa District State Special Use  
5 Permit 2020-SUP-7 Mahi Solar, LLC.?

6 COMMISSIONER HAYASHIDA: Commissioner  
7 Hayashida.

8 Recommend approval of the Ewa District  
9 Special Use Permit 2020-SUP-7 Mahi Solar, LLC. as the DPP  
10 approved and with recommendation to DPP.

11 CHAIR: Thanks. It's been moved.

12 Is there a second?

13 COMMISSIONER KAMO: Commissioner Kamo.  
14 Second.

15 CHAIR: All right, it's been moved and  
16 seconded. Is there any discussion?

17 COMMISSIONER CHANG: None from Commissioner  
18 Chang.

19 CHAIR: Any discussion?

20 Okay, hearing none, I'll now ask Secretary  
21 Takara to conduct a roll call vote.

22 BY SECRETARY TAKARA:

23 Q. Chang?

24 A. Yes. Here.

25 Q. Hayashida?



1 A. Aye.

2 Q. Kamo?

3 A. Aye.

4 Q. Kinney?

5 A. Aye.

6 Q. And, Lee?

7 CHAIR: Chair votes, yes.

8 After this vote of recommendation, the  
9 Petitioner and Applicant will prepare a Proposed Findings  
10 of Fact, Conclusions of Law and Decision and Order for  
11 Adoption by the Planning Commission at a later date.

12 All right.

13 MR. SAKUMOTO: Yes, chair.

14 CHAIR: Thank you.

15 Any there any announcements by DPP or the  
16 Commissioners at this time?

17 Okay, hearing none is there a motion now for  
18 adjournment.

19 COMMISSIONER HAYASHIDA: Commissioner  
20 Hayashida.

21 Move for adjournment.

22 THE CHAIR: Is there a second?

23 COMMISSIONER KAMO: Commissioner Kamo.

24 Second.

25 CHAIR: All right, moved and seconded,

1 Secretary Takara, can you take the roll vote on  
2 adjournment.

3 BY SECRETARY TAKARA:

4 Q. Chang?

5 A. Yes.

6 Q. Hayashida?

7 A. Yes.

8 Q. Kamo?

9 A. Aye.

10 Q. Kinney?

11 A. Aye.

12 Q. And, Lee?

13 A. Yes.

14 CHAIR: All right, this meeting is adjourned.

15 The time is 3:14 P.M.

16 Thank you, everybody.

17 VOICE: Thank you very much.

18 VOICE: Thank you.

19 (Proceedings concluded.)

20 --oOo--

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

STATE OF HAWAI'I )  
CITY AND COUNTY OF HONOLULU ) SS.  
\_\_\_\_\_)

I, MARY BETH W. KUNIHIRO, RPR, HI CSR#234,  
hereby certify that the foregoing pages 1 through 82,  
comprise a full, true and correct transcription to the  
best of my ability, of my stenographic notes taken in the  
above-entitled cause.

Dated this 15th day of July, 2021.

  
\_\_\_\_\_  
MARY BETH W. KUNIHIRO, RPR, HICSR#234

City and County of Honolulu Planning  
Commissioner Meeting; June 23, 2021;  
M. Kunihiro