

**STATE OF HAWAII
HAWAII COMMUNITY DEVELOPMENT AUTHORITY
KALAELOA MEETING**

Wednesday, April 7, 2021

MINUTES

I. CALL TO ORDER/ROLL CALL

The Hawaii Community Development Authority (“Authority” or “Board”), a body corporate and a public instrumentality of the State of Hawaii met virtually (utilizing the state-supported Zoom Meeting platform) for a meeting on April 7, 2021.

Board Chairperson, John Whalen, called the meeting to order at 1:33p.m.

Those present were as follows:

Members Present: John Whalen, Chairperson
Shirley Swinney
Maeda Timson
David Rodriguez, DOT (Ex-Officio)
Craig Hirai, B&F (Ex-Officio)
Chason Ishii
Mitchell Tynanes
Dawn Apuna, DPP (non-voting)

Members Excused: Wei Fang
Daniel Ikaika Ito

Legal Counsel: Kelly Suzuka, Deputy Attorney General

Staff Present: Deepak Neupane, Executive Director
Tesha Malama, Director of Planning and Development -
Kalaeloa
Garet Sasaki, Administrative Services Officer
Craig Nakamoto, Compliance Assurance & Community
Outreach Officer
Francine Murray, Program Specialist
Tommilyn Soares, Secretary to the Executive Director

A quorum was present.

Acknowledgement that the Meeting is Being Convened Virtually

Chair Whalen reiterated the wording contained in the Meeting Agenda regarding the state’s response to the COVID-19 pandemic, the state’s efforts to slow the community spread of the virus and Governor David Y. Ige’s issuance of

Supplementary Emergency Proclamations which suspended Chapter 92 of the Hawaii Revised Statutes to the extent necessary to enable public boards and commissions to conduct business without holding meetings open to the public.

With regard to the foregoing, Chair Whalen reiterated wording contained in the Meeting Agenda noting that HCDA welcomes public attendance via the Zoom link, and HCDA's YouTube Channel contained in the meeting agenda, HCDA also welcomes public comment and public participation via submission of written and or verbal testimony (consistent with the social distancing guidelines and Emergency Proclamation directives in effect).

Chair Whalen stated that individuals from the public who have requested to provide testimony are on standby and will be permitted to speak during the public testimony session of the specific agenda item.

II. APPROVAL OF MINUTES

1. Regular Meeting Minutes of March 03, 2021

The minutes were approved as presented.

III. INFORMATION & DISCUSSION

2. Presentation by Arion Energy LLC on the Kalaeloa Home Lands Solar Project

Mr. Neupane introduced Mr. David Robichaux from Arion Energy. Mr. Robichaux provided the presentation by Arion. He gave a general overview of the following:

- The history and background of Arion Energy LLC.
- A general description of the location of the parcel and the surrounding area, and how it fits in to the rules of the Kalaeloa Community Development District (KCDD).
- Arion's proposed use of the property and the future outcomes of the development.
- Considerations regarding the view plane and beneficiaries of the project.
- An overview of the permit requirements the project will require and how the project will conform to the rules of the KCDD.

Chair Whalen asked Mr. Robichaux whether there are exemptions regarding the permitting requirements due to the fact that the property belongs to the Department of Hawaiian Home Lands (DHHL). Mr. Neupane and Ms. Malama answered that DHHL wishes for this project to go through the permitting process with HCDA. Ms. Malama added that DHHL is having all solar-related projects complete this process.

Member Timson asked what type of fence Arion plans to have surrounding the property. Mr. Robichaux answered that their current plan is to initially have a chain link fence and plant vegetation. As the vegetation grows to an appropriate height they plan to remove the chain link fence with the overall goal being to block the view of what lies within the property.

Regarding the need for annual allocation from HECO, Member Swinney asked what would happen if Arion were not selected for this allocation. Mr. Robichaux noted that they have received their first allocation. He affirmed his confidence in their ability to receive the additional allocations in the future. Member Swinney asked if Arion would continue with their lease and services even if the allocation were not given. Mr. Robichaux confirmed this to be correct, but again stated his confidence and noted that he would be surprised if they did not receive additional allocation. Mr. Nick Azari, CEO of Arion Energy LLC, commented that Arion stands confident in their ability to get allocation due to HECO's need for renewable energy on the island of O'ahu.

Member Swinney asked to confirm that there were no archeological sites on the property and that the Hawaii State Historic Preservation Division (SHPD) has approved. Mr. Robichaux confirmed that Arion used a professional archeologist and that SHPD has given them their certification.

Public Testimony

There was no public testimony provided.

3. Presentation by the Kalaeloa Heritage and Legacy Foundation on its 2020 Annual Report

Member Swinney made a motion to defer discussion this item to a later date.

Member Timson seconded.

Chair Whalen conducted a voice vote; the motion passed unanimously.

Public Testimony

There was no public testimony provided.

4. Presentation by Hunt Companies Hawaii on its Veterans Administration Clinic Project in the Kalaeloa Community Development District

Mr. Steve Colon, President of Hunt, Hawaii Division, opened the presentation. Mr. Colon's portion of the presentation included the following information:

- An overview of the activities Hunt is involved with.
- Announcing their involvement in the development of a new Veterans Affairs (VA) clinic on Parcel 1.
- Hunt's commitment to the upcoming developments and dedication to bettering Kalaeloa.

Mr. Colon then introduced Mr. Thomas Lee, Senior Vice President of Development, to carry out the remainder of the presentation. Mr. Lee's portion of the presentation included the following information:

- Details of the VA Advanced Leeward Outpatient Health Care Access (ALOHA) project.
- A timeline of the project as sanctioned by the VA and how HCDA will be involved in the process.

- The preparation Hunt has done with HCDA staff prior to getting chosen by the VA to develop this project.
- The next steps for Hunt and HCDA moving forward.

Both Mr. Colon and Mr. Lee emphasized the quick timeline of the project that was given as a requirement by the VA and noted the importance of HCDA's cooperation and support in completing the project in a timely manner.

Member Timson asked Mr. Neupane and Ms. Malama to affirm their commitment and the commitment of HCDA staff to work closely with Hunt in order to stick to the given time constraints. Mr. Neupane confirmed his confidence in himself and HCDA staff to continue to work closely with Hunt to achieve their goals in a timely manner.

Chair Whalen asked if the process can be expedited because it is a federal project and if federal supremacy can be exercised. Mr. Neupane stated his understanding is that the land is owned by Hunt, therefore he is unsure if federal supremacy clause could be used to override the HCDA permitting process. He stated his confidence in the efficiency of the permitting process based on previous instances. Mr. Neupane acknowledged the challenge of the completion of a History Preservation Review by the Hawaii State Historic Preservation Division (SHPD). He noted that the permitting process cannot begin until the completion of this review.

Ms. Malama confirmed that because the property is owned by Hunt and is in fee, the federal supremacy clause would not apply. She then affirmed her confidence in HCDA's ability to work with Hunt to adhere to the necessary timeframe. She noted that HCDA staff has been in communication with SHPD regarding their review. Mr. Neupane confirmed reaching out to SHPD and noted that he previously advised Hunt staff to reach out as well. Chair Whalen asked if the time between the required hearings can be shortened. Mr. Neupane confirmed it could be done if HCDA and Hunt can reach an agreement on a shortened timeframe for that.

Member Timson asked if there were any takeaways from the development of the FBI building in Kalaeloa that can be applied to this development. Mr. Neupane stated that the FBI building was built prior to the Kalaeloa rules were in place, therefore, they were not required to go through the HCDA permitting process. Mr. Lee added the process may be held up due to the design elements that have been prescribed at the Federal level that differ from the HCDA rules in place. He used the example of the VA asking for double the amount of parking spaces than required by HCDA. He noted that it may be more acceptable for certain elements, like parking, to be waived rather than a blanket exemption. Mr. Neupane stated there is a provision in the Rules of Practice and Procedure that would allow an applicant to request waiver from provisions of the rules, which would be granted by the Authority.

Member Swinney asked if the extension of Kamokila Boulevard will be part of the infrastructure of this project. Mr. Lee confirmed this to be correct. Member Swinney asked if it would be one of the first things done on the project. Mr. Lee confirmed this to

be correct as well. He added stating that the infrastructure will be to service all of Parcel 1, including the VA clinic and the Gentry Homes residential community development that had been discussed in the March 3, 2021 meeting.

Member Swinney asked if there will be walking paths along the perimeter of and within the VA clinic lot for use by the future nearby residents. Mr. Lee stated the lot itself will be surrounded by sidewalks. He noted, however, within the lot, the walkways will be meant to service patrons of the clinic, rather than the general public. He added that the VA will most likely want to operate a secure site. Member Swinney asked Mr. Lee to consider walkways for the nearby community to the degree that is possible.

Referencing a visual rendering from the presentation, Member Swinney asked if there were solar panels on the roof of the development. Mr. Lee answered yes. Member Swinney asked if their plan is to have solar panels on the rooftops. Mr. Lee confirmed this to be correct.

Public Testimony

There was no public testimony provided.

IV. REPORT OF THE EXECUTIVE DIRECTOR

5. Monthly Reports and Other Status Reports

Mr. Neupane and Ms. Malama chose to stand on the written report as it was presented.

There were no questions or comments from board members regarding the report.

Public Testimony

There was no public testimony provided.

V. ADJOURNMENT

There being no further comment or questions on the Report of the Executive Director, Chair Whalen thanked those who joined the meeting on Zoom and adjourned the meeting at 2:45p.m.

Chairperson

Date