

Minutes of a Regular Meeting  
of the Members of the  
Hawaii Community Development Authority  
State of Hawaii

Wednesday, October 4, 2017

**KALAELOA BUSINESS**

**I. CALL TO ORDER/ROLL CALL**

A regular meeting of the Kalaeloa Members of the Hawaii Community Development Authority (Authority), a body corporate and a public instrumentality of the State of Hawaii, was called to order by Chair Whalen at 10:44 a.m. October 4, 2017 at the Authority's principal offices at 547 Queen Street in Honolulu, Hawaii, pursuant to Article IV, Section 1 of the Authority's Bylaws.

Members Present:

1. Shirley Swinney
2. David Rodriguez
3. Beau Bassett
4. Wei Fang
5. Mary Pat Waterhouse
6. John Whalen
7. Kathy Sokugawa (non-voting)
8. Derek Kimura (non-voting)

Members Absent:

Mike Golojuch, Sr.  
Maeda Timson  
Laurel Johnston

Others Present:

Deepak Neupane, Kakaako Planning Director  
Lindsey Doi, Asset Manager  
Garett Kamemoto, Communications and Community Outreach Officer  
Francine Murray, HCDA Program Specialist  
Lori Sunakoda, Deputy Attorney General  
Tommilyn Soares, Secretary

**EXHIBIT O**

## II. APPROVAL OF MINUTES

Minutes for the August 2, 2017 and September 6, 2017 meetings were approved as presented.

## III. ACTION ITEMS

**Shall the Authority Approve a Findings of No Significant Impact for the Final Environmental Assessment for the Proposed Aloha Solar Energy Fund II Project in the Kalaeloa Community Development District, Tax Map Key Parcel: 9-1-013:070 and Portion of 30-foot-wide State of Hawaii, Department of Transportation Highway along Coral Sea Road, in Accordance with Hawaii Revised Statutes Chapter 343?**

Ms. Tesha Malama presented the report provided in the board packet and noted that Mr. Ryan McCully of Aloha Solar Energy Fund II, and Mr. Kawika McKeague of Group 70, consultant that prepared the final Environmental Assessment was available to answer questions.

Chair Whalen asked if there are any security requirements regarding stewardship for the preservation parcels.

Ms. Malama explained that pursuant to Hawaii Revised Statutes Chapter 343 the consultant mapped out approximately 20 acres for the solar project and 20 acres of preservation and that the entire perimeter (40 acres) will be enclosed with fencing. The consultants are working with SHPD to finalize the preservation and burial treatment plan. She also noted that the cultural descendants to the preservation sites have requested not publicizing those specific sites and, that any requests to visit those sites will require approval from the organization of the project.

Member Swinney stated that she understood of the 40 acres, 23 are considered as preservation and asked if there will be separate fencing for the specific preservation sites.

Mr. Kawika McKeague of Group 70 and Mr. Ryan McCully of Aloha Solar Energy Fund II, explained that the recommendations in place are to fence the perimeter of the entire parcel (40 acres) but noted that specific discussions for the preservation sites are on-going; however, the recommendation is for a 10-foot buffer surrounding each preservation site and another 10-foot buffer for the construction site.

Chair Whalen stated that the Environmental Assessment is required under HRS 343 and the purpose is to provide adequate disclosure for any decision regarding a parcel and asked if there were any development permit applications.

Ms. Malama responded that the development permit is in its process and hopes to schedule the public hearings by the end of January 2018; however, before conducting the public hearings the lease terms will require board approval. She also noted that the approval of the findings of no significant impact to the final Environmental Assessment fulfills one of the requirements before issuing a lease.

Member Bassett referred to the 2014 SHPD letter that outlines the sites and its recommendations and believes it is a response to a letter; however, he did not see a response letter to the Final Environmental Assessment, and was also not clear on the data recovery plan.

Mr. McKeague explained the 2014 approval letter from SHPD is in response to the Environmental Impact Statement that was conducted in 2013, which conditions include recommendations for the preservation plan, burial treatment plan, monitoring plan and data recovery plan. He also explained the data recovery plan includes information on a plane crash site and that additional information was not conducted for the site because that parcel will be preserved.

Member Bassett stated he would like to see, in writing, the protection of preservation before determining a FONSI.

Ms. Malama explained that the preservation plan is not a requirement under HRS Chapter 343. She explained the preservation plan information can be outlined and included in the staff report that will be prepared for discussion on the lease.

Member Bassett stated that he would like to see the discussion on the preservation plan in writing before making the determination of no significant impact.

Mr. McKeague explained that if the board moved to approve the FONSI decision, the requirements outlined in SHPD's HRS 6E would still be required for the project to move forward. The preservation plan will be reviewed and voted on by the Oahu Burial Council that is scheduled in mid-November 2017.

Mr. Garrett Kamemoto stated that the board will have an opportunity to review all documents and provide recommendations during the development permit review process; however, the FONSI decision on the final Environmental Assessment is a disclosure document and that details on the preservation plan will be forthcoming during the development permit process.

Member Bassett motioned for the board to enter executive session to consult with the HCDA's Deputy Attorney General.

Member Waterhouse seconded.

Chair Whalen conducted a voice vote. All member unanimously approved.

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Pursuant to Section 92-5 (a) (4), Hawaii Revised Statutes, the Authority convened in Executive Session at 11:18 a.m.  
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Chair Whalen reconvened the meeting at 11:31 am.

Chair Whalen asked if there were any other questions or discussion by the board members.

There was no comments or questions by board members.

There was no public testimony.

Member Swinney motioned for the board to approve a finding of no significant impact for the final environmental assessment for the proposed Aloha Solar Energy Fund II project in the Kalaeloa Community Development District, tax map key parcel: 9-1-013:070 and portion of 30-foot-wide State of Hawaii, Department of Transportation Highway along Coral Sea Road, in accordance with Hawaii Revised Statutes Chapter 343.

Member Fang seconded.

Chair Whalen asked if there was any discussion on the motion.

Member Bassett noted that at this stage he would not vote in favor of a FONSI on the final Environmental Assessment. He also noted that as SHPD required (in 2014) a preservation plan, and although work has been done, it is lacking a written preservation plan. He stated he would also like to see the permitted fencing, that was discussed, in writing. He would be open to a request to postpone today's decision, otherwise he will be voting no on the item.

There were no other comments.

Ms. Tesha Malama conducted the roll call vote. Motion passed with 5 ayes, 1 nay, and 3 excused.

**Shall the Authority Authorize the Executive Director to Execute a Three Year (February 1, 2018 to January 31, 2021) Memorandum of Agreement with the Department of Hawaiian Home Lands and Expend Kalaeloa Community Development Revolving Funds in a Total Amount Not to Exceed \$70,000.00 for the HCDA's Rental of Office Space for the Hawaii Community Development Authority's Kalaeloa Field Office?**

Ms. Malama presented the report included in the board packet and noted the budget includes an increase of \$5,000.00 for any unanticipated increase in cost.

Chair Whalen asked if the cost of DHHL's Hale Pono'i conference room is included in the total cost.

Ms. Malama responded yes, it includes the rental of the Hale Pono'i facility and noted that the Community members have requested the Kalaeloa board meetings be held in Kalaeloa; therefore, the cost for the facility has been included. Ms. Malama stated that she anticipates a few public hearings that will be held in Kalaeloa at Hale Pono'i.

Member Swinney asked if the agreement with DHHL is renewed yearly.

Ms. Malama responded yes, DHHL renews a Memorandum of Agreement yearly; however, the Authority agreed to conduct a 3-year approval.

There was no other questions or discussion by board members. There was no public

testimony.

Member Swinney made a motion for the board to authorize the Executive Director to execute a three-year (February 1, 2018 to January 31, 2021) Memorandum of Agreement with the Department of Hawaiian Home Lands and expend Kalaeloa community development revolving funds in a total amount not to exceed \$70,000.00 for the HCDA's rental office space for the Hawaii Community Development Authority's – Kalaeloa Field Office.

Member Bassett seconded.

Ms. Malama conducted the roll call vote. Motion passed with six votes and 3 excused.

#### **IV. REPORT OF THE EXECUTIVE DIRECTOR**

Ms. Malama highlighted the Kalaeloa Energy Project details and the anticipated timeline and stated the Project was received and accepted well by the community.

Member Swinney asked if the Landowners assessment is lagging.

Ms. Malama responded that the updates could not make it into the packet; however, a few full payments were received and have now collected approximately 90% of the assessments.

Member Waterhouse asked, in regard to the flight noise from the Coral Crater helicopter tours, if there was anything in writing from Blue Hawaiian Helicopters.

Ms. Malama stated, that project does not fall under the purview of the HCDA as that parcel is leased through the Navy; however, the Kalaeloa rental project will be meeting with the Project owners to follow up on the noise level the project will create. She also noted that all FAA requirements were met and approved.

Member Waterhouse commented regarding the Kalaeloa site tours under the Administrative Matters section, that staff not commit to any requests per the financial status of HCDA.

Ms. Malama confirmed that these tours are to confirm parcels and its landowners.

Member Swinney asked if any organizations are interested in pursuing a lease, would that follow an unsolicited process?

Ms. Malama stated that staff will first determine who the landowner is.

There was no further questions or discussion from board members

There was no public testimony.

## V. ADJOURNMENT

Chair Whalen adjourned the meeting at 11:53 AM.

Respectfully Submitted,

/s/

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John P. Whalen, Chair

DEC 06 2017

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Date Board Approved