MEETING OF THE PLANNING COMMISSION
Minutes
Wednesday, February 3, 2016

The Planning Commission held a meeting on
Wednesday, February 3, 2016, at 1:33 p.m., at the Mission
Memorial Conference Room, Mission Memorial Building, 550
South King Street, Honolulu, Hawaii. Chair Hazama presided.

COMMISSIONERS PRESENT:
Dean I. Hazama, Chair
Cord D. Anderson, Vice Chair
Arthur B. Tolentino
Daniel S. M. Young
Ken K. Hayashida
Wilfred A. Chang, Jr.
Theresa C. McMurdo

COMMISSIONERS EXCUSED:
Kaulani K. Sodaro
Steven S. C. Lim

COMMISSION STAFF:
Gloria Takara
Secretary-Hearings Reporter

DEPUTY CORPORATION COUNSEL:
Jennifer D. Waihee-Polk

DPP REPRESENTATIVE:
Franz Kraintz, Staff Planner

1 PUBLIC HEARING:

KUNIA, CENTRAL OAHU - STATE SPECIAL USE PERMIT - 2015/SUP-4.
HAWAII AGRICULTURE RESEARCH CENTER AND SOLAR HUB UTILITIES, LLC
Chair Hazama: Next on the agenda is public hearing, Kunia Central Oahu, Special Use Permit, 2015/SUP-4. It's the Hawaii Agriculture Research Center and Solar Hub Utilities, LLC. At this time I'd like to call up Department staff for the report.

Mr. Kraintz: Thank you, Mr. Chairman. Good afternoon, Chairman Hazama, members of the Planning Commission. My name is Franz Kraintz. I'm with the Department of Planning and Permitting, and I'm the planner assigned to case 2015/SUP-4. Staff has thoroughly reviewed the application and offers the following brief overview. The application before you today is a Special Use Permit request by a partnership of Solar Hub Utilities, LLC, and the Hawaii Agriculture Research Center to build a 20 solar energy facility on 108 acres that HARC owns at the interchange, the northwest quadrant of the interchange of Kunia Road and H-1 Freeway.

And, if I can divert your attention to the map on the wall here, just for a brief orientation, Kunia Road runs mauka/makai and the H-1 Freeway, Ewa/Diamond Head in West Oahu. The HARC property is roughly here and then, of course, the on-ramps and off-ramps for the interchange facility right over here. Just across the street, the Village Park subdivision and the Royal Kunia Shopping Village which includes the Wal-Mart and Times stores.

The proposed solar energy facility consists of 25 different carport structures that stretch approximately 1,800 feet over this private access road at the southern end of HARC's property. The carport structures themselves will be built so that the makai side is 13-feet of height and the mauka side 17-feet, giving it a 7-degree angle towards the sun. This 1,800 linear feet of solar energy facility comprises about 1-acre of property. Again, over the private access field. For the record, we understand the public hearing notice said 500-megawatts, that's quite a large facility. It wouldn't be here. It's actually 5-kilowatts [sic]. So, I just want to bring that to your attention. The facility itself is going to be--it's going to start about 100-feet setback from the Kunia Road right-of-way, and no closer than 15 feet towards the H-1 freeway right-of-way.

All the electricity generated by this facility will be sold to HECO.

You may recall in 2013 this initial application was denied on the basis that solar energy facilities were not allowed in the agriculture districts, particularly on...
1. lands that were classified by the Land Study Bureau with a
3. In 2014, Act 52 of the Hawaii Sessions Laws
4. changed that so that the solar energy facilities could be
5. allowed in agriculture districts on the land that was
6. classified under zone A. It is under these amendments that
7. HARC and Solar Hub are applying for the Special Use Permit.
8. As part of this process, various state, federal
9. and City and County agencies are contacted. In general, the
10. comments have been favorable towards the SUP. In fact, I
11. believe you have some testimony from the Department of
12. Agriculture as well as Councilmember Martin, to that effect.
13. Perhaps the concerns, the significant concerns raised by any
14. of the agencies were from the Department of Transportation.
15. They were concerned that the field road, HARC's field road,
16. access, the access would be opened up at this particular
17. road. It is not. Its got a gate and boulders that do block
18. access; and access to the site for construction and
19. ultimately maintenance of the project would be from HARC's
20. main intersection, the main entrance up here at the
21. mauka--mauka intersection at the Kupuna Loop road.
22. The other objection that--Well, I shouldn't say
23. objection, the other concern that they had is possibly the
24. facility might encroach or trespass onto the State
25. right-of-way. Based on our review of the surveys, we do not

1. believe this could be the case.
2. The other concern they had is kind of a
3. longstanding, ongoing one, particularly with facilities like
4. this is the possibility of glare from the panels themselves.
5. This would be for the pilots who are landing and taking off
6. from the Kalaekoa Airport. You may be aware that a similar
7. facility was built very close to that airport. And, as far
8. as we know, there's been no incident related to glare there.
9. This proposed facility will be at least five miles away. We
10. don't believe it's close enough to be a factor.
11. City staff did initially think that the proposed
12. facility would block views of the Waianae Range. However,
13. upon field investigations and site visits, we did not feel
14. that to be the case. If anything, the structures might block
15. some of the foreground terrain leading up to the range, but
16. we don't feel it'll be in any way an impediment to the views
17. of the Waianae Range. Nevertheless, staff does recommend
18. submittal of a comprehensive landscape plan to at least
19. screen structures from possible view. You're also probably
20. aware to consider a Special Use Permits there's five
21. guidelines, and based on our review the project meets the
22. first of the five guidelines in that it is less then--the
23. project comprises less than 10% of the lot area. It will be
24. built over an unpaved road that was in existence as of
25. December 2013. The property has a valid agriculture

1. exemption and conservation easement on it. And the facility
2. will be placed in a manner over the road so that the
3. vehicular traffic can still use the road. And, of course,
4. finally they need to have a Special Use Permit, which will
5. ultimately lead to them resolving or getting, applying for a
6. Conditional Use Permit from the Department of Planning and
7. Permitting. By the way, these are the parameters that Act
8. 52 changed the law.
9. The second guideline is that the property will not
10. adversely affect surrounding property with the
11. recommendations that we will enumerate later, and the third,
12. this facility will have no burden on public agencies in
13. terms of required utilities or public services.
14. As for the fourth guideline, it serves or
15. contributes to the emerging trend in the State of having
16. energy supplied by renewable sources up to 40% by the year
17. 2030.
18. And the fifth guideline is that even though the
19. project site is unsuited for crop production, the facility
20. itself still supports the agriculture research mission on
21. the property. In addition, we find that the facility itself
22. is complying with all plans and Land Use Ordinances of both
23. the State and City and County.
24. So, in conclusion, the Department recommends
25. approval of the application of the solar energy facility on

1. HARC's property because it meets the applicable laws and
2. ordinances of the State. No. 2, it also contributes to the
3. goal of having renewable energy sources, and then 3 it
4. furthers the viability of agriculture in the State by
5. supporting agriculture research. Of course, staff's
6. recommendation to approve it is based on conditions, and we
7. believe that the Commission should incorporate the
8. conditions as enumerated in the Director's report. I'll
9. just briefly summarize what those are.
10. Again, perhaps the greatest one is the requirement
11. of submittal of a comprehensive landscape plan, which we
12. hope it will screen the solar energy facility, a full metes
13. and bounds survey to show exactly where the--for an accurate
14. location of the solar energy facility itself. The facility
15. itself is going to be built within 12 months after approval
16. of the permits and that the permit itself is good for 35
17. years, that's a Special Use Permit. It's good for 35 years.
18. And should the project be abandoned or decommissioned
19. between now and that time, that the Applicant itself is
20. responsible for removing the facility at their own cost and
21. annually the report is submitted to the Director
22. establishing or affirming compliance with these conditions.
23. And then there's a few others that relate to standard
24. requirements that is if there's a change in the status of
25. the project, change in ownership, change in any of the
1 conditions on the project, that the Department be notified.
2 So, that really concludes my report. I'd be happy to answer
3 any questions that you may have.
4 Chair Hazama: Okay. Commissioners, any questions
5 of Department at this time?
6 Member McMurdo: I do have one question. I know
7 that the Japanese Internment Camp is further from this
8 location, but were comments taken from the Japanese Cultural
9 Center or any of the other Japanese organizations with
10 regard to this?
11 Mr. Kraintz: I don't believe so. There was an
12 archeological site or study done for the site. That was not
13 raised to my attention or view of that archeological study
14 that was even mentioned. As far as directly sending them a
15 copy of the application itself, that was not on our list.
16 Chair Hazama: Okay. Any other questions?
17 Member Tolentino: As far as the capacity that
18 HECO allows the neighborhoods to have as far as PV panels on
19 their homes, and they might go by a two-third capacity of a
20 zip code or something like that. Now would these panels be
21 incorporated with those numbers or are they exempt from the
22 maxing out of PV panels within an area?
23 Mr. Kraintz: That's a good question. It changed
24 as I understand over the last few years in terms of what
25 that is. I'm not sure on the position to answer that from a

1 technical standpoint. Perhaps the Applicant will have a
2 better answer to that.
3 Member Tolentino: My concern is just using up all
4 the capabilities of the residence in the area.
5 Mr. Kraintz: In other words taking away from
6 the--
7 Member Tolentino: Yes, yes, absolutely.
8 Mr. Kraintz: I'll make a note of that.
9 Chair Hazama: Okay. Any other questions,
10 Commissioners, at this time?
11 Member McMurdo: Just one more, just
12 clarification. You know, from the on-ramp onto the H-1, as
13 I remember there's a big berm, right, you can't really see.
14 You wouldn't be able to see that from the on-ramp or the
15 freeway; the structure itself. Once it's built, would you
16 be able to see it?
17 Mr. Kraintz: I think, I believe on your Ewa bound
18 on H-1 you will see it from the main--
19 Member McMurdo: Highway--
20 Mr. Kraintz: ...highway. As soon as you get off
21 Kunia Road, you start rising up above, right when you get to
22 about the actual turn on the ramp itself, it kind of levels
23 out. If you weren't paying attention to the road you might
24 see it, but I think that's where our landscaping comes into
25 help screen any possible views of it.

1 Hub Utilities, SPI; and Jake Freeman, engineer of CDF.
2 principal, CDF Engineers on Maui.
3 What I have is a brief presentation and some
4 background and then we can go into questions and answer any
5 questions.
6 As Franz had earlier indicated this is our second
7 go-around with the application. It's the same project.
8 Back in 2013, the Planning Commission decided that it wasn't
9 in your jurisdiction because of the policy of no PV
10 facilities on L&B A-lands. Upon the recommendation of the
11 Planning Commission and the DFP Director, HARC proceeded
12 after the Planning Commission to the 2014 state legislative
13 session to see if there was a chance of getting amendment to
14 Chapter 205-4.5 State Land Use Law for an exception to be
15 made for a unique situation that HARC is in for this
16 proposal.
17 So, after much effort during the 2014 session,
18 HARC succeeded in getting an amendment to the law and it's
19 known as Act 52. And the wording of that specific amendment
20 ensures to as much an extent as possible that there would be
21 no, I guess, precedent setting, chances that this would
22 happen in the future with anybody wanting to build an
23 agriculture road, say tomorrow, to get this exemption. So, the
24 amendment was carefully worded to very restrictively
25 allow for PV on a field access road that was in existence.
1 prior to 2014 when this amendment was enacted ensures that
2 the road would continue to be used for its original purpose
3 for allowing ag field access following the building of a PV
4 facility; and third criteria is that the SUP permit would be
5 applied for, and that is the foundation that set our ability
6 to come before the Planning Commission today.
7
8 Just a brief side bar on the history of HARC.
9 Back in 1895, the Hawaiian Sugar Planters' Association, HSFA
10 dedicated to improving the sugar industry in Hawaii, and it
11 was the genesis of the research center. And it has become
12 an internationally recognized agriculture research facility
13 and organization. Its name went through a major change in
14 1996; from HSFA it became the Hawaii Agriculture Research
15 Center. The purpose of this name change was to reflect
16 HARC's broader mission and its expanding role in the
17 movement to diversify Hawaii's agricultural industry and to
18 preserve agriculture throughout the State, and in particular
19 in this case the City and County of Honolulu.
20 In 2008, HARC's experiment station laboratories
21 and administrative offices relocated from the Robert Cushing
22 Building in Aiea to its current permanent 100-acre site in
23 Kunia. Just to kind of reiterate the location.
24 This is the Makakilo-Kapolei Homokai Hale Neighborhood
25 Board boundaries in dark black. The site is located at the
26 eastern edge with Kunia Road as the eastern boundary, H-1
27 Freeway and surrounded by Pioneer
28 Hi-Bred ag fields. As a private non-profit organization his
29 mission is to support the State's effort to diversify its
30 agricultural industry and support of Honolulu's policies to
31 encourage the development of agricultural industry in this
32 company. HARC must find ways to support its operations and
33 to offset high energy costs incurred as a result of its
34 research operations. It must use all available resources to
35 reduce or offset expenses and find new ways of increasing
36 its revenue stream, instead of only relying on research
37 grants or studies.
38 Making use of non-productive areas of its land
39 such as this former cane haul road helps HARC's continuous
40 mission and its ability to support diversified agriculture
41 in the State and in the City and County of Honolulu well
42 into the future.
43 So, to review the overall facility that's
44 proposed, it's a 500-kilowatt SUP PV solar energy facility
45 on a vacant 1-acre portion of an old cane haul road, still
46 in use as a field access road by HARC. Ongoing in any
47 future research agricultural activities will continue after
48 the facility is built. The 1-acre site will continue to be
49 used as a field access road. It's a single array of 2,240
50 carport configured solar panels laid over 1,800-foot long
51 portion of cane haul road. So, this is the 100-acres owned
1 by HARC. To give an idea of the size and scale of the
2 carport itself, this is a typical carport structure. This
3 is ground level right here. So, the height is 16-feet to
4 18-1/2 feet; panel angle is 7 degrees. The array width
5 which is what one would see from Kunia Road in terms of the
6 width of the array itself tend to be a column width 7 inches
7 approximately. And this is the width that you would see of
8 the columns facing H-1 Freeway going west. The column depth
9 is what you would see off of Kunia Road, that would be 18
10 inches.
11 The following slides were included in the SUP
12 application to get three views of what's existing and then
13 what the facility in place would like. So, this is the
14 existing view off of Kunia Road when you're driving south
15 onto the interchange. And then the cane haul road is--and
16 it's shielded right now by large boulders and it's between
17 these two tall utility poles. So, this is existing and this
18 is with the project in place.
19 When we were reviewing these photo slides with
20 staff, the question was, "are you sure it's there?"
21 Because--"Can you do a contrasting color to prove that it's
22 there?" So we included a third slide and exaggerated
23 configuration which would show them red, which we won't do,
24 but that's basically what the facility would look like from
25 here, and it's 100-feet setback from Kunia Road. So, this is
1 in place with the gray-blue kind of paint scheme with the
2 surrounding ag fields, the Wai'anae mountain range to the
3 westerly far off and blue-gray, cloud blue sky.
4 So, the second view is from the interchange when
5 you're driving onto the interchange, as you can see in the
6 area photo here. So, this is the existing and this is with
7 the project, and you can see the alignment here in
8 gray-blue, exaggerated color but then this is where it would
9 be the view. So, again, this is the facility, the paint
10 color that usually would not blend in with the environment
11 surrounding (inaudible).
12 The third scenario is H-1 westbound lane view HARC
13 on the right. So, this is the existing. This is in place
14 with the project view, and if you need to see it exactly
15 where it would be in the red coloring, that's where it would
16 be. So, this is kind of an overview of the project. Do you
17 have any questions?
18 Chair Hazama: Okay. Thank you. Commissioners,
19 any questions of Applicant at this time? [no response] No.
20 Okay. Thank you. Commissioners, at this time I'd like to
21 open up for public testimony. Do we have any speakers
22 signed up to testify? I have a Nick Turco.
23 Mr. Turco [from the audience]: I signed in just
24 as a record of the (inaudible) HARC.
25 Chair Hazama: Okay. All right. Anybody else here
Chair Hazama: Yes, come up, please.

Mr. Vance: Blake Vance, assistant director of the Hawaii Agriculture Research Center. Much has been already said about this particular project, and I'd rather not duplicate that. I do want to thank DPP for the work of the staff that they did. I realized that when we went ahead and had this legislation passed, there weren't administrative rules that went along with it, putting the burden on them to evaluate this project because it would in essence set a precedent for others who might be utilizing the same bill.

As trying as it was, we do appreciate DPP reviewer, Franz Kraintz thorough vetting of the project as well as other key members. What we feel is coming to you as a fairly airtight submission, we also want to elaborate or point out further that, you know, we did get good approval or backing by the State agencies whether it be Hawaii Department of Ag or the Agribusiness Development Corporation, ORC&O in that they realized that even though the land was classified as a LSB-A, the State's most productive land, this particular road just did not fit that bill and, therefore, they were not concerned that we were taking good land out of crop production.

I guess, there's one--I'm not sure how this

Chair Hazama: Any questions of the testifier at this time? [No response] No. Thank you very much. Okay.

Is there anyone else in the audience wishing to testify today before the Commission? Yes, come up, please. [referring to unknown male in audience]

Mr. Freeman: Jacob Freeman, CDF Engineering, engineer for the project. I just wanted to touch base on your question about the utility company and the hogging of the queue space if you will for the amount of kilowatts that are allowed on anyone's circuit. This particular project in the way that the utility company thwarted those questions when this FIT program originally came in opened up all 100% usage by single phase customers, so residences would not have that problem. Just to let you know.

Member Tolentino: Thank you.

Mr. Freeman: That happened maybe 18 months ago.

Of course, last October HCRO made some changes to their net metering program anyway. So, you may or may not know that.

Member Tolentino: Thank you.

Chair Hazama: Okay, thank you.

Anyone else wishing to testify today? [No response] No.

proceeds with respect to the Commission adopting DPP's recommended comments or suggestions and, therefore, I would just ask that we might be able to work with them with respect to the infill planting, that I think that the photo simulations illustrate that the project, the view plane might not be really much of an issue and, therefore, would it be possible for instance to take this in a series of steps that is to say, if it does turn out after the structure is built, if it looks as though it is objectionable then a possibility is--It's basically, I believe the vertical columns that will be objectionable and, therefore, I think it would be a very good approach to possibly paint these columns in a camouflage-type manner and, therefore, you maintain as unimpeded view of the Waianae Mountains as possible and, you know, have minimal impact. If that doesn't work, then the infill planting. And, in fact, I do have about a hundred seedlings of Koal of our Maunawili Nursery being grown. And for those of you who aren't familiar with Koal, some people call it a dwarf Koa. It's related to koa, so it's an endemic Hawaiian species. It is more drought tolerant than koa, and also lower growing. So, again, we don't want to cover the view of the Waianae Mountains. So, I think this tree would be perfect, but again that is going to create a bit of a barrier, a visual barrier. So, I guess, my first suggestion.

Okay. Commissioners, then can I get a motion to close public testimony.

Member Young: Motion.

Member Tolentino: Second.


Okay. The public testimony portion of this hearing is closed. To save some time if I can ask Applicant and Department to both come up, please.

Okay. Commissioners, do we have additional questions of Applicant or Department at this time? [No response] If not, I just want to clarify a couple points. In regards to the Director's report, according to the way you got, I guess, a grant to purchase the HARC property in its entirety. Basically, by getting this grant that requires you to keep the property in agriculture in perpetuity, is that correct?

Mr. Vance: Correct.

Chair Hazama: Okay. Thank you. The other question I have was the time--I guess, you're not the first person to apply for these solar projects, however, the length of time that's being requested. I don't know why Applicant or by Department is 35 years. So, that's a little longer than what we have been requested for in the past. So I'm wondering--Normally, we've had between 20 and 25 years, and

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1 I'm guessing that's because the manufacturer of the industry
2 warranty for these panels are approximately that time of
3 length. In this case, you're requesting a permit length of
4 35 years.

5 Mr. Krantz: Can I speak to that? That was
6 actually staff's comment on that. It was really after some
7 request for more information from the Applicant on
8 particularly the emerging technology and the longevity of
9 these panels, what is it? And, of course, you can get
10 online and you can find research and it seems that the upper
11 end of that was 30 years. Again, with the way this is--and
12 this is going to operate 24/7. It sounds like with very
13 little maintenance required. It's kind of a low impact type
14 of facility that doesn't require a lot of maintenance like
15 some others might.

16 We do understand that the 20 years is kind of the
17 industry standard for mere financing of a project like this,
18 but we thought kind of split their difference if you will,
19 make middle road. Seems like 20 years might not be that
20 long after all anyway. So, we bumped it up to the 35 with
21 hopes that it's not continually have to come back all the
22 time.

23 Chair Hazama: Okay. And Applicant then is
24 willing, according to the statements anyway, to fund for
25 decommissioning of the project at that time, correct?

22

21 1 Chair Hazama: One of the things that we've been
2 very careful--the statutes have changed and like you said
3 before they're not really--they don't really give us
4 guidance in all areas, so we have to kind of be very careful
5 when interpreting some things because then we open up for
6 precedence. So, if that's not in there then I think we need
7 to make clear to LUC when we pass this on to them what the
8 Commission's intent is on these projects.
9
10 I guess, Applicant, previous testifiers asking for
11 relief of recommendation too on your report regarding the
12 visual impact for landscaping. What is Department's--
13 Mr. Krantz: We were thinking many number of ways
14 in which to screen, block, hide the visual aspects of that
15 structure. We did consider actual colors, if you will,
16 there could be some color of the structure itself painted
17 that could kind of help camouflage, but the terrain up there
18 varies in a number of different ways. I'm not sure how--So,
19 the idea of painting it really didn't seem ideal although,
20 I mean, certainly if they come up with one that does, that'll
21 be great. We just felt that the landscaping, some infill
22 plantings, particularly in the pukas, the gaps, that are
23 between the existing vegetation, assuming that existing
24 vegetation stays in place and doesn't have to be removed to
25 make way for the facility. But, I think we worded that Item
26 the structures are going, what has to be removed or where
27 the gaps are that the infill planting can be recommended.
28 And, I like the doctor's idea of the type of plant that's
29 drought resistance, doesn't go too high, but just enough
30 that it blocks the base level of the structures, and that
31 would be something once submitted to the Director, he can
32 make approval of.

24 8 Chair Hazama: So, basically you guys are open to
9 something other than planting something?
10 Mr. Krantz: I guess wouldn't specify a
11 particular uniformed type of thing, one size fits all. I
12 think in this case that, you know, based on the combination
13 of existing vegetation and infill planting of the particular
14 type of plants that are best suited for this area would make
15 the most sense.
16 Chair Hazama: Okay. The Department just basically
17 wants to mitigate visual impact?
18 Mr. Krantz: That's correct; yes.
19 Chair Hazama: Whether it's through landscaping or
20 some other means?
21 Mr. Krantz: Correct. And, of course, not in the
22 way that it blocks the effectiveness of the facility itself.
23 Chair Hazama: Okay. Any other questions?
24 Mr. Vance: With respect to your first question
25 about the conservation easement. So there are two holders
1 on that conservation easement. One is the federal government
2 through the national NRCS and the other is a local holder,
3 the ADC. When we first questioned NRCS, there was some
4 exchange and ultimately they did not have any opposition to
5 the proposal. And, again, because even though the land was
6 formally classified as L&B-A, they recognized that it wasn't
7 indeed "A" quality land and also there was an easement on it
8 and on the property as well.
9 Chair Hazama: Well, my point was the statute is
10 clear in some areas. And one of it is that when you install
11 these type of facilities, they must maintain an agricultural
12 use on the property for the length of the project. So, in
13 your case there's not an issue. So I just wanted to make
14 sure you weren't able to say you install the panels and
15 you're able to leave, somebody else comes in and purchases
16 the land from you that's non-agricultural use, now we have an
17 issue. So--Okay. All right. Any questions, Commissioners,
18 at this time? [no response] All right. Thank you very
19 much.
20 Okay. We're in discussion. We got to make a
21 motion first. Can I have a motion?
22 Member Anderson: I move to make a motion to
23 approve the Department's report as distributed.
24 Member Tolentino: Second.
25 Chair Hazama: Okay. Moved and seconded.

1 Members, we're in discussion. Any discussion on the motion?
2 I guess the only thing I would like to add, they
3 did--Director's report does have under No. 7, major
4 modification. I just want to clarify for the LUC, the
5 Department's intent on--if the Applicant updates the system
6 that they would have to, you know, seek a new application
7 for the SUP. So, maybe to add condition 5 to No. 7 to say
8 that if they upgrade--in fact, upgrade the panels that would
9 be like Condition 5.
10 Member Anderson: Chair, I'd like to also make a
11 note wherever it mentions 500-kilowatts that we change it to
12 5.
13 Chair Hazama: So, we're changing all instances
14 that indicate 500-kilowatt to 5-kilowatts [sic].
15 Mr. Freeman [from the audience]: Frans mispoke
16 during the course of the initial discussion. He said
17 500-kilowatt, not a 500-megawatt.
18 Chair Hazama: Oh, okay. So, 500-kw is correct.
19 Member McMurdo: Oh, that's why it's italicized.
20 Chair Hazama: Okay. We're good. We got it
21 right. Okay. Any other discussion, Commissioners, at this
22 time? [no response] So, we're going to recommend with
23 additional--
24 Member Anderson: Do I make a motion?
25 Chair Hazama: No you just have to accept--

1 Member Anderson: Amendment--
2 Chair Hazama: Accept the amendment, accept the
3 change.
4 Member Anderson: The same motion?
5 Chair Hazama: I think you better--
6 Member Anderson: Make a new one. I'll make a new
7 motion to accept the Department's report as presented with
8 one modification. On page 14, No. 7, we'd like to add a 5th
9 number in there, that if the panels and system were to be
10 upgraded, that they would have to indeed come back for
11 10 Commission approval.
12 Member Tolentino: Second.
13 Chair Hazama: Okay. Moved and seconded. Any
14 discussion?
15 Member McMurdo: I'm sorry. Can I just ask a
16 question? Because here it says--So minor modifications
17 would only be with the DPP Director?
18 Chair Hazama: That is correct.
19 Member McMurdo: But if they change the entire
20 system--
21 Chair Hazama: Yeah. If they upgrade the panels,
22 basically--
23 Member McMurdo: Okay. That's not considered a
24 minor modification, upgrading the panels?
25 Chair Hazama: No. Not in the case of--

1 Mr. Kraintz: Upgrade would be minor--
2 Member McMurdo: Would be what?
3 Mr. Kraintz: Minor modification.
4 Member McMurdo: Minor, right? So, that's what
5 I'm--you know, I think maybe--
6 Chair Hazama: That's why under Page 12, D, I
7 think the Department's interpretation--
8 Member McMurdo: I'm sorry. So, what was No. 5
9 then, what were you saying?
10 Chair Hazama: So, under page 12, Item D, duration
11 of the project, the last sentence, "should the Applicant
12 decide to renew with an updated system", which is basically
13 changing the panels--
14 Member McMurdo: So, the No. 5 that you wanted to
15 add to No. 7 on page 14--What was the No. 5?
16 Member Anderson: I think I mentioned something to
17 the effect of the panels or system were to be upgraded.
18 Mr. Kraintz: I'm sorry. To me, upgrading can be
19 simple, could be minor maintenance, maintenance of
20 the--upgrade that way. I think major modification and
21 upgrade could be an entirely, a whole different carport
22 structure, upgrade of the panel. So, it goes hand-in-hand.
23 Chair Hazama: Correct; right.
24 Mr. Kraintz: So, I think the idea of having this
25 major, minor--
Chair Hazama: So, a minor is if a panel breaks, they replace it, the same panel that's fine. But, I mean 3 years down the line they're not going to have these panels any more to replace--

Member McMurdo: No, I understand that.

Chair Hazama: ...at that time they're gonna have 7 to switch out all the panels with new technology. At that 8 time they will require another SUP.

Member McMurdo: So, you agree to the addition of 10 the 5?

Mr. Kranitz: I do; yes.

Member McMurdo: Okay.

Member Anderson: To try and match the language because it says an updated system, Applicant must modify or 15 obtain a new SUP.

Chair Hazama: Right. And because it's not in the 17 statute, then we have to kind of put it on record. Okay.

Any other discussion? [no response] Okay. Commissioners, all those in favor of the motion, say aye.

All Commissioners: Aye.


[It was moved by Anderson and seconded by
Tolentino that Kuna, Central Oahu, State Special Use Permit
- 2015/SUP-4, Hawaii Agriculture Research Center and Solar
Hub Utilities, LLC, be approved as presented by the Director of the Department of Planning and Permitting; further the Planning Commission added a 5th to major modification;
Page 14, No. 7; (5) that if the panels and system were to be upgraded, the Applicant is to come before the Planning Commission for approval. Motion was unanimously carried.

7:11 p.m. Note: Amend 500-megawatts to 500-kilowatts.]

ADJOURNMENT:

Chair Hazama: Do we have a motion to adjourn.

Member Young: Motion.

Member Anderson: Second.

Chair Hazama: Moved and seconded. Any objections?


Thank you very much. This meeting is adjourned.

[bangs gavel].

[It was moved by Young and seconded by Anderson that the February 3, 2016, meeting be adjourned. Motion was unanimously carried, 7:12 p.m.]

[This meeting was adjourned at approximately at 2:35 p.m.]