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KAPOLEI PROPERTY DEVELOPMENT, LLC

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In the Matter of the Petition of

KAPOLEI PROPERTY DEVELOPMENT, LLC

To Amend the Agricultural Land Use District  
Boundaries into the Urban Land Use District for  
Approximately 344.519 Acres in Ewa District,  
Island of Oahu, Tax Map Key Nos. (1) 9-1-  
014:033 (por.), 034, 035 and (1) 9-1-015:020  
(por.)

DOCKET NO. A06-763

**KAPOLEI PROPERTY DEVELOPMENT, LLC'S  
WRITTEN DIRECT TESTIMONY OF BARRY D. NEAL**

**EXHIBIT "36"**

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**WRITTEN DIRECT TESTIMONY OF  
BARRY D. NEAL**

**BACKGROUND QUESTIONS**

1. *Please state your name and business address for the record.*

Barry D. Neal  
B.D. Neal & Associates  
P.O. Box 1808  
Kailua-Kona, HI 96745

2. *What is your current occupation?*

Certified Consulting Meteorologist / Air Quality Specialist

3. *How long have you been a meteorologist by profession?*

30 years

4. *Could you briefly describe your educational background?*

B.S. Meteorology, San Jose State University, 1976  
Graduate Studies, Meteorology, San Jose State University, 1977

5. *Do you specialize in a particular area in your field of work?*

Yes. My specialty is in air quality and atmospheric dispersion.

6. *Do you presently belong to any professional organizations or associations?*

Yes.

7. *Could you please list them for us?*

I am a member of the American Meteorological Society and the Air & Waste Management Association.

8. *Did you provide a copy of your curriculum vitae for purposes of this hearing?*

Yes.

1 **9. *Is Petitioner's Exhibit "37" a true and correct copy of your curriculum vitae?***

2  
3 Yes.

4  
5 **10. *Could you briefly describe your training and your work experience as a***  
6 ***meteorologist for us?***

7  
8 I have 30 years of experience working in air quality and meteorology. Much of  
9 this experience revolves around air quality modeling and monitoring. Nearly 20  
10 years of this experience has been accumulated in Hawaii.

11  
12 **11. *Where are you currently employed?***

13  
14 I am employed at B.D. Neal & Associates, which is located in Kailua-Kona,  
15 Hawaii.

16  
17 **12. *Could you briefly describe what B.D. Neal & Associates ("B.D. Neal") does?***

18  
19 B.D. Neal & Associates provides air quality/meteorological consulting services to  
20 clients in government and private industry. Most of these services involve air  
21 quality modeling, air quality monitoring and meteorological monitoring.

22  
23 **13. *Could you briefly describe your duties and responsibilities at B.D. Neal?***

24  
25 I am the owner and principal at B.D. Neal & Associates. I prepare proposals,  
26 perform work on projects in air quality and meteorology, write reports, and handle  
27 various other matters related to operating a business in Hawaii.

28  
29 **14. *Could you briefly describe the type of work you currently perform as a***  
30 ***meteorologist?***

31  
32 Much of the work I currently do as a meteorologist involves air quality modeling,  
33 air quality monitoring and meteorological monitoring.

34  
35 **15. *Were you ever involved in air permitting, regulatory compliance and dispersion***  
36 ***modeling projects?***

37  
38 Yes. That has been the bulk of my experience.

39  
40 **16. *Could you briefly describe to us the types of projects involving air permitting,***  
41 ***regulatory compliance and dispersion modeling that you have worked on?***

42  
43 Much of my experience in Hawaii has been related to assessing the air quality  
44 impacts from automobile emissions related to projects such as new roadways and  
45 housing/commercial developments. I have also worked on various industrial

1 projects. Many of these have been related to electric power generation, concrete  
2 production and rock quarrying.

3

4 **17. Do you possess specialized knowledge within the field of meteorology?**

5

6 Yes. My areas of specialty include air quality and micro-meteorology. More  
7 specifically, they include air quality modeling and air quality/meteorological  
8 monitoring.

9

10 **18. Have you previously qualified and/or testified as an expert witness in the field**  
11 **of meteorology?**

12

13 Yes.

14

15 **19. If yes, on how many occasions have you qualified to testify as an expert in the**  
16 **field of meteorology?**

17

18 I have been qualified to testify as an expert in the field of meteorology/air quality  
19 on more than ten (10) previous occasions. I appeared as an expert approximately  
20 nine (9) times before the State Land Use Commission on the following dates:

21

22 Wailoa Project - June 1989

23 Keahuolu Lands Project - May 1991

24 Aloha Tower Project - December 1991

25 O'oma Project - August 1992

26 Royal Kunia Phase II Project - March 1993

27 Barbers Point Harbor Expansion Project – January 1996

28 Laulani Commercial Center Project – January 1999

29 East Kapolei Project – May 1999

30 Kapolei West Project – September 2005

31

32

33 **KAPOLEI HARBORSIDE CENTER PROJECT**

34

35 **20. Are you familiar with the Kapolei area and the existing air quality**  
36 **characteristics of this area located in the 'Ewa District on the island of Oahu?**

37

38 Yes.

39

40 **21. Are you familiar with Kapolei Property Development, LLC's ("Petitioner")**  
41 **Kapolei Harborside Center project ("Project")?**

42

43 Yes.

44

1    **22.    *How did you become familiar with the Project?***  
2

3            Much of my work for the Project involved assessing the air quality impacts from  
4            project traffic at roadway intersections in the Project area. Also, one (1) site visit  
5            was made by me to the various locations included in the air quality study.  
6

7  
8    **AIR QUALITY ANALYSIS**  
9

10   **23.    *Could you please describe your involvement in the Project?***

11            I was retained as an expert in air quality to provide air quality consulting services  
12            for the project. These services were primarily intended to evaluate potential  
13            impacts on air quality from the project.  
14

15   **24.    *Did you conduct an air quality study for the Project?***

16  
17            Yes.  
18

19   **25.    *Was this study conducted by you or under your supervision?***

20  
21            Yes, by me.  
22

23   **26.    *Is Petitioner's Exhibit "38" a true and correct copy of your report?***

24  
25            Yes.  
26

27   **27.    *Could you please summarize the scope of your study?***

28  
29            The scope of the air quality study included assessing construction-related air  
30            quality impacts of the Project; evaluating indirect air quality impacts from carbon  
31            monoxide emissions associated with Project-related vehicular traffic; and  
32            evaluating potential air quality impacts on the Project from Campbell Industrial  
33            Park.  
34

35   **28.    *Could you describe the methodology used to conduct your study of the potential***  
36   ***air emissions impacts from the Project?***

37  
38            Short-term impacts during the period of construction, primarily fugitive dust,  
39            were assessed on a qualitative basis only. Computer models were used to  
40            quantitatively evaluate impacts from Project motor vehicle emissions.  
41

42   **29.    *Is the methodology you employed consistent with accepted industry standards?***

43  
44            Yes.  
45

1 **30. *Did part of your study evaluate the present air quality of the Project?***

2  
3 Yes.

4  
5 **31. *What is the present air quality of the Project area?***

6  
7 The present air quality of the Project area appears to be reasonably good based on  
8 nearby air quality monitoring data. Air quality data from the nearest monitoring  
9 stations operated by the Hawaii Department of Health suggest that all national air  
10 quality standards are currently being met, although occasional exceedances of the  
11 more stringent state standards for carbon monoxide may occur near congested  
12 roadway intersections.

13  
14 **32. *What are the short-term air quality impacts of the reclassification and***  
15 ***development of the Project area?***

16  
17 Short-term impacts from fugitive dust will likely occur during the Project  
18 construction phase. To a lesser extent, exhaust emissions from stationary and  
19 mobile construction equipment, from the disruption of traffic, and from workers'  
20 vehicles may also affect air quality during the period of construction. State air  
21 pollution control regulations require that there be no visible fugitive dust  
22 emissions at the property line.

23  
24 **33. *What measures are necessary to mitigate the short-term impacts on air quality?***

25  
26 Fugitive dust emissions can be controlled to a large extent by watering of active  
27 work areas, using wind screens, keeping adjacent paved roads clean, and by  
28 covering of open-bodied trucks. Other dust control measures could include  
29 limiting the area that can be disturbed at any given time and/or mulching or  
30 chemically stabilizing inactive areas that have been worked. Paving and  
31 landscaping of Project areas early in the construction schedule will also reduce  
32 dust emissions. Monitoring dust at the Project boundary during the period of  
33 construction could be considered as a means to evaluate the effectiveness of the  
34 project dust control program. Exhaust emissions can be mitigated by moving  
35 construction equipment and workers to and from the Project site during off-peak  
36 traffic hours.

37  
38 **34. *What are the long-term air quality impacts that would result from the***  
39 ***reclassification and development of the Project area?***

40  
41 After construction, motor vehicles coming to and from the proposed development  
42 will result in a long-term increase in air pollution emissions in the Project area.  
43 With the project in the year 2018, carbon monoxide concentrations were  
44 estimated to remain nearly unchanged at the intersection of Kapolei Parkway and  
45 Kalaeloa Boulevard compared to the without-Project case, while concentrations at  
46 other locations studied would increase. Even with those increases, worst-case

1 concentrations should remain within both national and state standards through the  
2 year 2018 with or without the Project.

3

4 **35. *Are any mitigation measures necessary?***

5

6 Based on the projected impacts, implementing mitigation measures for traffic-  
7 related air quality impacts is probably unnecessary and unwarranted.

8

9 **36. *In your professional opinion and based upon your findings, will the long-term***  
10 ***impacts you have identified, have an overall negative impact on air quality in***  
11 ***the area in and around the Project area?***

12

13 No. Any long-term impacts on air quality in the area should be minimal.

14

15 **37. *Did you also study the potential air emission impacts from neighboring land***  
16 ***uses on the Project area?***

17

18 Yes. I examined the potential air emission impacts on the Project area from  
19 industries located at Campbell Industrial Park.

20

21 **38. *Could you briefly discuss the potential impacts on air quality from Campbell***  
22 ***Industrial Park (“CIP”) on the Project area?***

23

24 Due to the close proximity of industries located at CIP, occasional impacts on the  
25 Project area from emissions emanating from these facilities may occur in  
26 conjunction with coincidental occurrences of industry malfunctions and southerly  
27 winds, both of which are relatively infrequent events. Increased scrutiny by the  
28 Department of Health, an air quality task force mandated by the State Legislature,  
29 and the modernization by some industrial park tenants should help to mitigate future  
30 impacts on the proposed Project.

31

32 **39. *Are you aware of any factors that would reduce the effect of these “infrequent***  
33 ***events” on the Project?***

34

35 One (1) factor that could reduce impacts on the Project area is that an accidental  
36 release of excessive emissions from CIP would likely be elevated and/or buoyant,  
37 causing the emissions to pass over nearby areas, such as the Project Area, without  
38 touching ground level.

39

40 **40. *In your professional opinion and based upon your findings, will the air***  
41 ***emissions from CIP adversely affect the health and safety of persons working in***  
42 ***the Project Area?***

43

44 Under normal circumstances, the health and safety of persons working in the  
45 Project area should not be affected by air emissions from CIP. However, due to

Written Direct Testimony of Barry D. Neal

1           the relatively close proximity, incidents during industry malfunctions cannot be  
2           ruled out.