KAUAI PLANNING COMMISSION MEETING

IN THE MATTER OF THE APPLICATION OF KAAWANUI SOLAR, LLC, FOR PERMIT U-2026-9, CLASS IV ZONING PERMIT Z-IV-2026-12, AND SPECIAL PERMIT SP-2026-4

TUESDAY, MARCH 10, 2026

9:16 A.M.

Report of proceedings of the Kauai Planning Commission public meeting, held at Lihue Civic Center, Moikeha Building Meeting Room 2A-2B, 4444 Rice Street, Lihu'e, Kaua'i, Hawai'i, and remotely via videoconferencing on the 10th day of March, 2026, commencing at the hour of 9:16 a.m.

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LIHUE, KAUAI, HAWAII

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DIRECTOR HULL: And I'll move directly into the new business part of the agenda for this item. So I'll turn it over to the staff planner for the director's report on this matter.

STAFF PLANNER ESTES: Good morning, Chair and members of the planning commission. I'll summarize the report for the record.

Before you is consideration of a Class IV zoning permit, a use permit, and a special permit to allow the construction and use of a 43-megawatt new energy solar facility and associated site improvements. It will encompass approximately 269 acres in the Makaweli area of Kauai.

The proposed development will be located on portions of two parcels identified as Tax Map Keys 1-7-006, Parcels 6 and 10, and both of which have a combined area of approximately 5,000 acres. The proposed development will be situated adjacent to and mauka of Kaumualii Highway and will

extend approximately 1 mile inland along both sides of Kaawanui Village Road.

The majority of the proposed development will be situated within the county's Agriculture Zoning District with a small portion of development situated within the county's Open Zoning District.

All development will be situated within the State Land Use Agricultural District. The project area comprises of pasture land and fallow agricultural fields with surrounding areas consisting of former plantation lands repurposed for grazing or left in open pasture.

Pursuant to Section 8-2.4 of the Kauai County Code and Section 205-2 of the Hawaii Revised Statutes, the proposed development requires a use permit and special permit as the proposed development will be situated on lands with soil classified by the State of Hawaii Land Study Bureau as having an overall productivity rating of Class B and C soils and the proposed development occupies more than 20 acres.

In reviewing the proposal, the department evaluated whether the project complies with the standards outlined in Chapter 205 of the

Hawaii Revised Statutes and Chapter 13 of the planning commission's Rules of Practice and Procedures for a special permit; additionally, the policies of the Kauai General Plan and the West Kauai Community Plan and the criteria for a use permit as specified in the Kauai County Code as well as the standards established in the Comprehensive Zoning Ordinance.

The department's evaluation and conclusion are detailed in the director's report, and that concludes my summary.

CHAIR AKO: Do you have any questions for the planner?

If not, do we have a representative from the applicant that would like to share?

DIRECTOR HULL: I believe actually you folks have a PowerPoint presentation?

MR. GRAHAM: Good morning, Chair Ako and planning commission members.

I'm Max Graham, and I represent the applicant in this matter. And the applicant is a -- it's actually a sub-entity of AES Hawaii. The applicant is Kaawanui Solar LLC. And with me is Megan Kane to my left, who is an associate developer with AES Hawaii.

AES, by the way, has a history of developing alternative powers sources, including solar energy projects like this one.

What I'd like to do is have Megan to narrate a PowerPoint overview of the project.

And then after that, we'd like to call Howard Greene, who is a vice president with G&R. So G&R is the manager of the lands in question. The lands are actually owned by Robinson Family Partners.

And then we'll have -- we'll call Cameron Kruse, who is the engineering and technical manager for KIUC, and he can talk a little about the -- KIUC's vision of solar power uses for the county.

Howard will talk about how this project fits in to G&R's goals toward continued operation of their businesses on their west side lands.

So let's start with Megan, and we're ready to go, I believe, on the PowerPoint.

MS. KANE: Okay. Hi, everybody. As Max said, my name is Megan Kane, for the record. I am a senior development manager for AES Hawaii and the primary developer for this project.

I will be presenting today on behalf of the applicant, Kaawanui Solar LLC. This is an agenda item -- or this is the agenda for today's presentation that I'll be giving.

At the end of my presentation, I'm happy to take questions from the commission. I also have a group of subject matter experts that are with me today so I can also call them up. And then after that portion, we'll hear from both the utility and the landowner.

Next slide. AES Hawaii is proposing a 43-watt -- megawatt solar energy facility coupled with a 172-megawatt-hour battery energy storage system sited on approximately 269 acres of land.

The storage component to this project is extremely important as it will allow grid stability and dispatchability during high-use peak times like when you guys are at home with your families at night and the sun is not out.

The project will sell locally-generated renewable power to KIUC at a fixed rate for 25 years, adding another level of energy security to the island. The project also erects a new switchyard for KIUC at Kaawanui which will not only serve as the interconnection for the

project to the islandwide grid but will also harden the grid infrastructure on the west side of the island.

And when the project's operational period ends, AES Hawaii will fully decommission the project and restore the land to the state that you see it in today.

Next slide. So orienting you to the project location, as Kenny mentioned, the project is sited in Makaweli between Hanapepe and Waimea on land owned by Robinson Family Partners and managed by Gay & Robinson. The project is just mauka of Kaumualii Highway at the intersection of Kaumualii Highway and Kaawanui Road.

The area we're requesting to permit today is 269 acres. Of that, about 220 acres will be new project equipment: solar panels, substation batteries, things like that. About 2 acres will comprise the KIUC switchyard. And the rest of the land is really attributed to existing internal access roads on Gay & Robinson land.

The -- it's always been AES's goal to disturb the least amount of land possible. We understand solar projects require a lot of land. So as we continue to iterate design, we will shrink

that footprint as much as possible with project infrastructure.

Next slide. So this is a summary of the major project benefits for the island of Kauai and the State of Hawaii. Among the most impactful are that this project will supply about a fifth of the power needed for the residents of Kauai based on the current load. That will result in about 16,000 homes being powered annually for the next 25 years.

The project will also produce local jobs: local jobs during development, local jobs during construction, and local jobs during operations as well as a significant amount of economic investment to the local economy here on the island and also the state.

Lastly, the project will offset the burning of over 179 million gallons of fuel over the course of the 25-year operational period, decreasing the island's reliance on foreign fuels.

Next slide. Here are some representative photos of what you'll see on site if the project were to be built.

The project will comprise of 545-watt solar panels; so that's the picture in the bottom

left. They will sit on single-access trackers which means that the panels will have the ability, to rotate and follow the sun throughout the day capturing the most amount of energy possible.

The storage component of the project, if I can orient you to the top right picture, is -- will be batteries set in 20-foot containers in a modular layout. There will be 44 battery containers placed on a singular concrete pad in what we call the BESS yard where the batteries are.

Next slide. Safety is AES's highest priority. So I recognize the importance that fire awareness and fire mitigation plays in decisions like the one we're putting in front of you today and has become increasingly top of mind for community members.

So I want to spend some time today talking about not only the layers of safety that we build into our equipment but also the layers of safety we build into our project design.

So here are some photos of what you would see if you were to look inside of a battery container. The batteries sit in a modular layout, as I mentioned before. There is no human access into the battery containers.

And you can see that we -- we installed kind of your run-of-the-mill audio-visual fire systems that you would see in buildings to alert people if there was an event. Additionally, the picture on the left illustrates the fire suppression system that AES has built into every single battery unit.

So we call this, you know, fire suppression system and, basically, what happens is every battery is wired so that if it reaches an elevated temperature, a nontoxic foam is injected into that singular battery. So this allows AES to mitigate any type of thermal event at the smallest possible level; right?

You're getting it at a single battery versus letting it consume a cluster of batteries or a whole container before any type of system is tripped to trigger an event -- or notice you of an event.

Next slide. In addition to the audio-visual alarms and the fire suppression system for the batteries, AES has designed this project with other fire mitigation features that not only allow us to neutralize fire events on property if they were to ever happen but also anything coming

from outside passing through the west side, as we know has happened pretty recently.

So we design all of our project with safety features like clearance zones, nonvegetative firebreaks around major equipment and around the perimeter of the project, as well as multiple ingress and egress points for emergency access.

We also have a wonderful local operations team that lives on island. They service the existing Lawai and Kekaha AES plants, and as we bring more projects online on this island, we will grow that team. They report to the sites daily, check equipment regularly. And then when they are not on-site, when they're home with their families at night, sites are monitored from we call "The Rock," makes it sound very cool.

Remote Operations Control Centers kind of watch all of the AES sites to catch any type of event that's happening, and then they can pass the message down to the local team who has ability to ramp down plants remotely and then de-energize fully when they're on site.

The last thing I want to say about fire mitigation right now is that, you know, AES tries to integrate fire mitigation through every

phase of design.

So in development, it's making sure that the engineering plans and all of the procured equipment really consider fire safety.

During construction, it's implementation of safety plans, making sure that all of our contractors are educated to how to extinguish fire, how to mitigate fire, and then how to keep the site safe.

And then during operations, it'll be continuous collaboration with Kauai Fire Department and the landowner to make sure that the site remains safe.

I know it's a lot on fire. I'm happy to take any questions on this at the end.

Next slide. AES heavily diligences projects and continuously collects community feedback in order to design the best project possible.

Next slide. So we invest significant dollars up front to understand the characteristics of the land so that we're not fighting with those characteristics as we site and place the project.

So this is a list of all of the studies to date that AES has completed on this

project. Some of them are engineering based, some of them are community based, but they all inform engineering and design as we go on.

Next slide. In addition to the AES commission due diligence, over the last year, we've also actively engaged with the community to introduce the project, answer questions, and collect feedback. It has been AES's best practice to really do that up front.

It is a much more flexible design process when we can try to integrate community feedback from the beginning versus coming in as the design is finalized, closer to going in for constructions permits.

So we've started with, you know, Gay & Robinson presented to the board, presented to the employees, all of their subcontractors, and then from there kind of expanded out. We went to the three closest villages. We went to elected officials, community leaders, organizations on the west side, and then culminated kind of our community outreach in a community meeting that happened in Hanapepe in September of last year.

The top-right corner identifies the concerns we heard the most from the community. So

I'm kind of going to orient the presentation now to how we took those concerns that we heard and we integrated it into our development.

Next slide. Traffic, always a hot-button topic for the communities. It is our goal to never make anyone's day worse, never make anyone's commute worse as we add construction or operations traffic to the existing conditions.

So what we do to inform our strategy here is we commission a traffic impact analysis report so we can understand what the current flow of traffic is. And then that allows us to see how we're able to add the volumes that we're anticipating for our project without hurting the existing conditions.

So what the report identified was that as long as we employ multiple access points which there will now be two for the project, Kaawanui Road and an additional Cane Haul Road that is just west of Kaawanui Road. As long as we, you know, stagger the workers arriving to site during heavy construction periods to those two ingress-egress points, it will allow the flow onto Kaawanui -- or Kaumualii Highway to remain unaffected.

We would also consider staggering

worker arrival times during the heaviest construction periods where there's an excess of 100 workers on-site and then, of course, just basic things like deliveries during off-peak hours and then having manual flagging on the highway, if necessary, to get people in and out off the highway.

All of this gets memorialized in a construction traffic management plan that is put together by our contractor ahead of the start of construction.

Next slide. AES understands the importance of cultural and archaeological resources and their role in the history of Hawaii. So it is always our goal to not disturb any historical or cultural resource.

We've completed a bunch of studies, you know, in the cultural and archaeological realm just to make sure that we have a pulse on what cultural and/or archaeological history of the area is. The cultural impact analysis was completed with a Ka Pa'akai analysis so, of course, the Ka Pa'akai is isolated to the project footprint and the CIA gives us a ahupua'a view of what is culturally important in the area.

So we reached out to lineal descendants during consultation, community groups, and were able to gather some feedback from them. They didn't identify any cultural practices within the project area but did mention a few in the adjacent area, a lot of cultural practices around marine resources. Pakala Beach is, of course, very close to the project area so we are making sure that we're not impeding on accessibility, traffic, anything like that.

The AIS, of course, informs archaeological and historical properties on the project site. No surprise, I'm sure, to anyone here that there are none because this was formerly sugar cane land and it has been heavily farmed for many, many years.

We were very excited to see that State Historic Preservation Division was able to review our AIS and our reconnaissance-level survey and provided that there were no historic properties affected by the project.

Next slide. The commission and community members can rest assured that AES will fully decommission the project at the end of the operational term. We will remove all

infrastructure and reseed the land within 12 months after the close of operations, per our condition in the state special permit.

It's difficult to explain exactly how we'll do that knowing that 25, 30 years from now we won't know the laws in place, but I can guarantee you the following: We will follow all applicable laws at the of time of decommissioning; we will find the highest and best use for all of the equipment, whether that's recycling, salvage, refurbishing, anything like that; and then the last thing is that we will -- no major project equipment like panels or batteries will be disposed of in a Hawaii landfill.

Next slide. So strategic earthwork will not only keep the site safe but also protect the important people and places around the property. We work with a wonderful civil engineer who spends a lot of time understanding the current characteristics of the project, whether that be with water or whether that be with grading.

The project site will require minimal grading. It's already relatively flat so there will not be a mass grading situation for 269 acres of the project site. The only potential

concentrated areas of grading are going to be around the concrete pads that have the major project equipment like the substation and the batteries as well as new internal roads that we'll have to construct.

Stormwater facilities, specifically detention ponds, are what we're going to use to make sure that we're not exacerbating any problem that exists with stormwater because of the project being in place. So we've provided some stormwater management information in the application and that will continue to evolve as well as we design the project more.

Next slide. Okay. So all of this diligence, all of this information has resulted in this layout of current project design. So all of the blue is PV panels. You can see we have six islanded areas of PV arrays.

The central array, which is the largest one in the very middle of the screen, I just want to point out right now the reason that it looks a little bit different in blue color is that we've actually spaced out the panel rows more than we have in the other five arrays. And the reason for this is this is where we would like to

concentrate the most compatible ag uses for the project; right?

So allowing more land between the panels for the ag partner to consider not only livestock but also planted crops. And I'll elaborate on our compatible ag plan in a little bit.

The only other thing I wanted to say about the project design is I also just wanted to point out the major equipment. So kind of in the bottom left quadrant of the screen, you can see all of the major project equipment. So that's the Kaawanui substation that KIUC will own on the very bottom. And then on the Waimea side of Kaawanui Road is the AES substation and the battery yard.

Next slide. Of course, the 2D layout is informative but not necessarily what everyone wants to see. They would like to see what the visual impact of the project is going to be once constructed.

So in order to inform design changes to mitigate visual impacts, AES commissions visual simulations. So we basically try and replicate by modeling what the project is going to look like from certain vantage points that the public has

access to.

So I'm going to share a few today. Before I do, I just want to say we do our best to mimic what will be on the property. And as we continue to revise design, we will update the simulations and post them to the website. So, okay.

Next slide. Here we go. The first viewpoint I'm highlighting today is taken from Kaumualii Highway as you approach the project area from Hanapepe. From this vantage point, the portion of the project including the major project equipment outlined in yellow is not visible. So the yellow gives you some idea of where it is but you can see existing vegetation as well as the topography block view of that.

What you can see in this viewpoint, though, is going to be the mauka-most array areas. So on the bottom right quadrant of the screen, you can see the solar panel arrays as the land slopes up ever so slightly.

Next slide. Continuing down the highway towards the project, this vantage point is taken just as you're starting to approach the project area so it's, like, the eastern corner of

the project. You can see the Kaawanui substation straight ahead. You can see the H frames.

The proximity of the project to the highway is somewhat undeniable, but we plan to implement strategies to ease the visual impact as you're driving by the project. Along the eastern side of the substation, you'll see that we've added a row of landscaping so there is a new tree line that will hide everything except the highest structures that reach over 50 feet. So we're not going to put in 50-foot trees but we will do our best to hide as much of the lower-lying equipment as much as possible.

Next slide. Okay. This is the third viewpoint that was taken from the Makaweli post office. So you're basically looking straight up Kaawanui Road with the highway kind of right in front of you.

This is the intersection of most congestion for the project. We've got the KIUC switchyard on the right. We've got the AES substation and battery pad on the left.

And you can see here our plan is to also implement a new screen of landscaping to mask as much of the major equipment as possible. It's

our goal to block what we can from sight with vegetation. Also understanding right there are high-voltage lines and vegetation management requirements around fire mitigation so trying to balance all of that here.

Next slide. All right. This is the last one I'll share with you in the presentation today, but this was taken from the opposite end of the project so the Waimea side of the project. And you can see the panels are visible from the highway when you are driving towards the project.

To minimize visual impacts of the solar panels, AES has changed the racking system to a lower profile, the lowest profile racking system available on the market. It's called a one-portrait system.

We've also moved the panels back from the highway as much as the possible, as much as the project design will allow; so we're at about 100 feet back from the highway now. And as we continue to iterate design, if we're able to push back even further, we will.

It should also be noted that AES completes a glare analysis. Of course, we want to make sure that we're not, you know, impeding

anyone's ability to drive by the project. And the glare analysis did determine that there would be no glare impacts on Kaumualii Highway or with aircraft.

Next slide. Just a very high-level project time line for you all. 2026 is a crucial year for the project as we're going out for permitting. We just received PUC approval of our power purchase agreement. And then we would like to continue design so that we can continue to procure major equipment and get to construction permits by the end of this year. All of this work in '26 will allow us to start construction in 2027 and become operational in 2028.

Next slide. Before the start of the project, of course, we will obtain every permit or approval needed. Of course, I'm speaking with you guys today about the use permit, the county -- and the county discretionary permits needed. Thereafter, we will apply for all of our construction permits.

One very important component of the project is a compatible agricultural plan. I had briefly touched on this before. It's a requirement of the state special permit in HRS 205, and we are

fully committed to meeting not only the -- you know, kind of the minimum requirement in HRS 205 but really partnering with an ag partner to make this a very robust partnership.

Next slide. Not many people know ag like the Robinson family. Their long-standing reputation for land stewardship and expertise not only makes them a great landowner partner but also a really amazing ag partner. With over 50 years of experience in agriculture and renewable energy on the islands of Kauai and Niihau, they have demonstrated their commitment to sustainability.

So AES was thrilled when a branch of the Robinson family stepped forward as an interested party to partner on ag with us. Together, we've made design considerations like the extra -- the extra space in the central array so that they could consider planting crops in the future. We've considered them for access ease with their tractors and other equipment, just to name a few.

And then we were also able to secure a water allotment with the help of Gay & Robinson so that we're able to perpetuate an actual operational business; right? Of course, water is always going

to be a prohibiting factor with ag.

So we are partnering with a group of the Robinson family called Kawailana (phonetic). Their ag program is a three-phase program at the moment.

They will start with sheep -- sheep raising is your tried-and-true ag activity with solar; right? The sheep are very kind. They just kind of mull around and then they also act as mowers for vegetation. So that will be the first phase of the ag plan.

But then they expect to be able to grow into other types of livestock like poultry. So we've considered custom mobile coops for chicken, free-range grazing, and then they would be able to sell not only chicken meat but also egg products.

Kawailana has access to slaughter facilities on site which is something that we'll be able to get them from kind of that farm to table of flow, if you will.

And then the last, I think, kind of most exciting thing for AES is going to be that they would like to try vegetable crops. Leafy greens, asparagus, dryland kalo have all been

researched with solar microclimates and they've had good success in growing. They like the shade. They, you know, don't require a ton of water.

So they would like to get into planted crops so they're able to do, like, a rotational restoration of the land; right? You grow up the -- regenerate the soil, grow up the cover crop, and then have your livestock rotate through, and then you're able to also plant.

So it's -- they've got a whole plan. I have learned more about ag in just working with them over the last year than I ever thought I would know, and it's just -- it's a really rewarding experience because we're not taking away the land for solar, we're able to put two uses on one piece of land. Okay.

Next slide, conclusion slide. I know it's been a lot of information. I just want to wrap up by repeating that, you know, with the commission's support, the proposed project will not only provide a ton of benefit for Kauai's energy goals but also bring ag back to the west side on this parcel that currently remains uninhabited.

We'll also -- sorry -- AES will also pride itself on responsible development. I

think -- I hope I've exhibited to you today that we've taken our best efforts to make sure that everyone is aware of the project, that the design is done responsibly, and that we're here to listen if there are any issues.

Next slide. So now I'm happy to take any questions from the commissioners. And I have a suite of colleagues with me today that can also, you know, answer more technical questions that I'm not -- I might not be able to answer. Thank you.

CHAIR AKO: Thank you. Very comprehensive.

Questions? Or you want to defer until we have -- listen to the other presenters? Okay.

Maybe we'll just hold off for now, and then whoever else you have.

MR. GRAHAM: We're going to have Howard Greene come up. I'll let Howard take my place. And he will -- Howard will talk about the growth -- G&R impacts and the vision G&R has for these lands.

MR. GREENE: Aloha, Chair Ako and members of the planning commission. My name is Howard Greene. I am vice president of Gay & Robinson, Incorporated.

I'm here to tell you -- today to tell you why this project is so important to us, to Gay and Robinson, and to ask for your support for this project for the benefit of the entire west side and the island as a whole.

Gay and Robinson's primary business pillar remains in agriculture. We operate Makaweli Ranch. We have over 1,000 head of cattle on 5,000 acres of manageable pasture. We welcomed a number of new tenants recently including a water buffalo herd and a Hanalei bison herd, saved it from its demise.

We have over 5,000 acres of former sugar cane lands that have highly-developed infrastructure available for diversified ag. Much of that land was designated Important Ag Lands in 2016. Approximately 20,888 acres was dedicated IAL.

You're all aware of the business difficulties with ag. The challenges since the close of sugar has been enormous. Despite our best efforts, the deck is stacked against agriculture in Hawaii. It's especially stacked against large landowners.

There have been a lot of

well-intentioned people in programs across the island and a state that tries to support ag; however, it's not enough. To support viable ag, we need alternative sources of income.

We had recent challenges in meeting these diversification goals. There are no breaks for us when we have drought, crop loss, equipment failures, loss of market share, or tenants moving on. Renewable energy production, including this AES project, will go a long way in supporting our agricultural endeavors.

Our housing program is another pillar. We provide 350 homes for ag and workforce. It makes only a nominal profit. However, it plays an important synergy with our operations and has a significant impact to our agricultural opportunity. With no housing, we have no agriculture.

Having a steady income from a fraction of our ag lands on this proposed 269-or-so acres which is less than half a percent of the 50,000 acres we operate on, this income would go a long way to providing a stability and cash flow to further invest and continue in agricultural and the housing.

The compatible agricultural component

that Megan was talking about, this will further solidify our commitment to supporting the agricultural resources on the property. This includes expensive maintenance of dams, reservoirs, ditches, piping and filtration, roads, power, and other farm logistics.

This project is on LSB Class B and E lands. This is not our premium Class A lands which are primarily in the Kaumakani area. We have a long-term outlook and consider this a temporary use of the land, preserving future ag uses of the site.

I'd also like to add a little history here. Back when we were in sugar on this land, we were harvesting the sunlight for energy. We got about 32 tons of gas per acre, and each ton of gas produced theoretically about 1,000 kilowatt hours.

So this is just another way of harvesting the sunlight on this property. So we consider this a good use of the land. It also helps us with land management, including fire and invasive species.

You guys are all aware of the Kaumakani fire in July 2024. This would be 269 less acres that we have to manage. It'll provide a

nice managed buffer for our housing villages of Kaawanui and Pakala.

And lastly, we are very excited to be a participating partner with KIUC's renewable energy commitment goals and happy to welcome AES to our -- to our property. Mahalo.

CHAIR AKO: Thank you.

MR. GRAHAM: Finally, we'd like to have Cameron Kruse from KIUC speak about how the project fits into the KIUC's goal of sustainable energy.

MR. KRUSE: Good morning, chair and commissioners. Thank you for the opportunity to speak today on behalf of this project.

My name is Cameron Kruse. I'm the engineering and technology manager at Kauai Island Utility Cooperative.

KIUC respectfully asks for your support of the AES Kaawanui solar and battery project. This project is a critical component of Kauai's transition to clean, reliably -- reliable, locally-generated energy.

As you know, the State of Hawaii has a mandated 100 percent renewable energy goal for -- by 2045. KIUC's board has set an even more

aggressive goal: 100 percent renewable by 2033. Achieving that goal requires utility-scale projects that are thoughtfully sited, responsibly developed, and compatible with the surrounding land uses.

Since becoming a member-owned cooperative in 2002, KIUC has transformed our island's energy portfolio, moving from less than 10 percent renewable energy in 2010 when I started to more than 50 percent renewable today. That progress has not only reduced fossil fuel use and greenhouse gas emissions, it has also stabilized and lowered electricity costs for our members. You folks see that.

In fact, KIUC moved from having the highest electric rates in the state in the early 2000s to having the lowest rates today. Renewable projects like Kaawanui are a major reason why.

Over the 25-year term of this power purchase agreement, we estimate approximately $363 million in total fuel savings compared to continued fossil generation. That translates to about $4 per month when the project does come online in the early years, per member, growing to more than $20 per month in later years as avoided fuel costs escalate.

Beyond costs, this project strengthens reliability and resilience. The 43-megawatt solar facility paired with the battery storage system will provide firm dispatchable renewal power for us.

During emergencies, as Howard was mentioning, in the July 15, 2024, Kaumakani fire, battery-backed solar resources helped stabilize the grid. We were actually able to microgrid the whole west side of the island using the existing PMRF battery and solar project out there on base, little did you know.

We were able to reduce outage exposure and we were actually able to keep the power online at Kauai Veterans Memorial Hospital for the entire event because of that -- that technology. It decreases our reliance on imported fuel.

We also recognize the planning's commission -- planning commission's responsibility to ensure projects are compatible with agricultural lands and surrounding communities.

Gay & Robinson has long been an important partner to KIUC and their hydro facilities are a part of our renewable mix today. We appreciate the collaboration between AES and

Gay & Robinson to incorporate meaningful agricultural activity within the project footprint. This is not simply a solar project placed on ag land; it is designed to coexist and support agricultural use.

AES is also a proven partner on Kauai. This would be their third Solar Plus Storage project on the island following Lawai and Kekaha, both of which have performed reliably and safely. When Kaawanui comes online, KIUC will approach nearly 70 percent renewable energy. This is going to add 20 percent renewable energy annually to our mix.

Together with other planned projects, we are positioning Kauai to lead the state in clean energy while maintaining affordability and reliability for our residents.

Finally, timing matters. Federal clean energy tax incentives that help keep this project affordable are scheduled to phase down. To capture those incentives and pass the savings on to our members, the project must be operational by the end of 2030. Delays risk losing those benefits.

Most of you are KIUC member-owners. This is your cooperative. This project represents

a locally-governed effort to reduce fossil fuel dependence, stabilize rates, strengthen our grid, and responsibly use land in partnership with agricultural stakeholders.

We respectfully ask for your support of this application so that Kauai can continue moving forward toward a cleaner, more affordable, and more resilient energy future. Mahalo.

CHAIR AKO: Thank you.

MR. GRAHAM: So that concludes our presentation. And we're happy to answer any questions the commission may have.

CHAIR AKO: Any questions? Who's up?

COMMISSIONER COX: This is not a question. This is actually a comment that nobody mentioned, and yet it's true, that not only getting off of fossil fuel has cheaper rates and reliability but also there are health benefits. And you didn't mention those, but thank you.

MR. GRAHAM: Thank you.

COMMISSIONER STREUFERT: I think that this is a great project, but I do have some concerns. So I will ask those questions.

What's the average life span of any one of your solar panels or of the batteries?

MS. KANE: Thank you for the question. We typically assess about a 35-year useful life to our major equipment and then build that into kind of the contract runway that we have with our utilities. So, for example, we have an initial 25-year PPA with the option to extend another two years if suitable for both the utility, AES, and then, of course, the landowner.

COMMISSIONER STREUFERT: Is there a plan for how you're going to rid of these -- I'm not going to say depleted, but electrical batteries that are no longer functional because there's no place on Kauai or in Hawaii to actually take care of them?

MS. KANE: Yeah. So AES has been laying the groundwork. I think, as a company, a lot of our renewable resources are fairly new in their contract life so we haven't quite come upon the decommissioning yet.

But what AES's strategy is to work first with the manufacturers. A lot of manufacturers are coming out with either recycling or salvage programs. And then, secondly, we would look to implement our own and/or work with a third party that has developed their own. So early

conversations around stuff like that has started to happen.

COMMISSIONER STREUFERT: Because I think that goes along with the -- like, another question that I have which is on -- these fires burn very hot. And in the past, I think the fire departments all over the country have just let it burn because there's no way to suppress it.

You're going to be using foam suppression techniques.

MS. KANE: Mm-hmm.

COMMISSIONER STREUFERT: Does that really work? Because I don't think the fire department even uses that when they have car fires with electric batteries in cars.

MS. KANE: Yeah. So we have projects that are already operational that also employ this foam suppressant system. I think it's becoming somewhat standard.

We have never, thankfully, had to use it but, of course, burn tests and things like that do happen by the manufacturers to ensure reliable deployment of the technology.

So, yeah, I would -- for us, the experience is neutralizing at the smallest level;

right? Once you get a container, it's almost like a runaway event and you must let the container go. There is no amount of fire support; so our goal is to never let it get there.

COMMISSIONER STREUFERT: So these containers will be far enough apart that there would not be a -- I'm not going to say contamination, but a expansion of --

MS. KANE: Yeah. So, you know, a lot of our business right now is driven by risk, to your point of past events that have happened on other sites, not even necessarily AES sites, but we have a specified distance between containers that the containers must be placed in a cadence and that's determined by the risk and insurance companies.

So there is a factual or, like, a scientifically-backed spacing, to your point. There's also, you know, HVAC units associated with -- tied to each containers to keep the batteries relatively cool during high use. So there are ways that we just -- our goal is to never have it get there.

COMMISSIONER STREUFERT: That would be good.

MS. KANE: Yeah. Yes, yes.

COMMISSIONER STREUFERT: And there would be a fire suppression area around -- a containment area, if you will?

MS. KANE: Yeah. So there's a fire -- non-vegetated fire break. It sits on a concrete pad. The fire break then surrounds it. So there's definitely ways that we try and isolate the BESS pad.

COMMISSIONER STREUFERT: And I guess my last question is really one about we're now facing a flood event here on Kauai for the next couple of days or week.

Are the connecting wires or your connection to KIUC, is that going to be with underground wires or is that going to be above ground?

MS. KANE: Great question. Our two generation tie lines -- our high-voltage lines that will basically connect the AES project to the grid are going to be underground. They will run under Kaawanui Road.

COMMISSIONER STREUFERT: Thank you. I think that the west side deserves some of that kind of --

MS. KANE: Yeah. Resilient. Yes. Thank you.

COMMISSIONER STREUFERT: Thank you. Those are my questions.

CHAIR AKO: Other questions?

COMMISSIONER STREUFERT: Just to let you know, I am supportive of it, but I do have concerns because of fire --

MS. KANE: That's fair.

COMMISSIONER STREUFERT: -- and I think that we just had a fire, a battery at the Kauai shrimp station and it was very difficult to put that out. So considering you've got 44 of those containers, it becomes an issue especially when you're in a wildfire area.

MS. KANE: Yes. Understood. Absolutely fair.

COMMISSIONER ORNELLAS: I think we agree all that every acre of our agricultural land is precious and, you know, I applaud your efforts to make this project compatible. I know Hawaii Agriculture Research Center has done a lot of work looking at compatible uses of solar.

MS. KANE: Yes.

COMMISSIONER ORNELLAS: That said, you

know, agriculture is an energy-intensive business; right?

So you need to pump water, you need power for refrigeration, you need power to process -- process agricultural products. I would hope that a lot of this energy will go towards -- and it's been alluded to by earlier testimony that a lot of this energy will go towards the ag sector.

And, personally, I think -- and this is addressed to KIUC -- I think sort of as an impact fee, farmers should get lower rates for electricity since you are using agricultural land to produce the electricity. I'm not -- I'm not suggesting that this be a requirement of this particular application but I think it's something that KIUC needs to consider.

You know, 200 acres here, 300 acres there, 500 acres, it's starting to add up. And, you know, we are concerned about agricultural lands even though I understand this is not Prime A land and it is sloping. So, you know, I think you should be commended on the fact that it does not encumber prime ag land. Yeah.

So aside from that, I will be supporting the project.

CHAIR AKO: I've got some questions.

MS. KANE: Okay.

CHAIR AKO: I'll leave the technical stuff for those guys.

For the camp itself that's up there, is there an exit plan for them or is there just one exit comes down?

MS. KANE: So right now --

CHAIR AKO: If there's a fire, is there a way to go around?

MS. KANE: Howard?

MR. GREENE: Thanks for the question, Gerald.

You know, right now, there's one primary access but, you know, all the land around us, all those roads are maintained and opened in a northwest-southeast. You know, if we had an emergency, we could evacuate inland, we could evacuate towards Waimea.

Part of the requirement in some of our conversations and housing ordinances with the planning department require us to have a designated alternative access once we further develop those under the plantation camp and form-based code ordinances.

DIRECTOR HULL: I'll just add to what Howard is speaking to as far as the plantation camp and the wildfire policies that have been enacted recently for this area. The department has a standard from a planning perspective.

It had originally pursued getting a designated alternative access for this camp for emergency events. And even the fire department and -- I mean, G&R raised their concerns and -- as did some of the fire department and emergency management because of the fact that, depending upon the event, you may want to use different routes.

And both of those agencies have commended G&R in the nimbleness with which they were able to switch and use different routes depending upon the particular emergency. So I can speak to the fact that they are currently using an array of different routes depending upon the event that the community is faced with.

CHAIR AKO: I going just throw this other question in for now. Every -- once a month, Friday, I get to deliver produce up Kaawanui. Okay. And it's because I have a truck and that road there is rather -- rather bumpy to go up there. Yeah?

You going to pave that road up there for the residents or the workers that can go up and down?

MR. GREENE: Well, that's how we control the speed.

CHAIR AKO: Well, you do a very good job of it.

MR. GREENE: I think there will be some improvements to provide access for the solar project which we'll benefit from, and the residents will as well.

CHAIR AKO: I think they would appreciate that a lot. But going back to another question I had here was that KIUC has a plan of going total renewable energy by 2033?

MR. GREENE: Yeah.

CHAIR AKO: And the state goal is 2045.

Does that mean that the goal is to go totally renewable by 2033, night and day?

MR. KRUSE: Yeah.

CHAIR AKO: Yeah. That's what that is? Okay.

And then the project will use 7 million fewer gallons of oil annually, yeah, with

this project?

You know, when I read "7 million," I have no idea, I have no concept in terms of what that means.

What does that mean? In a picture for my mind, how would you explain that?

What is 7 million fewer gallons? 16,000 homes?

MS. KANE: 16,000 homes will be powered by the project so it would be displacing all of the fuel burned for those 16,000 homes. I think that's probably the easiest way to look at it.

CHAIR AKO: So 16,000, we're looking at, like, Kekaha, Waimea? That would be 16,000?

MS. KANE: I'm not too positive on density. Yeah, I apologize.

I think also the point of the hardening of the grid on the west side and the allowability to charge the batteries from the grid, it just provides a lot of flexibility to -- right, if there's an event that happens in an isolated part of the island like the west side, we're able to provide some grid hardening there, too.

CHAIR AKO: My guess is that solar has

been quite around for quite a while already. Yeah? Solar panels be it on roofs, on homes, or whatever.

You know, my mind -- I'm sure upgrades have evolved since I first -- it first came into my mind, but what intrigues me is the fact that in 2026 we're still looking at another 25 years to keep these solar panels up, and yet the size of these solar panels has not really changed too much.

So in the past, like, maybe 20 years ago to the next 45 -- to the next 25 years ahead which is 45 years, is there an anticipation that this will be antiquated very soon?

MS. KANE: It's a really good question, and I'll just share a couple things on the technology.

So we've seen a change to bifacial so solar panels can collect energy both sides of them, whether it be reflected off the ground or directly from the sun. So that's kind of an added technology that's come up with the industry.

You're correct, though, you do see them getting larger. And I think the intention is, right, the larger that they are, you need less land in order to capture the same amount of solar production.

However, that is offset by safety. So I had spoke a little bit about visual impacts in using a single-portrait system; so it's the lowest possible profile to the ground. So if you would envision it, it would be, like, a panel and the post.

A two-portrait system which had been extremely popular in a lot of our other AES projects are our two panels mounted together on a post; right? So you get double the production with the same amount of land.

But during hurricane events and flood events, it becomes an issue. So we're now scaling back to use the one-piece systems in order to ensure safety for the surrounding community. So it's a little bit of a trade-off, to your point.

Solar panels have commoditized largely; right?

They're -- it's not -- like, one company's not, like, a much different panel than the next. But, you know, I think where you see a lot of the development is around batteries. Battery technology getting safer and smaller and denser and more compact.

CHAIR AKO: Okay. Start date and end

date? I think the end date you're looking at probably before 2028 -- well, actually, before 2029 because of the expiration of the federal credit --

MS. KANE: Correct.

CHAIR AKO: -- it needs to be in operation. If we don't hit that date, what is the monetary impact of -- on the project?

MS. KANE: The project has anticipated a 40 percent federal tax credit. So if we do not achieve the 2029 commercial operation, you -- it's money that we haven't accounted for and the price that we're going to be selling energy to KIUC.

So it's a huge component to keeping energy prices low, which is why we're also targeting a 2028 start so that if there is anything that happens, right, there is no question that we will hit 2029.

CHAIR AKO: Other questions?

COMMISSIONER ORNELLAS: I have a question. Is the historic name 'Awa Nui (phonetic)? Is that the historic name of the property?

MR. GREENE: The ridge, yes. That area, yes.

Are you asking me about the name?

COMMISSIONER ORNELLAS: As an 'awa drinker, I was wondering maybe they should try growing some 'awa.

MR. GREENE: Yeah. I understand that -- I could be totally wrong here, the Robinsons may kill me -- but I think that area where the village is is like a bowl and it -- the name goes back to that sort of being a -- some sort of kava bowl or something like that.

COMMISSIONER ORNELLAS: Thank you.

CHAIR AKO: Since you asked that, I'm going to ask one more.

Where or what is Makaweli? When I hear people talk about Makaweli, it's this here, it's this here, it's all the same, but Makaweli is what? It's a big piece of property, land.

MR. GREENE: Well, ahupua'a of Makaweli. So it runs roughly to the ridge at Kaumakani, like, where the village is all the way to Waimea River. That is the ahupua'a.

And Makaweli, loosely translated, means "sore eyes" because it was traditionally a red, dusty area and you get dust in your eyes.

CHAIR AKO: Kaumakani Camp and Pakala Camp and Kaawanui, that is all part of Makaweli?

MR. GREENE: Yes.

CHAIR AKO: I feel smart now. Anything else, commissioners?

If not, I want to thank you very much for your presentation. It's been very helpful.

With that, if we can turn it over to Mr. Estes for your recommendation.

STAFF PLANNER ESTES: Thank you for the recommendation. I believe the applicant would like to go over the decision and order.

DIRECTOR HULL: The department has recommended conditions of approval should the commission entertain action today.

The applicant did go over with us, just after the agenda was posted, a proposed -- what we consider nominal amendments to our recommended conditions of approval and are now circulating and submitting a formal decision and order proposal that reflect those nominal changes.

The changes they're proposing are highlighted so we can go over any of the original conditions of approval as recommended as well as the applicant's proposed changes. But, essentially, that's what Kenny is circulating right now.

Kenny, if you can make one available for the public.

COMMISSIONER OTSUKA: Would I be able, at this time, to ask a question on the Recommendation Number 16? Is this an appropriate time?

DIRECTOR HULL: Yep.

COMMISSIONER OTSUKA: So regarding the Condition Number 16, I had a question about the language of the last sentence which reads -- currently reads:

> "In addition, in the event of an inadvertent discovery of human remains, the completion of a burial treatment plan, in compliance with HAR 13-300 and HRS 6E-43, is recommended."

I was -- I'm concerned about the word "recommended" versus "required."

DIRECTOR HULL: Max, given the commissioner's concern, do you have any concerns with the phrase "recommended" being amended to "require"?

MR. GRAHAM: No, no problem.

COMMISSIONER STREUFERT: Could I also ask for two different changes on both 16 and 17, Condition 16 and 17?

If there's one thing I've learned and it's been drilled into me for the times that I've been here, there's a difference between "shall," "will," and "should."

So I would like these to be changed to "shall be informed" on 16, and on 17, that they -- "project proponents shall be consulted."

DIRECTOR HULL: Max, do you have any --

MR. GRAHAM: No problem with that change.

DIRECTOR HULL: The department would welcome both proposals from Commissioner Otsuka and Commissioner Streufert to amend our report to reflect the subsequent submitted decision and order.

MR. GRAHAM: So if I can just talk about procedural matters. In order -- this project requires a CZO use permit, and as a condition of CZO use permanent, a CZO Class IV zoning permit and a special permit approved by the State Land Use

Commission.

So, today, we're asking that you approve the CZO use permit, the CZO Class IV permit, and recommend -- because that's your duty when we have a special permit situation -- recommend approval of the special permit to the State Land Use Commission.

And I need to distinguish the -- when we talk about the project, we -- the project encompasses all of the solar arrays and the battery storage and the AES switch station or substation, and that requires the CZO use permit, CZO Class IV zoning permit.

The KIUC substation also requires a CZO use permit and a CZO Class IV zoning permit. So the approval will cover all of the project area.

When we get to the State Land Use Commission level, the KIUC substation is a permitted use in the Land Use Commission agricultural district so they don't need to approve any permit for that. That's a permitted use.

So when you recommend approval, the recommendation is to the entire project except the -- the Kaawanui KIUC substation. And that's important because at the Land Use Commission level,

the conditions will include decommissioning of the project at the end of its useful life, but because the KIUC substation is a permitted use and won't be covered by the special permit, it won't be subject to the decommissioning.

So once that substation is completed, constructed, it will be transferred over to the KIUC, and KIUC will be the owner of the Kaawanui substation and have a independent lease or easement arrangement with Robinson Family Partners for that portion of the property so that 35 years down the line or whenever this project may be terminated and decommissioned, the Kaawanui substation will remain because that's going to become part of the electrical grid for the island. Okay. So that's the --

CHAIR AKO: Is that in reference to that special permit, SP-2026-4?

MR. GRAHAM: Yes. So what I did -- so because we're going to the State Land Use Commission, we need to have the commission approve the findings and fact, conclusions of law, decision and order because that's the format that the State Land Use Commission wants to get its recommendation.

And so I've prepared that, and I believe the planning department has no problems except --

DEPUTY COUNTY ATTORNEY BARZILAI: I'm seeing it for the first time right now. So maybe we could just take a couple of minutes just to go through it?

MR. GRAHAM: Okay. So let's go through it.

DEPUTY COUNTY ATTORNEY BARZILAI: Recommendation to the commission to have them sign.

MR. GRAHAM: So this -- these findings have a decision and order. The decision and order says that you approve -- I'm anticipating you approve the project.

DEPUTY COUNTY ATTORNEY BARZILAI: I understand.

MR. GRAHAM: But it will be subject to conditions. So let me talk about the conditions first just to highlight it and then you can talk about it.

There are 24 conditions. So -- and they start on -- Page 62 is the decision and order, and then 73 we start the conditions.

I have copied the conditions out of

the planning director's report or the director's report. The only changes I've made other than the changes suggested by the commission are as follows -- and let's go over them so you see it.

Condition Number 5, Page 64, bottom paragraph in blue, and it says:

"The applicant shall decommission the facility, not including the Kaawanui substation."

Because I wanted to make clear that, as we just discussed, the substation owned by KIUC will not be decommissioned.

So then we move on to Page 65 and Condition 6. There's a condition that:

"The applicant should identify and implement feasible measures to reasonably protect."

And then I wanted to add in:

"Replace or relocate any indigenous or native plant species."

And the reason is because there may be plant species in the middle of the area that's

going to be used for the solar array and also used for ag purposes.

And so the alternative -- and we need to consult with planning department on this -- but, alternatively, the applicant should be allowed to either protect it -- I don't know, put a fence around it -- or replace it or relocate it so that if you take out an indigenous species, you have to relocate it within the project site somewhere else where it won't be affected by the project.

So that's the reason for that; we're just adding the words "replace or relocate."

Next page, 66, this is important because the timing is important. Condition 8, we want to say that "The applicant shall" -- and we'll add this verbiage:

"Begin commercial operations of the project within four years of the date of the State Land Use Commission decision and order."

And then:

"The special permit will be valid for a period

of 35 years of the date of the start of commercial operations of the project."

So that means they have four years from State Land Use Commission approval to begin commercial operations so they have to construct and begin operations of the project. And then once they start commercial operations, the term which is the same, I believe, as the term of the PPA, the purchase power disagreement, is 35 years from the date of Land Use Commission approval.

And we had the recommended changes to Paragraphs 16 and 17 that we agreed to. Then Page 69, Condition 19, I think this was just a mistake, a typo or -- anyway, the requirement is that best management practices to ensure that the -- it's says "subdivision," but this is not a subdivision -- that the project does not generate impact. So we delete "subdivision," add "project."

Oh, and going up to -- same page, 69, Condition 18, we want to add in that the applicant has to resolve and comply with requirements and recommendations of SHPD, State Historic Properties [sic] Division of DLNR, or Kauai Island Burial Council in case anything comes up.

And then, finally, I've added a condition on Page 70, Condition 24, to distinguish the Kaawanui substation from the remainder of the project. There are -- so remember, the special permit will only apply to the portion of the project other than the Kaawanui substation.

So we want to make clear that the Kaawanui substation shall not be subject to conditions that apply only as a result of the special permit and will only be subject to conditions imposed by this planning commission specifically on the entire project.

So those are the requested changes. And I'm happy to answer questions, or we can take a break now so you can review.

CHAIR AKO: You know, on Page 66, "The applicant shall begin commercial operations of the project within four years," does that impact the federal funding?

MS. KANE: Technically, yes. It's four years from today or this year when we receive the approval. That would put us at 2030. We would have to be online by the end of '29.

CHAIR AKO: So regardless of the 2029 deadline, it seems like the project will move

forward?

MS. KANE: Well, I won't -- I will say that if we are not meeting the 2029 deadline, it's a larger conversation about viability and the price of power. We're committed to 2029.

DEPUTY COUNTY ATTORNEY BARZILAI: Mr. Graham, so, essentially, you've taken a portion of your client's application and added the conditions to create this --

MR. GRAHAM: Wait. So what I used for the findings is the -- actually, the application we submitted to you. And, yeah.

DEPUTY COUNTY ATTORNEY BARZILAI: Does the department have any issue with this initial section since it mirrors the application?

DIRECTOR HULL: No.

Okay. So then it's just a matter of whether the commission accepts the changes to the conditions recommended by the department.

COMMISSIONER STREUFERT: Could I ask one question about this on Condition 6? Will that be also subject to the Condition Number 5 that says that:

"Shall decommission the facility including the

removal of all equipment."

So that if you are going to replace, protect, or remove any of the plants, that that will also be done within that same time frame, because that's not in that time frame? Or is that connected to Condition 5 which is that everything will be done within 6 -- 12 months after decommissioning.

MS. KANE: So Condition 6 does not apply to decommissioning necessarily. It's really, like, the initiation of construction.

So if there is anything that needs to be relocated within the project site to be -- to save indigenous or endemic species, we would identify that then, move it into the landscape buffer, move it somewhere to preserve the species, but be able to design the project without pukas or anything should it come up that is identified in the field.

COMMISSIONER STREUFERT: But within decommissioning, if there was any plants or anything that needed to be replanted, replaced?

MS. KANE: Oh, I see. Yes, during decommissioning, there will be a reseeding portion of that 12-month period. Correct. I'm sorry.

COMMISSIONER STREUFERT: That's -- and I just wanted to make sure that Condition 6 would be under -- or follow the requirements under Condition 5 which is within 12 months of decommissioning.

MS. KANE: Okay. Yes.

CHAIR AKO: Let's see. Is it the choice of the commission to take some time to review this?

Or, Laura, do you have any concerns?

DEPUTY COUNTY ATTORNEY BARZILAI: I'm okay with it, Chair.

The motion can be whatever your decision is on the permits. If you choose to approve, you could say "approve findings of fact, conclusions of law pending consultation with Office of the County Attorney and the Planning Department."

Or you can improve it -- you could approve it now -- if you feel like you want to consult further, but Mr. Graham explained how he constructed this document. I just haven't seen it before just now.

CHAIR AKO: Wish of the commission.

COMMISSIONER STREUFERT: And you've

agreed to the changes from "should" to "shalls."

CHAIR AKO: Are we ready for a motion?

DEPUTY COUNTY ATTORNEY BARZILAI: So, therefore -- sorry, Chair.

So are you going to revise the document, Mr. Graham?

In other words, before they sign, you're going to implement the changes that have --

MR. GRAHAM: Yes.

DEPUTY COUNTY ATTORNEY BARZILAI: -- just been requested?

MR. GRAHAM: Yes.

DEPUTY COUNTY ATTORNEY BARZILAI: Okay. So we'll get another draft so my office can also read it more thoroughly?

MR. GRAHAM: Yes.

DEPUTY COUNTY ATTORNEY BARZILAI: Thank you.

DIRECTOR HULL: Just for the -- because of the LUC record. Just for the record, what's being voted on if a motion was made would be the proposed finding of fact and conclusion of law and decision and order as provided by the applicant and as read onto the record by the planning department.

DEPUTY COUNTY ATTORNEY BARZILAI: With changes?

DIRECTOR HULL: Yeah. With the -- with the changes read onto the record.

DEPUTY COUNTY ATTORNEY BARZILAI: Okay.

CHAIR AKO: You ready for a recommendation?

COMMISSIONER STREUFERT: I'll ask one question then. Does this then -- does this findings of fact, conclusion, and recommendations, does that become the department's -- the planning department -- or planning director's report?

DIRECTOR HULL: Correct.

COMMISSIONER STREUFERT: I move to --

CHAIR AKO: Wait. Approve the recommendation.

COMMISSIONER STREUFERT: Oh, sorry.

CHAIR AKO: You have a recommendation for us?

DIRECTOR HULL: Oh, that's what I was saying, is we're standing by the original conditions as represented. But then upon the submittal by the applicant of the updated decision and order, the department is adopting their

recommended decision and order for the conditions of approval with the additional amendments read onto the record pursuant to Commissioner Streufert and Commissioner Otsuka's proposed language. So that's our department's updated conditions of approval.

COMMISSIONER COX: I move to approve Use Permit Number U-2026-9, Class IV Zoning Permit Number Z-4-2026-12 and recommend the special permit to the State Land Use Commission for Special Permit Number SP-2026-4; is that correct?

CHAIR AKO: Second?

COMMISSIONER STREUFERT: With amendments as have been discussed.

COMMISSIONER ORNELLAS: Second.

CHAIR AKO: The motion has been seconded. Any comments?

COMMISSIONER COX: I think this is an incredibly important project, and I commend the thoroughness which all of you have put into this.

You know, it wasn't fun, necessarily, to read all of this but, actually, it really did -- it helped me, anyway, feel very comfortable. I was already in favor of the idea, but it made me feel very comfortable with the application.

Thank you very much.

MS. KANE: Thank you.

CHAIR AKO: I, too, would like to thank you guys because I think 25 years or 35 years from now, keep on moving on. And not too many people going remember, I think, the day that you came over here -- you know, what you put forward here but, you know, for all those people who probably just use electricity like me, just take it for granted, thank you very much.

If not, Mr. Clerk, can we have a roll call vote, please?

DIRECTOR HULL: Roll call, Mr. Chair.

Commissioner Cox?

COMMISSIONER COX: Aye.

DIRECTOR HULL: Commissioner -- oh, Commissioner Giovanni is excused.

Commissioner Ornellas?

COMMISSIONER ORNELLAS: Aye.

DIRECTOR HULL: Commissioner Otsuka?

COMMISSIONER OTSUKA: Aye.

DIRECTOR HULL: Commissioner Streufert?

COMMISSIONER STREUFERT: Aye.

DIRECTOR HULL: Chair Ako?

CHAIR AKO: Aye.

DIRECTOR HULL: Motion passes, Chair.

CHAIR AKO: Okay. Thank you very much.

(Whereupon, the meeting was adjourned at 10:43 a.m.)

STATE OF HAWAII)
)
CITY AND COUNTY OF HONOLULU)

I, Chantelle Hee, Certified Court Reporter, Certificate No. 536, for the State of Hawaii, hereby certify:

That the foregoing proceedings were taken down by me in machine shorthand at the time and place herein stated, and was thereafter reduced to print by means of computer-aided transcription;

That the foregoing is a full, true, and correct transcript of said proceedings to the best of my ability.

I further certify that I am not of counsel of attorney for any of the parties to this case, nor in any way interested in the outcome hereof, and that I am not related to any of the parties hereto.

Dated this 23rd day of March 2026 in Honolulu, Hawaii.

Chantelle Hee

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