

Hawaiian Homes Commission
PUBLIC HEARING ON THE PROPOSED KAHIKINUI WIND ENERGY PROJECT
Paukūkalo Community Center
July 30, 2015 10:00 am to 12:00 pm

MEETING NOTES

NOTE: This meeting notes document was generated in order to develop the beneficiary consultation report. Therefore it only identifies the questions and comments raised by participants. It does not cover the presentation portion of the meeting, however the presentation handout materials are attached for reference. For a detailed account of all aspects of the meeting, please refer the Commission's Meeting Minutes.

ATTENDANCE:

Commissioners: Jobie M. K. Masagatani, Chairperson; Doreen N. Canto, Maui; Michael P. Kahikina, O'ahu; William K. Richardson, O'ahu; Renwick V. I. Tassill, O'ahu; Kathleen P. Chin, Kaua'i

Participants: Nadine Aquino, Kahala Azuma, Leah Belmonte, Malia Benz-Marrs, Harry and Kahiau Brown, Ellie Marshman Castillo, Erwin Chase, Ka'ewe Davidson, Jose Dizon, Jatt Ejzengas, Blossom Feiteira, Kehau Filimoeatu, Alapaki Heanu, Kau Kahaialii, John Kahalehoe, Sr., Trina Kalanikau, Tasha Kama, Kaniloa Kamaunu, Carol Lee Kamekona, Pala'aina Kaniela, M/M Ke'eaumoku Kapu, Kal Kobayashi, Justin Ma'alea, Leilani Maui, Dick Mayer, Bohnelopi McKenzie, Jonathan Mitchell, Mo Moler, Naeole Naauao, Guylean 'Chad' Newman, Harry Newman, Basil Oshiro, Lisa Pahukoa, Shawn Perry, Angus Peters, Akua Po, Loretta Ritte, Walter Ritte, Charlene Shibuya, Donna Sterling.

QUESTIONS/ANSWERS:

1. Do the windmills need fossil fuel to start up? If so, how much and what kind of fuel?

Answer: (Anthony Pedroni) What does it take to get a windmill started? It actually **doesn't** take any fossil fuel to get them started. The windmills measure the wind, point themselves into the wind when the wind picks up in the right direction and it starts generating energy. It's an automated process; the technology is smart enough to start up on their own.

2. Will the energy that is produced at Kahikinui be shared with O'ahu? Are we committing to an undersea cable?

Answer: (Doug McLeod, NextEra Maui-based project development consultant) This is a question that keeps coming up because this was something that came up in earlier discussions with HECO. But all the power generated by this project is meant to serve Maui; there is no plan to export power to O'ahu. The project is projected to generate a maximum of 60MW of energy which is intended to serve Maui island.

3. Who makes the final decision on this proposal?

Answer: (Chairperson Masagatani) In terms of the approval of the Right of Entry and General Lease, the final decision would be made by the Hawaiian Homes Commission at its November meeting. This is a public meeting and any member of the public can attend and provide testimony.

4. With advances in technology, will the wind turbines be replaced or updated?

Answer: (Doug McLeod) We're looking at 3MW wind turbines, like the ones you see at Auwahi. If there are changes in technology in the next couple of years, while we're in the design stage, those can be factored in, but once the wind turbines are installed, we wouldn't change what's in the ground during the whole 20 year period.

5. What is the timeframe for completion of this project?

Answer: (Doug McLeod) There's so many factors that affect timeframe. If completion means providing power to MECO, it might be around 2020, but that's a very general number. It presumes that we don't find anything unexpected in our due diligence studies that would result in a major redesign of the project.

6. What was the date and location of the beneficiary consultation meeting for the Kahikinui Wind Energy Project?

Answer: (Julie-Ann Cachola) There were several beneficiary consultation meetings that began in January 2013. At that time, we looked broadly at renewable energy development in 3 Hawaiian

PUBLIC TESTIMONY:

1. **Kaniloa Kamaunu:** My concern is the cost of infrastructure—we already know that MECO can't take the energy that Auwahi and Kaheawa is producing. They are losing 8%-they are going to have to upgrade their infrastructure--who's going to foot the cost? We're all going to have to pay. The impact is to existing MECO customers. I'm sorry Kahikinui people, but you knew exactly what you were getting involved in when you signed up.
2. **Harry Brown:** I am beneficiary. I recently moved back here. I've been away from Maui 46 years. One of the main reasons I moved back, is because I was living in Kahuku, less than ½ mile from the windmills. I was surrounded by windmills. \$6M over 20 years is not a lot of money. I want to know how much NextEra is going to make over 20 years. You can thank them for their offer, but they have to pay more. Kahuku generated no benefits for consumers—our bills went higher and higher. I moved away because my son cannot sleep. The windmills affect people with disabilities—why else would I move from my home? Now my son sleeps; now I can sleep. People will say there is no test; the tests take a long time. I can tell you there is effects—people with disabilities are very sensitive. I'm worried it's going to affect other disabled kids. I don't feel good about this project. The ratio of benefits back to Hawaiian people vs. what NextEra gets is not right. I think you should get a lot more money. I have reservations. I ask the HHC who represent all the beneficiaries--to make a right decision. I am just one person. But I am important, don't make my one voice be cast to the wind. I speak with deep concern and reservations. Unless I see the numbers, we need more than so that more Hawaiians can benefit.
3. **Kaui Kahaiali'i:** I am beneficiary of Waiehu Kou 2. It's hard to stand up here, so passionate, it's hard not to lose it. I oppose this project. For everything that's been said--there's no transparency—we don't know whether beneficiaries are benefitting—and I'm

talking about all kanaka; all beneficiaries. These corporations come in with good intentions, but when contracts are cast in blood, we always lose. Can someone commit that after the 20 year lease that the windmills will come down and that other industrial uses won't come in? Can you commit that more windmills will not come in?

Let's do some quick math. If you take 500 acres at 1 acre, that's 500 kanaka you displace. 500-acres at ½ acre lots, you displace 1000 kanaka. 500-acres at ¼ acre lots, you displace 2,000 kanaka. I'm not saying you necessarily want 2,000 kanaka at Kahikinui. My point is that you're so quick to make decisions on behalf of corporations. But since the Hawaiian Homes Commission Act passed, how many Hawaiians got on their homelands? About 10,000? That means there's another 40,000-60,000 out there...after 100 years. How long more do we have to wait? It's time to start to thinking about our lāhui, not the corporations. Kala mai Kahikinui, but if I'm going to come up and talk about something, it will be for all Hawaiians, not just me. If you come my house, I'll feed you whole family, not just you.

4. **Basil Oshiro**—I'm not lineal, I'm not a beneficiary, I'm speaking from the heart for people of Hawaii. Few questions: Is this just about money? Hawaii is looking for 100% freedom from fossil fuel, we don't want to be dependent. We're looking for something and the big corporations see that they can make money here. But Hawaii is not for sale. This says there's an excellent wind source at Kahikinui. Has anyone looked at salt air that is generated there? I fish there, when the wind is blowing, the salt air goes up mauka several miles. So that excellent wind source is salt air. For example, in Paukūkalo, the alarm system..it takes 2-3 months or less to kill the alarm system—salt gets into the system. South Point is the same thing: salt got in and it was sad that no one was there to take care of the clean-up. Will the company be here 20-40 years from now—so people of Hawaii, tax payers, won't be holding the bill to clean-up. We can't do that, we need a guarantee. We're limited in the islands. Have you really looked into damages? Have you seen Kahikinui? It's pristine. Generations after generations are not going know the pristine value of the area. Who is really going to benefit? When this came up, I was there at that first meeting—they said we have a surplus of power so we're going give to O'ahu. I oppose project—it's not fool proof, the storage system, its MECO—can they take the power?? They already have surplus..can they take it? Does it really benefit the people? Now the HHC you say you're going take all these comments and you're going to make the decision. That's wrong. The people should be making the decision...9 people deciding for 150,000 people...that's wrong. Let's see the HHC start working with the people. What good is going to come out of this? Hopefully the people can make the decision, not a few people.
5. **Carol Lee Kamekona**: (see written submittal) She has been an applicant since 1999; in 2008 Dad signed Undivided Interest, dad passed away no land, no house, no legacy for his 'ohana. No disrespect to Ka 'Ohana o Kahikinui who put blood and sweat into the land. I am not against development; I am not against progress. I am against the continued oppression of our Hawaiian people.

The policy of the HHC is to enable native Hawaiians to return to their lands in order to fully support self-sufficiency and self-determination and the preservation of values,

traditions, and culture of native Hawaiians. In 2007, Act 212 established the Aha Moku System and in 2012, Act 288 established the Aha Moku Advisory Committee. This is the State of Hawaii's recognition of generational knowledge from kupuna on traditional farming, fishing, agriculture and land use methodology based on the ahupua'a system.

The lands under consideration for this proposal is Hawaiian Home Lands, not Kahikinui home lands. Therefore, I propose that the HHC: 1. Convene a beneficiary consultation with all Maui beneficiaries on this issue; 2. ensure a seat on the negotiation table for the Aha Moku Council; 3. Keep within legislative budget and stop spending trust money on operational costs. With over 8,800 applicants on the Maui wait list alone and over 43,000 applicants on the waitlist statewide, it would behoove DHHL to focus on fulfilling the policy of the Act. To entertain the idea of using trust lands for non-beneficiary use to generate money is a lame excuse. You have money, for instance, NAHASDA has \$44M. It's not doing anything for anyone just sitting there. Spend that money, put our people on the land. I have included a picture of the Altamont Pass in the Livermore Valley California area. In this area, as far as the eye can see you can see land. We don't have that luxury. For us, as far as your eye can see, we see water. We need to protect, preserve, and cherish the undeveloped land to let future generations develop it as they see fit.

6. **Kaiawe Davidson**: Good morning. I am a graduate of the Hawaiian immersion program and I am here on behalf of my family and father, Kawika Davidson, who is a lessee at Kahikinui and has been there from the beginning. He has been involved in planting, fencing, and helps to manage the 4,500-acre forest. Our concern is that after hundreds of hours of research on studies conducted around the world on the effect of windmills on the human body, we have found that people living in close proximity to wind turbines experience: short terms effects, including: nausea, anxiety, insomnia, depression, cardiac problems, memory dysfunction, blood pressure elevations, chronic sleep deprivation, panic, and vertigo spells. Not sure about the long term effects. The mechanism for causing the adverse effect on the human body are the artificial electromagnetic fields generated by the megawatt generators on the top of the turbines and the sonic waves created by the blades. This is well documented online, under topics like "the effect of wind mills on human health." These are our concerns about health risks for the homesteaders living in close proximity.

As a Kanaka Maoli, it destroys the nature and life source of the land. Once gone, it can never be restored. Where does the destroying and taking over the lands end? This is sacred and precious lands that people have been farming and fishing from generation to generation. You commissioners are responsible for the life of the land and the life and care for the people. My family will not support this project because there no righteousness in destroying the land.

7. **Chad Newman**: I am member of Ka 'Ohana o Kahikinui. I want to talk about my mother growing up in Pelekunu Valley in Moloka'i. She taught us basic protocols—for example, we brought makana for people there, but the first thing we'd do is clean up the area before we picked limu. When we went mauka, we would plant and clean. These

are practices she taught us. She said watch carefully where you step. Never take roots, watch your effect on beings. It was the beginning of my understanding of haloa.

In 1993, we were contacted about land opening up at Kahikinui—it was a pilot project. We witnessed the overgrazing of the mauka area. We started a newsletter to inform lessees. As we started to work with one another we quickly learned that we could either help each other or we could fight each other.

In a symbiotic relationship—there's a host. This is different from parasitism where one species just drains the resource of the other. The world of flora and fauna. People relate to relationships differently, they have different relationships with humans. Taking advantages. Humans cannot live without symbiosis. Symbiosis is connected, humans take advantage our presence was crucial to be protectors of the land because land was being used by ranchers for over 100 years. You see the grazing area—that used to be forest. We wanted to save the last bit of the native forest so today we have groups that are working—the whole upper area is being protected to ensure that the native forest continue. We are continuing our projects out there, we do need funding. This is one of things we looked at. There's thousands of historic sites that we would like to restore. We support this project as an alternative form of energy.

8. **Ellie Marshman Castillo**: I am here as the secretary of the Aha Moku of Wailuku and as a concerned citizen. In a General Meeting of the Wailuku Moku on July 10, 2015, a motion was ratified to address concerns raised by the NextEra and DHHL Public hearings stemming from the lack of consultation with the Aha Moku o Maui, heirs and assigns of Land Commission Awardees. DHHL is authorized by federal mandate of the Hawaiian Homes Commission Act, however, there are no circumstances by which the Department may negotiate the proposal with NextEra without compromising the intent of the Hawaiian Homes Act. To continue public hearings without meaningful consultation, segregating communities under the misguided belief that residents of DHHL at Kahikinui are the only parties with standing and the Aha Moku o Maui has no interest, is fruitless. Therefore, the Wailuku Moku objects to the arrangement promoted by DHHL, the State of Hawaii and NextEra. There will be no support provided for the advancement of this or similar ideas and projects without the inclusion of a consultative process by the Wailuku Moku.
9. **Jody Allione**: I wanted to share my story as a development consultant for NextEra and what we've been doing with Kahikinui. I was brought in 3 years ago with the concept of doing a wind project—to see if we could make it work—if it would be OK with the community. We had a lot of meetings. The bottom line is that there's a lot of unoccupied lots. But they can't move on lots without infrastructure. We have the means to do this with the Community Benefits Package. They need roads and water. The community association put a list together on what they wanted, including: a share of interim funding, road construction to existing lots, water to existing lots, electricity, first choice for jobs, help to set themselves up as an eco-tourism venture, annual percentage of profit sharing, guaranteed removal plan at the end of the term, site planning for schools, community center, security presence for the community. We can't do all of this, but with

assistance of HHC, we can do a lot of this. We propose a 3-way partnership starting now till when the turbines come down.

10. **Noelani Aquino:** I'm an applicant and have been on the list since I was 18 years old. Just got off the plane from moku o Keawe. I'm here to share that the people of the Big Island hear about what's happening on this island. There's a connection between Maunakea and Haleakala. I come here not with a written speech, just with Ke Akua. I hope that the favor he has put on this island be taken to heart. I hope that whatever happens is God's will.
11. **Angus Peters:** Aloha—I respect my mother's wishes, you cannot stop progress. For me, there's more important things than the windmills. Look into the future. HHC should look at grave yards, no matter where you're from. You can be buried on the Island.
12. **Mo Moler**—Aloha I'll start off where I got cut off from last night. You can see a lot of opposition today. We've been involved in everything about planning, implementation and development at Kahikinui, but we have had very little involvement in this project. In spite of the fact that this project will have greatest impact on us. He acknowledges that NextEra was responsive to their recommendations to move the turbines from the west to the east end of the parcel. But he said that they were not responsive to the 'Ohana's suggestion to move the turbines mauka of the road, which would facilitate running electric lines to service all homestead lots, for free.

At this point the 'Ohana is convinced that NextEra will do everything within their power to accommodate their needs. There's still things that need to be done, including: have to walk the land, wants to see detailed plans for the development of the system, need to negotiate benefits package hoping it will be robust, need further studies on our health, our 'āina, and on our pristine and undeveloped landscape. If we can't come to an agreement on a win-win situation, then I want to go on record that NextEra, the DHHL and staff are running us through a system of deception once again.

13. **Brian Nae'ole:** I wanted to thank the Commission for the opportunity to address this Commission for the second time. I was here last night and I hand delivered my DNA to Jobie. In the history of the Kahikinui lands, you will find Land Commission Award Number 7713 which belongs to Victoria Kamamalu. She is my lineal descendant on my mother's side. Victoria Kamamalu still owns these properties, in the Kona portion of this ahupua'a.

I have educated myself on who I am, where I come from, and I understand why it is important to recognize this discussion. I found out that we're not getting anything for the Victoria Kamamalu lands. I'm also a lineal descendent to the 'Auwahi Wind farm via Princess Ruth Ke'elikolani. We (Brian Nae'ole Na'auao, Stephen Na'auao, Jr. and Florence Lani Pi'ena Kuhaulua) have come forward to assert our claims. We found our DNA and we know how important it is.

We have people from outside of Hawai'i that are taking all this revenue. When we asserted our claims, we got pulled to the side. I have diligently worked with the relevant agencies (State of Hawai'i, DHHL, OHA and DLNR). These outside companies are going to make all this money. We come up and give you our DNA and I have been

disrespected. I give you my DNA, but I haven't got one single response from any agency.

This is business as usual and we're tired. We want to live happy, work together, but this is not a "working together" process. This is a land grab situation. We find out today that Hawai'i is not part of the US...now why is this put on the side and not being addressed? We are being fast tracked ignored—we have no choice but to sue like everyone else. We're tired, we know our rights. I come from 2 famous lines: my grandfather, was Chief Nae'ole, the one that took care of Kamehameha I. Then there's Alapa'i Nui Kawawa Mahi from Kahikinui. These people come from the na'au of the area.

So there's a lot we can do. First and foremost you have to work on giving us the opportunity to pursue our claims. If we don't go forward and get it cleared, I have a legal vested right because this is who I am. Maybe we have to sue like everyone else. We find out today that we were illegally overthrown. But we're tired like everyone else. I'm poor, we want to live happy.

14. **Blossom Feiteira:** Thank you for the opportunity to give my testimony in support of this proposal. Kahikinui has been here for 1,000 years, then we experienced over 150 years of ranching that denuded the environment. This moku is the only moku that is part of DHHL. This is not public land, this is HHLs. Ka ohana has taken up the responsibility of taking care of this place. My kuleana is not named that because looked like shit, then hundreds of years of ranching, degraded lands. I can go anywhere to pick 'opihi, but the only way I can pick 'opihi at Kahikinui is if the 'Ohana gets enough funding to manage their land-based projects. You have had this for many years. People think it's open to the public, where anyone can do anything. It's not. It's for native Hawaiian benefit. For 20 years KOK has taken up the mantle. I don't agree with windmills here. It's beautiful. But as a beneficiary, my kuleana is not to look at my personal needs; but to look out for the needs of the community at Kahikinui. I can go fishing anywhere. What I can't do is live at Kahikinui the way my ancestors did unless the 'ohana can make this place a viable place for all Hawaiians. I request that you bring the 'ohana to the table and keep them here because we will have a lot of work to do. Don't forget—the primary purpose of the act...native Hawaiians returning to the land and in this case, it's Ka 'Ohana o Kahikinui.
15. **Ke'eaumoku Kapu and Granddaughter:** I hanai my granddaughter to this Commission. She has the right numbers. She is truly a beneficiary. I'm still waiting. I'm heart-filled with the issues we face today. Maybe we can start sperm bank for Hawaiians. We kanaka today are no different from other people in Hawaii. We're struggling. But we're supposed to have benefits.
16. **Kua (Mo's son):** I grew up in Kahikinui. Over years, saw change, started with roads, telecommunications came in every lot got phones lines, we were involved, we saw it happen. The next development was the road being paved. That was 10-12 years ago and we haven't seen anything except for the windmills at Auwahi. When you come across the back side and see that area. But like people saying—it's a done deal, sad that the Hawaiian Homes Commission didn't involve the community. Just ask if you're going to do it, make sure we're involved.

17. **Dick Mayer**—see written testimony. I would urge you to request that applications have criteria as to what to include in the proposal. For instance, they should have a battery storage and the power line route and alternatives be identified clearly. Should apply an inflation figure to the power purchase agreement. Of course, they need to do the environmental compliance—Chapter 343 full disclosure of impacts and mitigation of those impacts. But I suggest that you also include enforcement measures. Who is going to enforce the mitigation efforts. What about breaking down the windmills? Who maintains the windmills. I would urge you to get the parent NextEra company to sign off on the contract, not the paper company. Should identify the power utility at that time—leave it generally defined because MECO may be changing. I also suggest you include the PUC as a signature on the contract.
18. **Kehau Filimoeatu**: do you really want to hear from me? Because the only way, is to listen. True testimony needs a tongue to utter. Kehau introduced herself and her ancestral lines. I was on waitlist for a decade without access. I went back to see when the Kahikinui project got approval, we pulled up an agenda dated May 23 at Waiohuli. Then at the end, there's the next steps. There was also on Nov 12, 2014 a selection of 2 proposals. Then I got a letter dated Nov 25, 2014 as the President of Na Po'e Kokua. It says we got your letter of interest and DHHL regrets your proposal was not selected to pursue. There were many proposals. June 23rd last day to comment. Public info mtgs—but I didn't get the letter. I wanted to challenge you today to see if you would stick around after noon. I don't trust your timeline, I definitely don't trust this process. It needs to be paused or ignored. Yesterday was a long day, actually I had 28 hours for this day. I just spent a week with faith based organizations, some having oppression, all coming with all faiths of akua. Those people asked me to go to Kaanapali. But it was so hot. But I also wanted to attend the public hearing last night. Upon arrival I could see that there was acquiescence to a dominant narrative. I thought it would be before an unbiased body, I felt disappointment. For being sucked into a process--yet you claim we should trust the fiduciaries of our trust. You insult us with timelines so can follow along. You throw pennies so can find our way home. Your beneficiaries, your people know where we belong, we have nowhere else to go-- but I still love all of you.
19. **Walter Ritte**: I'm from Moloka'i--we had a similar process on Moloka'i many years ago, we're talking huge development, lots of windmills, cables, etc. and today there's no windmills on Moloka'i. The key word is process. When you pick opihi, you can either come home with lots of good stuff or come home with nothing and die. Also, in Hawaiian communities, process is key. They don't trust the process. You have to figure out how to get out of your box. I hope the HHC broadens the table, spend the money upfront to talk with a lot of people. You have people that support and people that don't support. You need to find out where the common ground is. Figure out how to come out of the box...figure out how you can come to some kind of agreement