

**HAWAIIAN HOMES COMMISSION PUBLIC HEARING**  
Minutes of March 29, 2023  
Courtyard King Kamehameha's Kona Beach Hotel Ballroom #1  
75-5660 Palani Road, Kailua-Kona, Hawai'i 96740, and  
Interactive Conferencing Technology (ICT) Zoom ID: 609 754 2925

Pursuant to proper call, the meeting of the Hawaiian Homes Commission was held both in person and via Interactive conferencing technology, beginning at 8:30 AM.

**PRESENT** Kali Watson, Chairman  
Makai Freitas, West Hawai'i Commissioner  
Zachary Z. Helm, Moloka'i Commissioner  
Michael L. Kaleikini, East Hawai'i Commission  
Russell K. Ka'upu, O'ahu Commissioner (9:09 AM)  
Pauline N. Namu'o, O'ahu Commissioner (ICT)  
Patricia A. Teruya, O'ahu Commissioner (ICT)

**EXCUSED** Randy K. Awo, Maui Commissioner  
Dennis L. Neves, Kauai Commissioner

**COUNSEL** Alyssa Kau, Deputy Attorney General

**STAFF** Katie L. Ducatt, Deputy to the Chairman  
Leah Burrows-Nuuanu, Secretary to the Commission  
Richard Hoke, Executive Assistant to the Chairman  
Andrew Choy, Planning Manager (ICT)  
Kahana Albinio, Acting Land Management Division Administrator  
Julie Cachola, Planner  
Lilianne Makaila, Planner  
Michael Lowe, Information Specialist

**ORDER OF BUSINESS**

**CALL TO ORDER**

Chair Watson called the meeting to order at 9:05 AM. Four (4) members were present at the meeting location, and two (2) via ICT, establishing a quorum.

This second hearing is for the Department to provide information and receive comments on a proposed community-based renewable energy project on DHHL land in Kalaoa, Hawai'i Island.

In October 2022, the Commission approved Nexamp Solar, LLC's request for a Right of Entry permit for due diligence purposes and a conditional long-term General Lease (25 years with options to extend) for 27.6 acres at Kalaoa which allowed the development of 1 three megawatt solar plus battery storage project.

Nexamp Solar, LLC, a Delaware limited liability company, is requesting a Right-of-Entry Permit for due diligence purposes and conditional approval for a conditional long-term General Lease (for twenty years with options to extend) for an additional 19.33 acres to the 27.6-acre portion of Hawaiian Home Lands to develop a second 3MW solar plus battery storage project. If the additional acreage is approved Nexamp Solar LLC would develop , 2 "co-located" solar plus

battery storage projects, encompassing a total of 46.93 acres of land at Kalaoa that would generate up to 6MW of energy.

The purpose of this hearing is to allow all interested persons to submit data, views, or arguments, orally or in writing, on matters relevant to the issues identified in the Notice of Public Hearing, which was just read. We will not provide any response to any question asked; we are in listening mode only

## **APPROVAL OF AGENDA**

### **MOTION/ACTION**

Moved by Commissioner Helm, seconded by Commissioner Freitas, to approve the agenda.

Motion carried unanimously.

## **PUBLIC HEARING ON THE PROPOSED LAND DISPOSITION OF HAWAIIAN HOME LANDS FOR A COMMUNITY-BASED RENEWABLE ENERGY SOLAR PROJECT AT KALAOA ON THE ISLAND OF HAWAI'I**

### **A. PROPOSED KALAOA COMMUNITY-BASED RENEWABLE ENERGY SOLAR PROJECT**

Presentation of proposed solar energy project on Hawaiian Home Lands at Kalaoa, Hawai'i, to be developed by Nexamp Solar, LLC, a Delaware limited liability company. Nexamp Solar, LLC requests a Right-of-Entry Permit for due diligence purposes and Conditional Approval for a 25-year General Lease for an additional 19.33 acres to the 27.6 acre portion of Hawaiian Home Lands previously approved by the Hawaiian Homes Commission at its regularly scheduled monthly meeting held on October 17-18, 2022, to develop a second 3MW solar plus battery storage project. Here, 2 "co-located" solar plus battery storage projects will be developed to generate a total of up to 6MW of energy encompassing a total land area of 46.93 acres of Hawaiian Home Lands.

Following the presentation, DHHL staff and representatives of Nexamp Solar, LLC will respond to questions from the public related to the proposed project.

**Tax Map Key No. (3) 7-3-010:007 (portion), Kalaoa, Hawai'i Island**

### **B. PUBLIC TESTIMONY ON THE PROPOSED KALAOA COMMUNITY-BASED RENEWABLE ENERGY SOLAR PROJECT**

Public Testimony is limited to (3) three minutes per person.

Chair Watson stated that testifiers would be called in the order of those who signed up ahead via the DHHL website, those who signed up in person, those who signed up via the chat feature, and finally, those who were connected via voice call. Testifiers are asked to unmute themselves when their names are called and to state their name, address, and who they represent.

#### **PT-1 Bo Kahui**

Bo Kahui stated he stands on his former testimony from last night, which he made for the record that he does support the renewable energy program. At one time, O'oma Homestead Alliance competed for this project as it was created to generate renewable energy. One of the slides noted that Nexamp would donate to organizations that support the community. La'i 'Opua CDC's

documents state that they are organized to provide community economic development for the Villages of La'i `Opua members and the La'i `Opua 2020. They are also stakeholders serving the community who gets a project done. In 2010 La'i `Opua 2020 was coined as the Commission's model for community economic development. Nexamp's proposal in October provided that they would give monies to the Villages of La'i `Opua and La'i `Opua 2020. La'i `Opua CDC supports the renewable energy program.

**PT-2 Kaulani Almeida**

K. Almeida testified about Act 204.2 and to HRS 171. She read Act 204.2. After listening to and agreeing with a testimony given on October 17 or 18, 2022, regarding the additional amount of land. She stated she did not realize the Commission had ruled on it. She believes the HHL staff did not do their due diligence in their presentation to make a proper decision on October 17 & 18 by leaving this part of Act 204.2 out of the discussion. When the Commission passed it, they passed it to a non-beneficiary organization versus a native Hawaiian organization. Act 204.2 does not say, instead of contributions or donations, that native Hawaiians waive their rights to contributions to the community. As Julie Cachola said, the support of lessees voted because Bo Kahui led La'i `Opua 2020 to support Nexamp, thinking that possibly 204.2 would be the process by which the Commission would have given the lease to them versus a non-beneficiary.

**PT-3 Tiara Hewlen**

T. Hewlen spoke on behalf of her ohana. She opposes the project and has concerns about lithium batteries in that magnitude of acreage and the clearing of the land. She also worries about the potential contamination of the land due to lithium leakage, as lithium is toxic. If there should be a fire, it cannot be put out with just water. The lithium could leak into the aquifer or anything below the land. She also believes that beneficiaries should be allowed to sit at the table and does not think things have been thoroughly addressed or included. The benefits do not justify leasing Nexamp the land, and she does not trust HELCO. To grant them this project, she believes, is not to the benefit of their community. She does not support this project.

**ANNOUNCEMENTS AND ADJOURNMENT**

Chair Watson stated the Commission will address this matter in a special meeting today at 11:30 AM here at the Courtyard King Kamehameha Kona Beach Hotel Ballroom #1, 75-5660 Palani Road, Kailua-Kona, Hawai'i 96740

**MOTION/ACTION**

Moved by Commissioner Helm, seconded by Commissioner Freitas, to adjourn the meeting.  
Motion carried unanimously.

**ADJOURNMENT**

**9:28 AM**

Respectfully submitted:



Kali Watson, Chairman  
Hawaiian Homes Commission

Prepared by:



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Leah Burrows-Nuuanu, Commission Secretary  
Hawaiian Homes Commission

Attachments: