

ENVIRONMENTAL, AGRICULTURAL, AND CULTURAL PRESERVATION COMMITTEE

Council of the County of Maui

MINUTES

December 3, 2019

Council Chamber

CONVENE: 1:34 p.m.

PRESENT: VOTING MEMBERS:

Councilmember Shane M. Sinenci, Chair
Councilmember Tasha Kama, Vice-Chair
Councilmember Kelly T. King
Councilmember Alice L. Lee (arrived at 1:37 p.m.)
Councilmember Michael J. Molina
Councilmember Tamara Paltin
Councilmember Yuki Lei K. Sugimura (left at 2:58 p.m.)

STAFF:

Kasie Apo Takayama, Legislative Analyst
Nicole Siegel, Committee Secretary
Chester Carson, Legislative Analyst (*seated in gallery*)

Zhantell Lindo, Council Aide, Molokai Council Office (via telephone conference bridge)
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)
Mavis Oliveira-Medeiros, Council Aide, Hana Council Office (via telephone conference bridge)

Gina Flammer, Executive Assistant to Councilmember Shane M. Sinenci
(*seated in gallery*)

ADMIN.:

Sanada K. Baz, Director, Department of Management (EACP-20)
Makale`a Ane, Environmental Coordinator, Office of the Mayor (EACP-17(4))
Alexander de Roode, Energy Commissioner, Office of the Mayor (EACP-17(4))
Richelle Thomson, Deputy Corporation Counsel, Department of the Corporation Counsel

OTHERS: Others (2)

PRESS: *Akaku: Maui Community Television, Inc.*

CHAIR SINENCI: . . . (*gavel*) . . . Aloha mai kakou, and welcome to the Environmental, Agricultural, and Cultural Preservation Committee. It's Tuesday, December 3rd, 2019, and it is 1:34 p.m. I'm Shane Sinenci, the Committee Chair, and before we begin, may

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I ask that we please silence all cell phones and noise-making devices? Here with us in the Chamber, we have, today, Vice-Chair Tasha Kama. Aloha.

VICE-CHAIR KAMA: Aloha auinala, Chair.

CHAIR SINENCI: Aloha auinala. Member Yuki Lei Sugimura, welcome.

COUNCILMEMBER SUGIMURA: Good afternoon. Nice to see you.

CHAIR SINENCI: Good afternoon. Member Tamara Paltin, aloha.

COUNCILMEMBER PALTIN: Aloha auinala, Chair.

CHAIR SINENCI: Aloha auinala. Excused Alice . . . Member Alice Lee. She'll probably be joining us later. From Upcountry, Member Molina, aloha.

COUNCILMEMBER MOLINA: Aloha and good afternoon, Mr. Chairman.

CHAIR SINENCI: Aloha. And finally, Chair King.

COUNCILMEMBER KING: Aloha auinala.

CHAIR SINENCI: Aloha auinala. We also have non-voting Members Riki Hokama and Keani Rawlins-Fernandez, and they're always welcome to join us, if they please. Our representatives today, we have Managing Director Mr. Sandy Baz. Welcome.

MR. BAZ: Aloha.

CHAIR SINENCI: Aloha auinala. We also have from Corporation Counsel Ms. Richelle Thomson. Good afternoon. Also, in the audience today, we have Environmental Coordinator of the Office of Economic Development Makale`a Ane. Welcome. And Energy Commissioner, Office of Economic Development, Mr. Alex de Roode. Welcome. For our Staff today, we have Ms. Kasie Apo Takayama, Ms. Nicole Siegel. And in our Hana District, we have Ms. Mavis Oliveira-Medeiros; Lanai District Office, Denise Fernandez; and Molokai District Office, Ms. Zhantell Lindo. So, Members, we have two items today – EACP-20 on the County Archaeologist and EACP 17(4), 100 Percent Renewable Energy. And so, Ms. Apo Takayama, do we have any testifiers today?

MS. APO TAKAYAMA: Chair, we currently don't have anyone signed up in the Council Chamber, or at our District Offices.

CHAIR SINENCI: Okay. So, if there are no objections, I'll close public testimony. Did we have . . .

COUNCILMEMBERS: No objections.

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CHAIR SINENCI: Okay. We would like to welcome Member Alice Lee. She's going to provide us with the afternoon greetings. Afternoon greeting.

COUNCILMEMBER LEE: I'll do an easy one for you.

CHAIR SINENCI: Thank you.

COUNCILMEMBER LEE: Since you were so sharp with your Japanese interpretation of good morning --

CHAIR SINENCI: Hai.

COUNCILMEMBER LEE: -- is good afternoon -- Konnichiwa.

CHAIR SINENCI: Konnichiwa.

COUNCILMEMBER LEE: Thank you.

CHAIR SINENCI: Hai.

EACP-20 COUNTY ARCHAEOLOGIST (CC 19-81)

CHAIR SINENCI: Okay, Members, mahalo. So, for our first item, we have . . . the Committee intends to receive an update on the County Archaeologist position and may discuss the matter. The Committee may also consider the filing of County Communication 19-81, and other related actions. So, our Committee first discussed this concept of the County Archaeologist at our March 12th meeting earlier this year. During the Budget process this Council added a Senior Archaeologist position to the budget under the Managing Director's Office so that the position could benefit all Departments. The Managing Director has taken up this task with enthusiasm and has kept my Staff up to date on creation of the position. I wanted to . . . the rest of you to hear the work that he has already put into making sure this position can do all the work that we were expecting it to. With only one position funded last year, he has been put in a position of prioritizing duties. And he has also been working with SHPD, the State Historic Preservation Department [sic], to make sure that we don't duplicate those services instead compliment the work already required by SHPD. So, Mr. Baz, I'll turn the floor over to you.

MR. BAZ: Mahalo, Mr. Chair. You just gave my report for me . . . (chuckle) . . .

CHAIR SINENCI: Oh. That was quick.

MR. BAZ: So . . . no, just joking. So, thank you very much, Chair, for bringing me here this afternoon, in the waning of the day. Auinala is the waning of the day in case you're wondering what the Hawaiian meaning of that is. And it's really, this archaeologist position, you know, as we discussed back when you first came into office and then

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throughout the budget process is something that we really want to make sure that we're doing a good job in understanding what the kuleana that we would like, as a part of the County employee, as an archaeologist as well as the parameters that they would work under knowing that we have State Historic Preservation Division and the . . . we have the CRC, which is the Cultural Resources Commission. You know, we have other aspects of certain things. There's been a significant attention to the need for an archaeologist at this level over the last . . . especially couple of years with different situations that have come in front of this Council. And so, we appreciate the opportunity to really dig deep into seeing what the needs are and how we can fulfill those needs. And your . . . the framework that you provided during the budget deliberations was a starting point for myself and my staff in developing the job description and working with those different parties. I've met with community leaders that are interested in this that have the significant amount of input and care about the involvement and creation of this position. I've met with, of course, our internal . . . the Mayor and internal departments about the need and their desires on what they would like to see this position entail. I've also have met with SHPD, State Historic Preservation Division, their head as well as the head of the Archaeology Branch in Honolulu and met with them to discuss the position and other related items that we can assist them with, that they can assist us with and making sure that not only we have projects that are moving forward through their system but also that we are doing this in the best manner possible to preserve the cultural significance of so much of our community. So, long story short we created the job description. My staff is working with DPS on actually getting the position created 'cause as you know we have to . . . we start off with, it's a civil service position, so we start off with a position classification. I did find at the State level they have a position classification called Principal Archaeologist. It seems to be that it was used within State DLNR Parks Division to assist their functionality as far as working with SHPD and with the Department and Administration at the State level, but it's already in the system. So, that's half the battle in creating the classification. And then I created a job description based on my conversations with you and your Staff with our cultural practitioners and, you know, again those community leaders that are concerned with this as well as SHPD. And looking at basic . . . I'd say three different functionalities that we're looking at in its main core. One is the impetus of creating cultural overlay, creating a repository of information related to cultural significance sites, areas that have significant impact and could possibly have, you know, iwi or other culturally significant items in making sure that those are mapped out. I've talked to our GIS people. They can help to putting in layers so we can have it electronically available. Working with SHPD on the data that they've collected as well as some of our consultants and others that collect the data and basically create that, for lack of a better term, layer. But, basically, the information that it would be available for our County to be able to assist in identifying those hot zones, you know, those culturally significant areas. So, that's a big portion of it. Also, included in that would be working on policy. One of the implementation items in the Maui Island Plan is to create an archaeological district ordinance. Not quite sure what the means yet but we're working on that and we'll work with the Council on creation of an ordinance that oversees, you know, significant . . . I'm assuming that's related to significant cultural

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sites in our community and how they might be addressed differently than other general either zoning or special management, you know, criteria. So, that's something we're going to be looking at. So, those are more larger, you know, policy based informational creation and supplementation. And then, the other portion of it is working as a County archaeologist with our County departments in helping . . . assist them not necessarily creating all the items but overseeing and working with the consultants that we have already. We have a lot of need for archaeologists. So, just one position wouldn't be enough to actually perform all of the archaeological functions that the County would require. So, we're going to still require consultants as we go through and work on County projects. But this person would assist the project managers to understand what their requirements are to make sure that the archaeologist consultants that we're hiring are doing the best job for the County as well as working with SHPD on, you know, making sure applications are complete and making sure that they're identified and looking at, you know, again, how those items will be . . . the information will be available so that when we go to either acquire or develop land that there's some identification already known for our County purposes. And then, the last couple of items are working with the community in identifying, you know, there's been a big push to make sure that the cultural appropriate names are utilized in our ahupuaa. Kihei has done a good job in . . . Vernon Kalanikau has done a good job in Kihei in identifying those areas. He's working in Wailuku. So, this person could be a resource to the community as well as our Public Works Department to make sure that those things are identified. And they're also gonna be working with, you know, volunteers and student interns. We're assuming that we can work . . . we can get a lot of help. We're hoping we can get a lot of help, volunteers as well, from our community and from the college. So, Mr. Chair, it's basically the status and concept of what we've moved so far in the archaeologist position that you've been able to assist, and we appreciate the opportunity to provide this information and, hopefully, can answer your questions.

CHAIR SINENCI: Mahalo, Mr. Baz. We have a question from Mr. Molina and then Chair King.

COUNCILMEMBER MOLINA: Thank you, Chairman. Just one question more related to the scope of authority between the County archaeologist and the SHPD archaeologist. If you have a potential scenario where the County archaeologist makes an assessment and the SHPD disagrees with it, who has basically the final say or authority in this case?

MR. BAZ: Yeah, so the actual, you know, duties of the County archaeologist we're looking at wouldn't necessarily make a determination like that. It would still fall on SHPD to make determination. They're by State law the ones that are empowered to provide that authorization.

COUNCILMEMBER MOLINA: So, State law would trump the County law I guess, yeah.

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MR. BAZ: To a certain extent. Yeah, they're . . . I've met with them, they're very happy to work with our archaeologist. We have an existing relationship with one of our planners in the Cultural Resources Planner in our Planning Department with a different division of SHPD and they like that relationship, they like the working abilities that they have and they look forward to working with our archaeologist the same way in the Archaeology Branch.

COUNCILMEMBER MOLINA: Okay. Thank you. Thank you, Mr. Chair.

CHAIR SINENCI: Chair King?

COUNCILMEMBER KING: Thank you, Chair. Thanks for that update and I just wanted to state for the record that I was disappointed to hear that this is a civil service position because I think one of the reasons we put money in the budget to hire an archaeologist, and I was assuming would be an appointment, because I think there was a recognition that the civil service pay scales are not adequate and that's why SHPD has these open positions all the time. And so, I was hoping that if we made it an appointed position, we could pay them at a higher level and get somebody really good in here who would stay working with the County. That's my first question that you could address.

MR. BAZ: Sure. Actually, SHPD's archaeologists are appointed. They're not civil service. So, that is a challenge for them to recruit and retain archaeologists because it's not a position that can . . . will go beyond the certain appointment time. I learned that as part of this process and they also don't have much flexibility in their pay as well. So, what . . . by the creation of the position in the Department of Management, there's no exemption from civil service. If it was created in the Office of the Mayor, then there's a blanket HRS 76, 77 has a blanket exemption for anybody else.

COUNCILMEMBER KING: So, they have a Level 3, Level 4 lead archaeologists. So, they're all appointed?

MR. BAZ: Yes.

COUNCILMEMBER KING: Okay. 'Cause I thought that's . . . I thought they were capped at the salaries, and that's what they were telling us that they weren't able to find anybody who would work for those salaries.

MR. BAZ: Right. So, they are . . . they're non-civil service and they . . . the State uses a different system for pay but they are capped not necessarily by the civil service system, but they're capped. I have a petition to Department of Personnel Services to allow us to recruit above the minimum.

COUNCILMEMBER KING: Oh, okay.

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MR. BAZ: Yeah, there is a, you know, it's a salary range. For civil service positions it's a salary range. And the salary range that is proposed for this position actually goes up to almost \$90,000 so we feel that by recruiting above the minimum we should be able to recruit and be able to retain, then, an archaeologist.

COUNCILMEMBER KING: So, this would be equivalent to their lead archaeologist?

MR. BAZ: Principal Archaeologist. It's different then 'cause SHPD's archaeologists have that authority that Councilmember Molina was talking about to make decisions and so I couldn't really utilize that, that job description because they don't have the authority to make decisions just yet at the State level. So, I found, I did find another one it's called Principal Archaeologist.

COUNCILMEMBER KING: Okay. So, we are backing legislation to try to change that to try to allow the counties to utilize their own archaeologist to do those studies. And, actually, when I was working on this legislation with Sylvia Luke, she inserted a phrase – deemed approved clause in there so that SHPD would have, after our County archaeologist review, SHPD would have 30 days to review it and make any rejections and if they didn't, it would be deemed approved. And that was actually inserted by, you know, the head of our Finance . . . House Finance Committee. So, we got good backing from the State Legislators in Senator Schatz's Housing Summit for that legislation. Unfortunately, as Councilmember Paltin reported earlier did not make it in the HSAC Package and it got pushed back but I think we can get it into our Maui Legislative Package. So, if that does happen, and we're able to support that legislation then would you need to hire a different position . . . somebody who would be able to do those reviews?

MR. BAZ: Thank you. Mr. Chair? Thank you, Madam Chair, so we could probably redescribe the position if that does happen, but I'd probably also be requesting additional position if that's the case.

COUNCILMEMBER KING: Okay.

MR. BAZ: And SHPD is not on the agenda today but when I did discuss with them and in others that type of functionality, there is a State law that creates the opportunity for SHPD to work, basically a Memorandum of Understanding basis with either private entities or other governments, and they do have a MOU with City and County of Honolulu. They're trying to ____ up to replicate for our County as well. So, there's other options too.

COUNCILMEMBER KING: Right. But, I mean, I think the reason that we put money in the budget to hire our own archaeologist is the understanding that, and in recognition that SHPD is about 18 months behind and we're not getting the reviews that we need on a timely basis. So, it's holding up some of our affordable housing projects in the County of Maui because people just have to sit around and wait at a certain point and nothing gets done.

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MR. BAZ: Right. So, again, you know, not delving too much into that other than the archaeologist position, well, this position will help to coordinate that to make it a little cleaner. When I met with them, they sent out a whole bunch of letters, basically, after I met with them including one for Waikapu that we have been waiting for two years. But, you know, they're a permitting agency like our DSA and Planning and all that and they deal with applicants and applications that are the same way that we deal with them. So, I had a little empathy for, you know, once I understood a little bit more what they were challenged with. But I think that we can, in general, without overstepping our authority to make decisions at that level, I think we can assist them in getting their processing done much quicker. And so, we are working on those specific items.

COUNCILMEMBER KING: Okay. And do you know if they are any closer to hiring? I mean, my understanding from the meeting last year or earlier this year before budget was, we just have these open positions forever and when I go around and talk to the developers who are trying to put in affordable housing they say if this could happen, if this bill gets passed at the State Legislature, this would be the biggest . . . this would be getting over one of the biggest hurdles and roadblocks to affordable housing that currently exist because, you know, it's like that project up in North Kihei that Ray Phillips is working on he's looking at a minimum of 18 months now. He just has to wait for a SHPD archaeologist to come over and do his review.

MR. BAZ: I understand. I mean, you know, it's a difficult balance to want to support a faster permitting process with the need to actually have good oversight of . . . to make sure that our cultural, you know, resources are not being . . .

COUNCILMEMBER KING: Right, but I'm not talking about that, Mr. Baz. I mean, we want good oversight. We just don't want to wait 18 months to get it. That's the problem. The problem is not the fact we want to expedite the oversight. We want to get the review to start happening sooner. It's not, it's just not . . . it's holding up a lot of projects, I think, all over the State. So, you know, I just . . . I did get an email from Linda Schatz who has one of the projects in Maui County who met with SHPD and I was trying to get a meeting with her but I wasn't able to make it on the day that she set it up for. But she did report to me that she met with them, they're open to third party expediting and also open to the County hiring an archaeologist. They have no issue with these ideas and had to issue with the bill that would allow counties to move ahead if we didn't want to wait for them. But I don't think anybody is talking about trying to rush the actual oversight. What we're trying to do is get to that oversight quicker. So, that was . . . to me, that was the original intent.

MR. BAZ: Right. So, there are definite ways. I did, like I said, I mentioned that I met with them and working on ways that we can specifically speed up their review. Make it easier for them to review. They do have vacancies and those vacancies, you know, the Maui archaeologist it's still vacant. They haven't been able to hire.

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COUNCILMEMBER KING: Right. So, do you have hope that we're going to be able to hire one if they can't on Maui?

MR. BAZ: We're trying, yeah.

COUNCILMEMBER KING: Okay. But you think that it's actually going to get more attractive to have it be a civil service position than not.

MR. BAZ: I do.

COUNCILMEMBER KING: Okay. Okay. Great. Good luck.

MR. BAZ: Thank you.

COUNCILMEMBER KING: To all us.

CHAIR SINENCI: Thank you, Chair. Mr. Baz, do you . . . when do you anticipate beginning the recruiting for the job?

MR. BAZ: It really depends right now at Personnel Services. They . . . you know, since it's a new position to our County they do a pretty thorough analysis of that and, also reach out to the other jurisdictions. I'm assuming there's not going to be any challenge or issue with that. I'm hoping that we can do recruitment in the beginning of the year and, hopefully, fill it before . . . well, hopefully, before Budget starts this upcoming year.

CHAIR SINENCI: Okay.

MR. BAZ: And, you know, see if that's working then we get another one and we'll see. We'll talk about that later.

CHAIR SINENCI: Okay. Thank you. Ms. Paltin, you had a question?

COUNCILMEMBER PALTIN: Thank you, Chair. My question was, did you have a position description or summary of duties for us to see different from the one on Granicus that was in the May 5th letter from Susan Lebo that was from February 2014 position description? But does Maui County have its own current one based on what the stuff you just said?

MR. BAZ: I didn't bring copies, but I have a copy. I'll be happy to share with the Committee and they can get it up on Granicus. This is, you know, the draft that I presented to DPS so it may change after that, but you are welcome to it. I brought the job duties for the Principal Archaeologist and then also the position classification from the State level. So, you can see the class, specs, and minimum qualifications, those kinds of things as well as the job description.

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COUNCILMEMBER PALTIN: And we're the only ones on the State . . . we're the only County right now that has that position or is there other counties?

MR. BAZ: As far as I know, there is no County, including ours, that currently has a position. We're trying to create it.

COUNCILMEMBER PALTIN: So, it doesn't matter what the other counties 'cause they don't have one. We can just do pretty much what we want to --

MR. BAZ: The State . . .

COUNCILMEMBER PALTIN: --within our own parameters?

MR. BAZ: The State would have input, right, because our system includes the State of Hawaii as well as the different counties.

COUNCILMEMBER PALTIN: So, that would be the entity that we would need to coordinate what the standards are?

MR. BAZ: Yes. The State law for civil service requires the classifications that are similar be created in . . . within the system. That's why it's difficult to just arbitrarily create positions within the civil service system because they want things to be uniform, consistent across the system itself.

COUNCILMEMBER PALTIN: Do you what bargaining unit they plan to go under?

MR. BAZ: It would probably be Bargaining Unit 13 – Professional and Scientific Services.

COUNCILMEMBER PALTIN: Thank you.

CHAIR SINENCI: Okay. Ms. Sugimura, you have a question?

COUNCILMEMBER SUGIMURA: Thank you, Chair. Mr. Baz, this is really encouraging. I like hearing this progress. It's been a challenge, I guess, for all the years that I've been sitting in this chair and hearing about the roadblocks, I guess, that our projects have had to wait for. So, I'm glad you made this many steps forward. The MOU that City and County of Honolulu has I thought it meant they had an archaeologist also. But the MOU is for what?

MR. BAZ: So, the one that City and County of Honolulu has is with their road paving crew basically, the Department of . . . it's not called Public Works I don't think. But so any time there's a road construction project as long as it's existing not, you know, changing the grade or going down into the sub-grade or anything like that but just, you know, changing existing drainage, existing roadways, that kind of stuff then they don't have to get SHPD approval. So, our Public Works Department was aware of that and actually had approached SHPD before I even met with them, and they're open

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with that. Also, Department of Planning has been working on, for a lack of a better term, triage system where, basically, if SHPD agrees then, you know, projects at this level don't need SHPD review. Projects in another level, you know, may be, you know, pre-reviewed by the County and then a cursory review at the SHPD level and then there will be projects that, of course, take much longer and are detailed reviews at SHPD level.

COUNCILMEMBER SUGIMURA: That's good to hear.

MR. BAZ: So, it's not necessarily making the decision for SHPD but it's helping them to speed up their decision-making process.

COUNCILMEMBER SUGIMURA: And you mentioned GIS to have a layer for archaeological, I don't know findings, I'm not too sure what the correct terminology is, but is that something that the State possibly might have already since that's their basic . . .

MR. BAZ: So, SHPD has data that they are putting into digital format because right now most of their data is not. It's paper form. And so, they've been working on that for a couple of years and it sounds like they got a couple more years before they'll be complete. But I did ask specifically for access to that data. So, if they can provide it to us then we can work with our, you know, GIS team to actually layer it and put it with specific geocoding in it. 'Cause the data, I mean, there's a lot of maps already there, you know, I've been shown different ones from different, you know, people and there's a lot of information already there. And a lot of its been, you know, we also need to probably talk about it that this level what would be included in that public GIS because, you know, some data we probably not want to have --

COUNCILMEMBER SUGIMURA: Public.

MR. BAZ: --public, you know. But maybe that area we just know that, hey, basically this area not necessarily this TMK but this area has pretty significant cultural sites on it and these are considered . . . SHPD calls them hot zones. And so, we're also talking about redoing regional monitoring plans so that things, right now, the way SHPD works in with, generally with any application that comes in is based on a TMK, right. So, when they look . . . unfortunately sometimes they look at that TMK in isolation. But if we had an archaeologist, they could create a regional monitoring plan and regional site, you know, identification development then when there are applications that are within that region, you know, they can be treated the same within that same region versus each individual TMK. So, I think, you know . . .

COUNCILMEMBER SUGIMURA: Great.

MR. BAZ: So, these are things that will both assist in speeding up the process for non-cultural significant areas as well as helping to protect those areas that are culturally significant.

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COUNCILMEMBER SUGIMURA: I went to visit Hinano Rodrigues --

MR. BAZ: Uh-huh.

COUNCILMEMBER SUGIMURA: --with SHPD and I'm not, I don't think his role is an archaeologist but is more historical and he was showing me, he said, as he went through this process he was saying in that blue book there, blue binder it had, you know, a whole bunch of their archaeological sites and what you just said it would be good if it's allowed to be public, you know, to somehow digitize that so that they're not relying on paper or, you know, or sharing this amongst those that need it. But I like that idea.

MR. BAZ: Yeah. And just like most government agencies, SHPD is going through a digital, you know, scanning process digitizing their old records and so they're working on it. But it's going to take them a while so we may want to work on our own in the meantime as well. So, we'll figure that piece out when the archaeologist comes on board.

COUNCILMEMBER SUGIMURA: So, when I was at the HCPO meeting that just happened, and I really didn't expect to hear this but the session that was basically talking about walkability and whatever and that some of the chat was this, you know, Statewide panel but some of the challenges that were brought up was SHPD and how to approach that from a Statewide basis to, you know, help expedite and it's just like having this conversation and I was actually surprised to have it come up in that type of session and the barricades that it creates, you know, at and all different kinds of level. So, I look forward to hearing more, you know, about how you progress on this and thank you for taking it this far.

MR. BAZ: Sure.

COUNCILMEMBER SUGIMURA: Appreciate it.

CHAIR SINENCI: Thank you, Ms. Sugimura. Member Kama?

VICE-CHAIR KAMA: Thank you, Chair. One question. So, the archaeologist that we're looking at, civil service and the title is Principal Archaeologist?

MR. BAZ: Yes.

VICE-CHAIR KAMA: So, what kind of authority does, will this particular archaeologist have?

MR. BAZ: It will have as much County authority as we can give them, but I guess if you could be more specific in what you think authority . . . there's no permitting approval authority, if you wanted to call it that.

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VICE-CHAIR KAMA: I just got the Principal Archaeologist I think this is what --

MR. BAZ: Yeah.

VICE-CHAIR KAMA: --you had our Staff copy. Okay. I'm just going to read through this because I think what I'm looking for is in these pages.

MR. BAZ: Okay.

VICE-CHAIR KAMA: Thank you.

CHAIR SINENCI: Thank you, Member Kama. Mr. Baz, you mentioned prior that, you know, we decided to fund a senior position.

MR. BAZ: Uh-huh.

CHAIR SINENCI: You kind of made an inference to would some of the duties include a second position to help with the senior position? Is that a possibility?

MR. BAZ: Yes, so, thank you, Chair. Assuming we can, well, being optimistically, assuming we can create the position and hire an archaeologist and that their functionality is benefitting the County, then we could propose an additional position to that depending on what level of responsibilities and job duties that you would like our County to do versus . . . Beyond the oversight and policy-based item, the next level of functionality would be more what we hire consultants to do now – assisting us with the development of archaeological inventory studies, monitoring plans, you know, overseeing projects during the onsite monitoring, all that kind of functionality, which we generally hire consultants to do right now. So, if we're going to bring that stuff in-house, then we would definitely need another position, at least one.

CHAIR SINENCI: Thank you. Members, have you received the handout that was given? Ms. Lee, did you have any questions for Mr. Baz?

COUNCILMEMBER LEE: Nope. I don't have any questions.

CHAIR SINENCI: Chair King?

COUNCILMEMBER KING: Thank you, Chair. So, Mr. Baz, the second position that you were just talking about would that actually save the County money over the consultants we've been hiring?

MR. BAZ: I'd have to analyze that. You know, before I recommend that I would definitely that would be one of the things I would analyze. For one thing, if they had the capabilities of doing, you know, the County has multiple projects going on at the same time and if we only had one archaeologist, then that would restrict especially if they had, you know, required onsite monitoring for every, you know, ground moving then,

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you know, it may delay County projects if we don't hire outside consultants to multiple consultants.

COUNCILMEMBER KING: Okay. Because, I mean, we have none right now so going to one should make a big difference. But I remember when we had this discussion in Budget, you know, there were certain kind of . . . a better word, lack of a better phrase, a political football between Public Works and Planning on where this position should land, and neither one of them seem to think they could keep the position busy full-time. So, all of a sudden, we've gone from not having anything and now needing two I'd just be curious is to, you know, I mean, if we do that, we should be doing that in lieu of whatever consultants we're using right now.

MR. BAZ: I think if the . . . yes, and I remember, recall some of that discussion. But based on, you know, the Chair's recommendation and what was represented and the job duties that we have here, it's going to be at least a full-time job to move this stuff forward as much as we can.

COUNCILMEMBER KING: The consultants are doing right now.

MR. BAZ: No, no, the Principal Archaeologist.

COUNCILMEMBER KING: Right. But who's doing that right now, it's a full-time job.

MR. BAZ: Well, most of the stuff is not getting done at all. We don't have, at the County level, somebody working on, you know, a cultural overlay, somebody working on an archaeological district ordinance or these policy-based items. A little bit of . . . some of this goes to CRC, some of it is in Department of Planning, some of the review is at DSA but it really just goes to SHPD, you know, so right now there's very little of this is actually happening in the County. So, this would mostly be new functionality. But beyond this would be what we do hiring consultants, right.

COUNCILMEMBER KING: Okay.

MR. BAZ: So, if we did look at a second position, it would be really, you know, looking at it from that level. Again, you know, consultants are . . . there's benefits and negatives to consultants. So, that's something we would have to evaluate.

COUNCILMEMBER KING: Okay. So, one of the things you're saying is we have to do things that should be doing right now that are not being done.

MR. BAZ: Yeah. Well, the Maui Island Plan requires certain items that aren't being done right now so this would definitely assist in those areas.

COUNCILMEMBER KING: Okay. Okay. Thank you.

CHAIR SINENCI: Thank you, Chair.

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VICE-CHAIR KAMA: Chair?

CHAIR SINENCI: Member Paltin and then Member Kama.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Director Baz, for the specs for the class that you handed out. And maybe you already mentioned it and I missed it, but so the archaeologist reports to you kind of like how like the MRA is under your Department? Is that true?

MR. BAZ: Yes. The archaeologist would report directly to me like our CIP Coordinator and, you know, that kind of stuff, yeah.

COUNCILMEMBER PALTIN: And then I like that it's a lot of example of duties, the 17 examples. I just was wondering like in the context of how the position was created during the budget, how you would plan to prioritize? Which of these types of duties they should be working on within any given Administration tenure because while I'm not following the Maui Lani cases as well as I'd like to I think that was kind of a little bit of the impetus of the creation of this position and what was and wasn't getting done there, and then for us to now like, you know, try to search for things to occupy the full 40-hour week of a County archaeologist and their duties and whatnot. Where does the emergency aspect of, you know, grading going on and like our own residents having to like feel like they have to stand and watch over a private company because of the flaws in the way that the permits had been issued and renewed and those types of things? How will we, as the Council that put the money in the budget for this position for that purpose, ensure that that's the priority of addressing emergency, immediate needs versus the day-to-day other 30 hours or 10 or 5 hours a week?

MR. BAZ: Thank you. Mr. Chair?

CHAIR SINENCI: Mr. Baz?

MR. BAZ: Thank you, Member Paltin. So, the Principal Archaeologist classification you see the 17 items, if you look at the very top it says, *Examples of Duties: Positions may not be assigned all of the duties listed, nor does the examples necessarily include all of the duties that may be assigned*, right. So, these are kind of general concepts. The second document that was provided it was more specific to the job duties of the one that we would posting, creating here in Maui County. And the prioritization would be based on . . . on the item, you know, so Job Duty No. 1 would be the highest priority of it. Job Duty No. 2 would be, you know, lower; 3, 4, 5 and then 6 is just perform other related duties as needed kind of thing. But, yes, so that's how we've been prioritizing the responsibilities of this. And I think to address your concern and the community's concern about that issue, it's going to be a combination effort. This position is not going to be . . . they're monitoring projects, right. That's, I mean, theoretically, that's why they have archaeologists that are doing that and SHPD's oversight of that. But what I think that this archaeologist can do is working, as I

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mentioned, you know, developing these regional monitoring plans that may require more than what the current consultants are recommending for different areas. I think that they can be working with the Council on, in creating policy to make sure that those kinds of things are preventable, hopefully, the preventable items are prevented and seeing what we can do from a policy-base standpoint at the County level in making sure that that kind of stuff doesn't happen again. I can't . . . I don't want to make any promises that this person is going to be out there monitoring every dig, every time a bulldozer breaks ground because that's not possible. There's way too much construction on Maui to have. But if there is, you know, a concern that's brought to our attention then at least we'll have an expert on staff that could go and immediately identify the situation and be able to either make recommendations to DSA or make recommendations to SHPD as far as what the possible ramifications and issues would be with that.

COUNCILMEMBER PALTIN: So then, under the experience requirements section what part of that are they to come in with knowledge of how to create policy or is that something that they would be learning on the job?

MR. BAZ: Generally, archaeologists aren't experts at creating policy. They're experts in archaeology, right, and cultural significantly resources and protecting and maintaining those resources. So, they would be working with Corporation Counsel who is, you know, our lawyers and experts in creating policy as well as this body, you are the policy makers. So, you know, they're going to be the technical expertise related to that. More interested in hiring somebody who has experience in doing archaeology in Hawaii that, hopefully, has good reputation and has the ability to apply that experience to this function.

COUNCILMEMBER PALTIN: And my last question would be for No. 14 where it says, consult with resource persons in the community and develop cultural and impact assessments in compliance with State laws and regulations.

MR. BAZ: Uh-huh.

COUNCILMEMBER PALTIN: I just was wondering if you could describe to me like what you envision that would look like in a tangible form.

MR BAZ: Sure. So, as the archaeologist would be developing the GIS layer, you know, this informational resource, they would be working with all available resources including a lot of our native Hawaiian practitioners, consultants – the Aha Moku, those that are menial descendants in areas that have whether it be oral or written history and knowledge of certain areas, we want to be able to collect that, and that's basically what that would entail, that portion of that position would entail. You know, we have already been approached by some, you know, people that are, again, that care very deeply to make sure that we are maintaining these cultural sites in the best manner possible. So, you know, that would continue at my level as well as the archaeological level.

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COUNCILMEMBER PALTIN: Thank you.

MR. BAZ: Thank you.

CHAIR SINENCI: Mahalo, Member Paltin. And we had a question from Member Kama.

VICE-CHAIR KAMA: Thank you, Chair. So, let me see if I get this right. My understanding of the whole issue with SHPD and why there was such a huge backlog is because the form that projects are supposed to fill out and submit to SHPD was the HRS 6E, Submittal Form, is that four pages that asked you all these questions about what is your project like, how old is it, what do you intend to do, how much are you going to disturb the ground and how much of an impact is that going to be, whatever you discover, it's a four-page questionnaire that developers send back to SHPD. SHPD is supposed to take a look at it and then come out and assess to see if that is something of significance for the project to continue or not to continue. Is that kind of like what it is? Is my understanding, right?

CHAIR SINENCI: Mr. Baz?

MR. BAZ: Pretty much in a nutshell, yeah.

VICE-CHAIR KAMA: Okay. So, if that's the case and that seems to be the holdup that somebody is not coming out to all the projects and doing this assessment, my thought when we were looking at this during Budget was that we have this person here on, in Maui in our County that could be able to go and take a look at these reviews and make recommendation to SHPD and say, hey, you know, I've been there, I've seen it, I've gone through the checklist, they're okay, and they would make a recommendation. So, is that what this body is going to do? 'Cause if not, then we're just adding one more layer of bureaucracy but still not getting through the barrier of getting these forms filled out and checked out by SHPD and then return back to the project developer to say go or no go.

CHAIR SINENCI: I think there was some other issues as well, including staffing issues that they weren't able to --

VICE-CHAIR KAMA: Right.

CHAIR SINENCI: --keep out of this archaeologists like Member King . . .

VICE-CHAIR KAMA: Will this body be able to accomplish that to be that like third person review to make recommendation to SHPD?

CHAIR SINENCI: They're willing to. Mr. Baz?

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MR. BAZ: Thank you. So, yeah, as I mentioned, you know, we do have an existing relationship with a different branch of . . . with the architectural branch of SHPD for historic properties and they like that relationship and would be open to, once we hire somebody, working on a similar type of relationship with our archaeologist and making sure that things are reviewed to a proper manner. When I met with them and in understanding, you know, the issues related to the delays some of it is that they don't have anybody on Maui, but they do send. There was just somebody here last week from SHPD, you know, doing the actual site assessments and things like that. What they presented to me was a similar problem that we have at the County level in that applications are incomplete, information is not available, consultants are providing information that they need confirmation from the owners, the consultants aren't doing a complete job in their submittals and so, you know, they're having to resubmit, re-review and resubmit things. And these are very similar problems that we have, as I mentioned, in our DSA – Development Services Administration, as well as our Planning Department, Public Works, DEM, and Water and all this where, you know, the quality application has a lot to do with the speed in which it's reviewed and approved. And they were, they showed me very specific examples of where those County projects were delayed because the consultant didn't do something they were supposed to do, so one of the big things we're working on with them is training, and having Susan Lebo come over and actually train our . . . she already came over to Public Works and she did a training with them, and she's going to be coming again after the holidays and training our staff more and make sure that these applications are complete and organized and things. You know, some consultants are great, and some consultants aren't so great. It's just, you know, kind of the nature of the business. And I don't work with archaeological consultants so I don't know who's good and who isn't but I've heard from many people who do that there's you know the ones that work with them on a regular basis they kind of know what the situation is. So, yeah, that's . . .

VICE-CHAIR KAMA: I think that's great. I think training is excellent. I mean, we talked about it in our morning meeting that . . . I mean, to fill out this four-page form I just looked at it, it's not that difficult. But if we need to be trained to do it right that we can process the applications that could be it. But, I think, I guess what I'm trying to say is I guess we all have to take responsibility if we're doing our jobs right so that as it goes down the pipe that everybody it just flows. So, thank you for that. Thank you, Chair.

CHAIR SINENCI: Thank you, Member Kama. And thank you, Members, for your line of questions. We did wanna mahalo, Mr. Baz, for coming and sharing the update --

MR. BAZ: Sure.

CHAIR SINENCI: --on the archaeologist position. I specifically like No. 3, to formulate policies for Cultural Resources Management; implement oversee Cultural Resource Management programs and assist in developing an archaeological district ordinance. You know, in retrospect, we've come a long way. We've put in the work. This Council

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has put in the work to address some of the issues of the past and even though we cannot go back and put back those burials that were disturbed in the past we were using it to move forward and to put in those protections that we need to, to ensure that our iwi kupuna are protected for generations to come. So, mahalo, Members, and mahalo, Mr. Baz for joining us. Members, if there are no objections, the Chair would like to defer this item.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR SINENCI: Okay. Thank you, Mr. Baz.

MR. BAZ: Okay. Thank you. Take care everybody.

ACTION: DEFER PENDING FURTHER DISCUSSION.

EACP-17(4) 100 PERCENT RENEWABLE ENERGY

CHAIR SINENCI: Okay. So, our next item, Members, is EACP-17(4), 100 Percent Renewable Energy. The Committee is in receipt of a presentation from the County Administration providing an overview of Maui County's progress toward achieving 100 percent renewable energy, and may discuss the matter. No legislative action will be taken. So, in accordance with Rule 7(b) of the Rules of the Council, we will receive a presentation on the County's progress and plan for achieving 100 percent renewable energy. Today, we have with us, Makale'a Ane, our Environmental Coordinator, and Alex de Roode, our Energy Commissioner. Ms. Ane has a meeting, a prior commitment, at three, so we'd like to take our afternoon break when she's done with her comments. Okay. Hele mai. Yeah. You can come.

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

CHAIR SINENCI: Hele mai malalo. Hi.

MS. ANE: Privyet. That's Russian for aloha. I was trying to do my homework while I was out there. So, I'm the Environmental Coordinator for Maui County and since this mostly is geared towards reaching our 100 percent renewable energy goals, Alex has a presentation for you guys. And I'm more serving as a resource person. There's a lot of things we do jointly so if he can't go to a meeting, I'll go to it and vice versa. So, we work very closely together. Tomorrow I'm actually going to be on Oahu for a low carbon energy policy forum, so since he couldn't make it, I get to sit in his place and so we work very well together. And so, hopefully, you enjoy his presentation. I also gave a handout of a transmittal that we sent in September about all of our different environmental initiatives and so that references a lot of stuff that he'll be talking about.

CHAIR SINENCI: Okay. Mr. de Roode.

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MR. de ROODE: All right. Aloha, Chair.

CHAIR SINENCI: Aloha.

MR. de ROODE: (PowerPoint Presentation) Aloha, Councilmembers, Committee Members. I'm Alex de Roode, Energy Commissioner for the County of Maui, and happy to be here today with you. The agenda item is quite broad in nature, so I prepared a presentation for you that covers some larger Countywide community scale updates and then some that are more specific to County operations. So, I'm happy to take any questions during the presentation if there's something that you'd like, you know, clarification on or more details on please feel free to interrupt me as I go along here. I have this in PowerPoint so, hopefully, you can . . . yeah, it looks like it will work. Okay. So, we're all familiar with our Statewide goal of 100 percent renewable energy by 2045. And I have here on this slide some of the interim targets that we're targeting. And these are Statewide goals. We are ahead of our 2020 goal from the County of Maui standpoint. So, I'll provide some more detail on how the County of Maui's progress is moving along compared to the rest of the State. You can see here that in 2019, the first quarter of 2019, and I have some more updated numbers we hit – 38.9 percent of our overall renewable portfolio standard coming from renewables. And in April of 2018, Maui Electric reached a peak of 80 percent of its power coming from renewable energy resources. So, that fluctuation a difference in those numbers reflect this is at . . . this 80 percent is at peak production so this would be a sunny, clear day. In the middle of the day we were able to hit 80 percent. We have a growing number of roof top solar installations. I'll show you a little bit of information about that here coming up. So, all of this 100 percent clean energy goal is part of our larger Statewide efforts known as the Aloha Plus Challenge, which touches on other areas such as transportation, locally grown food, natural resources, and watershed management, and green workforce development, and education. Yeah, so, Makale`a just reminded me to share with you that in addition to the Statewide Aloha Plus Challenge, which is kind of overseen by a group called Hawaii Green Growth as well as our State's Sustainability Coordinator and other folks at the State level. We are in parallel pursuing a Maui pledge or Maui Aloha Plus Challenge where we will be tracking our progress towards these goals for Maui County. So, this kind of shows you some of the progress here towards our renewable portfolio standard. And third quarter of this year we hit 39.3 percent so we're nearing that 40 percent threshold and our Statewide target you'll remember is 30 percent by 2020. So, we're, you know, about 10 percent ahead of that goal as we're closing out this year. You can see here that we have quite that in green here quite a bit of our overall portfolio is coming from customer-sited renewables. That will be something like rooftop or ground mount solar arrays that are on the customer residential or commercial site. And then a big part of the balance of that comes from wind energy. And we have a small portion here in purple that is representing utility-scale PV or solar thermal. As we have large utility-scale PV projects being deployed on the island and throughout the County, we also have some planned for Molokai and Lanai. We're going to see that purple section make up a larger portion of our overall renewable portfolio standard.

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CHAIR SINENCI: Mr. de Roode, we have a question --

MR. de ROODE: Yes.

CHAIR SINENCI: --from Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you, thank you for your presentation and work on this. I just was . . . my question was when you talk about renewable portfolio and the 100 percent clean energy goals, I wasn't clear what was meant by the portfolio and the goal in that like . . . us being dependent on tourism and the airplanes coming in don't necessarily run on renewable energy, is that part of the 100 . . . like what is being measured as part of the 100 percent? Like when we reach 100 percent is the fuel used to drive our economy through tourism part of that 100 percent?

MR. de ROODE: Yeah, thank you for the question. So, that is an evolving definition of what do we mean by clean energy and renewable energy and what's 100 percent. At where we are today it now does include ground transportation and we have all four counties have committed to all ground transportation being 100 percent clean transportation so that could include not only electric vehicles but other alternative fuels . . . that could be hydrogen, bio-diesel, and other means that fall under the definition of clean fuels. So, that's by 2035 for all four counties. And then at the State level across the board we've committed to 100 percent clean transportation, for ground transportation, by 2045. So, in alignment with that 100 percent clean energy goal, we have 100 percent clean ground transportation so that would be all transportation not just County fleets or State fleets. So, just to clarify, as of 2035, the target is for County fleets only. But not yet aviation. Aviation . . . actually Makale`a is going to be attending this Hawaii energy policy forum peer exchange tomorrow and part of the focus of that peer exchange is on how do we get to clean aviation using clean fuels for aviation, and even looking at electric . . . electrification of aviation?

COUNCILMEMBER PALTIN: And then . . . so, if we're talking about ground transportation being 100 percent clean energy, is it required to integrate into that the role of mass transportation versus everybody single, single, single cars as part of the equation of clean energy? Like if you have the fuel that runs the cars clean, but you have a million cars, is that really hitting the goal?

MR. de ROODE: Right. I mean, I think the goal itself is just looking at what is the fuel source, is it clean? It's kind of in its own box. But parallel with that we have other community goals and aspirations. For example, we're talking more about mobility -- how do we make communities more walkable? How do we have, you know, more complete streets so complete communities -- live, work, and play type of planning and design? And so that, I think, complements one another. But in terms of that specific goal itself it is just assessing, okay, whatever is fueling or powering our transportation we're assessing whether that falls into that renewable or clean definition. Makale`a was reminding me about an example of other clean fuel options could be methane capture, for example, from landfills. We still want to focus on diverting from landfills

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like reduce, reuse, recycle first. But for what does end up in our landfills that could be a resource for us to harness and reuse for fuel or converting to electricity eventually.

COUNCILMEMBER PALTIN: Thank you.

CHAIR SINENCI: Okay. Continue Mr. de Roode.

MS. ANE: I guess before you move on to the next slide, Alex was talking about the different projects that are going to be in our portfolio to help us move towards 100 percent renewable energy. And I just wanted to remind all of us that we should really be paying attention to where we site those projects. And so, across the world really as we move towards 100 percent renewable energy, we have to find places that those projects are going to be either wind or solar or whatever they may be, and we, historically, pushed native Americans, indigenous people to the outskirts of society and displaced them off of their home lands and then now those are the prime places to put renewable energy projects. And so, really, as we go through this process, we have to be really be thinking about community involvement and how it's affecting the people from that land and not just, I mean, . . . we're thinking, not in my backyard. Okay. So, I don't want to be affected but who is going to be affected. And, really, taking their manao and their life and life values into consideration.

MR. de ROODE: Yeah, so definitely the siting of future renewables is going to be an ongoing issue that we're gonna have to come up with good strategies to address the NIMBY, Not in My Backyard, issue is one of them, displacing indigenous people, and low income communities would be another one. Displacing agricultural land use – how can we find, you know, complementary uses of those lands? And so, is it possible, for example, to have renewable energy cited and have ag activities on that same piece of land? Possibly. Depends on the crop and the type of renewable energy being deployed. So, those are all things that we need to consider. I'll show you a few examples here of some of the utility scale PV projects that have been deployed and some that are in the works. And, you know, thinking about that impacts of siting as we go through that will be important to consider. So, in our efforts toward 100 percent clean energy what we're trying to substitute for or replace are our big power generation stations that are primarily generating using diesel fuel. All right. So, our big generators at Maalaea generating station, which is our biggest one – 212 megawatts, and then our Kahului Power Plant at 37.6 megawatts. So, for the island of Maui those are really the key areas that we're trying to switch over to renewables. Right now, 2024 is the projected date to retire the Kahului Power Plant. So, the goal would be to replace that whole 37.6 megawatts with renewables and be able to close that facility.

COUNCILMEMBER KING: Chair, question?

CHAIR SINENCI: Question from Chair King.

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COUNCILMEMBER KING: Thank you. So, right now, there's portion, a very small portion of backup that's being run on biodiesel for the power plant in Maalaea. And I know eventually even to have a percentage of backup because you're not going to have the sun shining or the wind blowing all the time. So, what is it going to take to figure out what that backup is? Say you need 10 percent and it's going to be the diesel generator so you're going to be running on biodiesel. I've been asking this question from HECO for years and if they don't . . . if you can't figure out what the backup is going to be needed and you don't support that fuel now, you're not going to have it when you need it. So, how are you going to figure that out?

MR. de ROODE: You know, it's a good question. Again, I think it's somewhat of a moving target, in part, because of how technology is evolving. And, you know, many of us recognize the shortcomings of intermittent renewables, like you said solar and wind when they're not available that's leading us to push more and more for energy storage solutions that can service for empower and kind of level that out. So, shift from high power production to and that not being aligned with demand and then making those meet so we have that available when the demand is high. So, that takes energy storage or other firm power, like you said, backup generators. So, I have, you know, certainly heard MECO acknowledge that having backup diesel generators or generators I should say, that could run on biodiesel would be part of the overall portfolio. But in terms of a specific number, percentage, I don't know. And when that would be, I mean, I guess by 2045 at the latest, right?

COUNCILMEMBER KING: That will be too late. But are you . . . is there any movement towards geothermal on Maui or is that pretty much a dead horse? We're talking about in about 15-20 years ago.

MR. de ROODE: Yeah. So, our main geothermal resource is in the Kaupo, Kahikinui side of the island. I think both from an environmental and cultural perspective that is, that could be as well as how remote of a location it is and how far you would need to transport, you know, transmit the power generation to the actual point of use. It's not being looked at currently, I think, as a viable option particularly with the cost of solar and wind coming down and the cost of energy storage coming down as well. And not only the cost but the performance getting better at the same time. So, as far as I know, it's not really actively being pursued but I don't think it's, you know, outside of possibility.

COUNCILMEMBER KING: I just wondered because the landscape keeps changing.

MR. de ROODE: Yeah.

COUNCILMEMBER KING: And very little planning is being done for what's going to be needed in 10, 20, 30 years. So, that's what I worry about is we can do as much solar and wind as we could do right now but that's not going to ever get 100 percent. So, if you're going to need a backup portion of it from whether it's, you know, renewable fuels or hydrogen or something, you know, I mean, every 20 years it seems like

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everyone gets all excited about hydrogen and 10 years later, they go, oh, that was never going to work. And then 10 years later, oh, that's going to be the future, you know, transportation whatever. So, it hasn't happened yet, and it keeps kinda coming around in phases. But whatever it is, we should start planning for it now if we're going to get to the point that we need to get to in 2045. I don't see a lot of . . . I get asked a lot of questions by higher ups in HECO all the time like how much biodiesel can you provide? And my question is always how much do you need? And we go round and round just like a hamster wheel.

MR. de ROODE: Right.

COUNCILMEMBER KING: So, you know, figure out what you need, support the industry now and then we'll be there when you need it whether it's, you know, this or something else. But if you don't know it might not be there when we need it. So, that's what I worry about is that last 10 or 20 percent.

MR. de ROODE: Yeah, I know that in the RFPs that Hawaiian Electric puts out for utility scale renewables both in Round 1, which already passed and now we're in Round 2 or Phase 2 of those. They are technology agnostic meaning they're opening it up to consider any proposal --

COUNCILMEMBER KING: Uh-huh.

MR. de ROODE: --but it has to compete from a, you know, from . . . I'm hoping there will be more and more criteria like resilience and equity considerations in the RFP criteria, but it's heavily driven by cost right now. So, if geothermal, for example, is not able to compete with the cost of solar generation or wind. Now, in Phase 2, there's a requirement that the proposals include storage whereas the first round of RFPs did not require storage. This second round is requiring the storage component to offset the intermittent nature of technology that could be . . .

COUNCILMEMBER KING: Yeah, I think, unfortunately, somehow, we've gone from the mid-2000s when the HCEI was created – the Hawaii Clean Energy Initiative. It actually stood for Hawaii Clean Energy and now it stands for, I think, Hawaii Cheap Energy Initiative. So, the focus somehow turned after 5 or 10 years into what's cheap instead of we were looking at what's clean. So, I have real concerns with that because and then the County is picking winners are moving ahead with . . . and I have solar, I have PV panels and I support solar, but it still bothers me that we have no, we have no network of solar of chargers on this island that's locally-owned. So, every charge you do on the what dwindling chargers we have left on the island for electric cars is leaving the State and the County. So, it's still importing energy every time we do that. Every time you swipe a card through a charger that's owned by someone in Japan that's exporting energy. So, I think we need to, along with, I mean, the whole point of going to renewables is besides being clean is to bring the economy of it back to our island and our State, and that somehow got lost as well. So, hopefully, look at trying to encourage either MECO or some kind of a or some local entity to be the owner of

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charging that work, and I hope we can expand that 'cause I've been hearing a lot of complaints from people with electric vehicles that there are less and less chargers for their cars across the island. And they're not even identified which ones, and they get to them and then they find out they don't work. So, we need to somehow identify which ones are working and then expand on that and, hopefully, keep it as local as we can.

MR. de ROODE: I've been hearing those complaints as well. So, you can imagine gotten quite a few people reach out to me about that, Makale`a included.

COUNCILMEMBER KING: Yeah, it's worrisome because on top of that we put a fee on electric vehicles, so we've been discouraging, you know, there's a huge discouragement for electric vehicles. It's happened the last couple of years which we need to look at.

MR. de ROODE: So, I'll provide a quick update as well on the EV charging side. I have some updates for you.

COUNCILMEMBER KING: Okay. I know MECO's got the four that they decided to house but I don't know what's happening beyond that.

MR. de ROODE: I'll share some of that.

CHAIR SINENCI: Okay. Thank you, Chair. We'll take one more question and then we'll continue with the --

MR. de ROODE: Okay.

CHAIR SINENCI: --your presentation. Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. I just wanted to ask Ms. Ane a question before she leaves --

CHAIR SINENCI: Yes.

COUNCILMEMBER PALTIN: --based on the information that she previously provided us about the social equity of selling projects. And I know some of us are following, you know, the track record and history of AES and their citing of wind turbines in Kahuku and other actions that they have on the continent. So, I just was wondering in taking that type of thing into account why . . . like what is our policy moving forward as that same company has plans for solar in Central Maui at Kuihelani? Like if we're holding those types of corporations accountable for the things that they do across Ko Hawaii Pae Aina and in the continental United States?

MS. ANE: So, I guess across the board just our general way we do our Environmental Impact Statements and cultural impact statements we just have a check box that says do community outreach, post it on a bulletin, 45 days or however many days' notice, and

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then it closes and that's good they check it off, okay, next, move on. So, I think the heart of it is really putting value on that community input and saying your community is saying this, what are you going to do about it – change your plans, change where you're sitting, change whatever, like at least like put value on it and take into consideration the communities' view on your project. And I think, I don't know how that can work if it's embedded in the EIS process. But there's some people looking at that and how do we create policies and really put value on that.

COUNCILMEMBER PALTIN: 'Cause I mean, for me, personally I don't have a problem with a solar project at Kuihelani but it's the track record of the provider throughout the State and the globe of what they're doing. I wouldn't like to support that types of actions going on here in Hawaii and it feels like we are by doing . . . continuing to do business with them when we see the types of things that they are going on in Kahuku.

CHAIR SINENCI: Mr. de Roode?

MR. de ROODE: Yeah, so we have certain points where we have opportunities to intervene or provide input or comment as the County as well as independent residents or citizens. Makale`a mentioned the EIS and the process so that would be one opportunity. All of these projects go through Public Utilities Commission approval, right, so the utility is 100 percent regulated by the Public Utilities Commission. So, when they go through their RFP process, one, there is an opportunity to comment and provide input during the development of the RFP, what criteria might we want in the RFP, and so providing that input to the Public Utilities Commission would be one during, you know, in the open docket and prior to the RFP being put out. Another point of opportunity would be once the utility selects a proposal or a number of proposals, then it requires final approval by the PUC before they can move ahead. So, we're seeing that right now at Paeahu above Maui Meadows. That project is not currently approved by the PUC. It's been selected by Maui Electric and then they've turned that back to the PUC, saying okay here's who we selected and there's an opportunity there to provide input again. So, those are, you know, some ways I don't know if we can single-handedly, you know, block a certain company, but we could certainly attach some criteria or, you know, goals, characteristics that we'd like as part of embedded in that process.

COUNCILMEMBER PALTIN: I guess that leads me to the question how do you draw the line between NIMBY and social equity?

MR. de ROODE: Yeah, it's not an easy question. I mean, I think if the entity proposing the project shows that they made a good faith effort in actually getting community input and then responding to that input not just verbally but actually adjusting or changing their proposed project to the extent possible and they have limitations as well in terms of, you know, what land is available and what the landowner is okay with so in this case in Maui Meadows, we have Ulupalakua Ranch as the landowner so they're another party to this that has a say, and then what are some alternative. You know, if it wasn't going to be there, what would be some alternative locations could they still come in at the same costs? And I know Council Chair's comment about, you know,

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cost shouldn't be the primary driver, but I know for the utility affordability, reliability, are two, you know, critical areas that they're trying to provide to their customers. So, it shouldn't be the only driver, you know.

MS. ANE: I think this is where there would be an opportunity with the archaeologist specialist we were just talking about and the different layers that we have that they'd be their zones that we would value cultural protections or other community equitable solutions in these areas. But I have to run, so sorry. But thank you very much for having me and dosvedanya, Russian for have a good day.

CHAIR SINENCI: Thank you, Ms. Ane. Mr. de Roode, how many slides do you have left in your presentation?

MR. de ROODE: Yeah, I can go as slow or fast as you'd like but there are 20 total and we are on slide four.

CHAIR SINENCI: Okay, Members, we've reached our mid-meeting mark. Would you guys wanna take a short break? Okay. And then we'll return. Okay. The EACP meeting of Tuesday, December 3rd is in recess till 3:10. Thank you. . . .(gavel). . .

RECESS: 2:58 p.m.

RECONVENE: 3:13 p.m.

CHAIR SINENCI: . . .(gavel). . . Mahalo, Members. Will the EACP meeting of Tuesday, December 3rd, please come back to order. It is 3:13 in the afternoon. And for people who is joining us on air, we're continuing our 100 percent renewable energy in collaboration with our overall State goal of renewable energies by 2045. So, we have a couple more slides by Mr. de Roode. You may continue.

MR. de ROODE: Okay. Thank you, Chair. Okay. So, one thing I'll mention is in terms of land use and where we site projects, there's an opportunity through the Environmental Protection Agency that I believe is being coordinated by at the State level Hawaii State Energy Office and I believe the Department of Health might be involved in this as well. It's called the Brightfields Initiative. And it's basically looking at previously contaminated sites that are brown fields and prioritizing those sites for the potential renewable energy deployment because there wouldn't be many other uses if it was a contaminated site that could, would be allowed unless the site was remediated. But it also requires some remediation so as part of these projects there could be requirement that the company that wins a bid would have to clean up the site prior to deploying the renewables. So, I just want to bring that to your attention. I'll be going over a few projects here. Some have been deployed already so I'll just kind of mention some of those. We have our South Maui Renewable Resources Project that was deployed above . . . in the north Kihei area, Haleakala Ranch. That came in at 11 cents per, just over 11 cents per kilowatt-hour. And you'll see kind of a trend of decreasing cost per kilowatt-hour with some of the newer projects. So, just something

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to note. So, it's a relatively small project at 2.87 megawatts, and then an equivalent project – Kuia Solar on the West side. Also, 2.87 megawatts and came in at the same cost – 11.06 cents per kilowatt-hour. So, you'll see the size of these projects really increasing too as we move ahead. So, this was in the Round 1 or Phase 1 of the Request for Proposals that Hawaiian Electric put out. And we have for Molokai proposed project of 2.64 megawatts. This was one of the first ones to come with a quite large energy storage portion at 15 megawatt-hour of storage. That's coming in, you know, quite a bit higher – 18 cents per kilowatt-hour. I mean, I can only guess the, you know, the cost of labor and transportation and other aspects make it more expensive. The size is about similar to the sites that have or the projects that have been deployed already on Maui. So, anyway, there's also that large storage component. Moving back to Maui, these are proposed projects that have . . . this one has been approved. This is the Kuihelani project by AES and this is right on South of East Waiko Road is the location. You can see now we're talking a lot larger project, right, 60 megawatts versus we were at 2.87 megawatts in some of those other projects. So, this alone when we go back real quick to our map and we see that the Kahului Power Plant is 37.6 megawatts just this project alone is almost, you know, not quite double the capacity, generation capacity. So, that alone would allow the offset of the generation from Kahului Power Plant.

CHAIR SINENCI: Alex?

MR. de ROODE: Yes.

CHAIR SINENCI: It said the projected number of solar panels is 200,000 --

MR. de ROODE: Correct.

CHAIR SINENCI: --solar panels. Is that gonna have an effect on surrounding areas or possibly aviation that normally fly over this area?

MR. de ROODE: Uh-huh.

CHAIR SINENCI: Is that something that they're considering in the EIS?

MR. de ROODE: Yes, I believe that the impact aviation and the reflection or glare risk was assessed, and it was deemed not to be a concern, but it was looked into. So, it was a concern worth investigating but the findings were that it would not impact negatively aviation. I think they . . . don't, you know, don't quote me on this I was going to say but I believe there may be some type of anti-reflective coating that was also proposed for somebody to probably to address that issue.

CHAIR SINENCI: Thank you. Member Kama?

VICE-CHAIR KAMA: That was a good question, Chair. So, I want to see a report that's written on that. Could we look at those reports and where do we get them from?

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CHAIR SINENCI: Mr. de Roode?

MR. de ROODE: Those would be available as part of the EIS as well as the submittal to the Public Utilities Commission. So, looking at the . . . I could send you a link to where you can find all the documents and reports that were submitted to the PUC as part of that docket.

VICE-CHAIR KAMA: Thank you. I'm just purely curious about it.

CHAIR SINENCI: Thank you, Member Kama.

VICE-CHAIR KAMA: Thank you, Chair. Member Paltin has a question.

COUNCILMEMBER PALTIN: I just had a question in regard to these solar projects and when you speak about land acreage, in particular for the Molokai New Energy Partners Project. Is that strictly the solar panels or does it include the entire operations? 'Cause on a per acre basis that's significantly lower than the other three projects.

MR. de ROODE: Uh-huh. Yeah, that's the entire operation and one of the factors here is that additional storage capacity. That's all the battery storage, which the other projects don't have. If you look at this kind of schematic diagram here these white rectangles --

COUNCILMEMBER PALTIN: Uh-huh.

MR. de ROODE: --would be battery storage systems.

COUNCILMEMBER PALTIN: And the Kuihelani doesn't have the battery storage component because it hooks up to a different grid or something?

MR. de ROODE: This one I believe does not have battery storage because at the time during that first phase of the RFPs they didn't require it as part of the proposal. The PUC then directed Hawaiian Electric statewide in their RFPs to pursue some type of storage component to their RFP. And so, in some cases they're requiring it to be attached to this specific project. That's for the island of Maui that's required now. In other cases, they're bidding those out separately the way there could be a different entity providing the storage and another one providing the PV generation, for example. But for the case of Maui, it's required that a project come in with both, and that's only in this second round of RFPs that are currently in process.

COUNCILMEMBER PALTIN: So, for Molokai, they required battery storage prior than they did for Maui?

MR. de ROODE: I believe so. I could confirm that for you but, yeah, this was . . .

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COUNCILMEMBER PALTIN: Is that because of the remoteness and not so much options or they just decided to add it on Maui later in the game?

MR. de ROODE: Certainly, as you get closer to 100 percent the importance of some way to firm up those intermittent renewables with storage, for example, become more significant. And Molokai is . . . I'm not sure exactly what the percentage is there but at one point they were being proposed to get to 100 percent before any other island in the County of Maui . . . actually in the State. Now that they've kind of shifted that a little bit because the proposal at the time was that that would be with a significant biodiesel component and that kind of shifted. There was also proposals for wind energy on Molokai that was not very well received by the community.

COUNCILMEMBER PALTIN: I recall.

MR. de ROODE: Yeah.

COUNCILMEMBER PALTIN: Thank you.

CHAIR SINENCI: Okay. Continue.

MR. de ROODE: Okay, this project we're talking is 500 acres, 60 megawatts. This one we mentioned already above Maui Meadows – 200 acres, 15 megawatts including the battery storage capacity. And this one has not yet been approved, still under Public Utilities Commission review. The AES Project (Kuihelani Solar) was approved in March of this year by the PUC. So, entering this second phase, this got delayed. It was supposed to be completed in, I believe, July . . . June or July of this year. And the PUC delayed it because they wanted to require a higher level of overall generation and storage as part of this second round. So, now these could be online as early as by 2022. We're talking about 135 megawatts of renewable generation paired with energy storage for the island of Maui. So, if you think about, you know, 15 megawatts here on 200 acres above Maui Meadows; 60 megawatts at 500 acres, in Kuihelani we're talking about another 135 megawatts. So, that could be something like, you know, a thousand acres or so at about 120 megawatts plus the storage required associated with that.

CHAIR SINENCI: Question?

COUNCILMEMBER PALTIN: In regard to the storage, is there any type of cradle to grave mentality as to the life span of the battery storage and what happens . . . post decommission of it?

MR. de ROODE: Yeah. My understanding is that the provider is responsible for decommissioning of all the equipment. And that they have to provide that storage for the life of the project. So, let's say, you know, a PV is estimated to have about a 20- or 25-year life span. It could actually still function after that but the greater production, the efficiency goes down. So, it's 25 years on a PV project. Whereas batteries are

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estimated to last about ten years so they would need to replace those batteries during the life of the project at least once. And then, they're responsible for decommissioning so taking it all apart and disposing of it and whatever the responsible way to disposing it at that time that's going to evolve, I think. We're going to, hopefully, see more recycling options as we get, you know, further along in this. But I do have a concern – what if a company like this went out of business in 10 years or 20 years, right, who would be the responsible party? I'm not sure about that. It's something I . . .

COUNCILMEMBER PALTIN: Even if they don't go out of business whether it ends up in our landfill or another landfill across the globe it's still kind of because of us and our dependency on us for empower . . . So, are we not cognizant of the method that the provider uses of disposal?

MR. de ROODE: I don't know that that's spelled out in detail. But I'd like to know that too so I'll do some research on that and see if I can get you some more details.

COUNCILMEMBER PALTIN: That'd be awesome.

CHAIR SINENCI: Thank you, Member Paltin. Chair would like to recognize Member Lee. And Member Kama, you had a question for Mr. de Roode?

VICE-CHAIR KAMA: Yes. I was thinking about the same thing that Member Paltin was thinking about that maybe on the front end we could have attached to that would be a decommission fund just in case something happens and they're not around that we have this fund of money that we could use to be able to figure out how to get rid of that. Thank you, Chair.

CHAIR SINENCI: Thank you, Member Kama.

MR. de ROODE: I would say that my guess is as the materials that are being used to create these technologies become scarcer and scarcer of our resource, they're going to have secondary markets or ways to up cycle or recycle these and create new solar panels or new batteries or like I said, even after 20-25 years the solar panel still work so there could be secondary markets for that.

COUNCILMEMBER PALTIN: It's irregardless of the scarce city political/economic climate of other countries that provide that type of materials and other factor without it even becoming scarce. We don't want to have no parts in further coup d'état like how we ourselves experienced.

MR. de ROODE: Sure and also we're seeing new template battery chemistries coming out and, you know, evolution of technology so we may not be dealing with lithium ion or some of these, you know, same materials that are being mined and causing pollution and labor issues, you know, worldwide. Hopefully, we're going to move to more environmentally and socially friendly materials as we evolve.

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COUNCILMEMBER PALTIN: With the hemp storage batteries.

MR. de ROODE: Yeah. There's some that are just acquiesce saltwater type of batteries. Lot of different technologies being developed and explored. I'm not as familiar with the hemp batteries.

COUNCILMEMBER PALTIN: Do you know if our OED is reviewing of our social responsibility in future energy production along those lines, or is there any framework to take a more holistic view of the A-plus challenge in that it's not just, you know, 100 percent ground transportation, fuel source and the big picture of all of . . . what were the purpose of generating the energy for, or is it just an emerging science?

MR. de ROODE: Yeah, I would say there are efforts. I don't know that there is a holistic framework yet to that end but there are efforts, for example, to support certain legislation being put forward or adopted or providing input during PUC, as part of PUC dockets, or as part of integrated grid planning. I sit on the resilience working group for the integrated grid planning of Hawaiian Electric, which is a process that they're mandated to do by the PUC. And so, we have a lot of stakeholders there that are providing, you know, these types of perspectives. So, hopefully, that eventually becomes a more integrated holistic framework that helps guide our State in the right direction.

COUNCILMEMBER PALTIN: Thank you.

CHAIR SINENCI: Thank you. You may continue, Mr. de Roode.

MR. de ROODE: Okay. Thank you. And then so we have also targets here for Molokai and Lanai - 4 megawatts of solar or 3.6 megawatts of small wind paired with energy storage and then, again, 9.5 megawatts paired with energy storage for Lanai. And so, we could be seeing those as early as 2022 coming online. Okay, so that kind of wraps up what I wanted to share with you about some of the large utility scale renewable energy projects that are moving forward. I'm going to give you a few more highlights of in the energy arena, some of the initiatives we've been involved in. There are more on either County operations side or that we're actually pushing forward through our County. So, we recently, earlier this year, adopted the 2015 International Energy Conservation Code so that will drive energy efficiency in new construction moving forward. So, that's a good direction. We also have a . . . we're pursuing what's known as energy savings performance contracting and this is a long-term contract that the County would enter into with an Energy Services Company or ESCO. And this would help us with both bringing expertise and bandwidth to our energy efficiency, energy management, and renewable energy efforts as well as providing us with a way to do a lot of these projects with no upfront investment on our end. It would be paid through savings. So, we're actively looking at this. There are a number of examples of other organizations or agencies that have done this - University of Hawaii, the entire system has gone through this at each of their campuses; Department of Education; we have at the City and County of Honolulu; the Board of Water Supply has a department

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pursued this as well. So, we're looking at this. I've been working closely with our CIP and Energy Coordinator in the Office of Management as well as our Public Works; Transportation; County employees; and we've been looking at different opportunities and where we think some of these projects will make sense; Parks and Rec as well in some of the War Memorial Complex improvement, proposed improvements. So, a lot of these could fit in to an energy savings performance contract. One thing to note is that it's not something to enter into lightly. It's a 20-year agreement with a lot of details and nuances. And so, part of what we're kind of the first phase we're pursuing would be to bring on an owner's rep, basically a third party, to help us in that process and make sure that we're, you know, getting the best . . . negotiating the best contract for the County and taxpayers. So, that's something that we're looking at putting an RFP out for in the coming . . . during this fiscal year most likely in 2020. The exciting part about that is we can also tie in not only energy efficiency, but we could tie in deployment of renewable energy on County facilities. So, rooftop PV, for example, battery storage, parking lot PV arrays would be some examples. And as of this year with HB 401 being passed we're now able to include electric vehicles and electric vehicle charging stations as part of those contracts. So, we would potentially be able to acquire those resources without having to pay for them upfront ourselves. They would be tied into the overall savings of the energy savings performance contract. I am actively working again as I mentioned with our Public Works Department and other County Departments looking at our fleet conversion to clean fleets. So, we have this commitment that by 2035 we'll have 100 percent clean fleets and that's quite an aggressive goal. We're talking, you know, within 15 years here we would have to convert all of our vehicles to either electric or hydrogen or biodiesel and we need a strategic plan as to how we're going to do that. Initially, the focus is on light duty vehicles. Those are easier to transition, all right, so your sedans, your light duty vehicles – more specialized vehicles that require either four-wheel drive or, for example, dump trucks – those are medium or heavy duty vehicles we're expecting those to be converted in later phases because the availability of vehicle models and affordability of those models aren't out on the market yet.

CHAIR SINENCI: Question?

COUNCILMEMBER PALTIN: Yeah, so I just was wondering if they're currently is not unless it's done as to the life span of those medium and heavy-duty vehicles that we're currently purchasing and to coincide with the 2035 target date. I'd imagine like every new vehicle we are purchasing if that's the goal would be looking at the life span of the vehicle, and if it should currently be a clean energy vehicle?

MR. de ROODE: Uh-huh, yeah, clean fuel vehicle or alternative fuel vehicle. Yeah, so that there is that process currently. There's a screen any request from various County departments go through Office of Management and they are reviewed and assessed as to whether it could be an electric vehicle or if there are some other alternative out there that would be suitable. If so, and if it wasn't proposed by the department initially then I believe Office of Management is sending it back saying, hey, here's an alternative model that we would recommend. For the heavier duty vehicles, we did

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have a vehicle conversion feasibility assessment done in 2018 by Hitachi, by HIACE. So, that actually looked at our entire inventory of a fleet inventory and did an assessment of what would be a viable alternative that would meet the criteria. So, we have that study. Be happy to share that.

VICE-CHAIR KAMA: I'd like that.

MR. de ROODE: Yeah. I'll make a note of that.

CHAIR SINENCI: Okay. Member Kama?

VICE-CHAIR KAMA: Well, he was in the middle of explaining what I was actually asking about in terms of --

CHAIR SINENCI: Okay.

VICE-CHAIR KAMA: --how many fleets, how many number of vehicles we have in the fleet now and how many charging stations do you think we're going to need, and what is that cost you think it might need? So, I guess what you said earlier about probably having to go and do a strategic plan to figure that out. So, my question is, when would that take place? Because it makes sense if we're looking at purchasing some things now that we should be looking at starting now and not wait till 2035 to begin but you begin now because isn't the idea by 2035 to have that transition complete or is that you're going to start it in 2035? Completed right?

MR. de ROODE: Uh-huh.

VICE-CHAIR KAMA: So, we should be doing this analysis now so that we can actually plan for budgeting, buying, purchasing charging stations and where you put the charging stations? I don't know. So, that's all the questions I have about how that's all going to take place over the next 15 years. I don't know if I'll be here, but my heart will be.

MR. de ROODE: We could set the groundwork though and have a good framework and foundation. Yeah, there's got two main areas that we're focusing on right now in terms of electric vehicle charging infrastructure. One is on the public charging side so like we have in front of our Kalana O Maui building, at Haiku Community Center, at Lahaina Aquatic Center, and so we have an RFP that's going to be going out soon to upgrade those facilities that charging infrastructure, and also request proposals for putting out additional ones at other locations. That's for public charging. On the fleet charging side that's kind of a whole other can of worms where we're looking at one, we have to figure out where is our baseyard going to be? Are we going to have a consolidated baseyard? I know that's been discussed and it's kind of in progress right now. But we don't want to put in a bunch of fleet charging infrastructure in a location that's temporary, right. And so, we have to kind of . . . there are a lot of moving parts to it. But as part, as I mentioned, as part of this energy savings performance contract initiative, we'll be able to have some analysis done by the selected energy services

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company and provide us with recommendations on, you know, which way to go with the fleet charging.

VICE-CHAIR KAMA: So, would the County consider charging for charging stations?

MR. de ROODE: On the public charging side, yeah, so there are a few different ways you can set those up. What we're most interested in at the moment is proposals that would make it so that the County would not need to own and operate and maintain the systems because that would take additional bandwidth from our already strapped staff and additional expertise to be able to maintain those types of units ourselves. So, what we're going out and hoping to get the responses for is our proposals where a third party comes in, they install the unit, they own and maintain the unit, and then we would be charging a certain amount for the electricity used to charge the vehicles but just, basically, to break even to pay for the service. An example of an entity doing that now is UH-Maui College their chargers under their PV arrays on their parking lot they charge 39 cents per kilowatt hour and they use that to pay for any operations and maintenance that a third party comes in and does. So, that would be kind of, I think, the most, the easiest model for us to take on, but especially when you're dealing with level three chargers, which are high voltage – 480 volts like the one . . . one of the units we have in front of the County building is one such unit.

VICE-CHAIR KAMA: So, if we were to have paid parking, let's say we had a paid parking structure and we had a PV charging station there, would you also charge them for parking as well as for the PV? I'm just throwing that out there but something to think about.

CHAIR SINENCI: Mr. de Roode?

MR. de ROODE: Yeah, I mean, I'm not sure about that. If it's paid parking I would think you would assess the same parking fee to everyone equally, and then if an addition there was an individual who was charging, they would be assessed for that separately. You know, that would be my initial reaction. But if we wanted to make an exemption to that to, you know, preferred parking for example and say, oh, free parking if it's an electric vehicle. One thing that is occurring is as there's more and more adoption of these technologies, a lot of these incentives are kind of being pulled back, right, because it's becoming more mainstream. I don't know that we're quite there yet with electric vehicles. It's not like most people have an electric vehicle. So, I think encouraging more adoption is a good thing but at some point, we'll probably want to say, hey, we don't want to continue to subsidize something that's already the norm. But we're not there yet, you know.

CHAIR SINENCI: Thank you, Member Kama.

MR. de ROODE: Okay. I know that we're probably kind of short on time.

CHAIR SINENCI: Yeah.

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MR. de ROODE: Yeah, okay. So, I won't get into this too much, but I will mention that we have several initiatives on the developing a resilience strategy for the County of Maui. If you are interested, you can look at the City and County of Honolulu's resilience strategy that they came out with this year, just as an example that could guide our efforts in this area. And, you know, a big part of that is defining what is resilience mean to us as a community? We've had the benefit of the USDN or Urban Sustainability Directors Network to help us bring some of the best practices and lessons learned going on nationally around this work. And I think many of you heard from Kristin Baja of USDN previously. But, basically, we're looking at for resilience we're looking at positively adapting, right, so we know we have more vulnerabilities and risks that we're facing as a result of climate change and other factors, and how do we positively adapt or thrive not just survive right now just basic survival but we want to actually thrive, if possible, in these conditions. So, enhancing quality of life. And we're looking more at resilience not just during times of emergency or when we have a disaster, we're facing but year around, right, how are we resilient year around. So, that means not only addressing resiliency when we have shocks like fires, hurricanes, earthquakes, but also these ongoing stressors or issues that we face year-round, right. Factors like high unemployment or poverty or drug use, how do we create a more resilience community to address these issues not just during these times of, you know, shocks. So, one such strategy that we're piloting or just getting started with is this concept of resilience hubs and creating the ultimate goal being creating a network of resilience hubs across our communities and this is looking at identifying a set of buildings or structures that could be used as resilience hubs for a neighborhood. We're talking about at the neighborhood scale. Typically, you want these hubs to be a trusted building so it's an existing building our community members are already using, and that they have access to year-round. Right, so, oftentimes people will substitute this for an emergency shelter and, really, it's not intended to necessarily serve as an emergency shelter although it could have a component of temporary shelter. It's more intended to enhance or complement emergency shelters and during emergency times and, also, just provide more what's known as community cohesiveness during normal times, right, bringing people together and sharing in different activities, etc. It sees this hub as a resource. So, that involves actually having the community actively involved in these efforts. And we held workshops back in September and we had a number of Councilmembers attend and their staff as well as other County employees. And then we had also workshops where we invited the community-at-large to participate. And we basically introduced this concept of resilience hubs and started to collect input on what types of services would the community like to see from a resilience hub, what locations would they suggest based on their knowledge of their own neighborhoods of communities. And we have I know the West Maui Community Plan Advisory Committee has brought this up in their process and recently committed to an action to further investigate a good candidate for a resilience hub for West Maui. Right now, we are piloting a what's called a Resilient Power Feasibility Study and we're doing this for three sites – three community centers across the island of Maui just as a starting point. We have the . . . I'll bring those up here, we have the Wailuku Community Center (Velma McWayne Santos Community

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Center), the Lahaina Civic Center, and the Hana Community Center. And each of these kinds of offer different use cases in resilience hub. So, Wailuku Community Center is more of our urban densely populated community center as a use case for a resilience hub. Lahaina Civic Center has this component where there's a large visitor population in close proximity to residential population as well as the West Maui community often being in a position where they can be at risk to be cut off from Central Maui if the Pali is closed for various reasons. And then the Hana Community Center being a more rural remote use case. So, these are three examples of sites that we're starting to investigate and say, you know, what type of power systems would we want to see in these facilities to help provide more resilience to those communities. All right. So, looking at things like PV with battery storage backup systems that could, you know, continue to provide services even if the grid was down.

CHAIR SINENCI: Mr. de Roode, Chair would like to recognize Chair King and then we have a question from Member Kama.

COUNCILMEMBER KING: Thank you.

VICE-CHAIR KAMA: Chair, so as I look at your resilience hub . . . the Feasibility Assessment Pilot Projects I noticed that they're all County facilities. Is there a reason why you chose all County as opposed to putting a State facility in there just to see how it might work or not work? 'Cause when you really gonna need a hub you want to call on not just County, but you'd want to call on churches and schools, which is a State facility, and whatever they have to offer. Was there a reason why?

MR. de ROODE: Sure. Yes, I think for this pilot phase it was just easier to be able to access data on, for example, electrical plans, condition of roof structures, access to the site, just in this initial pilot phase. But you're right, that in as we, you know, moving forward and helping to develop this network further, having not just County facilities be included would be important. So, like you said, it could be churches. I've heard schools not necessarily the best candidates, in part, because there isn't open community access to schools at all times, right. So, just for security reasons we don't let just anybody walk through schools and access at all times. So, the recommendation I've heard from Urban Sustainability Directors Network is unless the school was going to designate part of its campus as a more open access area, if there are lock down, for example, in part of the school that would cut off access to anyone that's not part of the school. So, that's one concern with schools being used but that's not to say that it couldn't or hasn't been done. But, yes, I think it's just for ease of access to information that we chose three County sites initially.

VICE-CHAIR KAMA: So, how long is your pilot program?

MR. de ROODE: Well, the Power Feasibility Assessment that should be completed I believe some time in like the first quarter of 2020, and we'll have that feasibility assessment. Then based on that assessment the next phase would be do we actually implement with the recommended resilient power system, and that would require funding to

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actually go ahead and, you know, purchase and install the equipment. The other kind of complicating factors they are assessing are their upgrades already planned for these facilities. So, is there going to be a re-roof to the facility or is the roof, and this is part of the feasibility assessment is assessing these items. If there's going to be a re-roof in the next five years, we probably don't want to put a PV system on that roof currently, right.

VICE-CHAIR KAMA: Yeah.

MR. de ROODE: So, assessing those factors. And then also as we move beyond just the power side looking at what types of services does the community envision having offered at those facilities may be beyond just a gathering place for baby luaus and graduation, but maybe enhancing . . . I know Parks and Rec is actively looking at this as how can they make community centers be more of a gathering place, community hub that provides maybe, you know, training, education, other services that could be a value to the community beyond just having it as a facility that could be rented or accessed for events.

VICE-CHAIR KAMA: Thank you, Chair.

CHAIR SINENCI: Thank you, Member Kama.

MR. de ROODE: So, I will keep the Committee updated on the results of the feasibility study. Another area that we're working on right now is this development of a County of Maui Energy Dashboard. So, we have over 600 MECO accounts across our County and that's not saying how many meters we have. We have even more meters than that because some accounts have more than one meter. And that is spread across as I'm sure you realize multiple departments so just getting an understanding of where are we at with, you know, how many accounts we have, how much are we paying, all these things we want to get a more integrated approach to organizing, being able to analyze, and being able to communicate that data. Okay, so with those 600 accounts we have over 66 million kilowatt hours of energy usage per year that was for counter year '18, which comes out to over \$23 million of our County budget going towards energy. So, this is kind of a baseline. We're using a platform called Tableau that we're able to take . . . we're working closely with Maui Electric Company to get information about all of these different accounts and enter that data into this software that allows us to do, this is just a snapshot example. It's not actually our own data but allows us to create visualizations like this that can be accessed online. We could push it out to individual departments so departments can more easily track their energy usage, and also tie it in to some of our public outreach so that people can kind of see how we're hopefully improving in terms of decreasing our energy usage, increasing our amount of renewables. That's all I have for you on this update. If there are any questions, I'd be happy to answer them.

CHAIR SINENCI: Member Paltin, you have a question?

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COUNCILMEMBER PALTIN: Thank you, Chair. My questions were on the other handout as well that we didn't go over page-by-page, was wondering if the consultant that is going to be brought on board through the RFP process, so is that intended to be an appointee or a civil service position?

MR. de ROODE: That would be a contract so . . . contracted service consultant. So, not an actual position, not a County position.

COUNCILMEMBER PALTIN: Like an advisor kind of thing?

MR. de ROODE: Yeah. They call it, often they call it an owner's rep that's basically someone that can come in and provide technical expertise. Generally, they have engineering background and contracts background, and they've helped other organizations go through this process and make sure they're getting the best terms for this type of major, long-term agreement. This is a . . . we have a template for using for the . . . that we will be using. We haven't put it out yet but I have been working closely with, again, our Office of Management and our Procurement Division on this but we have templates that we've based our fee off of from the Department of Energy that recommends using this approach and then the State Energy Office is also pursued as similar . . . actually it was under DBEDT that pursued similar efforts at the State level. So, our process is being informed by a lot of their lessons on best practices.

COUNCILMEMBER PALTIN: And then the Department of Energy is a State Department?

MR. de ROODE: So, we have the Hawaii State Energy Office, which is affiliated or associated with DBEDT, --

COUNCILMEMBER PALTIN: Okay.

MR. de ROODE: --part of the State.

COUNCILMEMBER PALTIN: And where is the funds coming from that the RFP will hire the . . .

MR. de ROODE: Good question. So, at least initially some of that funding will come from the OED Energy budget but the likelihood that we'll have to keep this consultant on board for, you know, potentially the first few years of this contract means that we'll have to find additional funding as we move forward but to at least kick us off and be able to get 'cause there's kind of two phases, right. So, the first phase is an RFP for this third-party consultant. That consultant is going to help us craft a separate RFP for the actual energy services company that we'll be bringing on board for this, let's say, potentially up to 20-year contract. So, that second phase won't require funds depending on how we structure the contract because it's paid through savings. But this first phase to help inform the process would require some level of funding. So, for now, the OED Energy budget is able to cover the initial phase of that.

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COUNCILMEMBER PALTIN: And then my second question on Page 2 in my previous discussion you said as to the holistic view when you're talking about pursuing the development of a County of Maui resilient strategy and outreach in the community, climate action plan, why are we only looking at the County's internal operations when so much of our economy is dependent on tourism? And by only looking at the internal operations we're either like sending ourselves short or not, in my opinion, addressing like the elephant in the room, which is, you know, the unsustainability of the tourism industry depending on fossil fuels.

MR. de ROODE: Yeah, so just to clarify on that item we're not saying we're only going to be focusing on the internal County operations. There would be a resilient strategy that would include a community-wide climate action plan. And then parallel but separate from that would be a climate action plan focusing on County operation. So, there would be both. There would be both that larger community-wide broader scale that would account for, for example, climate impacts associated with different aspects of our economy, including visitor industry or tourism. And then separate from that, there would be a more detailed, in-depth climate action plan for our County operation so that we can better . . . because when you do those broader community-level ones they don't get very granular in terms of this is exactly how much, let's say, our County fleet vehicles are emitting in terms of greenhouse gas emissions, they won't get that specific. It will just say, in general, ground transportation Countywide is accounts for this much greenhouse gas emissions, which is important to know but not as easy, not as actionable as saying our specific County fleet is responsible for this much. So, if we transition our fleet to a clean fleet, here is the impact that we'll have. So, then it gives us that ability to have a little bit more of an operational approach at the County level but not saying we won't also be considering the community scale.

COUNCILMEMBER PALTIN: So, then like us, as policy makers and spenders of the County taxpayer dollars, at what point do we see the shift or the alternatives or any kind of recognizable change in the way we do business and the way we attract tourists and the way we bring them here? At what point, are we going to be having that conversation in public while we're making decisions on how we spend our budgetary funds?

CHAIR SINENCI: Mr. de Roode?

MR. de ROODE: I mean, I think that that happens in many different context and ways but specific to the resilience strategy and the community scale climate action plan there are . . . once that's developed and that will be developed with input from the community at large, input from County Council, input from the departments, the County Departments, so multi-stapled or input into that process of a resilient, developing a resilience strategy and a climate action plan, a community scale climate action plan. And then, in addition, this County operations climate action plan will also receive significant input. Once those are developed, they will outline strategies and actions that should help address some of these issues and we'll have been able to, you know, these will be planned so then the next step from there is to actually

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implement these plans, right, and integrate them into . . . they would help inform future updates to community plans, they could help inform our hazard mitigation plan. Those should all be kind of integrated, right. So, that, hopefully, will . . . that's the direction that we envision with this process.

COUNCILMEMBER PALTIN: Thank you. Thank you, Chair.

CHAIR SINENCI: Very good. Thank you, Member Paltin. Any other questions? Chair King?

COUNCILMEMBER KING: Thank you, Chair. And I was listening from my office, but I had to take a call from London. I thought I heard you say that the Department of Education is doing performance contracting. Are they actually doing that now?

MR. de ROODE: Yeah . . . I don't know if they're doing it yet, but I know they've been looking into it. I have spoken to companies that are working with them on energy monitoring and electric vehicle charging.

COUNCILMEMBER KING: Oh, okay.

MR. de ROODE: But I'm not sure yet whether that's part of energy savings performance contracting or not.

COUNCILMEMBER KING: Okay. I was just curious because I tried to bring energy performance to the DOE back in the '90s and I think I was way ahead of the curb there because the reaction I got was, well, I can't support this because it just sounds too good to be true.

MR. de ROODE: Yeah.

COUNCILMEMBER KING: And they didn't. They didn't support it. But I was just wondering about the possibility of partner, if they're at that point now where they're realizing a value of partnering with an entity like that so that we can share consulting services or something because I do understand that we need, you know, we need that consulting. But I also . . . I also would hope that we wouldn't have to repeat services if someone else has that same, you know, type of consulting in the County even if it's the State.

MR. de ROODE: Uh-huh.

COUNCILMEMBER KING: And then we can get there faster as far as the economic, you know, benefit. But I do understand about, you know, the savings going into other . . . back then we were talking about repair and maintenance for schools. That the energy savings would go directly into that. It could save the schools in the long term.

MR. de ROODE: Uh-huh.

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COUNCILMEMBER KING: We just couldn't get this. So, I'm really glad you're looking at that. And I just want to encourage you to look for partners in the . . . because talking about two to three years of consulting seems like a long time, to me, when we should be able to get to that point. I mean, I don't think it's that complicated to tell you the truth. I think you just . . . the other place you can go to look for that kind of consulting on energy savings is the UH Maui College Sustainable Sciences Management Program because that's kind of the main expertise that's coming out of that program is energy efficiency.

MR. de ROODE: Uh-huh.

COUNCILMEMBER KING: And that would be an excellent way to utilize what the students over there are learning and offer them their graduation projects. So, anyway, just think we could get more creative without having to necessarily put someone else on the payroll for three years. Thank you.

CHAIR SINENCI: Thank you, Member King.

MR. de ROODE: Can I respond to that, Chair?

CHAIR SINENCI: Go ahead.

MR. de ROODE: So, just to clarify the idea is not to wait two or three years to start the energy savings performance contracting process but rather to bring on a consultant that would help us to develop the contract, first of all, the RFP to select an energy services company in ESCO and that process could take maybe six months, maybe less once we get them on board. Once the contract is executed then work could begin with that energy services company typically the first, well, actually . . . yeah, typically the first thing they'll do is they'll do an investment grade audit of all your facilities and then come up with proposed energy conservation measures or energy efficiency measures as well as now we can incorporate renewable energy generation proposals as well as EV charging infrastructure, EV electric vehicles. So, this whole package they could come up with but each time the energy services company comes back and says, hey, here are the findings of our investment grade audit. Here is what we're proposing to do. We have to sign off on that and say, okay, yeah, that sounds good or no, you know, that sounds good, but we'd like to see you also do this. That's where the consultant . . .

COUNCILMEMBER KING: Okay. Isn't that your area of expertise?

MR. de ROODE: Yeah, I mean, it is. It is but there are certain especially on the contract side and the, you know, legalese. I mean, I can certainly speak to some of the technical aspects on the energy side but making sure that we're entering into a contract.

COUNCILMEMBER KING: Okay. That's what we have Corp. Counsel for as well. So, I just would encourage you to look in within, you know, the County for resources instead of,

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you know, first going outside and hiring all these outside consultants because that's, you know, we have these departments for a reason, you know, the Energy Coordinator for a reason. We have Corp. Counsel and all that expertise, I think, you know, probably two-thirds of it is in-house.

MR. de ROODE: Uh-huh.

COUNCILMEMBER KING: Thank you.

MR. de ROODE: And we would form a team. I mean, already we've had discussions with Corp. Counsel about some of these details including the draft RFP. But as we move forward in this effort, we would have a team of people, Corp. Counsel, our CIP Energy Coordinator, myself, and others involved, Public Works like we would have a representative as well.

COUNCILMEMBER KING: Okay. Thank you.

CHAIR SINENCI: Thank you, Chair. Mr. de Roode, I had a quick question. You know for the planned solar farm projects would those developments require any zoning changes and are they subject to real property taxation?

MR. de ROODE: I might lean on Corp. Counsel here to add anything to what I'm about to say but initially, I believe, if they're over a certain size I believe it might be 15 acres, they would require a Special Use Permit. In terms of real property tax, they're not the landowner so let's say it's on Ulupalakua Ranch land I don't know if that use would change the real property tax that would be paid by the landowner. But I don't believe that the entity coming on to, you know, deploy the product or install the project would be responsible for that but.

CHAIR SINENCI: Ms. Thomson?

MS. THOMSON: Thank you, Chair. So, large scale wind is a use that's taxed under the property tax regime as a permanent fixture to the property so not as equipment that's movable. And I'm going to need to check on large scale, so I think it's a good question, but I'll get back to you on that.

CHAIR SINENCI: Okay. Thank you.

MR. de ROODE: And just to clarify, would that be an independent power producer or the landowner that would be assessed that tax?

CHAIR SINENCI: Ms. Thomson?

MS. THOMSON: It depends. Sometimes if there's a long-term lessee, they will be responsible for the tax.

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CHAIR SINENCI: Thank you. Members, any more questions? Seeing none. Okay. Mahalo, Members, for your participation in our renewable energy initiatives for Maui County. You know, new technologies promote clean energy for our children and towards the protection of our natural resources and environment. So, I'm especially grateful for this Council's focus on how new technologies impact the local communities. I would like to thank Mr. de Roode for his work and updates on renewable and clean energies. We are planning to continue this conversation early next year with presentations by Maui Electric Company. So, with that, I appreciate your endurance, Members. This was a 7(b) item and was posted for no legislative action to be taken. So, if there are no objections, the Chair would defer this item.

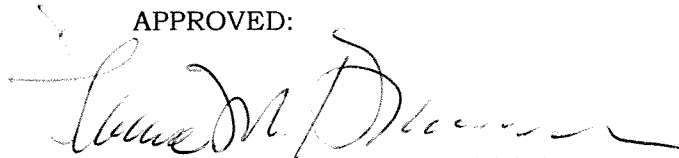
COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: YKS)

ACTION: DEFER PENDING FURTHER DISCUSSION.

CHAIR SINENCI: Thank you. With that, this concludes today's Environmental, Agricultural, and Cultural Preservation Committee meeting. Thank you, everybody, for attending. This December 3rd meeting of the EACP is adjourned. Mahalo. . . . (*gavel*) . . .

ADJOURN: 4:16 p.m.

APPROVED:




SHANE M. SINENCI, Chair
Environmental, Agricultural, and Cultural
Preservation Committee

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CERTIFICATE

I, Jo-Ann Sato, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 23rd day of December, in Pukalani, Hawaii


Jo-Ann Sato