

MAUI PLANNING COMMISSION

COUNTY OF MAUI

JUNE 30, 2009

PLANNING COMMISSION

MAUI ISLAND PLAN

Held at the Planning Department Conference Room,
First Floor, Kalana Pakui Building, 250 South High
Street, Wailuku, Maui, Hawaii, commencing at 1:31 p.m.,
on June 30, 2009.

Reported by: Tonya McDade
Hawaii Certified Shorthand Reporter #447
Registered Professional Reporter
Certified Realtime Reporter
Certified Broadcast Captioner

1 COMMISSION MEMBERS PRESENT:
 2 Wayne Hedani, Chair
 3 Bruce U'u, Vice Chair
 4 Jonathan Starr, Commissioner
 5 John Guard, IV, Commissioner
 6 Kent Hiranaga, Commissioner
 7 Ward Mardfin, Commissioner
 8 Donna Domingo, Commissioner
 9 Lori Sablas, Commissioner
 10 Warren Shibuya, Commissioner
 11 STAFF PRESENT:
 12 Jeffrey Hunt, Planning Director
 13 Kathleen Aoki, Deputy Planning Director
 14 John Summers, Long Range Division Administrator
 15 David Michaelson, Planner
 16 Julia Staley, Planner
 17 James Giroux, Deputy Corporation Counsel
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1 (Silence.)
 2 CHAIR HEDANI: Thank you.
 3 The next item on our agenda is public
 4 testimony. We'd like to open it up to the public at
 5 this time. For any members that would like to offer
 6 testimony, please step to the microphone and state your
 7 name for the record. Are there any other -- are there
 8 any members that would like to offer testimony?
 9 MR. VERKERKE: Are we signed up? Are you
 10 following the list?
 11 CHAIR HEDANI: Okay. Go ahead.
 12 MR. VERKERKE: Good afternoon, Commissioners.
 13 My name is Jacob Verkerke, I'm a resident of the
 14 community of Waikapu. I'm here to give you my personal
 15 thoughts on the document produced by the GPAC. I do
 16 want to report, though, that, as a community, an effort
 17 is underway to formulate a more comprehensive opinion on
 18 the documents before you and we hope to be able to
 19 present testimony on that fairly soon. I'm one of the
 20 members of the community that's involved in that.
 21 I want to applaud the efforts and the final
 22 product that was produced by the GPAC. I believe it's a
 23 very good document stating the vision for the long-term
 24 development of Maui island. I -- I really appreciate
 25 the thought that went into the desire to maintain

1 JUNE 30, 2009
 2 TRANSCRIPT OF PROCEEDINGS
 3 *****
 4 CHAIR HEDANI: ...(gavel)... Planning
 5 Commission meeting of Tuesday, June 30th, will come to
 6 order. At this time, on our agenda, we have approval of
 7 the minutes of our meeting from May 19th. What's your
 8 pleasure?
 9 VICE-CHAIR U'U: Motion to approve.
 10 COMMISSIONER STARR: Excuse me. Mr. Chair?
 11 CHAIR HEDANI: Motion to approve by
 12 Commissioner U'u.
 13 COMMISSIONER STARR: Mr. Chair, don't you
 14 usually take public testimony before we begin business?
 15 CHAIR HEDANI: I'm just following the agenda,
 16 Jonathan.
 17 COMMISSIONER DOMINGO: Second.
 18 CHAIR HEDANI: Seconded by Commissioner
 19 Domingo. Any additions, corrections, changes to the
 20 minutes?
 21 (Silence.)
 22 CHAIR HEDANI: If not, all those in favor
 23 signify by saying, "aye."
 24 (A chorus of ayes.)
 25 CHAIR HEDANI: Opposed, "nay."

1 separation between many of the small communities that
 2 still exist on the island.
 3 I appreciate the attention of the State to
 4 their support and further development of agricultural
 5 enterprise, and especially where folks is trying to
 6 convince the community that it should grow their produce
 7 and agriculture products that will be consumed locally,
 8 to target for the island to consume, I believe, 60 or 70
 9 percent of its produce from locally -- local sources, I
 10 think is very applaudable.
 11 And it's with those concepts in mind that I
 12 urge you to resist pressure that you will inevitably
 13 feel to expand the Urban Growth Boundaries that are
 14 defined in the product -- in the documents.
 15 Especially, of course, where it comes to the
 16 separation between Waikapu and Wailuku. I believe the
 17 map drawn by the GPAC provides for more greenbelt space
 18 between Wailuku and Waikapu. And I urge you to not
 19 reduce that. It's very important for the old-time
 20 character of Waikapu that that separation be maintained.
 21 Especially where it involves agricultural lands that are
 22 gonna be very necessary for this goal of producing
 23 produce, agriculture products, for community's
 24 consumption.
 25 That's what I have to offer you right now.

1 Again, I believe the GPAC produced a very good document,
 2 and I applaud their efforts.
 3 Thank you.
 4 COMMISSIONER STARR: Question, Mr. Chair.
 5 CHAIR HEDANI: Commissioner Starr.
 6 COMMISSIONER STARR: Yeah. Do you feel that
 7 the mapping in the area currently provides enough open
 8 space in the Waikapu/Waihe'e area, or do you feel that
 9 it should be increased from what it presently is and the
 10 development areas reduced?
 11 MR. VERKERKE: As it is proposed by the GPAC,
 12 I believe that south of Honoapiilani Highway there is an
 13 appropriate greenbelt. What concerns me a little bit is
 14 the space above Honoapiilani Highway, which at this
 15 point is -- is fairly undefined. And I would like to
 16 see that turned into preservation or dedicated green
 17 space so that we can complete the belt around the
 18 community of Waikapu.
 19 CHAIR HEDANI: Additional questions?
 20 (Silence.)
 21 CHAIR HEDANI: Thank you very much.
 22 MR. VERKERKE: Thank you.
 23 CHAIR HEDANI: The next person we have to
 24 testify is Jocelyn Perreira.
 25 MS. PERRIERA: Good afternoon, Chair Hedani,

1 and fellow Commissioners. My name is Jocelyn Perreira,
 2 I'm the Executive Director and the Tri-Isle Main Street
 3 Program Coordinator for the Main Street programs on the
 4 island in the County of Maui.
 5 Maui's an island of small towns and rural
 6 communities defined by distinct boundaries that help
 7 maintain their unique sense of place. The Maui we know
 8 and love is a place where residents know their
 9 neighbors, look out for each other, support each other,
 10 our local businesses, and walk safely to stores, parks
 11 and schools. We respect and prioritize community values
 12 and encourage diverse points of view.
 13 We need to preserve this important small town
 14 characteristic. By working together, sharing resources,
 15 we can plan for a preferred future and direct growth and
 16 development patterns that meet the daily needs and the
 17 desired needs that make our towns livable, walkable and
 18 self-sustainable.
 19 We must ensure that the scale in the proposed
 20 Urban Growth Boundaries are compatible and consistent
 21 with the Maui small town rural character. This vision
 22 provides for pride in home, family and community,
 23 protection of the aina and meaningful jobs to build
 24 self-esteem and self-respect. It was a collaborative
 25 effort of people who represent the voice of the people.

1 This plan is for our people. So the question posed
 2 today will help us understand, does the vision drive the
 3 plan.
 4 As promised, we did have a standing room only
 5 forum last week Wednesday. And I provided a listing of
 6 the questions that we -- we didn't get to all of them.
 7 But, as you can see, the people who were on these panels
 8 were reflections of people in our small towns. And we
 9 received questions from a lot of different places.
 10 Just a few that I wanna point out is that we
 11 are hoping that you can prepare a document that has the
 12 goals, policies and objectives and the Directed Growth
 13 map in one document, proposed actions and implementation
 14 section into a second document, and technical reference
 15 maps into a third. We also are concerned that all of
 16 the three -- all versions of the General Plan Update
 17 gets forward to the Council for everyone to have their
 18 review and that the complete work of all community
 19 voices are put together in -- and all of this work is
 20 also transmitted to not only you, but, also, to the
 21 Council as a resource material for careful review and
 22 consideration.
 23 We also think that it's a good idea that the
 24 technical maps be in a technical report separate from
 25 the plan, General Plan ordinance. And if that is not

1 done, why or why not.
 2 And, finally, we are concerned that there was
 3 not an opportunity or a plan for GPAC to take a site
 4 visit tour in each of the traditional small towns so
 5 they could familiarize themselves with the lay of the
 6 land and get a better sense of the issues, in addition
 7 to the GIS satellite aerial photos. The use of today's
 8 technology is --
 9 CHAIR HEDANI: Three minutes, Jocelyn.
 10 MS. PERREIRA: I think I'm --
 11 CHAIR HEDANI: If you can finish up.
 12 MS. PERRIERA: Yes, I can conclude. The use
 13 of today's technology as a planning tool is great,
 14 however, you cannot overlook or understate the
 15 importance and value of ground truthing, because it is
 16 impossible to attain or realize a sense of place and
 17 other quality of life factors.
 18 Thank you.
 19 CHAIR HEDANI: Thank you.
 20 The next person that we have to testify is Tom
 21 Witten. We have 16 people that have signed up to
 22 testify. So if you could restrict your testimony to
 23 three minutes.
 24 MR. WITTEN: Good afternoon, Chair, and
 25 Commissioners. I'm Tom Witten with PBR Hawaii. We've

1 been engaged with Kanaolu Ranch and Haleakala Ranch, oh,
 2 for over a year period in looking at their Kihei land.
 3 And early on in the General Plan Update process, the
 4 community -- through the community outreach process,
 5 North Kihei was identified as a desirable community
 6 growth area. So we have been focusing our attention on
 7 that.

8 And in late May, you should have gotten,
 9 through the Planning Department, a handout that
 10 summarized some of the -- from the early -- the initial
 11 plans that the Planning Department had developed and the
 12 GPAC's plan, and subsequent recommended plan from the
 13 Planning Department, an analysis of those alternatives,
 14 with a preferred alternative recommended, that addressed
 15 the goals, policies and objectives of both the existing
 16 Kihei-Makena Community Plan and the Policy Plan and the
 17 Maui Island Plan in draft form.

18 When you have a chance, it would be -- you
 19 should take a look at it. It's a -- it was an effort to
 20 try to consolidate and really measure up each of the
 21 proposals against those goals and policies.

22 Today, I'd just like to focus on some of the
 23 infrastructure elements that you're dealing with related
 24 to North Kihei. Specifically, the mauka bypass road.
 25 In the Kihei-Makena Community Plan, there was a

1 region. And preliminary conclusions are there is
 2 adequate groundwater that could be developed to support
 3 growth in this area, which makes it a --

4 CHAIR HEDANI: Three minutes, Tom, if you
 5 could wrap up.

6 MR. WITTEN: Okay. That's pretty much it.
 7 I think we'll be testifying further when the
 8 -- when the landowners provide opportunity to share
 9 that. But I wanted to focus was on infrastructure
 10 today.

11 Thank you.

12 CHAIR HEDANI: Thank you.

13 Mr. John Carty.

14 MR. CARTY: Hi. My name is John Carty. I
 15 live on the west side. I'm one of the members of the
 16 Save Honolua Coalition.

17 Infrastructure. Well, first of all, Honolua,
 18 and all the areas north of Honolua, we don't want it, we
 19 don't need it, and it doesn't belong there. I'll get
 20 back to that in a second.

21 As I was preparing for this, I was thinking
 22 about Michelle Anderson. And she -- one of her things
 23 that she did was -- part of was "Show Me the Water"
 24 Bill. And I think it's important to have a show me the
 25 infrastructure bill, sort of an island-wide concurrency

1 recommendation to provide a mauka bypass road that would
 2 alleviate the need to further expand Piilani Highway.
 3 We think that's an important infrastructural element
 4 that should be included and help define and -- and
 5 direct the community growth in that area.

6 Connector roads. As an attachment to what I
 7 handed out to you today is -- is an exhibit from that
 8 booklet. And this is a recommended Directed Growth map.
 9 That Haleakala Ranch and Kanaolu Ranch is proposing.
 10 But within that -- within that framework, with the -- if
 11 you look in the center of that area is the proposed
 12 Kihei High School site that's been selected. And
 13 they're working towards the disposition of that with
 14 State DOE. We feel that's an important element. And
 15 related to that is providing a network of connected
 16 roadways, both mauka-makai and north-south, in addition
 17 to the planned Upcountry, Kihei-Upcountry highway that
 18 is shown on that exhibit. So with the mauka bypass
 19 shown, plus the Upcountry road, we feel that the need
 20 for network and a connected -- more of a connected
 21 network to plan for the three -- the concept of three
 22 villages, the Ohukai area, Kanaolu Village and Waiohuli,
 23 above the Tech Park.

24 As far as water resources, both ranches are in
 25 a joint effort to assess the water resources in that

1 bill. I know that some of the specific plans for the
 2 communities have mentioned this. I think it should be
 3 included in the island-wide plan. No new development
 4 until all the services are in place.

5 And along with this goes a companion piece of
 6 legislation, should be in the plan as well. An impact
 7 fee schedule. And how's this infrastructure gonna be
 8 built? And is the County gonna do it? Well, I don't
 9 know. It seems like most of this development is for
 10 people from outside the community. So I think
 11 developers need to -- need to make sure all this
 12 infrastructure is in place before any development
 13 happens.

14 Michelle Anderson, also, on her last day on
 15 the Council gave a speech that was very impactful. If
 16 anybody wants to see it, it's on YouTube. You can
 17 search "Save Makena" and "Michelle Anderson." I have a
 18 DVD of it here if anybody wants it. She talked about
 19 some of the issues related to infrastructure,
 20 specifically from Makena area, but it applies to the
 21 whole island pretty much. Dying reef system identified;
 22 water shortage; overcrowded roadway system; not enough
 23 police officers, nearly 50 percent short of national
 24 standards; lack of parks, over 200 acres short of
 25 national standards down in the Makena area; lack of

1 medical services; and different infrastructure like
 2 that. So --
 3 My next point is there needs to be an
 4 examination and overhaul of our use of agricultural
 5 lands. Ag subdivisions are not working for this island
 6 and our community. They work great for developers and
 7 people from the mainland who are concerned about their
 8 comfort and not the overall well-being of the aina or
 9 its people. The ag land policy's grossly unsustainable.
 10 It's time for the Planning Commission and the
 11 Council, County Council, to address this important
 12 issue.
 13 CHAIR HEDANI: Three minutes, John.
 14 MR. CARTY: Okay. Just 30 -- 30 seconds.
 15 Finally, my favorite topic, Honolulu, which the
 16 community is adamant, no development north of Honolulu
 17 Ridge. This is not just the opinion of one board
 18 member, this is 17,000 signatures that we have collected
 19 that -- from different people around this County and
 20 people who visit. I have more that I could say here,
 21 but I think you guys all know Honolulu is off limits from
 22 development and anywhere north of there. And I'd like
 23 to see that in the Island Plan.
 24 Thank you.
 25 CHAIR HEDANI: Thank you very much.

1 Kihei-Makena Community Plan. And was set aside for many
 2 years -- I'm sorry. Has been set aside many years ago
 3 as a future housing growth area for Maui. Spencer Homes
 4 is now proposing their next project at this particular
 5 location to continue their mission of providing much
 6 needed homes at affordable prices to Maui's residential
 7 workforce. This project will be called Ohana Kai
 8 Village. Jesse Spencer has been working in consultation
 9 with the Department of Housing and Human Concerns to
 10 define the project and will soon be submitting Section
 11 201H applications to the County for processing. An
 12 environmental impact statement will, however, first be
 13 completed to ensure a comprehensive evaluation of the
 14 project. The work on the EIS is currently underway.
 15 Regarding project specifics, the Ohana Kai
 16 Village has been master planned as a community of 1,100
 17 homes tailored specifically for families living and
 18 working on Maui. All homes within the development will
 19 be sold in accordance with the County's affordable
 20 housing sales guidelines. Design of the community will
 21 seek to incorporate smart growth design principles in a
 22 way that promotes a safe, secure and pedestrian living
 23 environment for all residents. As an example, all homes
 24 within the project will be located within a short
 25 walking distance of a mixed-use town center. And this

1 The next person that we have to testify is
 2 Mark Roy.
 3 MR. ROY: Good afternoon, Chair, Members of
 4 the Maui Planning Commission. My name is Mark Roy. I
 5 work as a planning consultant for Munekiyo & Hiraga in
 6 Wailuku. I'll be speaking here today on behalf of one
 7 of our clients, Mr. Jesse Spencer of Spencer Homes.
 8 My testimony this afternoon will focus on the
 9 status of planning for Project District 12, in Maalaea,
 10 and (inaudible) in relation to the Commission's upcoming
 11 review of the Land Use Element and Directed Growth
 12 policies of the Draft Maui Island Plan.
 13 As I'm sure many of you know, Spencer Homes is
 14 a local developer on Maui that focuses its development
 15 efforts on affordable housing. They have recently
 16 completed the development of Waikapu Gardens -- the
 17 Waikapu Gardens Subdivision -- excuse me -- on the north
 18 side of Waikapu Town. This subdivision involved the
 19 construction of 410 single-family house and lot
 20 packages, 212 of which were sold as affordable, prices
 21 ranging between \$225,000 and \$275,000.
 22 About a year ago, as Spencer Homes was nearing
 23 the end of construction for Waikapu Gardens, Jesse
 24 Spencer acquired another piece of land in Maalaea. This
 25 land is referred to as Project District 12 in the

1 center will consist of a commercial area, a school and a
 2 recreational complex. The commercial area will contain
 3 an array of basic shops and services to serve local
 4 residents.
 5 CHAIR HEDANI: Three minutes, Mark, if you can
 6 wrap up.
 7 MR. CARTY: I'll wrap up, yeah.
 8 And reduce the need to travel.
 9 In an effort to make the homes truly
 10 affordable to homebuyers across the long-term, Spencer
 11 Homes is also putting much effort in the development of
 12 an environmental design program. Elements of which
 13 include solar hot water heating, photovoltaics and
 14 energy efficient design elements.
 15 We look forward to being able to share
 16 additional information on other aspects of the project
 17 with you all as the Commission proceeds through its
 18 review of the Draft Maui Island Plan.
 19 Thank you for the opportunity to speak before
 20 you this afternoon.
 21 CHAIR HEDANI: Thank you very much.
 22 The next person we have to speak is Mr. Jesse
 23 Spencer.
 24 MR. SPENCER: I'm Jesse Spencer of Spencer
 25 Homes. And I'm here to, hopefully, inform individuals.

1 And I'd like for you -- if you get any major questions,
2 you know, after I do my little speel, then I would like
3 to -- if you have any questions, I would like to be able
4 to answer them. I feel like I can answer questions
5 easier because then I know that's what your concerns are
6 when you ask the questions.

7 Now then, the first thing I wanna say, though,
8 is that we've been in the islands a little over 40
9 years. We're now in the worst depression that we have
10 been in, and probably one of the worst since the
11 Thirties.

12 Now, people don't realize it, but I've had to
13 lay off 130 people. And right now, individuals from
14 other companies have come to me. And I tell them, "I
15 don't have anything now. I'm hoping to have something."
16 But there are no jobs available in construction right
17 now.

18 Now then, the -- we go into planning. I know
19 this is all about planning. And I know there has to be
20 a certain amount of future planning. But we -- what we
21 have failed on is planning for situations like we have
22 today. When you take, oh, the married man, and he's
23 laid off, and there's no prospect right now for the next
24 two or three years, so where is he going?

25 I stay closely tuned in to Maui -- Hawaiian

1 could wrap up.

2 MR. SPENCER: Sure. So any rate, that's --
3 let me see what else I might have written down here.

4 Okay. I'm going to go into -- we had a -- oh,
5 for the home show, we had displays. And I sent out
6 information. The first paid ads I put in the papers
7 telling people that we're proposing to do this Ohana Kai
8 Village. And at that home show, which is two days, we
9 had 490 people come in and signed up. We had a website,
10 we had 222 people sign up. And we have, from our
11 lottery, from four years ago, we still have 3,500 people
12 that signed up for affordable homes that we were never
13 able to contact them because we already satisfied all of
14 our needs, both for the complete project.

15 CHAIR HEDANI: Thank you very much, Jesse.

16 MR. SPENCER: So any rate, I would like -- if
17 there's any questions, I'll --

18 CHAIR HEDANI: Commissioner U`u.

19 VICE-CHAIR U`U: Good afternoon, Mr. Spencer.

20 First of all, thank you for building
21 affordable homes on Maui. I know a lot of people are
22 fortunate to have affordable homes here. Also, I like
23 my daughter be on that list so I don't have to apply for
24 her.

25 UNIDENTIFIED SPEAKER: Noted.

1 Cement, all the trucking companies, all the -- right
2 now, Rojac, this morning, has over 30-some trucks, five
3 trucks went out. Hawaiian Cement, not even 25 percent
4 of their trucks went out. Now these are drivers, these
5 are individuals that prepare and need -- need work.

6 So it's just -- I don't know where we're
7 going. I feel like our project can be a beginning. In
8 fact, I like to feel like that -- you know, like the old
9 saying, better to light one candle than to curse the
10 darkness. We are in that situation right now. You are
11 the individuals that can make a difference. And time is
12 of essence.

13 So now then, in preparation for my project --
14 which I'm hoping we'll be able to develop because it's
15 sort of a dream. I never thought I'd ever have a chance
16 to actually develop a complete village. And so I've
17 gone to individuals. I've gone to, oh, several of the
18 Council people. And I feel like I have their support.
19 I go to them asking for input, what they would think
20 should go into affordable housing or to a village. And
21 we have tried to incorporate, you know, place for a
22 school, service station, a convenience store, food
23 market. And so I've made contacts in all these
24 different areas. And so --

25 CHAIR HEDANI: Three minutes, Jesse. If you

1 VICE-CHAIR U`U: Question: How do you feel
2 about the General Plan? In looking over some of the new
3 plans implementing, that would require funding of
4 roughly 160 new items, would that help streamline your
5 process?

6 MR. SPENCER: Well, of course, I'm 78, time is
7 always of essence to me, believe me. But we operate
8 from a strong position, as far as we own the land free
9 and clear, all my equipment, and -- and then we have an
10 adequate amount to start the project. And to -- so the
11 thing that I have stressed, as part of this village, and
12 keeping in mind the people that are gonna occupy these,
13 so we have been heavily into the solar hot water. But
14 my last six or 700 houses, we have made that a part of
15 our packages. Right now, I -- I probably have done more
16 research on photovoltaics than anybody else. I'm hoping
17 that we can put photovoltaics on every roof. And so,
18 with that, then we can go in there. And right now, the
19 going price is about \$8 a watt. So it takes about
20 \$1,600 to satisfy that. But that can be put into a
21 30-year mortgage.

22 And we are gonna have electric automobiles
23 within the next couple years. With photovoltaics on the
24 roof, and buy electric car, you would never go to a
25 service station again. And that is my goal, is to give

1 the people in this village everything that they need.
 2 And so, again, I feel like that all the
 3 comments have been -- oh, a corridor. We've set aside
 4 land for a corridor. There's a -- the drainage, we're
 5 setting up a elaborate drainage system so that we
 6 protect the harbor. We are setting up greenbelts so as
 7 to prevent for fires. And so I've tried to take into
 8 consideration everything the individuals have brought to
 9 me and says, what about this. And so that's -- that's
 10 what we have incorporated into our plans.

11 CHAIR HEDANI: Any other questions?
 12 (Silence.)

13 CHAIR HEDANI: Thank you very much.

14 MR. SPENCER: Thank you.

15 CHAIR HEDANI: I have someone that signed up
 16 as Waihe`e. If you could just state your name for the
 17 record because it's being transcribed, yeah?

18 WAIHE`E: Waihe`e. Waihe`e versus GPAC and
 19 the developers. I am Waihe`e. I am not important to
 20 the County Maui Planning. I am not significant. Yet --

21 CHAIR HEDANI: Excuse me. Can you just state
 22 your name for the record so we know who testified?

23 WAIHE`E: I am Waihe`e.

24 CHAIR HEDANI: Your name is Waihe`e?

25 WAIHE`E: That's right.

1 CHAIR HEDANI: Your first name and last name?

2 WAIHE`E: I am an ancestor and a descendent.

3 CHAIR HEDANI: Right. And your first name is?

4 WAIHE`E: I am Waihe`e.

5 CHAIR HEDANI: Okay. The person is "I am
 6 Waihe`e." Okay. Proceed.

7 WAIHE`E: Yet, they steal my water, they rape
 8 my lands, they pollute my ocean. Gone are my fishes,
 9 gone are my trees. My pueo and i`iwi are not to be
 10 found. I am Waihe`e. I am not significant to the
 11 County Maui Planning, nor am I important. Yet, they're
 12 willing to take my heart and soul.

13 Mahalo.

14 CHAIR HEDANI: Thank you very much.

15 The next person that we have to testify is
 16 Jlorra, Jlorra Borgman. I'm sorry if I butchered up
 17 your name. If you could just correct me.

18 MS. BORGMAN: Aloha. My name is Jlorra
 19 Pualani Basbas Borgman. I was raised in Waihe`e. And
 20 so are my children being raised in Waihe`e at this time.

21 Mr. Chairman and Commissioners, I strongly
 22 oppose any Urban zoning and all current proposed
 23 development by the General Planning Advisory Committee
 24 and the developers. As a resident of Waihe`e, I reserve
 25 the right, along with my fellow residents, to develop

1 and design our own plans based on our own needs and
 2 wants. We know our community better than anyone else.
 3 And, therefore, by exercising our rights to decide for
 4 ourselves, I strongly oppose anyone interfering with my
 5 rights and the rights of my fellow residents.

6 A young man from our village said, "Waihe`e
 7 should be seen as a cornerstone of cultural and
 8 agricultural activity." Waihe`e was the soul, and still
 9 is the soul, of Maui today. He continues to say,
 10 "Waihe`e is not built for development, it is built for
 11 farming." Waihe`e and including Waiehu was the
 12 breadbasket of Maui, and still can be with responsible
 13 growth planning by our residents in our community.

14 Waihe`e had no representation on the GPAC.
 15 GPAC made no attempt to visit our unique village,
 16 Waihe`e. GPAC and developers deliberately excluded
 17 Waihe`e participation. GPAC made sure that no one from
 18 Waihe`e was present to object to them sending the
 19 developers to Waihe`e. Waihe`e had invited the Maui
 20 Planning Commissioners to our village and had made
 21 arrangements to reserve the Waihe`e School Cafeteria.
 22 However, our invitation was rejected.

23 Echoing throughout Waihe`e is development is
 24 being rammed down our throats. Our kupunas feel that
 25 they are being chased out of their homes and houses and

1 fear that they will become homeless.

2 I strongly oppose any Urban zoning and any --
 3 and all current proposed development by the General
 4 Planning Advisory Committee and strongly oppose
 5 development occurring now in Waihe`e and in surrounding
 6 areas without our knowledge, input and notification.

7 I demand that it cease and desist. Oops.

8 Sorry. Excuse me. I mean cease and desist.

9 CHAIR HEDANI: Thank you very much.

10 MS. BORGMAN: Aloha.

11 CHAIR HEDANI: The next person I have to
 12 testify is Kaniloa Kamaunu.

13 MR. KANILOA KAMAUNU: Good afternoon,
 14 Commissioners. My name is Kaniloa Kamaunu. I've
 15 testified before. I'm from Waihe`e Valley. And I am
 16 also opposed, as my fellow residents are, to the GPAC
 17 proposal that they have in our area.

18 I'm glad Mr. Spencer stood up today. He kind
 19 of reminded -- he talked about the recession. And I
 20 remember reading a story about one of the families -- or
 21 this family member of ours in Iao Valley. And he -- he
 22 talks about a time when he was living through the
 23 recession. And the student was actually interviewing
 24 him for a paper he was doing. And he told him, "How did
 25 the recession affect you at that time?" He told 'em,

1 "Never affect us. We don't know what is that." I get
 2 my poi. I get my fish. I get water. I don't know what
 3 it is. What is that? We don't know what is recession.
 4 So I said to Mr. Spencer, "So how does
 5 developing more gives us a way out of this recession?"
 6 Sure, I can understand jobs immediately come
 7 available. But in the long run, does it work? I say
 8 not. Because we're in this and we're still developing.
 9 Wall Street collapsed. That's major. General
 10 Motors, even after giving funding, they gone. They
 11 wanna get out.
 12 So -- and these guys are developers, aren't
 13 they? They develop their things. So we looking at
 14 developing as only being the way out. I think it's more
 15 of an anchor, because you can only do so much in so much
 16 of a space. So if that's true, then this is not the
 17 answer, because space is running out.
 18 The more trees we take down -- and if we look
 19 to the mountainsides on this side, never have houses, we
 20 get one big one on top there. Go to Maluhia, get
 21 ranches out there now. So what happens to the water?
 22 The trees bring in the clouds. They hold the moisture.
 23 If we take 'em away, we dead.
 24 We talk about the water bill, guys finding
 25 their own water. They still tapping into the same line.

1 Just put in another spigot in the same resource.
 2 And for me, as a kanaka, my kuleana rights, I
 3 own kuleana lands. I am an original owner or descendant
 4 of original owners. I have kuleana rights. Rights that
 5 are afforded me through the Kingdom, which is on top of
 6 my title, which I see as only one having authority -- or
 7 anyone with the allodial title or with kuleana rights
 8 are the only ones with authority to act upon certain
 9 things.
 10 And if you read our kuleana rights, we have
 11 the rights to water, we have the rights to gathering.
 12 These are laws. And according to the U.S. Supreme
 13 Court, they stated in a ceded land case with Linda
 14 Lingle that they had no jurisdiction over Hawaiian laws.
 15 Hawaii Supreme Court ruled in favor of 103-150, that
 16 stopped them from selling the ceded lands.
 17 So I say to you, as a kuleana owner, should I
 18 not be consulted of what things you take from my aina?
 19 The meaning of aina is not just land; it's that which
 20 feeds. Hawaiians understood that. They had the
 21 seasons, they grew things according to the seasons.
 22 They treated the things that they needed.
 23 CHAIR HEDANI: Three minutes, Kaniloa.
 24 MR. KANILOA KAMAUNU: So I say to you, is
 25 development the key because tourism wasn't? Thank you.

1 CHAIR HEDANI: The next person to testify is
 2 Clyde Kahulehau.
 3 MR. KAHULEHAU: Aloha, everybody. Hope you
 4 guys not sleeping. Director, Commissioners, aloha
 5 kakou.
 6 I'm gonna make it very simple. I born and
 7 raised in Waihe`e 73 years ago. I've seen a lot of
 8 changes, but not big changes. I look up on that map
 9 there, they plan on making changes. I'm not against
 10 planning, but please don't plan anything on my ohana's
 11 aina. It's like me going into your back yard and try to
 12 make a garden there and says, "I love this place."
 13 One of the major problems I recognize that
 14 people go around and do with developing, it seems like,
 15 well, as long as we receive a letter from the Title
 16 Guaranty, that means everything is okay. Everything is
 17 not okay. Because if everything was okay, they would
 18 have talked to me as part of the family that owned the
 19 particular land, which somebody's tried to develop
 20 today. But I -- as far as Waihe`e is concerned, I am
 21 against developing in Waihe`e.
 22 Waihe`e used to be the -- and is still, the
 23 food -- food basket of the world, of Hawaii. There were
 24 no battles in that area. The ali`i said, why should we
 25 go over there and kill those who are planting the food,

1 gathering the food for us. Waihe`e, Waiehu was the food
 2 basket of ancient Hawaii. And it is not an agriculture
 3 area. It is private owned lands over there. If you
 4 were to look on a map, if you can get a map of 1875,
 5 maybe further back, it will show you all the lands that
 6 our Kanaka Maolis own. And they have names on it, these
 7 people. And a lot 'em in Waihe`e. My family, my ohana.
 8 So I know what I'm talking about.
 9 It's you that was not born in Waihe`e don't
 10 understand, that's okay. But you weren't born there.
 11 You don't know the culture there.
 12 So Waihe`e is very special to me, you know,
 13 very, very special. Especially the golf course. But,
 14 anyway, it's a wonderful place. And I really don't
 15 wanna see it developed. Just the way it is today is
 16 fine. Although we had some cases that people, hellion
 17 to a particular place in Waihe`e, kupuna, and just built
 18 all over the place, got rid of the lo`is, build big
 19 houses. Imagine, the guy has a swimming pool and the
 20 stream is right next to his property. To me, it's
 21 spelled greedy. That's what it spells to me. But, you
 22 know, that's all people are. They're like Kaniloas,
 23 seeing houses on top of the hill. You know, I guess
 24 maybe they wanted to get closer to the Lord. Nothing
 25 wrong with that, either. But it's very sore eye, so the

1 planning gotta be. I know in Central Maui, going
 2 Maalaea, Paia, lot of land there to build homes, make
 3 community centers, shopping centers, all located in one
 4 place. Why do you want to go through a very nice place
 5 where there's greenery and everything and wanna cover it
 6 up with concrete forever? And 10 years from now, I go
 7 there and, "Oh, where's Mr. Robertson?" "Oh, he gone."
 8 "Oh, he did?" "Yeah, he sold his lot for million
 9 dollars." Hey, be realistic, that's part of the reason.

10 But, anyway, I want to thank you folks for
 11 giving me three minutes.

12 CHAIR HEDANI: Thank you, Clyde.

13 COMMISSIONER STARR: I have a question for the
 14 testifier.

15 MR. KAHULEHAU: Yes.

16 CHAIR HEDANI: Commissioner Starr.

17 COMMISSIONER STARR: Yeah. I'd like to ask
 18 you, on the map there, you can see the red area that
 19 kind of sticks out, that's in that --

20 MR. KAHULEHAU: Where is that?

21 COMMISSIONER STARR: -- current version, to be
 22 Urban. And then the yellow areas to make a Country
 23 Town. I know you mentioned that you looked at the maps.
 24 Do you have any comment on whether those areas are
 25 suitable Urban areas?

1 MR. KAHULEHAU: Well, if you can tell me where
 2 about the location that they are lines, impacts, maybe I
 3 can answer your question. Yes. From where to where?
 4 Where's Upper Waiehu?

5 MS. AOKI: I don't know.

6 MR. KAHULEHAU: Well, that's -- is that it?
 7 Is that Upper Waiehu? Okay. I'm gonna still speak for
 8 them, but I'm in Waihe`e, that I'm concerned.

9 MR. KANILOA KAMAUNU: It's by the park.

10 MS. JOHANNA KAMAUNU: Right in the yellow
 11 area.

12 COMMISSIONER STARR: There's the golf course.

13 MR. KAHULEHAU: Okay. The Hawaiian Home Lands
 14 over there?

15 MR. MICHAELSON: Right there.

16 MS. JOHANNA KAMAUNU: It's across the street
 17 from Hawaiian Home Lands.

18 MR. KAHULEHAU: Okay.

19 CHAIR HEDANI: Hold on, everybody. You know,
 20 with 10 people talking at the same time, we're making
 21 our court reporter slightly crazy over here. So we have
 22 to speak one at a time. Okay? Clyde.

23 MR. KAHULEHAU: So -- so you speaking about
 24 that yellow where you plan on developing?

25 COMMISSIONER STARR: The yellow is set for

1 Country Town which is like mixed, you know, residential
 2 and stores. And then the red would be Urban, which is
 3 more city like.

4 MR. KAHULEHAU: Well, Mr. Starr, we already
 5 have a country town named Waihe`e. Okay. And then as
 6 you go further towards the blue -- where is that blue?
 7 Oh, yeah, up on top of the map. What area is that?

8 MR. KANILOA KAMAUNU: It's the valley.

9 MR. KAHULEHAU: That's the valley, Waihe`e
 10 Valley?

11 COMMISSIONER STARR: That would be the valley,
 12 the stream going up the valley.

13 MR. KAHULEHAU: So the town of Waihe`e is in
 14 between the yellow and the blue. But still yet, just
 15 leave it the way it is. But, today, it's open space.

16 CHAIR HEDANI: Okay. We got your message,
 17 Clyde.

18 MR. KAHULEHAU: You guys want open space,
 19 yeah? Leave it the way it is.

20 CHAIR HEDANI: Commissioner Hiranaga.

21 COMMISSIONER HIRANAGA: Is there a
 22 geographical landmark that delineates Waihe`e? Is it
 23 the Waiehu Stream -- north of Waiehu Stream is
 24 considered Waihe`e, or do you go all the way to Happy
 25 Valley? Where do you consider Waihe`e?

1 MR. KAHULEHAU: No. The Waihe`e Beach Park,
 2 if you drew a line up to Waihe`e Park, going in town, it
 3 goes all the way up to the ridge and towards Kahakuloa
 4 and comes back down to an island -- Waihe`e Point, they
 5 call it. Just beyond Waiehu Stream is considered
 6 Waihe`e.

7 COMMISSIONER HIRANAGA: Above Waiehu Stream.

8 MR. KAHULEHAU: That's Waiehu. That's not
 9 Waihe`e.

10 COMMISSIONER HIRANAGA: Waihe`e stream is --
 11 Waiehu Stream is towards Wailuku?

12 MR. KAHULEHAU: Yes. Yes.

13 COMMISSIONER HIRANAGA: So everything north of
 14 Waiehu Stream you consider Waihe`e?

15 MR. KAHULEHAU: No. You know, where Hawaiian
 16 Homes are, Waiakoa, that's not Waihe`e.

17 COMMISSIONER HIRANAGA: That's not Waihe`e?

18 MR. KAHULEHAU: That's Waiakoa. Waihe`e is
 19 just in the town where the ballpark is.

20 COMMISSIONER HIRANAGA: Okay.

21 MR. KAHULEHAU: Up to the school. That's
 22 Waihe`e.

23 COMMISSIONER HIRANAGA: Okay.

24 MR. KAHULEHAU: It's up to the school. Beyond
 25 that is --

1 MS. JOHANNA KAMAUNU: The valley. Waihe`e
2 Valley.

3 MR. KAHULEHAU: Well, they call it the Waihe`e
4 Valley. They call it Waihe`e Stream, but that is not
5 Waihe`e Stream. Waihe`e Stream is next to the school
6 where the Protestant church is. That's Waihe`e Stream.
7 The kupunas, they call that Waihe`e Stream. That's
8 kupuna's stream, that's not Waihe`e. Waihe`e Stream is
9 next to Waihe`e School where the Protestant church is.
10 There's no water in there, that's why. They don't think
11 there's any river there, but that's the Waihe`e Stream.
12 So --

13 UNIDENTIFIED SPEAKER: It was the stream.

14 CHAIR HEDANI: Thank you very much.

15 MR. KAHULEHAU: All right. Thank you.

16 CHAIR HEDANI: Thank you.

17 The next person we have to testify is Stan
18 Fujimoto.

19 MR. FUJIMOTO: Good afternoon, Mr. Chairman.
20 My name is Stan Fujimoto. I'm with the State of Hawaii.
21 Hawaii Housing Finance and Development Corporation. I
22 wasn't really prepared to testify today, but, when I saw
23 the agenda, it seems that there's been some revision
24 from what I saw earlier on your website.

25 Anyway, I'd like to speak a little bit about

1 our project in West Maui, the Villages of Leialii. We
2 submitted the written comments to the proposed Directed
3 Growth maps. Our Village of Leialii is a master plan
4 affordable housing project. We -- it's consistent with
5 the General Plan, existing General Plan, and the West
6 Maui Community Plan Land Use Map. We obtained Urban
7 Land Use Commission designation. We made substantial
8 offsite improvements which are summarized in our letter.
9 The biggest of which is the expansion of the West Maui
10 Treatment Plant. And we were a little concerned that we
11 won't be able to proceed with our project and recover
12 some of these costs we've spent so far.

13 We also pointed out that we were a little
14 confused about one of the comments from the Planning
15 Department's minutes, where they said the project might
16 be exempt, which we would be happy about, but I don't
17 know if it's consistent with our understanding.

18 Anyway, I'd like it just be available for
19 questions if you have any.

20 CHAIR HEDANI: Thank you very much, Stan.

21 Questions from the Commission? Commissioner
22 Starr.

23 COMMISSIONER STARR: Yeah. Does Hawaiian
24 Homes have any projects slated for Central Maui? Is
25 there a large commercial and residential slated for both

1 sides, say, of Mokulele Highway?

2 MR. FUJIMOTO: I -- I don't know. I'm with
3 the other agency, Hawaii Housing Finance and
4 Development.

5 COMMISSIONER STARR: Oh, okay. I'm sorry.

6 CHAIR HEDANI: Any other further --

7 MR. FUJIMOTO: -- for the general public.

8 COMMISSIONER STARR: Yeah. Okay.

9 CHAIR HEDANI: Thank you very much, Stan.

10 The next person that we have to testify is
11 Alyson Napua Barrows.

12 MS. BARROWS: Aloha. Thank you for the
13 opportunity of letting us voice our concerns at this
14 time.

15 I'm a former resident of Waihe`e. I live in
16 Waiehu. And my main concern about this whole planning
17 thing is that it is interesting that these -- this
18 planning that you're doing is going out, but it's not
19 reaching the people who are out there, as you've heard
20 people earlier who voiced their opinion that you're not
21 coming out to see them. And it's making a great impact
22 upon them.

23 I've seen -- and I looked at your map earlier.
24 And I see areas that are not even touched. And some of
25 those areas are places where our family is in. And I'm

1 wondering as to why those areas are not being touched,
2 either. Not that I want it to be touched, I'm kind of
3 glad you overlooking it, but I'm also concerned as to
4 what's the idea behind that.

5 My concern is Maui and the Hawaiian Islands
6 are losing a lot of their open space. We need to
7 protect those open space. We need those spaces to be
8 sustainable as our ancestors have done before, they
9 lived off the land. More and more of our spaces are
10 being taken away. People are not being able to get out
11 there and be able to work the land.

12 As far as the culture, Hawaiian culture goes,
13 we need those open land. That's how we teach our
14 children to continue to live their culture. And that is
15 constantly being taken away.

16 Our family live in the Waiehu area. We have
17 land up there. And had I not come back to live on this
18 land -- and find out that my grandmother held on to that
19 land, hoping that family would come back there -- that
20 land would have been gone for us -- from us forever.
21 And we would have had that connection to the land and to
22 our culture.

23 Living on Oahu, we did not have all that
24 connection of working that land and knowing what it was
25 that our ancestors felt. That land gave us that

1 connection. It brought us back. It brought my sisters
2 back. It brought my mother back. To the point that we
3 still go into court, fighting for that land, even though
4 it's kuleana land. We have the paper. We have the
5 documents. It's recorded. Yet, developers keep coming
6 out there and they keep coming as trying to take that
7 land away, finding some way of getting us in that
8 courtroom.

9 Taking that water away. You talked about this
10 plant of water, of the waste treatment, of parks, all
11 these things that you wanna do. Yet, that water is not
12 getting to the people who are living that land.

13 I talked to my mother about this plan that
14 Wailuku Ag had about giving land to people, to farmers,
15 anybody who wants to be a farmer, working with them,
16 helping them to get a business plan together so that
17 they can work the land, they'll give 'em the land, they
18 give 'em the water, they'll help 'em. What about the
19 people who are on that land, the owners, the landowners?
20 Been on there for over 200 years. Our families are
21 descendants of that lands. Where is the help going to
22 them?

23 We constantly are in there battling them and
24 fighting them because we know this is where we come
25 from. We know that this is what teaches our children

1 who they are. This is important to us.

2 So if you're gonna be doing these kind of
3 things in planning, (Hawaiian), that you're gonna try
4 and pull some things together to find some kind of
5 groundwork, but do not overlook the people who live
6 there, do not give up our precious land, that we do not
7 have open space for us to work it, to teach our
8 children, to keep that culture going. Because this is
9 what Hawaii is about, us, our people, our culture. That
10 is constantly being put out there. That's what you
11 advertising.

12 CHAIR HEDANI: Thank you, Alyson.

13 MS. BARROWS: Mahalo.

14 And I leave you -- and I notice that when you
15 talk about Waihe`e, Waihe`e is that small little green
16 spot. That small little green spot that you folks are
17 looking at, that people here before are talking about.
18 Waiehu is a couple of those yellow spots inside there.
19 Our family is all in this area over here.

20 CHAIR HEDANI: Thank you very much.

21 MS. BARROWS: Mahalo.

22 CHAIR HEDANI: The next person to testify is
23 Kamalei Barrows.

24 UNIDENTIFIED SPEAKER: She passed.

25 CHAIR HEDANI: Oh, okay. Next person is Angie

1 Hofmann.

2 MS. HOFMANN: Aloha. My name is Angie
3 Hofmann.

4 Before I get into my testimony, I just wanna
5 agree with the prior testimony that recession is a
6 matter of perspective. If the residents of Maui are
7 supported in growing their own food, then there will
8 never be a recession. If we don't develop in areas like
9 Waihe`e, that are already moving back to sustainability,
10 then there will never be a recession.

11 Now to talk about Infrastructure and Land Use.

12 I wanna stress -- oh, I was gonna pass this out. I
13 forgot. Sorry. I wanna stress what David Michaelson
14 said in the Maui Island Plan Infrastructure Report to
15 you guys at the last Maui Island Plan meeting. And it's
16 on this paper I'm passing out. I made copies of the
17 report. One point was made that we need to steer
18 development away from areas that require significant
19 infrastructure improvement and investment. You folks
20 have heard me testify that I'm in support of the GPAC's
21 Urban Growth Boundary that is drawn right before Puu
22 Olai in the Makena State Park. It is one of these areas
23 of very little infrastructure and would require a lot of
24 infrastructure investment.

25 Makena State Park still has no running water

1 over 20 years after the State acquired it. So let's
2 work on getting the public park water before anything
3 else.

4 There are other areas like this on the island.
5 Honolulu is one of them. Olowalu is another. These
6 areas are not connected to the main grid and would take
7 much effort to do so.

8 Is it in our island's best interest to go
9 forward with projects like that instead of ones that
10 improve our existing infrastructure?

11 Now to talk about Parks and Recreation. The
12 Maui Island Report that I passed out, the top part shows
13 the deficit of existing park acreage versus demand. We
14 are, at present, in deficit on park acreage in all areas
15 noted except Hana. Kihei-Makena has the highest deficit
16 with 2005 figures, and West Maui has the second highest
17 deficit in park space.

18 In projected 2030 figures, Kihei-Makena is
19 again the highest, showing a deficit of 200 -- sorry --
20 605 acres. That is why I stressed to leave a buffer
21 around Makena State Park which the Urban Boundary GPAC
22 recommends does. We will need as much park space as
23 possible as Maui's population continues to grow.

24 I find a lot of the GPAC recommendations for
25 parks really great. I think you guys are gonna be

1 talking a lot about those today. Especially Objective
2 Number 1 -- sorry -- Objective 1, Number 4, integration
3 of mauka to makai natural landscapes. I've stated
4 before, Makena State Park has this already and the --
5 the Urban Growth Boundary would leave it that way.

6 If you, as a Commission, adopt this Urban
7 Growth Boundary, before Puu Olai, that will leave a
8 chance for possible future expansion of the Makena State
9 Park and perhaps a cultural/historical place since there
10 is a very high density of cultural sites right across
11 the street that could perhaps someday be restored with
12 community effort.

13 CHAIR HEDANI: Three minutes, Angie.

14 MS. HOFMANN: Okay. Thanks. I just wanna
15 wrap up that -- I just wanna stress that the GPAC was
16 not suggesting that any land be taken away from
17 landowners. It was, you know, good things could be
18 accomplished by trading development rights and perhaps a
19 conservation easement.

20 And I also wanna extend an invitation. We're
21 having a skimboard competition down at Makena State Park
22 July 11th. If you guys wanna come, check it out, and
23 check out Makena on your way down and see what's going
24 on down there.

25 Thank you.

1 CHAIR HEDANI: Thank you very much.

2 The next person to testify is Mark walker.

3 UNIDENTIFIED SPEAKER: Excuse me. Could I ask
4 where the sign-in sheet is?

5 MR. MICHAELSON: It's right there.

6 MR. WALKER: Hi. My name is Mark Walker.
7 Good afternoon, Mr. Chairman and Commissioners.

8 Over the last three years, GPAC and the
9 Planning Department have gone through the arduous
10 process of making recommendations to update the Maui
11 General Plan. I wanna thank all involved for their
12 commitment and dedication in seeing the process to this
13 point. There are many, many good ideas and concept in
14 this document. I'm just not sure that they all belong
15 in a general plan such as this.

16 The definition of the word "general" is
17 considering or dealing with overall characteristics,
18 universal aspects or important elements without
19 considering all details or specific aspects.

20 The Maui County Charter, Section 8-8.5
21 entitled "General Plan and Community Plans" talks about
22 planning for desired, not required, results. While
23 identifying objectives and policies as relates to
24 population patterns, economic and environmental
25 consequences, et cetera. The General Plan is supposed

1 to be like a mission statement, broad enough to allow
2 flexibility, not so broad that there is no focus or
3 direction. Clear enough that anyone reading it can
4 understand it.

5 I would argue that the General Plan whose
6 intent, per the Maui County Charter, is to identify
7 broad goals, objectives and policies for the future
8 growth of Maui has turned into the "Maui Island Specific
9 Plan." I would also argue that the average person on
10 Maui will not and does not understand this document and
11 its many implications nor the huge costs to implement,
12 monitor and comply with this plan as proposed.

13 I've reviewed the GPAC and Planning Director's
14 update recommendations, which is essentially a 188-page
15 matrix document. By comparison, the 1990 General Update
16 was 26 pages long. In the current proposed version of
17 the General Plan, there are roughly 31 major goals, 93
18 objectives and 543 policies and sub-policies. I didn't
19 even count the last 62 pages. It's overwhelming.

20 I believe that much of the Proposed General
21 Plan content is overreaching into the areas of
22 rulemaking, ordinances and community plans when the
23 words "shall," "shall not," "prohibit" and "require" are
24 used in a document, a goal or an objective or a policy
25 can easily be mistaken for an ordinance or rule.

1 I would hate to be the person who was given
2 this document and told to please comply. Nightmare.

3 As proposed, this is just another layer of
4 government regulations.

5 The Planning Commission should take a broader
6 view of the proposed General Plan. Take a step back.
7 Don't get caught up in the minutia or the layers of
8 detail, concentrate on the goal, objectives and maps,
9 leave the details for the Community Plans and the
10 agencies of government to work out.

11 Additionally, you need to understand that all
12 of these proposed actions have costs associated with
13 them, not only for implementation and monitoring, but
14 for compliance.

15 Would the Planning Department have to triple
16 in size to implement and monitor this? Does anybody
17 know?

18 There is no free lunch. And at the end of the
19 day, someone has to pay. That someone is the public.
20 Whether they're buying a home, a loaf of bread, or
21 paying the real property taxes, costs are going up with
22 the implementation of the General Plan as proposed. I
23 beg you to keep it simple.

24 Thank you.

25 CHAIR HEDANI: Thank you very much.

1 Commissioner U'u.
 2 VICE-CHAIR U'U: What was your name again?
 3 MR. WALKER: Mark Walker.
 4 VICE-CHAIR U'U: Mark Walker, I agree with
 5 you.
 6 MR. WALKER: Thank you.
 7 CHAIR HEDANI: Thank you very much.
 8 MR. WALKER: Thank you.
 9 CHAIR HEDANI: The next person that we have to
 10 testify is Dick Mayer.
 11 MR. MAYER: Thank you, Commissioners.
 12 I think that the Planning Department has done
 13 an excellent job on making recommendations to the GPAC.
 14 I think most of the points they're making are valid and
 15 I hope you adopt them. I hope you don't just assume
 16 that they're the right ones, that you do look at what
 17 the GPAC said and question in each case.
 18 I'd like to point out some areas where the --
 19 where I would say that the -- the Department has perhaps
 20 overstepped or has had a number of mistakes. And I'm
 21 just gonna cite, for example, in your Land Use policies.
 22 I'm gonna give you three page numbers and you may want
 23 to just jot them down when you get to them. Page 32,
 24 Number 2; Page 35, Number 6; and Page 41, Number 2.
 25 They deal with pedestrian rights and walkways and

1 example of that, for example, in the area of working to
 2 prevent drugs. That's a -- it's under the health issue.
 3 We had thought that the County should go ahead and do
 4 that. And the Department is recommending that they
 5 delete that item from your program. I think we should
 6 be -- the County should be very much intercepting and
 7 preventing drug use.
 8 Another one is with regard to Civil Defense.
 9 Some of the health issues deal with public safety and
 10 should be included because one of the obligations of the
 11 County is Civil Defense.
 12 With regard to the Land Use matrix, that you
 13 will look at later today, there are several word errors
 14 in there. Wherever it says "prime productive" and then
 15 they've changed the word "and" to "or," "important
 16 agricultural lands." In several cases, they forgot to
 17 put the "and" in there, they forgot to put the word "or"
 18 in there. So make sure as you go through the items that
 19 the "or" is put back in. It makes a difference.
 20 Also, with regard to -- on the very first page
 21 of the Land Use, Number 4, I would urge you to make a
 22 very strong statement there. And it would -- Number 4,
 23 where the Department -- get rid of the word "regulate."
 24 I would put down the word "prohibit" the subdivision of
 25 agricultural lands into four lots or larger without

1 mobility of pedestrians to be able to get around. The
 2 Department suggested watering down those statements.
 3 And I would urge you that those particular items be
 4 looked at carefully, that you don't just rubber stamp
 5 the Director's things, that the GPAC made some specific
 6 recommendations in those areas.
 7 The most -- the area that I have the greatest
 8 concern is with health. The Pages 42 to 51 in your Land
 9 Use area -- actually, in your infrastructure. This is
 10 -- I'm sorry. The first one, the page numbers, were in
 11 the Infrastructure area. The Director has said that
 12 those items are not the County's kuleana, probably
 13 because he thinks those are the State's obligation, but
 14 makes no recommendations along the same line regarding
 15 the airport or the highways which, again, are run by the
 16 State. It's very, very important for us to remember
 17 that health care is a very important issue and that the
 18 County can do a lot in preventive care in the area of
 19 health care.
 20 We have the senior citizen centers where many
 21 seniors come a regular basis. And the County has a
 22 great opportunity to solve problems.
 23 I would urge you, don't just delete them and
 24 say it's not the County's kuleana.
 25 And I'd just like to cite one area, one

1 public -- public notification and review. I think it's
 2 very important that the public be aware when large
 3 agricultural tracts are being subdivided. Otherwise, it
 4 goes through the Department, no one even knows about it.
 5 And the public may have genuine concerns on that issue.
 6 Last item. Last time one of the Members --
 7 one of your Commissioners, asked -- wanted to ask a
 8 question of me as a member of the GPAC. I would hope
 9 that you would be open to allowing each of you -- each
 10 of you may at some point have a question for the GPAC,
 11 to know what the rationale is, why their position is
 12 different than the Department's. And I think you should
 13 have that -- at least that opportunity to find out if
 14 there is a difference. Not to advocate, but to explain,
 15 at least, what the rationale would be. And there are
 16 several members here in the audience from the GPAC who
 17 could probably provide you with that answer.
 18 Thank you very much.
 19 CHAIR HEDANI: Thank you very much, Dick.
 20 The next person that we have to testify is
 21 Bryan Sarasin, Jr.
 22 MR. BRYAN SARASIN, JR.: Aloha. My name is
 23 Bryan Sarasin, Jr. Let me start out by saying that I
 24 was born and raised in Waihe'e. I'm still a young man.
 25 And, yet, I've already seen too many changes for the

1 worst in this place that I call home.
 2 Waihe`e has always been a farming town, from
 3 the taro lo`i that has been here since the original
 4 Polynesian voyagers settled this paradise to the modern
 5 day kalo farmers who keep their ancestors' tradition
 6 alive well over 1,000 years later.

7 In modern times, it has been a sugarcane
 8 plantation, a dairy, a macadamia nut plantation, and,
 9 now, various forms of diversified agriculture as well as
 10 traditional kalo farmers.

11 The one thing that has always remained the
 12 same is it has been a place that has been a major
 13 producer of Maui's agricultural goods. Since I was a
 14 young boy, the development around and beyond Waihe`e has
 15 increased by leaps and bounds. The traffic has gone
 16 from a non-issue to a major concern. The school that
 17 helped to mold me into the man I am today went from
 18 accepting Waiehu, Waihe`e and Kahakuloa students only to
 19 a school that is so overcrowded with kids from every
 20 part of this island, that has become a concern for
 21 traffic and, of course, a concern for overcrowding for
 22 the students themselves. Waihe`e School cannot and
 23 should not be forced to deal with more children. At
 24 what point do people's children, whose families have
 25 gone to Waihe`e School for generations, get forced to go

1 the time I have children, this beautiful place will no
 2 longer be Waihe`e. It will be an extension of Kahului.
 3 There is no need for grocery stores, shops or
 4 anything else. We are within a reasonable driving
 5 distance of these things. And all they would do is
 6 change the feel and look of Waihe`e, and, once again,
 7 make traffic much worse.

8 CHAIR HEDANI: Three minutes, Bryan.

9 MR. BRYAN SARASIN, JR.: Okay.

10 CHAIR HEDANI: Wrap up.

11 MR. BRYAN SARASIN, JR.: I got a little bit
 12 more, and then I'd like to add a little bit more. If I
 13 could have another minute, please.

14 CHAIR HEDANI: If you could just wrap up.

15 MR. BRYAN SARASIN, JR.: Okay. Above all
 16 else, Waihe`e is a place for farming. There's lots of
 17 land in Kahului, lots of land in Kihei, non-agriculture
 18 areas that doesn't have water. Places like Waihe`e as
 19 well as Waiehu, all these places, including West Maui,
 20 should be preserved for farming land. There's lots of
 21 other areas that can be used for development.

22 And, also, my last point, you know, tourism is
 23 a major thing. Residents here don't wanna see this
 24 development. People coming from the mainland, if they
 25 wanna visit, they wanna see a city, they can go to Oahu.

1 to school elsewhere because their rightful spot at our
 2 alma mater has been filled by three other children
 3 living in Paia, Kahului, Kihei or other new subdivisions
 4 in this area.

5 This is not a town that is built for
 6 development. It is a town for farming. We do not have
 7 adequate infrastructure for our school, our roads, our
 8 sewage system or, really, for anything else, for that
 9 matter.

10 On top of this, we have a shortage of water in
 11 Central Maui.

12 The farming lifestyle of this community is
 13 threatened by development. If there is insufficient
 14 water for cultural practices such as raising taro, as
 15 well as modern day agriculture, according to the County
 16 of Maui and the Hawaii State Water Commission, why
 17 should any new development be allowed? Why do we need
 18 additional streams on an insufficient system to cripple
 19 what is already -- what has made Waihe`e Waihe`e for
 20 thousands of years. Just so we can have more traffic,
 21 more school overcrowding and sacrifice our style of
 22 living as well as our quality of life.

23 There have already been too many changes. And
 24 anything more than what the community decides is
 25 acceptable will change Waihe`e for the worst. And by

1 This is Maui. When I used to go to Oahu as a boy, I
 2 used to like to go there to shop, but I always wanted to
 3 come home to Maui. I don't want this to be Oahu number
 4 two. And I sure as hell don't want it in my back yard.

5 CHAIR HEDANI: Thank you very much.

6 The next person to testify is Mr. Bryan
 7 Sarasin, Sr.

8 MR. BRYAN SARASIN, SR.: Good afternoon,
 9 Commissioners. My name is Bryan Sarasin, Sr.

10 As a member of the Waihe`e community since
 11 1978, I have seen this sleepy farming community of
 12 Waihe`e turn into a developer's dream. Waihe`e is no
 13 longer Waihe`e. The community is strapped with
 14 unbearable traffic, lack of infrastructure, and, last,
 15 but not least, not enough water for the kuleana farmers
 16 as well as other farmers in the Waihe`e area, never mind
 17 development or the streams.

18 I get sick to my stomach when a new
 19 development is approved without the community's
 20 knowledge or input. Every time we turn around,
 21 something is being proposed and already approved, but we
 22 haven't a clue what is going on. It's like we're just
 23 left out in the dark. Kind of like some of the other
 24 people have stated, "Waihe`e does not matter." Waihe`e
 25 does matter.

1 Time -- well, I say to the Planning
 2 Commission, we are going to be a part of this process
 3 whether you like it or not. We are the Waihe`e
 4 community. At no time did you ever contact anybody from
 5 this community for input. Not the GPAC, not the
 6 Planning Commission, the -- and the Planning Commission
 7 thought this community would put up with your plans and
 8 we, the community, have to accept it. No.
 9 We -- we need you to come to the Waihe`e
 10 community and talk to its people face-to-face, and hear
 11 the community. The Waihe`e Community Association talked
 12 to you and asked if this meeting could be held in
 13 Waihe`e. The answer was no. We have so many older
 14 people, the kupuna, in Waihe`e that can't travel. And
 15 it would have been a lot nicer to have it held there so
 16 they could actually give their input. And, also, we
 17 also had the school booked for today. And like I said,
 18 the response was no.
 19 The development plan for Waihe`e needs to be
 20 deferred until our community can submit a plan for our
 21 community. Not what everybody else wants.
 22 I've taken time off work to talk to you today.
 23 I ask you take the time to hear us, the Waihe`e
 24 community, to include the community in any and all
 25 decisions related to this. We will not be railroaded

1 I'm asking the Director, did -- why wasn't it
 2 posted in Waihe`e, and why weren't we notified? If --
 3 if that's the case. Maybe I'm missing the picture.
 4 Hopefully, I not stepping on anybody's toes because I
 5 not -- I have no idea.
 6 MR. BRYAN SARASIN, SR.: I understand.
 7 VICE-CHAIR U`U: I'm glad you guys came up. I
 8 glad you guys showed up. I glad you guys testified.
 9 I'd be pissed, too. I just want to be honest.
 10 So I just asking the reason and why -- why are
 11 we not in Waihe`e, if that's the case? Or am I missing
 12 something?
 13 CHAIR HEDANI: Director Hunt.
 14 MR. HUNT: I believe my staff contacted the
 15 people in that community. And it looks like the
 16 communication worked. There's people here.
 17 VICE-CHAIR U`U: I understand that. But --
 18 MR. BRYAN SARASIN, SR.: Did you have our
 19 input for development, sir?
 20 VICE-CHAIR U`U: I -- I totally understand.
 21 But we went to Haiku for Paia, which is close, we -- we
 22 going to Kihei, we going to Lahaina, we went to Hana.
 23 Every one is unique. Why we're not in Waihe`e? Because
 24 this is close enough, is that your -- that's my
 25 understanding?

1 any more. We've had enough.
 2 In looking at your maps -- as I still have a
 3 little bit more time -- the community is against any
 4 stores, any future development that's gonna interrupt
 5 the community. We have had enough. We've had that
 6 shoved down our throat so many times, and we're so
 7 disgusted about it, it's not even funny.
 8 CHAIR HEDANI: Three minutes, Bryan.
 9 MR. BRYAN SARASIN, SR.: Thank you.
 10 And I have just have one more comment. I
 11 would like the Committee to come out to Waihe`e to a
 12 Community Association meeting and hear the people. And
 13 hear what not only me and the people that are here are
 14 saying, but what the people want. And give us time to
 15 draft a plan that is acceptable to us in Waihe`e.
 16 Thank you.
 17 CHAIR HEDANI: Thank you very much. Question.
 18 Bryan, there's a question from Commissioner
 19 U`u.
 20 MR. BRYAN SARASIN, SR.: Sure.
 21 VICE-CHAIR U`U: Bryan, thanks for your
 22 testimony. Just curious. I had no idea about you guys
 23 having a school. I don't think any of the Commissioners
 24 would object to it being in Waihe`e. Like I said, I had
 25 no idea.

1 MR. HUNT: This is a Central Maui meeting. If
 2 the Planning Commission wishes a meeting in Waihe`e, we
 3 can accommodate that.
 4 VICE-CHAIR U`U: I just want to understand it.
 5 MR. HUNT: Is that what you're asking for?
 6 VICE-CHAIR U`U: Yes. I'm asking for an
 7 understanding of why. We going to every -- you know --
 8 and that's my -- that's your answer.
 9 CHAIR HEDANI: Thank you very much, Bryan.
 10 Commissioner Hiranaga.
 11 COMMISSIONER HIRANAGA: Maybe not the question
 12 specifically for you, but maybe you have the answer. Is
 13 there a Waihe`e Community Association?
 14 MR. BRYAN SARASIN, SR.: Yes, it is. And I'm
 15 the exec -- I'm the second vice president. The
 16 president is here as well as the secretary, and some
 17 other people from the Community Association. So it's --
 18 we've been getting together, we've been talking. I'm
 19 actually on the planning committee for Waihe`e to
 20 actually start working on a plan that we can get all the
 21 community together, what we can look at to see what the
 22 community wants.
 23 So we'd really like the Commission to defer
 24 any of the development for that area in this document
 25 until we have some time to be able to come and work with

1 the community and actually work with you folks as well,
2 and GPAC, so that we can come up with the Waihe'e
3 Community Plan as the community wishes.

4 I understand you guys have done a lot of work
5 on that. But we really felt that we've really been
6 excluded.

7 COMMISSIONER HIRANAGA: We haven't done any
8 work on it. The Planning Department has.

9 MR. BRYAN SARASIN, SR: Okay.

10 COMMISSIONER HIRANAGA: And the GPAC has. But
11 we haven't done any work on it.

12 But, you know, I encourage you -- this is the
13 process. And you guys are participating. That's good.
14 This is part of process. Once we complete our task, it
15 goes to the Council. And you'll have time to be part of
16 that process, also.

17 MR. BRYAN SARASIN, SR: Correct.

18 COMMISSIONER HIRANAGA: They are really the
19 final say.

20 MR. BRYAN SARASIN, SR: Right.

21 COMMISSIONER HIRANAGA: So I'm glad that you
22 guys are informed. And you should organize and you
23 should become involved. And that's what -- that's what
24 this update is all about, is getting the people out here
25 to become involved.

1 understanding of these maps. Because this is where the
2 plan -- we're doing the Maui Island Plan, which is all
3 of Maui Island -- does relate to specific geographic
4 areas. You know, beyond that it's in the Community Plan
5 process, which will follow this. And that will be the
6 localized version of what we're doing now for the
7 different communities. But the one place where the
8 rubber does meet the road in a district-wide basis is
9 with these maps. And so these meetings, my
10 understanding is that it was intended to give the
11 communities an understanding of what, you know, these
12 are. Remember, these maps were not in the older General
13 Plan.

14 MR. BRYAN SARASIN, SR: Correct.

15 COMMISSIONER STARR: This is a new thing that
16 these maps are being added so that there would be an
17 opportunity for the community to become involved. And
18 we'll probably be dealing with it -- I guess, toward the
19 end of July and into August we'll be dealing with
20 specifically these maps. So, you know, that would be
21 the time. And if the community steps forward and says,
22 you know, this area that's, you know, Country Town, we
23 don't think that's a good idea, or should we move there
24 or, you know, whatever, then that would be the time to
25 make that statement. And so there is a month, two

1 MR. BRYAN SARASIN, SR: Yeah. And that's what
2 we're doing. I really appreciate your comments. Thank
3 you. And that's all we're asking. We're asking for,
4 you know, us to be included in the process where, up to
5 this point, we have not.

6 COMMISSIONER HIRANAGA: And, you know, we have
7 many, many more meetings scheduled for this Maui Island
8 Plan update. And you can come and testify at every
9 meeting if you would like. So there is a lot of time
10 left --

11 MR. BRYAN SARASIN, SR: Okay.

12 COMMISSIONER HIRANAGA: -- before we make our
13 final determination.

14 MR. BRYAN SARASIN, SR: Yeah. And, actually,
15 we will -- I can speak for myself. As long as I have
16 some time permitting, I would definitely want to come to
17 more meetings and actually be more active and really get
18 more into it, into the community.

19 Thank you.

20 CHAIR HEDANI: Commissioner Starr.

21 COMMISSIONER STARR: Yeah. My -- my
22 understanding of -- of the process is that the meetings
23 in the districts -- and this is, you know, specifically
24 a district meeting for Central Maui, which certainty
25 includes Waihe'e -- was to help people get an

1 months or so for the community to take the opportunity.
2 And I'm sure, you know, that the Department would also
3 work -- work with, you know, an association, especially
4 to help gain more understanding and to help maybe do a
5 markup or something, if there was consensus in the
6 community.

7 MR. BRYAN SARASIN, SR: Okay. I thank you for
8 that.

9 And I'd just like to add that, you know, with
10 the development that's proposed at this point, we've got
11 a gas station, we got convenience, we've got townhouses.
12 And we're so scared that the zoning is gonna be changed.
13 Once the zoning is changed to Urban, for another area,
14 then, all of a sudden, nothing can be stopped. It's --
15 it's already got the zoning. No matter what we say, no
16 matter what input we have, it's too late.

17 We are trying very hard to keep what the
18 community wants. Because we're the people that live in
19 the community.

20 CHAIR HEDANI: Director Hunt.

21 MR. HUNT: Mr. Sarasin, at the last meeting,
22 the staff was directed to contact the Community
23 Association in Waihe'e. Did you get -- were you
24 contacted by the staff?

25 MR. BRYAN SARASIN, SR: I was not contacted.

1 Was -- were you contacted, Kaniloa? Kaniloa was
 2 contacted by the staff.
 3 MR. HUNT: Okay. So we did try. We did try
 4 to reach out to you folks.
 5 MR. BRYAN SARASIN, SR: I guess we were
 6 contacted. And the result was that the meeting was
 7 gonna be held here, not in Waihe`e. And that was --
 8 that was what our request was.
 9 And, actually, what we've done -- I think the
 10 president will be coming up later -- we've actually got
 11 a petition circulated with a bunch of signatures and,
 12 actually, several requests.
 13 So I just really appreciate the time to come
 14 up here and testify. Thank you.
 15 CHAIR HEDANI: Thank you very much.
 16 Commissioner Mardfin.
 17 COMMISSIONER MARDFIN: I'm very empathetic
 18 with your problem. I'm from Hana.
 19 MR. BRYAN SARASIN, SR: Thank you.
 20 COMMISSIONER MARDFIN: It sounds like we're
 21 very similar communities. But I have to admit, I have
 22 some ignorance of your community. So I want to ask you
 23 a couple quick questions.
 24 MR. BRYAN SARASIN, SR: Sure.
 25 COMMISSIONER MARDFIN: Where -- if you asked

1 you're in the situation Hana is in frequently.
 2 MR. BRYAN SARASIN, SR: Yes.
 3 COMMISSIONER MARDFIN: Where, you know,
 4 Keaneae on its own would be able to say some things --
 5 MR. BRYAN SARASIN, SR: Yes.
 6 COMMISSIONER MARDFIN: But if it's a larger
 7 thing -- and I would -- as -- as -- as Commissioner
 8 Hiranaga suggested, I would suggest that you form that
 9 larger community to speak. Because I think it will be
 10 more powerful.
 11 MR. BRYAN SARASIN, SR: That's what we're
 12 actually trying to do. And we're, actually, trying to
 13 get signatures to actually show how committed the
 14 community is in this process. And we are a lot like
 15 Hana. You know, like was said, Jocelyn said it, each
 16 individual community has their own unique character.
 17 And we're just trying to keep that character. And like
 18 I said, it's just been a developer's dream.
 19 And, you know, Waihe`e is a breadbasket.
 20 Water issues. I mean, right now, we're fighting. You
 21 know, I had two water use permits, one for the well, one
 22 for the kuleana. The kuleana is being contested. A&B
 23 is contesting it, Wailuku Water is contesting it, County
 24 of Maui is contesting it. Water is going back in the
 25 streams.

1 about Hana, I would say we go from Keaneae to Kaupo,
 2 including Kipahulu Nahiku, Hana, that would be the way I
 3 describe it. I guess I wanna know what you consider
 4 your general community to be and what the population is.
 5 MR. BRYAN SARASIN, SR: You know, population,
 6 I'm not sure. But the -- the community base would be
 7 like was discussed earlier, down towards Waiehu Golf
 8 Course, Waiehu Pool would be out of that, but it would
 9 be that road and go all the way past, past kupuna, and I
 10 believe -- I don't remember if it's Waihe`e River or
 11 Wailuku -- or Kupuna River is the other boundary or
 12 whether it's a little bit further. But it's -- it's --
 13 COMMISSIONER MARDFIN: You have a lot in
 14 common with all the people north of that?
 15 MR. BRYAN SARASIN, SR: Yeah. And we're also
 16 concerned -- we've been talking with the Kahakuloa
 17 community, for example, we've been talking with the
 18 Waiehu community. Because we're looking at combining
 19 everybody. Because what's happening is if they develop
 20 right there, that's not only gonna affect the Waihe`e
 21 community, it's gonna affect the Kahakuloa community,
 22 it's gonna affect the Waiehu community. It's gonna
 23 affect that whole area. So it's not only the Waihe`e
 24 area.
 25 COMMISSIONER MARDFIN: So it sounds like

1 How do we balance all of this? And how do we
 2 then turn around and say, okay, we're gonna have more
 3 development, we're gonna take away some more water from
 4 the farmers.
 5 CHAIR HEDANI: Thank you very much, Bryan.
 6 The next person we have to testify is --
 7 COMMISSIONER STARR: Mr. Chair?
 8 CHAIR HEDANI: Commissioner Shibuya.
 9 COMMISSIONER SHIBUYA: I just had a question.
 10 And it's a broad question for all the Waihe`e Community
 11 Association members. This question deals with your
 12 gathering rights and sustaining food production.
 13 What have you done in terms of identifying the
 14 streams, its capacity, and the wildlife as well as the
 15 means of having your food production? Now, I'm not
 16 talking about just the lo`i. I'm talking about hihiwai,
 17 o`opu, `opae.
 18 Are these streams maintained? And if not, why
 19 not?
 20 Are the fishponds being restored, maintained?
 21 If not, why not?
 22 How are the fish along the shoreline
 23 maintained so that you can ensure that you have enough
 24 to sustain yourselves?
 25 I'm just putting out these broad questions. I

1 don't want the answers now. But I think this would be
2 very helpful for me to know this -- this type of
3 information.

4 Thank you.

5 CHAIR HEDANI: Thank you very much,
6 Commissioner Shibuya.

7 MR. BRYAN SARASIN, SR: Can I just add -- just
8 add very briefly?

9 CHAIR HEDANI: It's not -- you know, we're not
10 intending to facilitate a debate between the Commission
11 and the people testifying. Our purpose here at this
12 point is merely to listen to what you have to say and
13 try to understand where you're coming from. Okay?

14 MR. BRYAN SARASIN, SR: Okay. Thank you.

15 CHAIR HEDANI: There will be plenty of
16 opportunity to add additional testimony in the future.
17 The next person to testify is Johanna Kamaunu.

18 MS. JOHANNA KAMAUNU: Oh, tall guys.

19 My name is Johanna Kamaunu. I live in
20 Waihe'e. I have been fortunate to have married someone
21 so I got to experience the place first hand.

22 I'm with the community. So we're saying no to
23 GPAC's plan for development. And it's really good that
24 you asked those questions because I think our plan is
25 better than theirs. And we are planning.

1 Your key word in this development process is
2 "development," but ours is "restoration."

3 We are looking at all of those questions that
4 you asked for. And what we would like to ask GPAC is to
5 give us the opportunity to develop our plan, if not the
6 full plan, at least develop our goal, so you can see
7 where our community is headed.

8 We have taken steps to start a baseline study
9 of some of our resources. Yes, we're looking at the
10 water. Yes, we're looking at the fishery. Yes, we're
11 looking at the land, the soil, and what it can produce.
12 Yes, we're looking at archeology and our cultural sites.
13 We're looking at everything.

14 And I have to thank GPAC for this. Because
15 had they not presented their plan and their ideas for
16 development, our community probably wouldn't be talking.
17 So that's a good thing.

18 Of course, they started talking and they were
19 real angry. They're mad. They're just really mad.

20 But, hopefully, we are headed in a direction
21 that I think the County might wanna explore a little bit
22 with us, you know. Because I can't speak on behalf of
23 Maui and whether our plan will work for all of Maui, but
24 I can speak on behalf of Waihe'e. If we're able to be
25 self-sufficient, self-reliant, self-sustaining, we can

1 take care of our people. It would mean we'd be
2 independent of you. But at least we know we would be
3 able to take care of our people. That's all that we're
4 asking for, is the opportunity to produce a plan of our
5 own in place of the GPAC's recommendations.

6 CHAIR HEDANI: Thank you very much.

7 MS. JOHANNA KAMAUNU: Yeah.

8 CHAIR HEDANI: Any questions?
9 (Silence.)

10 CHAIR HEDANI: Thank you very much.

11 The next person to testify is Rory Frampton.

12 MR. FRAMPTON: Good afternoon, Members. My
13 name is Rory Frampton. I'm a independent land use
14 planning consultant. I've provided written testimony.
15 And I've -- I'll add a little bit to that. One of my
16 biggest concerns is turning this General Plan into a
17 regulatory document rather than keeping it as a vision
18 statement.

19 The Director's memo which transmitted the Maui
20 Island Plan to the Planning Commission states that the
21 purpose of the plan is to provide policy direction and a
22 foundation for future decision-making. And you can see
23 that I provided where that was located. However, the
24 plan seems to be loaded with objectives and policies and
25 implementing actions that are regulatory in nature. For

1 example, the plan, as written, will not allow for the
2 expansion of existing land uses outside of the UGBs. It
3 states, "Existing non-conforming land uses in developed
4 areas, and land uses outside of the UGBs are allowed to
5 continue, but shall not be expanded." This language as
6 written would prohibit the issuance of a building permit
7 for the expansion of any land use including existing
8 single-family residences and businesses outside of the
9 UGBs.

10 As another example of the regulatory nature of
11 the current draft, the Planning Department has
12 reinserted language prohibiting new subdivisions that
13 require multiuser water systems outside of the Rural
14 Growth Boundaries. GPAC had deleted this policy. This,
15 essentially, is a moratorium on Ag subdivisions, unless
16 you put a separate well or water system on each new lot.
17 Yet, the Department has recommended land use policies
18 which allows for Ag subdivisions which incorporate
19 clustering our conservation subdivision design. I'm a
20 little confused. Why did the Department include
21 language supporting certain types of Ag subdivisions
22 while, at the same time, reinsert a policy that would
23 essentially prohibit any new subdivision outside of the
24 Rural Growth Boundaries?

25 Those are two examples. You know, the

1 original plan was very extreme or bold, I think as the
2 Planning Department called it. It only allowed for high
3 density Urban Growth. There were no Urban expansion
4 areas. It did not even recognize existing towns and
5 settlement areas such as Makawao, Haiku and Kula.

6 The GPAC's version of this plan has addressed
7 this in some areas. And they provided more of a
8 balance. The project that I have been working on, the
9 Makila project, was designed to provide alternative
10 choices for living in West Maui which will provide,
11 basically, a rural living environment for West Maui
12 residents. Again, the idea is to have a balance and not
13 be -- have it all one time of development. Let's look
14 at each area and decide what's appropriate.

15 But in summary, I think we need to ask
16 ourselves, is this -- are we establishing regulations or
17 a vision. And my answer is it should be a vision. Be
18 mindful of policy or action statements which will be
19 interpreted as new regulations. There is a need to
20 clarify when ordinances or rules would need to be
21 changed in order to effectuate a policy that you guys
22 are recommending.

23 The General Plan should not be written or used
24 as a substitute for properly adopted ordinances and
25 rules. And in terms of policy conflicts, be cognizant

1 And I had enough of development. I moved to Maui to
2 start a new life with my daughter.

3 CHAIR HEDANI: Microphone, please.
4 Microphone.

5 MR. SILVA: Oh, I'm sorry.

6 I moved to Maui to start a new life with my
7 daughter and granddaughters in a new family, the
8 Kamaunus of Waihe'e Valley. I live in Waikapu, but I
9 feel a strong tie to Waihe'e and its valley. I'm
10 opposed to any development in Waihe'e.

11 Thank you.

12 Oh, and I wanna thank Bryan for convincing me
13 to come up here and speak.

14 CHAIR HEDANI: Thank you very much.

15 The next person is Janice Sparke.

16 MR. SPARKE: No, it's James.

17 CHAIR HEDANI: James Sparke. Sorry.

18 MR. SPARKE: It was close.

19 Good afternoon. I'm James Sparke, Waihe'e
20 resident and Waihe'e Community Association President. I
21 believe you heard everybody today. Hopefully, you are
22 listening to them, because this is what they want. This
23 is what our community wants. We do not want the
24 development.

25 We've looked at the GPAC plan. You're

1 of areas where policies run counter to each other.
2 There are plenty in this plan. Some are very obvious,
3 such as making sure that there's plenty of ag water, and
4 then another statement that says we need to reestablish
5 our stream flows.

6 CHAIR HEDANI: Three minutes, Rory.

7 MR. FRAMPTON: I'm almost done. The fact that
8 there are plenty of conflicting statements highlights
9 the need to balance the issues and should make everyone
10 mindful that policy documents like the Maui Island Plan
11 are intended to provide a foundation or a guide for
12 future decisions. The Maui Island Plan should not be
13 looked at to provide specific requirements or answers
14 covering every situation. Be careful of absolute
15 statements, especially the words "require, prohibit,
16 shall."

17 CHAIR HEDANI: Thank you very much.

18 MR. FRAMPTON: That's it for my testimony.

19 CHAIR HEDANI: The next person to testify is
20 Bob Silva. We have two other speakers that have signed
21 up after Bob Silva. After that two speakers, we're
22 gonna take a break for 15 minutes for our stenographer
23 to rest her fingers because we're speaking really fast.

24 MR. SILVA: Aloha. My name is Bob Silva. I'm
25 a former resident of Oahu, where I worked in Waikiki.

1 impacting us approximately 35 percent. And that doesn't
2 count the embellishments of a store, gas station, mini
3 mart. That's just too much to digest. We're still
4 trying to digest Hawaiian Homes III and IV, Phase III
5 and IV. And that -- that's difficult enough.

6 The other thing is the school, it's
7 landlocked. You know, you impact that school with any
8 more kids, they'll end up closing the school and have to
9 go somewhere else. And that school has been there
10 130-some-odd years, I believe. So that impact alone,
11 just -- you know, you talk about an education, and you
12 cannot shut down education just by throwing a whole
13 bunch more kids in there and then having to go, well, we
14 got to stop, we got to move it somewhere else where we
15 have more room.

16 The other thing is, you know, the support that
17 you would need to do such a project is -- is just not
18 there. The water is not there. The infrastructure is
19 not there yet. You can work on the infrastructure, but
20 the impact alone would distort the land that belongs to
21 these people.

22 And then the other thing is the -- the -- the
23 highway that was proposed, I believe, coming through
24 there, would -- would displace homes. And these homes
25 in that area have been there for many, many generations.

1 You know, that's something you have to look at as well.
2 So we're developing our own plan that's for Waihe'e.
3 Not for just this -- because, see, each small town is
4 unique, yeah. So ours is unique as well. And we
5 believe that our plan is -- is for us. Not something
6 that somebody else came up with and said, "Oh, this will
7 work." You don't know if it'll work, you hadn't been
8 there.

9 Thank you very much.
10 CHAIR HEDANI: Thank you very much.
11 The last person that we have signed up is
12 Walette Pellegrino.

13 MS. PELLEGRINO: Aloha. Before I start, I'd
14 just like to say that I truly appreciate what the
15 Waihe'e and Waiehu people have been saying. Because I
16 served on GPAC, representing Wailuku-Kahului, which
17 includes all of those areas and Waikapu, where I am
18 from. And I have to say that we are an amorphous group.
19 It seems like it changes depending on which development
20 has -- has just been completed. So it was very
21 difficult to really identify what and whom we were
22 representing. I think that is something that needs to
23 be addressed by the Planning Commission as we move
24 forward with this process.

25 My name is Walette Garcia Pellegrino. Thank

1 Waikapu is a special place with unique characteristics
2 and a rich heritage of agriculture, farming and
3 plantation life. As a child, even from Wailuku, I used
4 to spend a lot of time in Waikapu with family and
5 friends. In my mind's eye, I can still see the terrace
6 lo'i kalo of the (inaudible) and Keanini families. The
7 old Protestant church on Old Government Road, around the
8 corner from where I live now, was a site of many luau.
9 In the side yard, it embraced the bones of its kupuna.
10 And some still remain there.

11 Although Waikapu has changed dramatically,
12 especially in the last 15 years, it still retains its
13 small town sense of place where neighbors really do know
14 and look out for each other. We worked together to
15 clean the auwai so that the water from the heart of
16 Waikapu, which is the Waikapu Stream, continues to flow
17 and feed the plants and, more importantly, our spirit.
18 We have watched and helped each others' children grow
19 and thrive. We stop and let the ducks cross the road.

20 Now you might think, she's gotta be making
21 this up. But I tell you, yesterday morning, when I left
22 my home on Kilohi Street, unfortunately, there was a
23 dead duck. It had been placed on the grassy area on the
24 side of the road. When I came home from my morning
25 errands, someone had placed rose petals around the duck.

1 you for allowing me to speak to the Planning Commission
2 today. I was born and raised in Wailuku and have lived
3 in Waikapu since 1968.

4 FYI: I did serve on the Maui County General
5 Plan Advisory Committee, GPAC, representing
6 Wailuku-Kahului. And I'm also a member of the Wailuku
7 -- excuse me -- Waikapu Community Association. Today I
8 am representing myself as a Waikapu resident. I am not
9 speaking on behalf of the WCA or GPAC, although I may
10 make reference to them.

11 I grew up in the shadow of old Wailuku and
12 lived in a house that was taken by the State through
13 eminent domain. And Hoapili Hale now stands on the
14 footprint of my old house right here on Wells Street.
15 Okay.

16 So the old Wailuku Gym, the Wailuku Pool,
17 bowling alley -- some of you may not even remember
18 that -- on Wells Street, were my stomping grounds. The
19 Wailuku Library was my second home. This room is where
20 the Board of Supervisors used to meet. This place was
21 "the County building."

22 Some of us old-timers remember, right? Yes.

23 I share these with you because they reflect
24 the unique history of my Wailuku. But Wailuku is not
25 Waikapu, the only place that my children consider home.

1 That says something about Waikapu. Waikapu is
2 our home. Not Wailuku, not Maalaea, which appeared to
3 be encroaching very, very quickly.

4 So I understand, again, Waihe'e and Waiehu.
5 It's like where do you go, right? That's all you know.

6 As a resident of Waikapu, I hope that the
7 Planning Commission considers the principles and
8 policies of the Maui Island Plan which will give each
9 community the opportunity to determine its own vision
10 for the future, and, also, to retain its small town
11 characteristics while providing opportunities for its
12 residents. People from Waikapu are making their voices
13 heard individually and through its community
14 association. The WCA look forward to sharing our manao
15 with you and specific ideas with the Planning Commission
16 and the County Council as the GPAC approval process
17 moves ahead.

18 Mahalo for giving us the opportunity to be
19 heard. Thank you.

20 CHAIR HEDANI: Thank you very much.

21 That concludes the public testimony that we
22 have signed up. We're gonna go ahead and take a
23 15-minute recess at this time. We'll reconvene at 3:25.

24 (Recess, 3:10 p.m. to 3:27 p.m.)

25 CHAIR HEDANI: Planning Commission meeting is

1 back in session. We have two additional people that
2 have signed up for testimony that was not able to
3 deliver testimony earlier. And I also received, in the
4 interim, a petition that was produced by the Waihe`e
5 Community Association. So I'll go ahead and circulate
6 that.

7 The next person to testify is Lesley Bruce.

8 MS. BRUCE: Good afternoon. Thank you for
9 this opportunity to testify. My name is Lesley Ann
10 Bruce. I was on the GPAC.

11 I was one of three founding members of the
12 Maalaea Community Association in January, 20 years ago.
13 Maalaea has a huge infrastructure problem. If you think
14 fires are a problem on Honoapiilani Highway, try the
15 next tidal wave. Maybe you remember the last one.

16 Public safety is endangered at Maalaea. Not
17 only are roads a problem, there are problems with parks
18 and sewage and schools, preschools, elementary schools,
19 intermediate schools, high schools, post offices and
20 banks. We need those kinds of things, and they are not
21 close by.

22 To go back to the roads. Before the Maalaea
23 Triangle was developed, I stood on the highway for a
24 week and counted, with a clicker, the highway traffic
25 for most of the daylight hours. And after that, four

1 Or even just one map separate from all these things so
2 people can refer back and forth to that.

3 And along those lines, I think it's important
4 to have that meeting in Waihe`e, if you can. I know
5 you're up against a deadline with your meetings. And,
6 yet, we know that the Urban Growth Boundaries being
7 placed in Makena, on the Kihei side of Puu Olai and
8 Kapalua Ridge for Honolulu, were largely a result of
9 hearing from the public, hearing from the communities of
10 those areas, coming before GPAC. And that helped a lot
11 with that decision. And it would be really helpful for
12 the next level for this -- these kinds of meetings if
13 you could have at least one meeting in Waihe`e, at least
14 one. I know we're gonna have meetings in Kihei and
15 Lahaina. And so I'm just gonna add my voice to support
16 the Waihe`e community for that. And, particularly,
17 because it seems like there's some confusion about the
18 addition of some developments that are proposed and that
19 are a big concern for the community and what the
20 ramifications would be. And so, clearly, they need to
21 have more time to have that discussion.

22 All of us have learned so much through the
23 GPAC process. It's sparked a wave, a new generation of
24 activists of our kids who have said, wow, this is my
25 future you're talking about. And so, you know, we have

1 lanes were put in there because the road was designated
2 "F" by the federal standards. The roads have become
3 more crowded in the meantime. Actually, Honoapiilani
4 Highway serves from Maalaea to Kihei to Keoneoio through
5 Lahaina to Honokohau, and it is very heavy traffic for
6 people that are familiar with going on it at present.

7 The Maalaea people planned to be here today,
8 but it turns out they had to work. And they will be
9 testifying for you very soon.

10 Thank you very much.

11 CHAIR HEDANI: Thank you very much, Lesley.

12 The next person to testify is Hannah Bernard.

13 MS. BERNARD: Aloha kakou. Thanks again for
14 the opportunity to speak before you.

15 I'd just like to add a couple of notes to the
16 testimony that's already been given. One is that, at
17 the next meeting, future meetings, I think it would be
18 really helpful if you could display a map of the moku
19 and the ahupuaa and the streams delineated on the maps.
20 Because I know we're really struggling to look on those
21 maps and see exactly where we are talking about. And a
22 lot of us need that orientation. So if that's possible.
23 I know that there is one in some of the GPAC documents,
24 but I don't think that it's been overlaid with these
25 kinds of things. I think that would be really helpful.

1 this much of our community showing up and saying, this
2 is of real concern of mine. I just really wanna support
3 that you guys get a chance to have that meeting.

4 Mahalo.

5 CHAIR HEDANI: Thank you very much.

6 Are there any other members of the public that
7 would like to offer testimony at this time?

8 (Silence.)

9 CHAIR HEDANI: Seeing none, public testimony
10 is closed.

11 The next item that we have on the agenda is
12 the Staff Presentation of the Draft Maui Island Plan's
13 Land Use Element and Directed Growth Policies.

14 MR. HUNT: Mr. Chairman, as I understand it,
15 we are going to do a brief regional presentation. Is
16 that correct, Dave?

17 MR. MICHAELSON: That's correct.

18 MR. HUNT: So what we've been doing as a
19 practice is a regional meeting, and this is the one for
20 Central Maui, the Planning staff will be going over the
21 maps for the Central Maui urban growth areas -- or
22 growth areas, and that will be Item D on your agenda.
23 And then we will go to Item E which is the continuation
24 of the discussion on your Infrastructure.

25 MR. MICHAELSON: Thank you, Mr. Chairman.

1 Dave Michaelson from Long Range Planning. I'm
 2 gonna be very brief. I just wanna give you a sense of
 3 some of the underlying logic that went into the Central
 4 Maui Urban Growth Boundaries, the differences between
 5 GPAC and the Department draft, as well as the original
 6 draft that came out in 2008.

7 First of all, I wanna make an observation
 8 about some of the testimony you heard today, because I
 9 think it's really important. A lot of times, planners
 10 will walk into a room and they'll see signs and a lot of
 11 people, and it -- frankly, it freaks 'em out.

12 It does just the opposite to me, frankly.
 13 What you just saw was that the process is working. And
 14 when the process works is when people from communities
 15 come and share their concerns with you. And I just -- I
 16 hope that you take what you heard to heart. I will
 17 describe a little about the logic of why it did appear
 18 on the maps. And I'll just leave it at that. But I was
 19 -- it was -- I was heartened to see a packed room. And
 20 that's good. And as long as that keeps occurring, I
 21 think we've got a process that works.

22 With that said, first of all, the mapping
 23 between GPAC and the Director's recommendations are,
 24 frankly very, very close. Now, there's some
 25 philosophical shifts that I'll talk a little bit about.

1 First of all, in terms of the geographic area
 2 that are encompassed in the boundaries, they are very
 3 close. There are two sort of philosophical differences
 4 between the maps. And when we get into the Directed
 5 Growth Strategy, we'll go more into detail about why
 6 that is.

7 The first is that the Department draft
 8 includes a little more infill potential than the GPAC
 9 boundaries. And we did an infill analysis -- and we're
 10 actually refining it as we speak -- looking at specific
 11 parcels, in Wailuku, Kahului, and Kihei in particular,
 12 that would expect to redevelop within the life of the
 13 plan. And the GPAC strategies, although they accepted
 14 our assumptions, I think we've gone into a lot more
 15 detail in terms of how that could occur. And that's a
 16 very efficient way to grow.

17 The second difference deals with open space
 18 separation. Both strategies, the GPAC and the Directed
 19 Growth -- I'm sorry -- the Director's recommendations,
 20 are showing separations of communities. And you've
 21 heard that over and over. And we heard that over and
 22 over within the process, about the importance of these
 23 communities are separate, they are different, they don't
 24 want to essentially meld into each other.

25 The differences between the two strategies is

1 GPAC used the open space boundaries to actually separate
 2 the boundaries themselves. In other words, the open
 3 space, the really significant open space separations,
 4 within the GPAC boundaries, are without -- are not
 5 within the Urban Growth Boundaries. Urban Growth
 6 Boundaries frame around them. And you can see that --
 7 let's see here. The best example, you'll notice in here
 8 where they've actually pulled these boundaries in and
 9 left these green spaces out. The -- the Department
 10 draft, however, has included them within the boundaries.

11 And let me give you a little bit of the logic.
 12 It's really an urban design notion. It's that if you
 13 tell the development community, if you will, that you
 14 expect these separations and show them within Urban
 15 Growth Boundaries, that does not mean that that will be
 16 the absolute hard line and that there may be some
 17 potential to do things other than just leaving open
 18 space. In other words, some of it could be active
 19 greenway space, it could be for bikers, it could have
 20 walking trails. So it doesn't have to simply encompass
 21 that space. Because these areas -- and we'll give you
 22 estimations -- are huge. In some cases, several
 23 football fields. So that -- that was one difference
 24 that we felt that it's -- it's responsible planning and
 25 it gives the development community a little bit more

1 design creativity, to use those urban -- to use those
 2 open space separations in ways that aren't just hard
 3 lines, empty fields, those sorts of things. So that's
 4 another difference.

5 The third difference is that there are several
 6 projects within this area, the Wailuku-Kahului and
 7 Waikapu area, that had entitlements. And we won't get
 8 into specific projects because we're gonna set up an
 9 opportunity where project proponents and other nonprofit
 10 groups can talk to you about their sort of vision of
 11 Urban Growth Boundaries. But our perspective was that
 12 if it was entitled, all right, then it belongs in a
 13 boundary. And there are a couple instances. I think
 14 Maui Lani is one of them, where it might have been a
 15 mistake. We corrected it on our maps. But anything
 16 that was entitled is within our boundaries.

17 Finally, let's talk just a little bit of
 18 Waihe'e. Waihe'e was an interesting discussion. And
 19 here's how it was framed. And that's not to say that we
 20 can't rethink that. Our perspective -- they have seen a
 21 lot of development out there. Hawaiian Home Lands, in
 22 particular. And our perspective as well, wouldn't it
 23 make sense to provide limited opportunity for
 24 small-scale commercial retail expansion, limited
 25 residential expansion. John has the spreadsheets. I

1 believe both the GPAC version and the Director's version
 2 would allow land for approximately 150 units. But that
 3 was the perspective. And we looked at it from a
 4 regional standpoint. You've got all these units going
 5 on. They've not really had any significant commercial
 6 retail service development to support that. Therefore,
 7 they're coming into Kahului and Wailuku for goods and
 8 services. So that was the logic.

9 I think you've heard a fair amount of
 10 testimony that maybe the community does not share that
 11 logic train. And that's okay.

12 If you remember the last presentation I gave
 13 you, I talked a lot about the Community Plans. Where,
 14 if you're making decisions that are very localized in
 15 nature in terms of their impacts or their opportunities,
 16 that the Community Plan is a place to have that
 17 discussion. And I still believe that.

18 And I think we've been pretty careful in some
 19 of our policies. I know Ward, Commissioner Mardfin, has
 20 been an adamant supporter of deferring decisions to
 21 Community Plans where it's appropriate. But that was
 22 the logic. It wasn't that we just wanted to create
 23 another large development opportunity out there. So
 24 that was -- that was the underlying tone.

25 So with that, I think that gives you a sense

1 do, but, at the Community Plan level I think is really
 2 the format where you start working with these individual
 3 community groups and things like that. And that becomes
 4 a separation between what's appropriate for an Island
 5 Plan and what's appropriate for a Community Plan. But
 6 we'll leave that up to your discussion.

7 So with that, that really concludes our
 8 presentation.

9 CHAIR HEDANI: Director Hunt.

10 MR. HUNT: Just to follow up on Dave's last
 11 comment. The way we look at the scheduling -- and I
 12 didn't say this very well earlier -- we came to -- we
 13 brought a proposed schedule to this body, and you guys
 14 adopted that. So even if we get requests, you know,
 15 massive requests, to change it, we don't feel
 16 comfortable just unilaterally, on our own, saying, okay,
 17 we're gonna change the meeting location. If this body
 18 wants to change the meeting location, by all means. But
 19 we don't feel comfortable unilaterally doing that on our
 20 own.

21 CHAIR HEDANI: Okay. Commissioner Starr.

22 COMMISSIONER STARR: Yeah. I have been trying
 23 to understand from the maps the differentiation between
 24 those areas that are already community planned, you
 25 know, that have zoning or are already built, which are

1 we're not that far apart between GPAC.

2 Now, I will tell you that the initial
 3 Department recommendation in Waihe'e had no boundary out
 4 there. It essentially left it alone. And that
 5 discussion sort of evolved with GPAC. And the
 6 Department understood the logic and essentially
 7 supported GPAC in their recommendation. So that's where
 8 it -- where it stands.

9 There was some discussion about another
 10 meeting. And, obviously, staff will defer to the
 11 Planning Commission in terms of what direction you wanna
 12 give staff. But when we first set up the schedule, the
 13 idea was that we would set up one meeting in -- excuse
 14 me -- in each Community Plan area, which is what we've
 15 done. We went out to Haiku, we went out to Hana, this
 16 is Central Maui, we have a meeting next week in Kihei,
 17 we're going to Lahaina. And that was -- that was the
 18 underlying logic.

19 That is not to suggest that these community
 20 groups and their involvement in the process is not
 21 important. I think I've made that clear that I think
 22 that that's responsible community engagement. But at
 23 the same time, in each of those community regions, there
 24 are a lot of these small communities. And I guess I
 25 would suggest that we'll do whatever you direct us to

1 inside the Urban boundary and the -- and the -- what is
 2 it -- Country Town boundary, and those areas which are
 3 not entitled that way or not built that are -- that are
 4 being added in. And I think it would be very helpful
 5 for the communities and us as well to be able to compare
 6 side-by-side a map that shows both, you know, the -- one
 7 that has the built environment and that maybe
 8 additionally is already zoned and those that we're
 9 creating a potential for. It seems like we're not --
 10 you know, we're not necessarily creating a lot of
 11 potential new -- new development when people see a big
 12 splotch of red, if it's already been built or it's
 13 already entitled. So how can we see them both?

14 MR. MICHAELSON: Actually, this question has
 15 come from Councilman Hiranaga as well. And I must be
 16 absorbing your concerns through osmosis. But what we've
 17 done now is we've changed -- and we learned this during
 18 GPAC because this issue came up a bunch. Where the
 19 mapping in our head, because of our methodology, we kind
 20 of knew what was planned and zoned because we used that
 21 as a filter when we did our initial maps. But the maps
 22 that you'll be working off of, which, in theory, might
 23 be the 7th -- if not, it would be, I believe, what, the
 24 21st, is that the following meeting -- essentially, that
 25 digital imagery that we'll share with you and the hard

1 copy maps we'll share with you will have CP designations
2 on it. And then it will have what we call our
3 development database, which shows projects that are
4 entitled, have been completed since the imagery.
5 Because keep in mind this imagery was flown in 2005. We
6 know the projects that were done; you folks don't. So I
7 think we've -- we've shifted gears a little bit. And
8 the format that you'll see will reflect those
9 entitlements and previous CP designations. And, again,
10 we learned that the hard way with GPAC.

11 CHAIR HEDANI: Additional questions,
12 Commissioner Hiranaga?

13 Director Hunt.

14 MR. HUNT: Just to follow up. With the GPAC,
15 we had our GIS up and running, and we had a couple maps
16 at different times. And the layers, the amount of
17 layers and the information that's available to you folks
18 is as astounding. We had a number of private
19 developers -- and, of course, they have better funding
20 than we do -- compliment us on the GIS and just say how
21 outstanding it is. So I think you really have the
22 opportunity to look forward to that once we really get
23 into the Land Use discussion and those maps.

24 Today was more of an introductory. That's why
25 we just have a few hard copies on the wall.

1 CHAIR HEDANI: Okay. Additional discussion,
2 questions? Commissioner Starr.

3 COMMISSIONER STARR: Yeah. What I'm saying is
4 I'd like to have that available for the community,
5 especially this community that has -- that has real
6 concerns. So that they -- they can understand what's
7 being added.

8 CHAIR HEDANI: Commissioner Hiranaga.

9 COMMISSIONER HIRANAGA: Regarding having
10 outreach meetings to areas like Waihe'e, I'm opposed to
11 that. When we go to Lahaina, are we going to go to
12 Olowalu, Napili, Honolua, Honokowai. Are we going to
13 Makena, Kihei, North Kihei? You know, are we gonna go
14 to Keokeya, Pukalani, Kula?

15 CHAIR HEDANI: Ulupalakua, Pakukalo.

16 COMMISSIONER HIRANAGA: So my other question,
17 then, is can the associations invite the commissioners
18 and they can go on their own if they feel the need to
19 attend a Waihe'e Community Association meeting? There's
20 nothing to prevent those that so feel they would like to
21 attend to attend.

22 MR. GIROUX: I would discourage more than two
23 Members going, just to avoid the whole, you know,
24 Sunshine Law issue.

25 COMMISSIONER HIRANAGA: So I think that's the

1 avenue, if these small communities want to educate
2 certain commissioners, is to invite them and see who
3 attends.

4 CHAIR HEDANI: Commissioner U'u.

5 VICE-CHAIR U'U: You know, I agree with
6 Commissioner Hiranaga, but the point I was thinking was
7 we always get meetings here. Granted, once a month, we
8 go outside of our venue and we go to Kihei and we go to
9 Lahaina, we go to Hana. But, I mean, it'll be more
10 convenient that we leave here one time to go to Waihe'e.
11 Not to just involve Waiehu or Waihe'e, but, more so, to
12 the fact that it's readily available for all of Kahului
13 and all of Wailuku the remaining times that we're here.
14 So I see what the Commissioner Hiranaga is saying, but,
15 like the person say, you're planning, kupuna in that
16 area not available to drive. And you see one with a
17 walker here earlier. That was my only concern, to make
18 it easier on them.

19 CHAIR HEDANI: Okay. Additional comments?
20 Commissioner Mardfin.

21 COMMISSIONER MARDFIN: I'm largely with
22 Commissioner Hiranaga on this. I -- you know, we had
23 one in Hana, we didn't have one in Nahiku and Kipahulu
24 and Kaupo and Keanae, much as Jonathan would have liked
25 us to. But I -- I do think that it would have been nice

1 if we had a site visit to those places before the
2 meeting. I think it's kind of too late for that now.
3 But that would have been helpful for me.

4 CHAIR HEDANI: Okay. Commissioner Hiranaga.

5 COMMISSIONER HIRANAGA: Just clarification,
6 one of Dave's comments. You're talking about areas
7 currently in the current Community Plan, you're saying
8 all of those are gonna be within Urban Growth
9 Boundaries? Ir did I mishear you.

10 MR. MICHAELSON: No. You misheard me.

11 CHAIR HEDANI: Mr. Summers.

12 MR. SUMMERS: Thank you, Mr. Chairman.

13 Those areas that are fully entitled, as we
14 define it, would have State Land Use, Community Plan and
15 zoning entitlements. There are some areas that have
16 Community Plan, but do not have those others that are
17 not within the proposed Urban Growth Boundaries.

18 CHAIR HEDANI: Director Hunt.

19 MR. HUNT: And for anyone who is in the
20 audience who is interested in information at the local
21 level, the Planning Department staff, also, we can do
22 road shows. And Dave and myself and John, we've all
23 gone out and done PowerPoints to community associations
24 to educate them about what's going on in their
25 community. So that's another avenue.

1 CHAIR HEDANI: Oh, good. I like that one.
 2 Any additional comments?
 3 (Silence.)
 4 CHAIR HEDANI: Okay. My only comment was that
 5 I think we've heard from the Waihe'e Community
 6 Association and the people of Waihe'e. And we should
 7 kind of take their comments into consideration, in
 8 reviewing all of those plans, seriously.
 9 With that, we'll move on to the work of the
 10 day, which starts at Item E, Planning Commission
 11 discussion of and recommendations relating to the Draft
 12 Maui Island Plan's Infrastructure Element, Land Use
 13 Element, and Directed Growth Policies, which were
 14 revised to reflect the comments of the Maui General Plan
 15 Advisory Committee.
 16 My notes show that we left off on
 17 Infrastructure on Page 26, with the Goal of -- with the
 18 Goal that's indicated on the top in Objective Number 1.
 19 I believe that's where we left off, Page 26. This is
 20 from the June 2009 sheet that looks like that, because
 21 we got so many of these things floating around. Page
 22 26. So we're on Infrastructure, Parks. Goal: "Maui
 23 will have a diverse range of active/passive recreational
 24 parks, wilderness areas," et cetera. What's your
 25 pleasure? Commissioner Mardfin.

1 Parks Department's functional planning.
 2 CHAIR HEDANI: Commissioner Mardfin.
 3 COMMISSIONER MARDFIN: I move the deletion of
 4 Action 2, "Work towards a major management plan for
 5 Ahihi-Kinau and La Perouse-Keoneoio Bay to Kanaloa
 6 Point." It sounds like it should be within a Community
 7 Plan.
 8 CHAIR HEDANI: Is there a second?
 9 COMMISSIONER GUARD: Second.
 10 CHAIR HEDANI: Seconded by Commissioner Guard.
 11 Discussion? Commissioner Starr.
 12 COMMISSIONER STARR: Yeah. I will speak
 13 against that. I think this is something that is already
 14 in the works, it's necessary. And this will -- this
 15 will help achieve -- help achieve it. And it does
 16 support goals that are already in the plan.
 17 CHAIR HEDANI: Staff have comments?
 18 Mr. Summers?
 19 MR. SUMMERS: Thank you, Mr. Chairman.
 20 I think the major point to look for is if
 21 there are systems, if this was a natural resource that
 22 is significant from an island-wide perspective, then
 23 it's very appropriate in this document. If we're
 24 looking at, say, a swimming pool, those facilities tend
 25 to be more localized.

1 COMMISSIONER MARDFIN: I move the adoption of
 2 the Goal, Objective 1 and its attendant policies and
 3 actions.
 4 CHAIR HEDANI: Director's Recommendation?
 5 COMMISSIONER MARDFIN: Director's
 6 Recommendation.
 7 CHAIR HEDANI: Is there a second?
 8 VICE-CHAIR U`U: Second.
 9 CHAIR HEDANI: Seconded by Commissioner U`u.
 10 Discussion? No discussion?
 11 COMMISSIONER MARDFIN: Yes.
 12 CHAIR HEDANI: Commissioner Mardfin.
 13 COMMISSIONER MARDFIN: I'm trying to figure
 14 out if -- whether this Infrastructure is a grab bag for
 15 all the things we want. And if it is, I know the people
 16 of Hana want a swimming pool, perhaps at the school.
 17 And I think it should be in Community Plans, but I find
 18 that other communities have put it in this part of the
 19 plan. I'm willing to be consistent one way or the
 20 other.
 21 CHAIR HEDANI: Mr. Summers.
 22 MR. SUMMERS: Thank you, Mr. Chairman.
 23 Staff would strongly encourage those types of
 24 site specific community facilities, that that type of
 25 planning be done at the Community Plan level or in the

1 CHAIR HEDANI: Okay. Additional discussion?
 2 Commissioner Guard.
 3 COMMISSIONER GUARD: Maybe just to enlighten
 4 me on why Ahihi-Kinau would be in Infrastructure versus
 5 Heritage Resources. Infrastructure, to me, would be
 6 like soccer fields and baseball fields and those type of
 7 parks versus Heritage Resources might be more of a
 8 natural phenomena like the Crater or Ahihi-Kinau.
 9 CHAIR HEDANI: Mr. Summers.
 10 MR. SUMMERS: Thank you. Thank you,
 11 Mr. Chairman.
 12 That's a very good question in terms of this
 13 specific action. Looking at the appropriateness of it,
 14 I think it could fall into Heritage.
 15 CHAIR HEDANI: Additional discussion?
 16 COMMISSIONER GUARD: Okay. This brings up --
 17 I have another question.
 18 CHAIR HEDANI: Commissioner Guard.
 19 COMMISSIONER GUARD: This might be for Corp
 20 Counsel. We had some testimony today regarding this
 21 document becoming kind of a bootleg ordinance system. I
 22 mean, I'm looking at a document that has a few things.
 23 This was the -- I don't know where I got this -- just a
 24 compilation of GPAC ideas that's only 37 pages. And
 25 that it seems to be a -- quite a bit broader. I'm

1 looking at the Improved Parks and Public Facilities
2 section, and it's very broad, I would think that would
3 go along with the General Plan. So I'd just like to get
4 your input on what people think this document could
5 become.

6 I'm reading line by line all of these
7 policies, if -- if someone could turn it into ordinance.
8 Just a public employee may be stuck having to go through
9 this whole document for anyone coming in for a family
10 subdivision or district boundary amendment.

11 CHAIR HEDANI: Corp Counsel.

12 MR. GIROUX: As far as how a document like
13 this is used in the -- you know, by the County or by
14 planners, it's -- it's hard to say -- you know, that a
15 pretty broad hypothetical. But what -- I think what you
16 have to understand is that although it's passed by
17 ordinance, the -- it's not -- it's not -- it doesn't
18 develop a law in the sense that -- unless there's
19 another law that requires consistency with it. That's
20 where the hangup comes.

21 Sub -- right now, the subdivision and your
22 Special Management Area, within those laws, it says you
23 cannot do such and such unless it's consistent with the
24 General Plan, Community Plan. And so that's where the
25 hook comes. This plan in and of itself may or may not

1 road. You gotta expand a road, you gotta put curbs,
2 you've gotta put gutters. When every Community Plan is
3 saying, well, we want these areas to remain rural. What
4 we're doing is we're continuing to zone it Urban, trying
5 to get it to remain Rural, when the directive from the
6 Community Plan and the General Plan is develop rural
7 road standards. Never been done.

8 So you can see how if you're -- if you're
9 looking at it, is it a law, well -- well, nobody seems
10 to have followed it in the last 10 years. Or is it
11 gonna ruin a project. Yeah, because you can't subdivide
12 now.

13 CHAIR HEDANI: Thank you, Jim.

14 MR. GIROUX: So that's your -- that's where
15 you're gonna have to find the balancing. It's, are you
16 gonna try to meet your expectation or are you gonna try
17 to deal with what's already on the table.

18 CHAIR HEDANI: Okay. The question -- the
19 question on the floor -- the question on the floor is
20 whether or not to delete Action Item 2, is what we're
21 talking about. That's what we're discussing, is the
22 motion to delete.

23 Commissioner Mardfin.

24 COMMISSIONER MARDFIN: My colleagues made a
25 very good suggestion. Because I'm not against this

1 stop anything, if there's not another law that says that
2 whatever you're doing has to be consistent with it.
3 Because there's -- there's policies, there's -- and then
4 there's ordinances. Within zoning, there's ordinances;
5 within Title 18, there's ordinances; within Title 16,
6 there's ordinances. And those are all laws. And at
7 this point in time, right now, there's a lot of
8 inconsistencies between the law and your current General
9 Plan. So that's where the hangup comes, when -- when
10 somebody in the County is reviewing the General Plan --
11 or reviewing a proposed action, and, all of a sudden,
12 they realize, oh, wait a second, your subdivision's not
13 consistent with the General Plan. That's when, all of a
14 sudden, it jams -- you know, everybody is, oh, oh.
15 Well, the document's been there for years, you -- you
16 know what I mean. And a lot of times the law doesn't
17 catch up with your general policy.

18 Right now, a perfect example is that the
19 Community Plans, about five of them, say that you should
20 have rural road standards. Well, there's already been
21 like six developments that's gotten jammed up because
22 the government never bothered to go and develop rural
23 road standards. It's all still based on Title 18. This
24 archaic thing that means that if that property is zoned
25 -- is State designation something, you've gotta build a

1 particular thing, but maybe not put it into
2 Infrastructure where we're not specifying particular
3 areas. You suggested it go where?

4 COMMISSIONER GUARD: It's already in Heritage
5 Resources.

6 COMMISSIONER MARDFIN: It's in Heritage
7 Resources. So we wouldn't be moving it there.

8 CHAIR HEDANI: Okay. You guys gotta speak one
9 at a time.

10 COMMISSIONER MARDFIN: I'm sorry.

11 CHAIR HEDANI: Commissioner Mardfin, any other
12 comments, discussion? Do you wanna withdraw your motion
13 or you wanna go for a vote?

14 COMMISSIONER MARDFIN: I wanna call the vote
15 on it because if it's in the other section, then it can
16 be deleted here and then be consistent about not having
17 specifics in the --

18 CHAIR HEDANI: Commissioner Starr.

19 COMMISSIONER STARR: Yeah. I want to know if
20 it is in Heritage Resources. If it is, I have no
21 problem with pulling it from here. I just want to know.

22 CHAIR HEDANI: Any other discussion?

23 COMMISSIONER STARR: Can he hear from Staff on
24 that, Mr. Chair?

25 CHAIR HEDANI: While they're searching for

1 that, is there any other discussion? Commissioner
2 Hiranaga.

3 COMMISSIONER HIRANAGA: Action Item Number 4,
4 on Page 26, I make a motion to delete that -- woops --
5 make a motion to delete Action Item Number 4. I think
6 it's too specific. You identify --

7 CHAIR HEDANI: Why don't you hold that
8 thought, Kent, until we dispose of this first one?
9 Staff, any comments on Heritage Resources?

10 MR. MICHAELSON: Yeah. If you have it, I
11 believe what it says is that it's -- there should be a
12 protection plan as opposed to a management plan. Is
13 that correct?

14 CHAIR HEDANI: Commissioner Guard.

15 COMMISSIONER GUARD: Thank you. Objective 2,
16 Policy 1, on Page 9. And in the book, it's, "Work with
17 appropriate agencies and community members to protect
18 Ahihi-Kinau Preserve, Honolua Bay Marine Life
19 Conversation District, and Makena State Park," and then
20 any special managed conservation areas. So I don't know
21 if it would -- that was Policy 1 of Objective 2,
22 Shoreline, Reefs and Nearshore Water.

23 CHAIR HEDANI: Additional discussion?
24 Commissioner Mardfin.

25 COMMISSIONER MARDFIN: Given that we have a

1 policy there, I would move -- change a motion to delete
2 to a motion to move Action Item 2 under Parks to the
3 comparable action area under the place that J.B. just
4 cited.

5 CHAIR HEDANI: Second?

6 COMMISSIONER SHIBUYA: Second.

7 CHAIR HEDANI: Discussion?
8 (Silence.)

9 CHAIR HEDANI: So the motion has been amended
10 to move this to the Heritage Resources Section. Staff,
11 do you have any comments on that? No comments? Ready
12 for the question? All those in favor, signify by saying
13 "aye."

14 (A chorus of ayes.)

15 CHAIR HEDANI: Opposed, "nay."
16 (Silence.)

17 CHAIR HEDANI: Carried. Thank you.
18 Commissioner Hiranaga.

19 COMMISSIONER HIRANAGA: Motion to delete
20 Action Item Number 4 on Page 27.

21 VICE-CHAIR U`U: Second.

22 CHAIR HEDANI: Seconded by Commissioner U`u.
23 Discussion? Commissioner Hiranaga.

24 COMMISSIONER HIRANAGA: Yeah. I think this is
25 just too specific for a Maui Island Plan. All you have

1 to do is order a title report on these easements and
2 they'll tell you who owns it. If they don't know, it's
3 gonna cost you \$5,000 to find out who owns it. So I
4 don't see why we need this at this level.

5 CHAIR HEDANI: Commissioner Mardfin.

6 COMMISSIONER MARDFIN: I'm gonna vote against
7 the motion to delete. And after -- assuming it's not
8 deleted, I'm gonna move that we add in "old government
9 roads." I think the idea is good, that we use stuff --
10 easements that exist for current needs. So I -- I think
11 railroad easement is just too narrow. And I broadened
12 that out. But I like the general idea.

13 CHAIR HEDANI: Commissioner Shibuya.

14 COMMISSIONER SHIBUYA: I concur with
15 Commissioner Mardfin's assessment there, because this
16 was actually meant to be government easements. We do
17 have old government easements. And many of these
18 government easements include the proposed corridors for
19 mass transit throughout Maui County. And so these are
20 crucial and strategically located locations. Especially
21 if you're trying to minimize use of energy, these are
22 actually horse/mule drawn type of roadways. They are
23 not steep. They are not difficult to move any vehicle
24 through. And so we would need to retain this aspect and
25 include the railroad and government roads easements.

1 CHAIR HEDANI: Additional discussion?
2 Commissioner Hiranaga.

3 COMMISSIONER HIRANAGA: I'm not opposed to
4 rewording this Action Item. Most old railroad easements
5 are private property. If you have unsubstantiated
6 ownership on old government right-of-ways, then I think
7 this language needs to be tightened up a little bit.
8 Because all the railroads were private entities. There
9 was no government railroads. So I think we need to look
10 at maybe just saying, "Identify the legal status of old
11 roadways."

12 I understand what you're saying. There's a
13 lot of roadways that the State won't take ownership of
14 and the County won't take ownership of, but it's there.
15 But nobody maintains it, people use it, so you wanna try
16 and identify who owns it so that you can obtain the
17 right to develop it or improve it. So -- but old
18 railroad easements is not the right word to use. It
19 should be some type of right-of-way. "Old established
20 right-of-ways," maybe, or -- or something.

21 CHAIR HEDANI: Commissioner Shibuya.

22 COMMISSIONER SHIBUYA: I like the suggestion
23 that we change the wording from "old railroad easements"
24 to maybe "roadway easements," if that's -- or
25 "government easements."

1 COMMISSIONER HIRANAGA: How about "historical
 2 right-of-ways?"
 3 COMMISSIONER SHIBUYA: Some are not
 4 historical.
 5 COMMISSIONER HIRANAGA: Well, there may not be
 6 easements. Easement is a specific word. I don't like
 7 -- I prefer "right-of-ways."
 8 CHAIR HEDANI: Additional discussion?
 9 COMMISSIONER HIRANAGA: "Historical and
 10 non-historical right-of-ways."
 11 CHAIR HEDANI: The motion on the floor is to
 12 delete Action Item Number 4. Okay? We don't have any
 13 amendments to the motion.
 14 Commissioner Starr.
 15 COMMISSIONER STARR: Yeah, I like changing it
 16 to the "historical right-of-ways" rather than deleting
 17 it. I guess that's up to the maker and the second.
 18 COMMISSIONER HIRANAGA: I can withdraw my
 19 motion to delete if the second will agree.
 20 VICE-CHAIR U`U: I'm not gonna. No. I agree.
 21 CHAIR HEDANI: Just for the sake of it. Okay.
 22 Is there a motion on the floor to restate Action Item
 23 Number 4? Commissioner Mardfin.
 24 COMMISSIONER MARDFIN: I move that old rail --
 25 Action Item 4, it be changed to, "Identify government

1 CHAIR HEDANI: Additional discussion? Ready
 2 for the question?
 3 (Silence.)
 4 CHAIR HEDANI: The question on the floor is to
 5 restate Action Item Number 4. Personally, I feel Action
 6 Item Number 4 shouldn't even be in the General Plan.
 7 But having said that, all those in favor of restating
 8 Action Item Number 4 to read -- you wanna repeat your --
 9 COMMISSIONER MARDFIN: What we have up on the
 10 board now is, "Identify government" -- now I can't read
 11 it.
 12 MS. STALEY: Hold on just two seconds.
 13 CHAIR HEDANI: They're gonna make it big for
 14 my weak eyes.
 15 COMMISSIONER MARDFIN: "Identify government
 16 right-of-ways to determine if they can be incorporated
 17 into the "-- dah, dah, dah.
 18 CHAIR HEDANI: Okay. All those in favor,
 19 signify by saying "aye."
 20 (A chorus of ayes.)
 21 CHAIR HEDANI: Opposed, "nay."
 22 COMMISSIONER HIRANAGA: Nay.
 23 CHAIR HEDANI: Carried. Thank you.
 24 Any additional items? Commissioner Mardfin.
 25 COMMISSIONER MARDFIN: I have a question for

1 right-of-ways to determine if they can be incorporated
 2 into the Island-wide parks" --
 3 CHAIR HEDANI: "And recreation functional
 4 plan."
 5 COMMISSIONER MARDFIN: "And recreation
 6 functional plan."
 7 CHAIR HEDANI: Is there a second?
 8 COMMISSIONER STARR: I'll second that.
 9 CHAIR HEDANI: Seconded by Commissioner Starr.
 10 Discussion? Commissioner Hiranaga.
 11 COMMISSIONER HIRANAGA: I'd like to propose a
 12 friendly amendment. Versus "identify," it's "confirm --
 13 "Clarify legal status of historical right-of-ways."
 14 Because when you say government, now you taking away
 15 private right-of-ways that are in question. So it just
 16 should be historical right-of-ways. Clarify the legal
 17 status of historical right-of-ways.
 18 CHAIR HEDANI: Commissioner Mardfin.
 19 COMMISSIONER MARDFIN: I -- while I think
 20 there's some merit in that, it's -- the private ones we
 21 can't use very much for parks. And so I want -- I had
 22 taken away the legal status because I think that's sort
 23 of a trivial issue. I wanted to identify governmental
 24 right-of-ways because those the government can convert
 25 fairly easily.

1 the Planning Department. In Policy 1, I want some sense
 2 of what is meant here. It's, "Develop and" -- adapt --
 3 "adopt and regularly update an Island-wide parks and
 4 recreation functional plan."
 5 And I guess what I'm concerned about is will
 6 this be done centrally? Will the communities do it?
 7 Will each community have an input into it? I -- I want
 8 some sense of how this is gonna operate. I mean, if --
 9 if a bunch of people in this room were gonna do it, not
 10 us, but somebody else, without input from all the
 11 communities, I think we're in for trouble. I think
 12 these should be done at the community level. And
 13 then -- and then brought together and somehow sorted out
 14 and prioritized.
 15 CHAIR HEDANI: Mr. Summers.
 16 MR. SUMMERS: Thank you, Mr. Chairman.
 17 Yes, typically, there's extensive community
 18 involvement during the development of these types of
 19 documents. I think the Water Use and Development Plan
 20 is a pretty good example of that.
 21 CHAIR HEDANI: Okay. Additional discussion?
 22 Commissioner Hiranaga.
 23 COMMISSIONER HIRANAGA: Propose to amend
 24 Policy Number 10 by deleting the last portion, "Such as
 25 resolving joint use of facilities and properties."

1 CHAIR HEDANI: Is there a second?
 2 VICE-CHAIR U`U: Second.
 3 CHAIR HEDANI: Seconded by Commissioner U`u.
 4 Discussion? Commissioner Hiranaga.
 5 COMMISSIONER HIRANAGA: Yeah. I'm not in
 6 favor of State and County use -- sharing or jointly
 7 using facilities. That's gonna create, to me, mayhem.
 8 We have County and State workers working together trying
 9 to figure out who owns what. I know they're painted
 10 different colors, you know. But whose hammer is that,
 11 is that a State hammer or County hammer, or shall we
 12 just share that.
 13 CHAIR HEDANI: Commissioner Shibuya.
 14 COMMISSIONER SHIBUYA: May I make a comment
 15 here related to that? Baldwin High School does not have
 16 a gymnasium per se. It's a -- well, they do have a
 17 gymnasium there, a State one is across the street on
 18 Nakoia Drive, and then the County has War Memorial
 19 Gymnasium where they have the basketball games, too,
 20 sometimes. They also don't have -- Baldwin does not
 21 have a swimming pool, but the County has it, which
 22 Baldwin High School students use. Baldwin does not have
 23 a football field, they use the County's field. And they
 24 use a practice field that is not really a football
 25 field. They don't have a stadium, but they use the War

1 a motion to delete. If you take out that "such as,"
 2 then it comes to a general statement that ought to apply
 3 for everything in the plan and it shouldn't be under
 4 Parks. So I like it in. It's a way of giving some
 5 context to the thing. Plus, when we get the State of
 6 Hawaii to build a pool at Hana School, it will be open
 7 to the community.
 8 CHAIR HEDANI: Additional discussion?
 9 Remember, we're dealing with a General Plan
 10 now.
 11 Director Hunt.
 12 MR. HUNT: Staff would agree with Commissioner
 13 Mardfin's comments.
 14 CHAIR HEDANI: Additional discussion?
 15 (Silence.)
 16 CHAIR HEDANI: Ready for the question? All
 17 those in favor of the motion to delete the words, "Such
 18 as resolving joint use facilities, use of facilities and
 19 properties," signify by saying "aye."
 20 VICE-CHAIR U`U: Aye.
 21 CHAIR HEDANI: Opposed, "nay."
 22 (Some Commissioners voiced "nay.")
 23 (A chorus of nays.)
 24 CHAIR HEDANI: Motion is lost.
 25 Discussion? Commissioner Mardfin.

1 Memorial Stadium. So I'm saying they are shared types
 2 of opportunities here.
 3 CHAIR HEDANI: Additional discussion?
 4 Commissioner Hiranaga.
 5 COMMISSIONER HIRANAGA: That's -- I'm not --
 6 I'm not taking it out. I'm just taking that last
 7 portion out.
 8 CHAIR HEDANI: So Action Item Number -- or
 9 Policy Number 10 would read, "Strengthen inter-agency
 10 coordination, including State and County departments,"
 11 period?
 12 COMMISSIONER HIRANAGA: Right. I just don't
 13 like that example being provided.
 14 CHAIR HEDANI: Additional discussion?
 15 COMMISSIONER HIRANAGA: Baldwin High School
 16 does have its own gymnasium that was built. They don't
 17 let anybody else use it, but boys high school basketball
 18 team, I understand.
 19 I'm glad you're so concerned about Baldwin
 20 even though you graduated Maui High. You graduated from
 21 Baldwin?
 22 COMMISSIONER SHIBUYA: Yes, I did.
 23 COMMISSIONER HIRANAGA: Oh, so did I.
 24 CHAIR HEDANI: Commissioner Mardfin.
 25 COMMISSIONER MARDFIN: I'm gonna vote against

1 COMMISSIONER MARDFIN: I would like to ask
 2 Mr. Summers the question again, because he used a term
 3 that has many meanings. When I was asking about Policy
 4 1, he said it would be done with community input. And
 5 if I hear, that can have two different -- at least two
 6 different connotations. Community input would mean the
 7 public in general from anywhere on Maui can speak about
 8 a thing. I consistently talk about Community Plans with
 9 context being the people in the local area get to make
 10 the decisions, not being made by -- I don't want Hana
 11 decisions made by Kihei people, and I don't want Hana
 12 people making the decisions for Kihei particularly. So
 13 I -- will you clarify what you had intended?
 14 CHAIR HEDANI: Mr. Summers.
 15 MR. SUMMERS: Thank you, Mr. Chairman.
 16 The plans the agencies prepare for public uses
 17 like parks have to be consistent with the Community
 18 Plans. It's a requirement of law. So there is --
 19 there's feedback occurring at multiple levels.
 20 COMMISSIONER MARDFIN: Okay. Thank you.
 21 CHAIR HEDANI: Additional discussion?
 22 (Silence.)
 23 CHAIR HEDANI: Are you ready for the question?
 24 The question on the floor is the adoption of
 25 Infrastructure, Parks, Goal, Objective 1, and policies

1 and actions. As amended, signify by saying "aye."
 2 (A chorus of ayes.)
 3 CHAIR HEDANI: Opposed, "nay."
 4 (Silence.)
 5 CHAIR HEDANI: Carried. Thank you.
 6 Objective 2. Director Mardfin -- Commissioner
 7 Mardfin.
 8 COMMISSIONER MARDFIN: You gonna make me a
 9 councilman, too.
 10 I move the adoption of Objective 2 and the
 11 attendant policies and actions that go on and on and on.
 12 COMMISSIONER SHIBUYA: I second it.
 13 CHAIR HEDANI: Seconded -- moved by
 14 Commissioner Mardfin, seconded by Commissioner Shibuya.
 15 Commissioner Mardfin has been elevated to
 16 Director, and Commissioner Hiranaga is now a councilman.
 17 Discussion? Commissioner Shibuya.
 18 COMMISSIONER SHIBUYA: I'd like to take this
 19 into consideration. And let's take a look at Objectives
 20 2 and 3. And in one case, we're setting standards and
 21 inclusion of partnering. And I'd like to include the
 22 words, "Inclusion of partnering in commercial businesses
 23 for joint uses of recreational sites." Objective 2 does
 24 not include that. And the standards in Objective 2 can
 25 be applied to Objective 3. And it's just a matter of

1 how you wanna do this. So -- I'm willing to work with
 2 Objective 2 by itself, but I'd like to consider it with
 3 -- along with some of the Objective 3 features.
 4 MR. MICHAELSON: Hang on.
 5 CHAIR HEDANI: Additional discussion?
 6 COMMISSIONER HIRANAGA: Was that a motion?
 7 COMMISSIONER SHIBUYA: No, no, no.
 8 CHAIR HEDANI: That was just discussion.
 9 Commissioner Hiranaga.
 10 COMMISSIONER HIRANAGA: Just clarification on
 11 Policy Number 9.
 12 CHAIR HEDANI: Policy 9 says, "Give priority
 13 for impact fees never neighborhood parks where public
 14 access may be compromised.
 15 Can anybody tell us what that means?
 16 Mr. Summers.
 17 MR. MICHAELSON: I think the intent of the
 18 GPAC recommendation was that if a private developer is
 19 proposing a park, but, at the same time, his project is
 20 compromising historic public access -- that could be to
 21 the shore, that could be to a streambed, a hiking
 22 trail -- that the County would prefer to retain those
 23 public access points, not essentially exchange it for a
 24 neighborhood park and take impact fees to mitigate for
 25 the park or recreation impacts.

1 CHAIR HEDANI: Does everybody understand that?
 2 I would get that from reading that, actually.
 3 Additional discussion? Commissioner Mardfin.
 4 COMMISSIONER MARDFIN: Would somebody explain
 5 to me, in Policy 2, it says, "Provide recreational
 6 facilities to equitably serve the island's
 7 neighborhoods." What does "equitably serve" mean and
 8 how would it be determined in practice?
 9 CHAIR HEDANI: Mr. Michaelson.
 10 MR. MICHAELSON: Thank you, Mr. Chair.
 11 What it tells me is that certain portions of
 12 either neighborhoods within a project, or communities,
 13 separate communities, they should all have equal access
 14 to recreational opportunities when possible. So, in
 15 other words, if you've got a project where maybe the
 16 higher end portion of the project has greater access to
 17 recreational facilities than maybe the affordable
 18 housing components of the project, that's how the word
 19 equitable reads to me.
 20 CHAIR HEDANI: Additional discussion?
 21 Commissioner Hiranaga.
 22 COMMISSIONER HIRANAGA: Action Item Number 4
 23 on Page 30. First a question. Is there a South Maui
 24 civic center?
 25 CHAIR HEDANI: Mr. Summers, is that where the

1 swimming pool is?
 2 MR. SUMMERS: That would -- yeah, the Kihei
 3 Community Center, that's correct.
 4 COMMISSIONER HIRANAGA: I'd like to make a
 5 motion to delete the words "fairground in Central Maui."
 6 CHAIR HEDANI: What item is this on, Kent?
 7 COMMISSIONER HIRANAGA: Same one, Action Item
 8 4, Page 30. "Develop reasonable park complexes such as,
 9 delete the word "fairground in Central Maui."
 10 CHAIR HEDANI: Is there a second?
 11 Additional discussion? Commissioner Hiranaga.
 12 COMMISSIONER HIRANAGA: I'm assuming this
 13 fairground in Central Maui is the one that was proposed
 14 by -- a couple mayors ago in the Maui Lani area, is that
 15 the area, which has no infrastructure? Is that what the
 16 fairgrounds in Central Maui means?
 17 CHAIR HEDANI: Mr. Summers.
 18 MR. SUMMERS: Thank you, Mr. Chairman.
 19 I wouldn't come to that conclusion based on
 20 the information that's here. I think what they're
 21 talking towards is resolving this long-standing issue
 22 about finding an adequate location for a fairground --
 23 fairgrounds.
 24 COMMISSIONER HIRANAGA: A permanent
 25 fairgrounds location?

1 MR. SUMMERS: That's correct. That's correct.
 2 COMMISSIONER HIRANAGA: In my opinion, the
 3 current fairgrounds location works just fine, and to
 4 have a fairground location that's used for four days in
 5 a year doesn't make sense to me.
 6 CHAIR HEDANI: Additional discussion?
 7 Commissioner Mardfin.
 8 COMMISSIONER MARDFIN: I would move that
 9 Action Item Number 4, the one we've been discussing,
 10 read, "develop regional park complexes." Delete, "Such
 11 as a fairground in Central Maui, Lahaina Civic Center,
 12 and South Maui Civic Center," because we're talking
 13 about particular places, and "develop regional park
 14 complexes" is more general for the plan.
 15 VICE-CHAIR U`U: Second.
 16 CHAIR HEDANI: Seconded by Commissioner U`u.
 17 Discussion?
 18 (Silence.)
 19 CHAIR HEDANI: All those in favor of the
 20 motion, signify by saying "aye."
 21 (A chorus of ayes.)
 22 CHAIR HEDANI: Opposed, "nay."
 23 COMMISSIONER HIRANAGA: Nay.
 24 CHAIR HEDANI: Carried. Thank you.
 25 Additional discussion on Objective 2?

1 Commissioner Mardfin.
 2 COMMISSIONER MARDFIN: On Action Item Number
 3 9, in light of the explanation I was given by
 4 Mr. Summers earlier, I would move -- change -- slightly
 5 changing the wording to, "Establish," delete the word
 6 "a," "community-based advisory board." And I would make
 7 it plural, "boards." And that's the two changes, delete
 8 "a" and make it "advisory boards" so that the community
 9 gets input.
 10 CHAIR HEDANI: Is there a second? Any --
 11 seconded by Commissioner Hiranaga.
 12 Discussion?
 13 (Silence.)
 14 CHAIR HEDANI: All those in favor of the
 15 motion to have Action Item Number 9 read, "Establish
 16 community-based advisory boards to prioritize and
 17 recommend the acquisition of parks and recreation, plans
 18 and facilities," signify by saying "aye."
 19 (A chorus of ayes.)
 20 CHAIR HEDANI: Opposed, "nay."
 21 (Silence.)
 22 CHAIR HEDANI: Carried. Thank you.
 23 Any other changes for Objective 2?
 24 Commissioner Shibuya.
 25 COMMISSIONER SHIBUYA: Objective 2, Policy

1 Number 3, I'd like to streamline this. And I'm
 2 proposing -- I'm just gonna read it, what I have here.
 3 "Locate parks and recreational open spaces compatible
 4 with neighborhoods, communities and natural land
 5 features."
 6 COMMISSIONER MARDFIN: Second.
 7 CHAIR HEDANI: Okay. Could you provide that
 8 to Julia so she can put that up on the board, please?
 9 Did you get that, Julia?
 10 Seconded by Commissioner Mardfin.
 11 Can you make it old person's font, please?
 12 Geriatric font, 24.
 13 MR. MICHAELSON: We're getting there.
 14 CHAIR HEDANI: "Locate parks and recreational
 15 open spaces compatible with neighborhoods, communities
 16 and natural land features," would be the revised
 17 statement. Discussion?
 18 (Silence.)
 19 CHAIR HEDANI: All those in favor, signify by
 20 saying "aye."
 21 (A chorus of ayes.)
 22 CHAIR HEDANI: Opposed, "nay."
 23 (Silence.)
 24 CHAIR HEDANI: Carried. Thank you.
 25 Additional discussion on Objective 2?

1 Commissioner Mardfin.
 2 COMMISSIONER MARDFIN: I'd like to look at
 3 Policy 6. And when I read Policy 6 by GPAC, I really
 4 liked it. Then I saw that the Director wants to delete
 5 it. Director -- it says it's included with the
 6 shoreline. I don't -- I -- I -- I think it's important
 7 enough to say it here as well.
 8 CHAIR HEDANI: Director, any comments?
 9 MR. HUNT: While staff's looking for that,
 10 just for the record, when it says "Director's," that's a
 11 synonym for Department Staff.
 12 CHAIR HEDANI: Thank you.
 13 COMMISSIONER MARDFIN: Thank you.
 14 CHAIR HEDANI: It's your fault, Jeff.
 15 MR. HUNT: And I assume my staff believes it's
 16 already included in the document somewhere so that
 17 they're trying to remove the redundancy.
 18 MR. MICHAELSON: I'm sorry?
 19 CHAIR HEDANI: Mr. Michaelson.
 20 MR. MICHAELSON: Under Heritage Resources,
 21 Shoreline, Reefs and Nearshore Water, Objective 4,
 22 Policy 2 reads, Require the dedication of public beach
 23 and rock shoreline access to and along the shoreline as
 24 a condition of development or subdivision approval.
 25 Future subdivisions and development shall be consistent

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1 with and effectuate the Shoreline Access Inventory
 2 Update Final Report."
 3 CHAIR HEDANI: That's pretty damn
 4 comprehensive. Jeez.
 5 Commissioner Starr.
 6 COMMISSIONER STARR: Yeah, that's a very
 7 different thing that talks about access. That doesn't
 8 talk about --
 9 COMMISSIONER SHIBUYA: Acquisition.
 10 COMMISSIONER STARR: -- acquisition of the
 11 shoreline.
 12 MR. MICHAELSON: I can go on. Objective 4 --
 13 or Policy 4, Objective 4, "Identify access points while
 14 further acquiring key shoreline parcels and easement
 15 rights to enhance, protect beach access and shoreline
 16 recreation." I can -- I can keep going.
 17 CHAIR HEDANI: I guess the point is, does it
 18 -- does it equate to -- does it equate to Action 6?
 19 They're talking about land acquisition along the
 20 shoreline. If the answer is yes, then the answer is
 21 yes. Mr. Michaelson?
 22 MR. MICHAELSON: Like I said, I can -- I can
 23 read through the action plans. I can tell you that I --
 24 I don't see where, by deleting this policy in the Parks,
 25 section --

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1 CHAIR HEDANI: Is that --
 2 MR. MICHAELSON: -- that it is not covered, in
 3 my opinion, several places in the Shoreline Reef and
 4 Nearshore.
 5 CHAIR HEDANI: Is the Shoreline something
 6 we're gonna cover in the future or have we already
 7 covered it?
 8 MR. MICHAELSON: The policies and action plans
 9 I just read to you, you approved.
 10 CHAIR HEDANI: Have approved?
 11 MR. MICHAELSON: Yes, sir.
 12 CHAIR HEDANI: Okay. Commissioner Mardfin.
 13 COMMISSIONER MARDFIN: Well, I take
 14 Mr. Michaelson's word that a lot of this is included
 15 somewhere else. I -- we're talking about
 16 Infrastructure, we're talking about Parks. I think this
 17 is a particularly apt policy. And I would move that,
 18 for this particular policy, we use the GPAC -- our
 19 recommendation be the GPAC recommendation, not the
 20 deletion.
 21 CHAIR HEDANI: Is there a second?
 22 COMMISSIONER STARR: Second.
 23 CHAIR HEDANI: Seconded by Commissioner Starr.
 24 Discussion?
 25 (Silence.)

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1 CHAIR HEDANI: All those in favor of retaining
 2 the GPAC final recommendation on Policy 6, signify by
 3 saying "aye."
 4 (A chorus of ayes.)
 5 CHAIR HEDANI: Opposed, "nay."
 6 (Silence.)
 7 CHAIR HEDANI: Carried. Thank you.
 8 This is a general question for staff. You
 9 know, if our population is projected to go to 240,000
 10 between now and 2030, which is roughly double, kinda
 11 sorta double the population that we have now, are we
 12 gonna double the number of parks that we have between
 13 now and then? Is that covered anywhere in this
 14 document?
 15 MR. MICHAELSON: Well, from the perspective of
 16 concurrency planning, in other words, that as
 17 development comes online, it mitigates for its impacts,
 18 those impacts, in theory, or hopefully, would include
 19 parks, open space, recreational opportunities. Now, I
 20 don't -- I think -- frankly, I think it would probably
 21 more than double because we're so far behind now.
 22 CHAIR HEDANI: Okay. Thank you.
 23 Commissioner Shibuya.
 24 COMMISSIONER SHIBUYA: I was just gonna say
 25 that as the population increases, so will the density of

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1 our recreational areas.
 2 CHAIR HEDANI: Okay. Any other questions on
 3 Objective 2?
 4 (Silence.)
 5 CHAIR HEDANI: All those in favor of adopting
 6 Objective 2 as amended, signify by saying "aye."
 7 (A chorus of ayes.)
 8 CHAIR HEDANI: Opposed, "nay."
 9 (Silence.)
 10 CHAIR HEDANI: Carried. Thank you.
 11 Commissioner Mardfin.
 12 COMMISSIONER MARDFIN: I move the adoption of
 13 Objective 3 and its attendant policies and actions.
 14 CHAIR HEDANI: Director's Recommendation?
 15 COMMISSIONER MARDFIN: Director's
 16 Recommendation.
 17 CHAIR HEDANI: Is there a second?
 18 VICE-CHAIR U`U: Second.
 19 CHAIR HEDANI: Seconded by Commissioner U`u.
 20 Discussion? Commissioner Guard.
 21 COMMISSIONER GUARD: You can go, Ward.
 22 CHAIR HEDANI: Commissioner Mardfin.
 23 COMMISSIONER MARDFIN: In Policy 6, I -- I
 24 want to know, it says, Facilitate the development of
 25 well maintained/supervised and noncommercial campgrounds

1 throughout the island." Why is it only noncommercial
 2 campgrounds?
 3 CHAIR HEDANI: Staff? Anybody? That's just
 4 the way GPAC set it up.
 5 MR. HUNT: I don't think we'd have a problem
 6 with deleting the "noncommercial."
 7 CHAIR HEDANI: Commissioner Shibuya.
 8 COMMISSIONER SHIBUYA: I would like to make a
 9 motion to reword Number 6 to, "Through private and
 10 public efforts, invest to improve, maintain and enforce
 11 respectful uses of shared use recreational facilities."
 12 CHAIR HEDANI: Thank you. Can you give that
 13 to Julia, please?
 14 Somebody has actually read all of this stuff.
 15 COMMISSIONER SHIBUYA: I need it back.
 16 CHAIR HEDANI: Is there a second on the
 17 motion?
 18 COMMISSIONER HIRANAGA: Well, let her --
 19 COMMISSIONER MARDFIN: I'll second it for the
 20 sake of discussion.
 21 CHAIR HEDANI: Seconded by Commissioner
 22 Mardfin for the sake of discussion, so we can read what
 23 it is.
 24 More big, Julia.
 25 COMMISSIONER SHIBUYA: If you don't want to

1 COMMISSIONER HIRANAGA: Can we see the GPAC
 2 recommendation?
 3 CHAIR HEDANI: Geriatric typeface, please.
 4 "Facilitate the development of
 5 well-maintained, supervised and noncommercial
 6 campgrounds throughout the island."
 7 Additional discussion on the motion? The
 8 motion on the floor is the "PC Recommendation" column,
 9 as you see it displayed there. All those in favor of
 10 the motion to amend to the restated motion as displayed,
 11 signify by saying "aye."
 12 COMMISSIONER SHIBUYA: Aye.
 13 CHAIR HEDANI: Opposed, "nay."
 14 (Some Commissioners voiced "nay.")
 15 CHAIR HEDANI: Motion is lost.
 16 Discussion? Commissioner Mardfin.
 17 COMMISSIONER MARDFIN: I move for the same
 18 Policy 6 that we delete the word "noncommercial," and,
 19 after "campgrounds," add the words, "and other
 20 recreational facilities."
 21 COMMISSIONER SHIBUYA: Second.
 22 CHAIR HEDANI: Seconded by Commissioner
 23 Shibuya.
 24 Discussion?
 25 (Silence.)

1 type, Julia, I have it here.
 2 MS. STALEY: Mo bigga.
 3 CHAIR HEDANI: It's a typical rocket scientist
 4 solution.
 5 Okay. The motion reads, "Through private and
 6 public efforts, invest to improve, maintain and enforce
 7 respectful uses of shared use recreational facilities."
 8 Warren, you wanna explain what that means?
 9 COMMISSIONER SHIBUYA: That is to have not
 10 only the County of Maui being responsible for providing
 11 for these facilities, but to have a partnership or a
 12 possibility of partnership funding for these
 13 recreational activities. And, also, to enforce it as
 14 well as improve it.
 15 CHAIR HEDANI: I see.
 16 Discussion? Commissioner Starr.
 17 COMMISSIONER STARR: Yeah, I will not be
 18 supporting this. I feel we started out with a
 19 definitive attempt to facilitate development of
 20 campgrounds, and we're ending up with a rather vague
 21 statement that doesn't mention campgrounds.
 22 CHAIR HEDANI: Additional discussion?
 23 Commissioner Mardfin?
 24 COMMISSIONER MARDFIN: No.
 25 CHAIR HEDANI: Additional discussion?

1 CHAIR HEDANI: So the motion would read, for
 2 Policy 6, "Facilitate the development of
 3 well-maintained/supervised campgrounds and other
 4 recreational facilities throughout the island." All
 5 those in favor, signify by saying "aye."
 6 (A chorus of ayes.)
 7 CHAIR HEDANI: Opposed, "nay."
 8 (Silence.)
 9 CHAIR HEDANI: Carried. Thank you.
 10 Any additional changes to Objective 6?
 11 Commissioner Guard.
 12 COMMISSIONER GUARD: Objective 3?
 13 MR. MICHAELSON: Yes.
 14 COMMISSIONER GUARD: We're on Objective 3,
 15 right?
 16 CHAIR HEDANI: Right.
 17 COMMISSIONER GUARD: I just had, I guess, a
 18 question, on Policy 7. It says to "Encourage commercial
 19 bike rental businesses to provide funding," but, in the
 20 action, we change that to "require to pay a per rider
 21 fee." So I'm just -- I don't know which one was meant
 22 to be there. If we could start deleting some of these
 23 things or -- on both ways. But --
 24 CHAIR HEDANI: Which Action Item are you
 25 referring to?

1 COMMISSIONER GUARD: Action Item 9.
 2 CHAIR HEDANI: And Policy 7?
 3 COMMISSIONER GUARD: And Policy 7.
 4 CHAIR HEDANI: Okay. So maybe staff can check
 5 that for redundancy, is that what you're saying?
 6 COMMISSIONER GUARD: Yeah, it looks like
 7 Objective 3 and 2 have a lot of redundancy.
 8 CHAIR HEDANI: Commissioner Starr.
 9 COMMISSIONER STARR: Yeah. I move that we
 10 reinsert GPAC Policies 1 and 2 because I'm not able to
 11 find them in Objective 2 as stated.
 12 COMMISSIONER MARDFIN: Second.
 13 CHAIR HEDANI: Okay. The motion is to
 14 reinsert Policies 1 and 2 on the GPAC recommendation.
 15 Seconded by Commissioner Mardfin.
 16 Discussion?
 17 (Silence.)
 18 CHAIR HEDANI: Staff, any comments?
 19 (Silence.)
 20 CHAIR HEDANI: All those in favor of the
 21 motion, signify by saying "aye."
 22 (A chorus of ayes.)
 23 CHAIR HEDANI: Opposed, "nay."
 24 (Silence.)
 25 CHAIR HEDANI: Carried. Thank you.

1 Additional changes for Objective 3?
 2 Commissioner Mardfin.
 3 COMMISSIONER MARDFIN: I would support -- for
 4 Policy Number 5, I think it's crucially important, and
 5 it might be in Cultural Resources, but I think it also
 6 belongs here. So I would support the GPAC final
 7 recommendation for Policy 5.
 8 CHAIR HEDANI: Is there a second?
 9 COMMISSIONER MARDFIN: Their recommendation.
 10 COMMISSIONER SHIBUYA: Second.
 11 CHAIR HEDANI: Seconded by Commissioner
 12 Shibuya.
 13 Discussion?
 14 (Silence.)
 15 CHAIR HEDANI: All those in favor, signify by
 16 saying "aye."
 17 (A chorus of ayes.)
 18 CHAIR HEDANI: Opposed, "nay."
 19 (Silence.)
 20 CHAIR HEDANI: Carried. Thank you.
 21 Commissioner Mardfin.
 22 COMMISSIONER MARDFIN: Under Action Number 7,
 23 the GPAC recommendation was "Develop an educational
 24 program for private landowners and the general public to
 25 ensure proper stewardship of the island's trail and

1 access systems." The Department's comment was to delete
 2 it, not being the County's kuleana. I think this is an
 3 example of what Dr. Meyer was saying earlier today. I
 4 don't think we should be -- on a lot of other things, we
 5 made it part of our kuleana. It doesn't say who will
 6 develop it. So I move that we adopt the GPAC final
 7 recommendation for Action 7.
 8 CHAIR HEDANI: Is there a second?
 9 COMMISSIONER STARR: Second.
 10 CHAIR HEDANI: Seconded by Commissioner Starr.
 11 Discussion?
 12 (Silence.)
 13 CHAIR HEDANI: All those in favor of the
 14 motion to reinstate item -- Action Item 7 -- action Item
 15 7?
 16 COMMISSIONER MARDFIN: Action Item 7.
 17 CHAIR HEDANI: Signify by saying "aye."
 18 (A chorus of ayes.)
 19 CHAIR HEDANI: Opposed, "nay."
 20 (Silence.)
 21 CHAIR HEDANI: Carried. Thank you.
 22 Okay. We're on Page 33 out of 61 under
 23 Infrastructure. We have two other sections we're
 24 supposed to cover by 8:00.
 25 Commissioner Hiranaga.

1 COMMISSIONER HIRANAGA: Where is -- where is
 2 the mauka to makai Haleakala bikeway?
 3 CHAIR HEDANI: Is that Policy 7?
 4 COMMISSIONER HIRANAGA: 7, and Action 9.
 5 CHAIR HEDANI: Staff.
 6 COMMISSIONER HIRANAGA: Just wondering where
 7 that is. Is that going down Baldwin Avenue or is that
 8 going down Haleakala Highway, or is that an independent
 9 bike route you guys are gonna create?
 10 CHAIR HEDANI: Mr. Summers, you're gonna get a
 11 permanently wrinkled forehead, you know.
 12 MR. SUMMERS: It's both. It's both. It
 13 refers to a separated bikeway for both of those roads.
 14 And I would like to note that we have an
 15 internal inconsistency between Policy 7 and the Action
 16 9, which is actually written as a policy. This was
 17 brought up by Commissioner Guard. I think we should try
 18 to reconcile that.
 19 CHAIR HEDANI: Commissioner Mardfin.
 20 COMMISSIONER MARDFIN: If we could do that
 21 right now, I would think that would be something that
 22 the Department could easily do. I mean, that's really
 23 wordsmithing. It's not a conceptual change. It's just
 24 a -- it's an internal consistency change.
 25 COMMISSIONER GUARD: Sorry for that.

1 CHAIR HEDANI: Any additional changes for
 2 Objective 3?
 3 (Silence.)
 4 CHAIR HEDANI: Ready for the question? All
 5 those in favor, signify by saying "aye."
 6 (A chorus of ayes.)
 7 CHAIR HEDANI: Opposed, "nay."
 8 (Silence.)
 9 CHAIR HEDANI: Carried. That's as amended,
 10 yeah?
 11 COMMISSIONER SHIBUYA: Yes.
 12 CHAIR HEDANI: Commissioner Mardfin.
 13 COMMISSIONER MARDFIN: We're into Public
 14 Facilities. I move the adoption of the Goal, Objective
 15 1, its policies and actions.
 16 CHAIR HEDANI: Is there a second?
 17 COMMISSIONER SHIBUYA: Second.
 18 CHAIR HEDANI: Seconded by Commissioner
 19 Shibuya.
 20 Discussion? All those -- Commissioner
 21 Hiranaga.
 22 COMMISSIONER HIRANAGA: Move to delete Policy
 23 Number 5.
 24 COMMISSIONER MARDFIN: Second.
 25 CHAIR HEDANI: Motion to delete Policy Number

1 5 by Commissioner Hiranaga, seconded by Commissioner
 2 Mardfin. Policy 5 reads, "Support the establishment of
 3 a fire station in the Haiku area to increase fire
 4 control capabilities in the region."
 5 Commissioner Hiranaga.
 6 COMMISSIONER HIRANAGA: Yeah. I don't wanna
 7 dictate to the Fire Department where they should build
 8 the next fire station. And I think that belongs in the
 9 Community Plan level.
 10 CHAIR HEDANI: Commissioner Mardfin.
 11 COMMISSIONER MARDFIN: I agree with that.
 12 It's in particular. If it was, "Support the
 13 establishment of fire stations in appropriate areas,"
 14 I'd go along with it. But this -- if -- if we leave 5
 15 in, I want the Hana pool back in.
 16 CHAIR HEDANI: Any additional discussion?
 17 (Silence.)
 18 CHAIR HEDANI: All those in favor of the
 19 motion to delete Policy 5, signify by saying "aye."
 20 (A chorus of ayes.)
 21 CHAIR HEDANI: Opposed, "nay."
 22 (Silence.)
 23 CHAIR HEDANI: Carried. Thank you.
 24 Any changes, additional changes --
 25 COMMISSIONER STARR: Yes.

1 CHAIR HEDANI: -- for Infrastructure, Public
 2 Facilities.
 3 COMMISSIONER STARR: Yes.
 4 CHAIR HEDANI: Commissioner Starr.
 5 COMMISSIONER STARR: Yeah. I move to reinsert
 6 Policy Number 6. It is not covered in Parks and
 7 Transportation.
 8 CHAIR HEDANI: Is there a second?
 9 COMMISSIONER MARDFIN: Second.
 10 CHAIR HEDANI: Seconded by Commissioner
 11 Mardfin.
 12 Discussion?
 13 (Silence.)
 14 CHAIR HEDANI: Staff, any comments?
 15 MR. MICHAELSON: Actually, I did find it under
 16 Urban Land Use. I'll read it for you. It says,
 17 "Develop community planning processes to establish
 18 standards and priorities for street beautification,
 19 public amenities, pedestrian-bicycle circulation,
 20 parking, redevelopment of target areas," on and on, "and
 21 building form design guidelines." But I have no problem
 22 with it staying in there.
 23 CHAIR HEDANI: Additional discussion?
 24 (Silence.)
 25 CHAIR HEDANI: The motion is to reinstate the

1 GPAC recommendation for Policy 6. All those in favor,
 2 signify by saying "aye."
 3 (A chorus of ayes.)
 4 CHAIR HEDANI: Opposed, "nay."
 5 (Silence.)
 6 CHAIR HEDANI: Carried. Thank you.
 7 Commissioner Mardfin.
 8 COMMISSIONER MARDFIN: On Policy 12 and 13,
 9 they -- both should have the words added "consistent
 10 with Community Plans."
 11 CHAIR HEDANI: At the end?
 12 COMMISSIONER MARDFIN: At the end of 12 and
 13 13.
 14 CHAIR HEDANI: Is there a second?
 15 COMMISSIONER SHIBUYA: Second.
 16 CHAIR HEDANI: Seconded by Commissioner
 17 Shibuya.
 18 Discussion?
 19 (Silence.)
 20 CHAIR HEDANI: Mr. Summers?
 21 MR. SUMMERS: No.
 22 CHAIR HEDANI: I interpret facial expressions
 23 as an interest in discussion.
 24 Commissioner Starr.
 25 COMMISSIONER STARR: Yeah, I can't support

1 this. I think that there should be safe walkways for
 2 children to school. And, you know, this is not -- not
 3 the third world where we wanna risk our kids' health
 4 there trying to get to school.
 5 CHAIR HEDANI: Commissioner Mardfin.
 6 COMMISSIONER MARDFIN: I agree that there
 7 should be safe walkways, but they can be designed
 8 consistent with Community Plans. And I'm afraid that
 9 without those words added, there were some who would
 10 impose standards that we would not like to see in
 11 particular communities.
 12 CHAIR HEDANI: Commissioner Hiranaga.
 13 COMMISSIONER HIRANAGA: I believe we had
 14 similar discussions regarding inserting certain words,
 15 "consistent with the Community Plan." So I will be
 16 opposing the motion because I don't want to start
 17 inserting that word into the Maui Island Plan. It's too
 18 general.
 19 CHAIR HEDANI: Right. The comment was that
 20 the entire plan has to be consistent with Community
 21 Plans, right?
 22 Additional discussion?
 23 (Silence.)
 24 CHAIR HEDANI: Ready for the question? All
 25 those in favor of the motion of inserting the words

1 16.
 2 Discussion? Commissioner Hiranaga.
 3 COMMISSIONER HIRANAGA: I'd like to suggest to
 4 the maker of the motion to separate those two. Because
 5 I am in favor of one and not in favor of the other.
 6 COMMISSIONER MARDFIN: I'll do that.
 7 COMMISSIONER HIRANAGA: If you combine them,
 8 I'm gonna vote against the motion.
 9 CHAIR HEDANI: We can by partition, into two
 10 questions.
 11 Any discussion on this question of Policy 10?
 12 (Silence.)
 13 CHAIR HEDANI: Director Hunt.
 14 MR. HUNT: The Department supports Policy 10
 15 because we believe a civic center is an island-wide
 16 issue. Under this concept, you would only have one
 17 civic center for the entire island. So even though you
 18 could argue it's specific to the Wailuku plan, we
 19 believe it's actually an island-wide issue.
 20 CHAIR HEDANI: Additional discussion?
 21 Commissioner Mardfin.
 22 COMMISSIONER GUARD: Second.
 23 COMMISSIONER MARDFIN: I'll concede to that.
 24 I'll withdraw the motion to delete Number 10.
 25 CHAIR HEDANI: The consent of the second?

1 "consistent with Community Plans" to 12 and 13, signify
 2 by saying "aye."
 3 (Some Commissioners voiced "aye.")
 4 CHAIR HEDANI: Opposed, "nay."
 5 (Some Commissioners voiced "nay.")
 6 CHAIR HEDANI: All those in favor, please
 7 raise your hand. One, two, three.
 8 Opposed, same sign. One, two, three four.
 9 Motion is lost.
 10 Additional discussion on the current
 11 objective? Commissioner Mardfin.
 12 COMMISSIONER MARDFIN: This is a question I
 13 have. I'm looking at Policy 16 that says, "Plan with
 14 community involvement for South Maui Civic Center
 15 District that will provide for a number of public
 16 facilities, public safety, recreation and the arts."
 17 And we have Policy 10 which says, "Focus future
 18 expenditures for additional government office space,
 19 parking and related facilities in Wailuku's Civic Center
 20 District." I guess I solved my question. I wanna move
 21 for the deletion of both 10 and 16 as they belong in
 22 community plans.
 23 COMMISSIONER GUARD: Second.
 24 CHAIR HEDANI: Moved by Commissioner Mardfin,
 25 seconded by Commissioner Guard to delete Policy 10 and

1 COMMISSIONER GUARD: Yeah.
 2 COMMISSIONER MARDFIN: Retain the
 3 recommendation to delete Number 16.
 4 CHAIR HEDANI: Any discussion on Policy 16?
 5 Commissioner Shibuya.
 6 COMMISSIONER SHIBUYA: No, no. I was gonna
 7 suggest another, Policy Number 17. So it has nothing to
 8 do with that, unless it's appropriate for me to go ahead
 9 and suggest for Number 17.
 10 CHAIR HEDANI: Not yet. Let's do away with 16
 11 first, yeah.
 12 The motion is to delete Policy 16. Any
 13 further discussion?
 14 (Silence.)
 15 CHAIR HEDANI: All those in favor, signify by
 16 saying "aye."
 17 (A chorus of ayes.)
 18 CHAIR HEDANI: Opposed, "nay."
 19 (Silence.)
 20 CHAIR HEDANI: Carried. Thank you.
 21 Commissioner Shibuya.
 22 COMMISSIONER SHIBUYA: For -- I propose an
 23 addition for Number 17, Policy Number 17. And that
 24 would read, "Develop plans to establish renewable energy
 25 zones at sites of resources, prefer developing firm

1 power, renewable systems, and economic and
 2 food-producing systems."
 3 COMMISSIONER STARR: Second.
 4 CHAIR HEDANI: Okay. Seconded by Commissioner
 5 Starr. This is under Public Facilities.
 6 COMMISSIONER SHIBUYA: Public Facilities. And
 7 they could be joint type of development with the County
 8 as well as private enterprises. And I didn't know where
 9 to put it, whether it was Public Facilities or someplace
 10 else. So we could put this policy in Energy if we have
 11 an Energy section.
 12 CHAIR HEDANI: Mr. Summers.
 13 MR. SUMMERS: Thank you, Mr. Chair.
 14 Staff would recommend that that type of policy
 15 go in the Energy sub-element, in the --
 16 CHAIR HEDANI: So future or past?
 17 MR. SUMMERS: It's --
 18 MR. MICHAELSON: Future. It's coming up.
 19 MR. SUMMERS: It's future.
 20 CHAIR HEDANI: It's future, okay. So hold
 21 that thought.
 22 COMMISSIONER SHIBUYA: Thank you.
 23 CHAIR HEDANI: And we'll suspend that until we
 24 get to the Energy portion.
 25 COMMISSIONER SHIBUYA: Okay.

1 CHAIR HEDANI: And bring it up again.
 2 COMMISSIONER SHIBUYA: I think it was a
 3 motion, so I move to withdraw it.
 4 COMMISSIONER STARR: It's okay with the
 5 second.
 6 CHAIR HEDANI: Okay. We could reintroduce
 7 that in the Energy portion.
 8 COMMISSIONER SHIBUYA: Right.
 9 CHAIR HEDANI: Additional discussion?
 10 Commissioner Mardfin.
 11 COMMISSIONER MARDFIN: For Action Number 4, on
 12 the fifth line down, it says, "Infrastructure and
 13 traffic calming features," then it goes on, "such as."
 14 I move we put a period after "calming features," and
 15 delete the words from "such as" all the way up.
 16 VICE-CHAIR U'U: Second.
 17 CHAIR HEDANI: Moved by Commissioner Mardfin,
 18 seconded by Commissioner U'u.
 19 Julia, can you display that up on the board,
 20 please?
 21 COMMISSIONER MARDFIN: Can I speak to my
 22 motion?
 23 CHAIR HEDANI: Commissioner Mardfin.
 24 COMMISSIONER MARDFIN: The reason I want to do
 25 this is -- we're micromanaging how they do it. I would

1 have put it "consistent with Community Plans," but
 2 that's gonna get voted down. But I don't think we ought
 3 to specify exactly how they make these things safe.
 4 CHAIR HEDANI: Additional discussion?
 5 Commissioner Starr.
 6 COMMISSIONER STARR: Yeah. I think it's very
 7 important that we start discussing the tools that we can
 8 use. This is an action. And, you know, while it may
 9 not all be suitable, say, in Kipahulu or somewhere, but
 10 they are tools that we should use. And just because
 11 they may not be suitable everywhere, using them
 12 somewhere is useful, I would like to see them stay in.
 13 CHAIR HEDANI: Commissioner Shibuya.
 14 COMMISSIONER SHIBUYA: I was just getting
 15 funny, but I've already mentioned this to some community
 16 associations, that if you really wanted to slow things
 17 down by the schools or any area, all you do is maintain
 18 larger potholes in the road. And that will slow 'em
 19 down very well quickly.
 20 CHAIR HEDANI: Commissioner Guard.
 21 COMMISSIONER GUARD: If it moves forward, it's
 22 fine. It looks like a lot of those items are discussed
 23 in the Transportation part of the Infrastructure
 24 Element. So I don't know why it's on -- again, I guess
 25 my idea of a public facility was more of a building like

1 this or a library. And Infrastructure, Transportation
 2 seemed to discuss roads and walkways for pedestrian and
 3 bicyclists. So just on a snowball.
 4 CHAIR HEDANI: Ward, is that the language that
 5 you are recommending? Is it properly displayed up on
 6 the wall?
 7 COMMISSIONER MARDFIN: Yes.
 8 CHAIR HEDANI: Yes?
 9 COMMISSIONER MARDFIN: Yes.
 10 CHAIR HEDANI: Okay. Any additional
 11 discussion on the amendment as proposed?
 12 (Silence.)
 13 CHAIR HEDANI: Director Hunt.
 14 MR. HUNT: I was wondering if the maker of the
 15 motion would agree to "bike-pedestrian friendly." The
 16 rest of the item you're deleting refers to bike paths
 17 and pathways.
 18 COMMISSIONER MARDFIN: Yes.
 19 CHAIR HEDANI: Okay. Any additional
 20 discussion?
 21 (Silence.)
 22 CHAIR HEDANI: All those in favor of the
 23 motion to amend as displayed up on the board, signify by
 24 saying "aye."
 25 (A chorus of ayes.)

1 CHAIR HEDANI: Opposed, "nay."
 2 COMMISSIONER STARR: Nay.
 3 CHAIR HEDANI: Motion is carried.
 4 Additional discussion? Commissioner Hiranaga.
 5 COMMISSIONER HIRANAGA: Policy Number 12. I
 6 make a motion to change the word "require" to
 7 "encourage."
 8 CHAIR HEDANI: Is there a second?
 9 VICE-CHAIR U`U: Second.
 10 CHAIR HEDANI: Seconded by Commissioner U`u.
 11 Discussion? Commissioner Hiranaga.
 12 COMMISSIONER HIRANAGA: The problem with using
 13 the word "require" is, if they don't do it, what's the
 14 ramification? They shut the school down?
 15 CHAIR HEDANI: Commissioner Starr.
 16 COMMISSIONER STARR: Yeah, I -- I don't agree
 17 with this. I think that we want to have safe walkways
 18 for children within a mile of each school. And unless
 19 we start to mandate it, it's not gonna happen.
 20 CHAIR HEDANI: Commissioner Shibuya.
 21 COMMISSIONER SHIBUYA: I agree we need to
 22 mandate this. Because what happens is the bus system
 23 does not pick up children or students within a mile of
 24 that school. King Kekaulike is one good example where
 25 you have jurisdictional problems between the State and

1 raising your hands. One, two, three, four, five.
 2 Oppose, same sign. One, two, three.
 3 Motion is carried.
 4 Any additional changes? Commissioner Mardfin.
 5 COMMISSIONER MARDFIN: I move the deletion of
 6 Action 9. Action 9 says, "Build the needed public
 7 facilities in the South Maui Civic Center District."
 8 That's specific for the County plan.
 9 CHAIR HEDANI: Is there a second?
 10 COMMISSIONER HIRANAGA: Second.
 11 CHAIR HEDANI: Seconded by Commissioner
 12 Hiranaga.
 13 Discussion?
 14 (Silence.)
 15 CHAIR HEDANI: All those in favor, signify by
 16 saying "aye."
 17 (A chorus of ayes.)
 18 CHAIR HEDANI: Opposed, "nay."
 19 (Silence.)
 20 CHAIR HEDANI: Carried, thank you.
 21 Any additional changes for Objective 1, public
 22 Facilities? Commissioner Hiranaga.
 23 COMMISSIONER HIRANAGA: Policy Number 13, on
 24 Page 36, move to delete.
 25 CHAIR HEDANI: Is there a second?

1 the County. So if we -- we mandate it -- we must
 2 mandate it, or else we'll get constipated in terms of
 3 getting that sidewalk built.
 4 CHAIR HEDANI: "Constipated."
 5 Commissioner Hiranaga.
 6 COMMISSIONER HIRANAGA: Just an open question.
 7 What's the ramification if the State or County does not
 8 put in the sidewalks? What are you gonna do, shut the
 9 school down?
 10 CHAIR HEDANI: Commissioner Shibuya.
 11 COMMISSIONER SHIBUYA: We would be liable, at
 12 least somebody will be liable, for any accidents that
 13 occur along this road.
 14 COMMISSIONER GUARD: Not me as a planning
 15 commissioner.
 16 CHAIR HEDANI: Any additional discussion?
 17 (Silence.)
 18 CHAIR HEDANI: The motion on the floor is to
 19 amend action Policy Number 12 to change "require" to
 20 "encourage." All those in favor, signify by saying
 21 "aye."
 22 (Some Commissioners voiced "aye.")
 23 CHAIR HEDANI: Opposed, "nay."
 24 (Some Commissioners voiced "nay.")
 25 CHAIR HEDANI: All those in favor, signify by

1 VICE-CHAIR U`U: Second.
 2 CHAIR HEDANI: Seconded by Commissioner U`u.
 3 Discussion? Commissioner Hiranaga.
 4 COMMISSIONER HIRANAGA: You know, the
 5 developer has no control over construction of public
 6 facilities. And you're gonna withhold the C of O
 7 because the State or County won't build the facility for
 8 another 20 years?
 9 CHAIR HEDANI: Additional discussion?
 10 (Silence.)
 11 CHAIR HEDANI: Director Hunt.
 12 MR. HUNT: Staff agrees with Commissioner
 13 Hiranaga.
 14 CHAIR HEDANI: Additional discussion?
 15 (Silence.)
 16 CHAIR HEDANI: Well, just for the general
 17 public's information, we're gonna take a break at 5:00
 18 for dinner, then we're gonna reconvene at 6:00. So
 19 we'll be taking a break in five minutes.
 20 Additional discussion?
 21 Four minutes. Correction.
 22 The motion is to delete Policy Number 13. All
 23 those in favor, signify by saying "aye."
 24 (A chorus of ayes.)
 25 CHAIR HEDANI: Opposed, "nay."

1 COMMISSIONER STARR: Nay.
 2 CHAIR HEDANI: Carried. Thank you.
 3 Commissioner Mardfin.
 4 COMMISSIONER MARDFIN: I would like somebody
 5 to explain to me Action 10. "Work with organizations,"
 6 blah, blah, blah, "to establish an archive center to" --
 7 "establish an archive center to preserve both digital
 8 and hard copy documents." I like the idea. I think it
 9 should be sent --
 10 MS. STALEY: It's okay. Go ahead.
 11 COMMISSIONER MARDFIN: I think it should be
 12 "archive centers," plural, personally.
 13 CHAIR HEDANI: Any comments from staff?
 14 Mr. Summers? Mr. Michaelson? No.
 15 Any additional discussion? That was just
 16 discussion item, no motion, right.
 17 COMMISSIONER MARDFIN: Well --
 18 CHAIR HEDANI: Commissioner Mardfin.
 19 COMMISSIONER MARDFIN: If there's no response,
 20 I move that "archive center" be changed to "archives
 21 centers," plural.
 22 COMMISSIONER SHIBUYA: Second.
 23 CHAIR HEDANI: Okay. Maybe we can just do
 24 that as a grammatical thing that staff will adjust, if
 25 you have no objections.

1 (Silence.)
 2 CHAIR HEDANI: Any additional changes to
 3 Objective 1? Commissioner Hiranaga.
 4 COMMISSIONER HIRANAGA: Move to delete Policy
 5 16 on page 37.
 6 COMMISSIONER MARDFIN: We deleted it already.
 7 COMMISSIONER HIRANAGA: We did? Never mind.
 8 CHAIR HEDANI: We already did that.
 9 Any additional changes to Objective 1?
 10 (Silence.)
 11 CHAIR HEDANI: All those in favor of the Goal
 12 in Objective 1 as amended, signify by saying "aye."
 13 (A chorus of ayes.)
 14 CHAIR HEDANI: Opposed, "nay."
 15 (Silence.)
 16 CHAIR HEDANI: Carried. Thank you.
 17 Want to stop here, 5:00? Go ahead and take a
 18 break for lunch. And we'll come back and tackle
 19 Infrastructure, Schools. Thank you. We'll be taking a
 20 break for one hour. ...(gavel)...
 21 (Recess, 4:57 p.m. to 5:59 p.m.)
 22 CHAIR HEDANI: ...(gavel)... Planning
 23 Commission of June 30th will come to order. We have
 24 several people that had indicated an interest in
 25 providing testimony for us. If you could please step to

1 the -- what happened to the microphone? Step to the
 2 microphone and state your name for the record. And
 3 you're welcome to begin testimony for three minutes. Is
 4 anybody interested in providing testimony?
 5 MS. CHANG: Angel -- I'm sorry.
 6 CHAIR HEDANI: If you could step to the
 7 microphone here and state your name for the record,
 8 please.
 9 MS. CHANG: Angel, come this way, sweetheart.
 10 Come this way over here.
 11 CHAIR HEDANI: My apologies, but we're time
 12 stressed.
 13 MS. CHANG: Excuse me. Thank you for
 14 accepting our testimony.
 15 Hi. Nice to see you.
 16 My name's Christina Chang. This is my
 17 daughter, Angelica, and her personal assistant, Gail.
 18 My daughter and I are residents of Waihee.
 19 And we have a nonprofit project that are called Lokelani
 20 Ohana that is leasing old Hawaiian land that has kuleana
 21 water on it. And on the one-point acre, we have a
 22 organic farming program that serves people with special
 23 needs. In fact, I was there working for four hours this
 24 morning.
 25 I will distribute this DVD so you folks can

1 understand the project.
 2 The water does not suffice to farm the entire
 3 piece of property. And it used to be wetland lo'i. And
 4 now we have an 800-square-foot farm, but we also have
 5 dryland taro. And we would like to -- we're working
 6 with the four waters, where you have submitted an
 7 application. And we're hoping to expand the water
 8 volume, to be able to bring some wetland taro.
 9 I will give you a session later, sweetie.
 10 To the land. But there's a real issue with
 11 farmers having enough water in the Waihee area. And
 12 we're very concerned about the developments taking place
 13 there, not only for the traffic, it takes 20, 30 minutes
 14 in the school time to get -- you're waiting when the
 15 Waihe'e School is coming or going.
 16 And, also, the -- there's not enough water
 17 even presently for the people who are farming. And our
 18 farming project is a model for creating four programs,
 19 residential, vocational, therapeutic and educational for
 20 people with developmental disabilities. And our small
 21 life-sharing home and farm is something we wanna create
 22 on a larger level, on a larger piece of ag land, which
 23 would really be a model for serving the
 24 community-at-large, including people with special needs.
 25 So it's a -- it's a green model, sustainable, with high

1 yield and little use. When you're really looking at the
2 conservation of the natural resources that are
3 available, it's a wonderful model.

4 And right now, in Waihe'e, there's just not
5 the resources. If you just simply look at the water by
6 itself, it's prohibitive to have development being --
7 taking place in that community.

8 So this is cotton that the kids grew. We also
9 run a weaving program. And this is a weaving that my
10 daughter did. And you can see the cotton on this side
11 of the weaving. And the kids sew it on the bags. So
12 there's this whole relationship of putting the seed in
13 the ground and growing the plant and making the threads
14 and weaving. And then they gave these to their fathers
15 for Father's Day. And so there's this whole respect of
16 the aina and this cycle of understanding the life and
17 the culture and the -- you know, a real community kind
18 of synergy.

19 This is our history book. I'll leave it out,
20 if people would like to see. And Angel -- Angel, where
21 do you live? Were you gonna tell them where you live?
22 Can you come and speak in the mike, please? Come on up
23 and tell them where you live. Come. Come. Tell them
24 where you live.

25 She's so proud of where she lives.

1 Can you tell everyone where you live, please?
2 You live on a?

3 ANGELICA CHANG: Farm.

4 MS. CHANG: A farm. What kind of farm?

5 ANGELICA CHANG: Taro leaf.

6 MS. CHANG: Taro leaf farm.

7 So it's a, wonderful, wonderful use of
8 agriculture when you can create a combination of
9 community with agriculture in a way that it can be done
10 that respects the aina, the natural resources.

11 And you're all welcome to visit our farm. And
12 we would love to see more models like this happen, not
13 only for people with disabilities, but for the community
14 at large.

15 And what we've created on that one acre. We
16 have 21 variety of indigenous kalo. And we're making
17 all that huli available at no charge for people who
18 wanna perpetuate the indigenous taro. Bobby Paia, a
19 taro farmer, has contributed that to us. And we're
20 supporting that development.

21 Lokelani Ohana is still seeking a larger piece
22 of land. And we would like that also to be taken into
23 your consciousness in looking at the planning for Maui
24 County. Because we -- there's so many people -- there's
25 over 500 people with developmental disabilities here.

1 And many of them are in residential need.

2 Thank you.

3 CHAIR HEDANI: Thank you very much, Christina.

4 MS. CHANG: Gail, did you want to say
5 something?

6 CHAIR HEDANI: Gail -- Gail Smart.

7 MS. SMART: Smart. Hi. I don't live there, I
8 live in Makawao, but I spend five days a week there with
9 Angel. And I, also, on the periphery, was involved with
10 one of the developers that wants to build 220 houses up
11 there. I had an opportunity to make a considerable
12 amount of money based on -- I don't know whether how
13 real or what he's doing is, but this is the story he
14 told me. And in this development, he had no plans for
15 any infrastructure, for a bigger road, for community
16 shopping. So the time I spend going back and forth --
17 and I'm just one vehicle. I can't imagine that many
18 other cars going up and down that road. I live in
19 Makawao on Makawao Avenue. And from 4:00 a.m. until
20 probably 2:00 or 3:00 a.m. that's all I hear are cars.

21 It's like living on the 405 Freeway in Southern
22 California. I would hate to see that happen up in
23 Waiehu. It's a beautiful community. And I really think
24 that development would ruin it.

25 So that's my opinion.

1 CHAIR HEDANI: Thank you very much.

2 Are there any other members of the public that
3 would like to offer testimony?

4 COMMISSIONER STARR: Mr. Chair, we have a
5 question.

6 CHAIR HEDANI: Question, Commissioner Mardfin.

7 COMMISSIONER MARDFIN: I don't know whether it
8 would be for you or for you, you highlighted, really,
9 two major problems, one is traffic and one is water. Do
10 you see any way for the traffic issue to be resolved?
11 Would better roads help at all? Or is that something
12 that you wouldn't want to see?

13 MS. SMART: Well, you would be taking down as
14 far as --

15 CHAIR HEDANI: If you could identify yourself
16 again for the record.

17 MS. SMART: Gail Smart. You know, the roads
18 that I travel up there are lined with homes that people
19 live in. So you would have to displace people to do
20 something like that. You would have to tear up the land
21 to do something like that. I think the -- the
22 particular developer that I was speaking to was talking
23 about building green. He was talking about building
24 bamboo houses. And sure they're green, but is all the
25 traffic green? You know, when you think of two cars per

1 family, at least, I mean, I just think it's a horrible
2 proposition. And to cloak it in something like that's
3 green makes no sense to me. So why would you displace
4 people to build a larger road?

5 I mean, there's plenty of houses for sale that
6 aren't even selling. And these were expensive homes. I
7 worked in real estate for five years. I don't see
8 people having the ability to even purchase them at this
9 time.

10 So I don't think it sounds like a very good
11 proposition.

12 CHAIR HEDANI: Thank you.

13 MS. CHANG: There were a lot of historic old
14 trees that were taken down even without the Waihe'e
15 Community Association's involvement to put in the
16 Hawaiian Homes on the way into town. And there, also,
17 would be a lot of destruction, actually, of the
18 property, not only the homes, but of the older trees.
19 And I -- I think it's such a narrow road, I mean, you
20 folks have been out Kahakuloa side. It's really not an
21 area that, by nature, yields itself to a high level of
22 development or traffic. And I would say, no, the
23 community doesn't want that.

24 COMMISSIONER MARDFIN: Thank you very much.
25 By the way, good luck with your program.

1 MS. CHANG: Thank you.

2 COMMISSIONER MARDFIN: It sounds like a
3 wonderful program.

4 CHAIR HEDANI: Thank you. That was Christina
5 Chang.

6 MS. CHANG: Yes.

7 CHAIR HEDANI: Are there any other members of
8 the public that would like to offer testimony?
9 (Silence.)

10 CHAIR HEDANI: Seeing none, public testimony
11 is closed.

12 We are on Infrastructure, Schools.
13 Commissioner Mardfin.

14 COMMISSIONER MARDFIN: I move the adoption of
15 -- for School -- Infrastructure, Schools, the Goal,
16 Objective 1, and the attendant policies and actions.

17 CHAIR HEDANI: Is there is a second?

18 COMMISSIONER SHIBUYA: Second.

19 CHAIR HEDANI: Seconded by Commissioner
20 Shibuya.

21 Thank you.

22 MS. CHANG: Thank you.

23 CHAIR HEDANI: Discussion? Commissioner
24 Shibuya.

25 COMMISSIONER SHIBUYA: I would like to include

1 a feature here, another policy, perhaps maybe Policy 10,
2 I guess. "Implement distant learning in interactive
3 teleconferencing system, especially available at remote
4 communities."

5 CHAIR HEDANI: Okay. If you could pull that
6 up on the board, please.

7 Is there a second?

8 COMMISSIONER STARR: Second.

9 CHAIR HEDANI: Seconded by Commissioner Starr.

10 COMMISSIONER STARR: Mr. Chair?

11 CHAIR HEDANI: Commissioner Starr.

12 COMMISSIONER STARR: I wonder if the maker
13 would be willing to add the words "expand or implement"
14 or "implement and expand," because there is quite a bit
15 of it, but it can -- it can be enlarged upon.

16 COMMISSIONER SHIBUYA: Agreed.

17 CHAIR HEDANI: Very good. Can you restate the
18 motion again, Warren?

19 COMMISSIONER SHIBUYA: "Implement and expand
20 distant learning, in interactive teleconferencing
21 system, especially available at remote communities."

22 CHAIR HEDANI: Discussion?

23 "Communities." "Especially at remote
24 communities." Is that correct, Warren?

25 COMMISSIONER SHIBUYA: Yes.

1 CHAIR HEDANI: Commissioner Hiranaga.

2 COMMISSIONER HIRANAGA: Is that a policy or an
3 action?

4 COMMISSIONER SHIBUYA: I thought it would be a
5 policy, but it could be an action if you would like.

6 COMMISSIONER HIRANAGA: I'm just worried when
7 you use the word "implement."

8 COMMISSIONER SHIBUYA: Oh, okay.

9 COMMISSIONER HIRANAGA: So the policy would
10 be, "support or encourage the expansion."

11 CHAIR HEDANI: So the alternative would be
12 Action Item 7 versus Policy 10.

13 Additional discussion? Commissioner Mardfin.

14 COMMISSIONER MARDFIN: This is minor, minor,
15 minor. I think -- I don't know what Commissioner
16 Shibuya said, but I -- the normal term is "distance
17 learning," not "distant learning."

18 COMMISSIONER SHIBUYA: Okay.

19 COMMISSIONER MARDFIN: I mean, distance
20 learning is the word usually used.

21 COMMISSIONER SHIBUYA: Okay.

22 COMMISSIONER MARDFIN: It's not hyphenated,
23 though.

24 CHAIR HEDANI: So, Warren, would you like this
25 as Action Item 7 or Policy 10?

1 COMMISSIONER SHIBUYA: I -- I would say put it
 2 as an action item because it does talk about implement
 3 and expand.
 4 CHAIR HEDANI: Okay. Any further discussion?
 5 Commissioner Mardfin.
 6 COMMISSIONER MARDFIN: Policy 4.
 7 CHAIR HEDANI: No. Let's vote on this one
 8 first.
 9 COMMISSIONER MARDFIN: Oh, I'm sorry.
 10 CHAIR HEDANI: All those in favor, signify by
 11 saying "aye."
 12 (A chorus of ayes.)
 13 CHAIR HEDANI: Opposed, "nay."
 14 (Silence.)
 15 CHAIR HEDANI: Carried. Thank you.
 16 Commissioner Mardfin.
 17 COMMISSIONER MARDFIN: Now Policy 4. I just
 18 wanna comment that I'm not probably gonna make a motion.
 19 It says, "Encourage the State DOE to build and maintain
 20 schools in accordance with Board of Education standards,
 21 and provide smaller community-oriented schools." Well,
 22 I'm just gonna comment that we had a nice community
 23 oriented school in Keanae. And, basically, DOE has shut
 24 it down, it's just a little too small for them. The
 25 current -- or -- and the current funding formula is

1 CHAIR HEDANI: Commissioner Mardfin.
 2 COMMISSIONER MARDFIN: And I don't wanna see
 3 something put in here that could be easily done in a
 4 Community Plan.
 5 CHAIR HEDANI: Commissioner Starr.
 6 COMMISSIONER STARR: Well, I understand the
 7 concept that this is a local matter. The Kihei High
 8 School is the one pressing issue for -- for the
 9 community of South Maui. And it really is decades
 10 overdue. And so I cannot vote to take it out just
 11 because of the -- the real importance and the urgency of
 12 it.
 13 CHAIR HEDANI: Director Hunt.
 14 MR. HUNT: Jonathan, maybe you know better
 15 than I would, students in Kaupo go to the Kihei school,
 16 and, therefore, it's a cross-regional facility.
 17 COMMISSIONER STARR: No. But it is a
 18 cross-regional issue because, right now, the students at
 19 Kihei go to high school in Wailuku or Kahului or
 20 Waihe'e, and instead of in Kihei.
 21 MR. HUNT: I guess what staff -- and, John,
 22 correct me if I'm wrong -- but even if it's a local
 23 facility, if it serves outside of that Community Plan
 24 area, it would be appropriate in an Island Plan.
 25 MR. SUMMERS: That's correct.

1 gonna cripple Hana School. They have funds for a --
 2 four teachers for the high school. And we're not -- we
 3 had to let our science teacher go, our only science
 4 teacher go, at the high school, we had to let our math
 5 teacher go at the high school, we had to let a phys. ed.
 6 teacher go, at the high school, we had to let our
 7 Spanish food service person go at the high school.
 8 And in continuation for Policy Number 8, it
 9 says, "Support partnerships, public/private nonprofit,
 10 to build new schools and improve existing facilities."
 11 And I would argue that the problem is not the building
 12 of the schools, the problem is funding the staffing of
 13 the schools. So I'm -- I don't wanna take 'em out, but
 14 that's not getting to the real problem.
 15 CHAIR HEDANI: Commissioner Hiranaga.
 16 COMMISSIONER HIRANAGA: I make a motion to
 17 delete Action Item Number 2.
 18 CHAIR HEDANI: Is there a second?
 19 COMMISSIONER MARDFIN: Second.
 20 CHAIR HEDANI: Seconded by Commissioner
 21 Mardfin. "Work with the State to expedite planning and
 22 construction of recently selected Kihei High School
 23 sites." Discussion? Commissioner Hiranaga.
 24 COMMISSIONER HIRANAGA: I don't wanna be
 25 telling the DOE where to build the high schools.

1 CHAIR HEDANI: Mr. Summers.
 2 MR. SUMMERS: Thank you, Mr. Chairman.
 3 The crowding issues at Baldwin and, to a
 4 lesser extent, Maui High are directly related to the
 5 lack of a high school in South Maui. It also has
 6 interregional traffic implications. So we do work with
 7 some of the Island Plan.
 8 CHAIR HEDANI: Commissioner Shibuya.
 9 COMMISSIONER SHIBUYA: That's what I was gonna
 10 say, too. That it does have interregional type of
 11 impact and it has a loading impact upon Kahului, Baldwin
 12 High School, and other Maui high schools. So this is
 13 very important, I think. It should be part of the Maui
 14 Island Plan.
 15 CHAIR HEDANI: Additional discussion?
 16 (Silence.)
 17 CHAIR HEDANI: All those in favor, signify by
 18 saying "aye."
 19 (Silence.)
 20 CHAIR HEDANI: Opposed nay.
 21 (A chorus of nays.)
 22 CHAIR HEDANI: Motion is lost.
 23 Additional discussion on Objective 1?
 24 COMMISSIONER STARR: Yeah.
 25 CHAIR HEDANI: Commissioner Starr.

1 COMMISSIONER STARR: Yeah. I would like to
 2 bring back in Policy 3 and suggest maybe it should be
 3 taken out from Economic Development. I think if we --
 4 we do have a section on -- inside Infrastructure for
 5 Schools and Education. I -- I think we would be remiss
 6 if we take out the mention of our -- our college.
 7 COMMISSIONER MARDFIN: Second.
 8 COMMISSIONER STARR: And I'd also like to add
 9 the words to it, after "Maui Community College," "and
 10 University of Hawaii-Maui," because now the four-year
 11 program, of which there are two tracks, I believe, are
 12 considered the University of Hawaii-Maui. Am I correct
 13 in that, Commissioner Mardfin? I believe I am.
 14 CHAIR HEDANI: Motion to reinsert Policy 3
 15 under Objective 1 with the inclusion of the words "and
 16 University of Hawaii-Maui."
 17 COMMISSIONER MARDFIN: Second.
 18 CHAIR HEDANI: Seconded by Commissioner
 19 Mardfin.
 20 Discussion?
 21 (Silence.)
 22 CHAIR HEDANI: All those in favor, signify by
 23 saying "aye."
 24 (A chorus of ayes.)
 25 CHAIR HEDANI: Opposed, "nay."

1 Design.
 2 CHAIR HEDANI: Energy Efficient Design.
 3 Commissioner U'u.
 4 VICE-CHAIR U'U: Just to add comment. That is
 5 being more directed -- I thought this was a General
 6 Plan. And we -- we now being specific to LEED. I'm all
 7 for sustainable energy, I'm all for it, but if LEED
 8 tends to take a swing to the right, then we still going
 9 down the middle, you know, we stuck on LEED. I think
 10 there's other programs out there just as effective as
 11 LEED. So I will vote "no" on this.
 12 CHAIR HEDANI: Additional discussion?
 13 (Silence.)
 14 CHAIR HEDANI: All those in favor of the
 15 motion to add the words and, "where possible, to include
 16 LEED (Leadership in Energy Efficient Design) features,"
 17 signify by saying "aye."
 18 (Some Commissioners voiced "aye.")
 19 CHAIR HEDANI: Opposed, "nay."
 20 (Some Commissioners voiced "nay.")
 21 CHAIR HEDANI: All those in favor, please
 22 raise your hand. One, two, three, four.
 23 Opposed, same sign. One, two, three, four.
 24 Chair votes opposed. Motion is lost.
 25 My concern with LEED is my personal

1 (Silence.)
 2 CHAIR HEDANI: Carried. Thank you.
 3 Any other discussion on Objective 1?
 4 Commissioner Shibuya.
 5 COMMISSIONER SHIBUYA: I'd like to modify
 6 Policy Number 8 to add, after the word "existing
 7 facilities," "and, where possible, include LEED
 8 features." So I'll read the whole thing. "Support
 9 partnerships, public and private, nonprofit, to build
 10 new schools and improve existing facilities and, where
 11 possible, include LEED features."
 12 COMMISSIONER STARR: Second.
 13 CHAIR HEDANI: Discussion? Seconded by
 14 Commissioner Starr. Discussion? Commissioner U'u.
 15 VICE-CHAIR U'U: Is there other word other
 16 than LEED that we could use?
 17 CHAIR HEDANI: Commissioner Starr.
 18 COMMISSIONER STARR: Actually, the State is
 19 doing -- is doing this. They're -- my understanding is
 20 that any new schools will be built under -- under LEED
 21 certification. So we're, basically, following up with
 22 what the State's already doing.
 23 CHAIR HEDANI: LEED stands for Leadership in
 24 Environmental --
 25 COMMISSIONER STARR: -- Energy Efficient

1 perspective is LEED is like Kellogg's or Post, it's a
 2 brand name. And there are other entities or things that
 3 could be similar.
 4 Commissioner Mardfin.
 5 COMMISSIONER MARDFIN: On Policy 8, I would
 6 move to insert the word "and staff" after the word
 7 "build."
 8 CHAIR HEDANI: What number is this?
 9 COMMISSIONER MARDFIN: Policy 8. So it would
 10 be, "Support partnerships, public, private, nonprofit,
 11 to build and staff new schools, and improve existing
 12 facilities."
 13 COMMISSIONER STARR: I'll second that.
 14 CHAIR HEDANI: Moved by Commissioner Mardfin,
 15 seconded by Commissioner Starr to word the words -- add
 16 the words "and staff" to Policy Number 8 between "build"
 17 and "new."
 18 Discussion?
 19 (Silence.)
 20 CHAIR HEDANI: All those in favor, signify by
 21 saying "aye."
 22 (Some Commissioners voiced "aye.")
 23 CHAIR HEDANI: Opposed, "nay."
 24 (Some Commissioners voiced "nay.")
 25 CHAIR HEDANI: All those in favor, please

1 signify by raising your hands. One, two, three, four.
 2 Opposed, same sign. One, two, three.
 3 Chair votes "aye." Motion passes.
 4 Any additional discussion? Commissioner
 5 Hiranaga.
 6 COMMISSIONER HIRANAGA: Just from a
 7 grammatical standpoint, you're gonna build new staff
 8 under infrastructure?
 9 CHAIR HEDANI: To build in staff.
 10 VICE-CHAIR U`U: We can't even keep 'em and we
 11 gonna build 'em.
 12 CHAIR HEDANI: Partnerships to build new staff
 13 in schools.
 14 COMMISSIONER MARDFIN: Building the schools,
 15 staffing the schools.
 16 CHAIR HEDANI: Yeah, I guess that's possible
 17 grammatically.
 18 Any additional discussion on Objective 1?
 19 Commissioner Hiranaga.
 20 VICE-CHAIR U`U: I just wanted a clarification
 21 -- an expansion on Action 3. What are the merits of
 22 connecting Kihei High School with the Maui R&T Park?
 23 And why just Kihei?
 24 CHAIR HEDANI: Commissioner Mardfin.
 25 COMMISSIONER MARDFIN: In response to that, I

1 think the attempt -- and that's why I didn't object to
 2 this particular action, as -- as being a specific, it's
 3 -- you -- the Maui Research & Development Park is -- is
 4 a high-level research area connected with schools. And
 5 you start training people for high level jobs in the
 6 future. And I think that could attract people from all
 7 over the island and not just merely Kihei students. So
 8 I -- I think it's a way of preparing our workforce, our
 9 future workforce for the high-tech jobs we hope to have
 10 here.
 11 COMMISSIONER HIRANAGA: Actually, I was hoping
 12 for an explanation from staff.
 13 COMMISSIONER MARDFIN: Sorry.
 14 COMMISSIONER HIRANAGA: It came from the GPAC.
 15 CHAIR HEDANI: Mr. Summers. Director.
 16 MR. HUNT: Staff concurs with the Commissioner
 17 Mardfin's comments.
 18 CHAIR HEDANI: Commissioner U`u.
 19 VICE-CHAIR U`U: Then why is it stated just
 20 Kihei? We just talked about why just one specific
 21 school.
 22 MR. HUNT: That's a good question. You could
 23 conceivably just say connect it with schools, Maui
 24 schools. I think in conversations with MEDB and the
 25 developers of the R&T Park, it's always, obviously, just

1 centered around Kihei High School because of the
 2 proximity. But your comments are well-taken.
 3 CHAIR HEDANI: Commissioner Shibuya.
 4 COMMISSIONER SHIBUYA: Really, the advanced
 5 classes or classes specific with this distance learning,
 6 you have this teleconferencing that's available for
 7 astronomy as well as for high-tech park as well as for
 8 other type of remedial classes that can be given to the
 9 various schools. And it doesn't have to be only remote
 10 schools. But you can spread that opportunity. And we
 11 just approved the distance learning, interactive
 12 teleconferencing system.
 13 CHAIR HEDANI: So do you wanna generalize this
 14 one, Commissioner Mardfin?
 15 COMMISSIONER MARDFIN: If we delete -- if we
 16 defeat the motion to delete, I would be willing to
 17 propose that we add, after "Kihei High School," "and
 18 other Maui schools." But we have to defeat the motion
 19 to delete first.
 20 VICE-CHAIR U`U: Who made the motion?
 21 CHAIR HEDANI: We have a motion on the floor.
 22 Commissioner Mardfin.
 23 COMMISSIONER MARDFIN: If there's no motion on
 24 the floor, I will move that we add the words -- after
 25 "Kihei High School," add the words "and other Maui

1 schools."
 2 VICE-CHAIR U`U: Especially Keanae. Second.
 3 CHAIR HEDANI: Moved by Commissioner Mardfin,
 4 seconded by Commissioner U`u to add the words "and
 5 other" --
 6 COMMISSIONER MARDFIN: "And other Maui
 7 schools."
 8 CHAIR HEDANI: "And other Maui schools."
 9 Discussion?
 10 (Silence.)
 11 CHAIR HEDANI: All those in favor, signify by
 12 saying "aye."
 13 (A chorus of ayes.)
 14 CHAIR HEDANI: Opposed, "nay."
 15 (Silence.)
 16 CHAIR HEDANI: Carried.
 17 Have you guys beaten this one up enough? Are
 18 you ready for the question on the main motion? On
 19 Objective Number 1, policies and actions as amended, all
 20 those in favor signify by saying "aye."
 21 (A chorus of ayes.)
 22 CHAIR HEDANI: Opposed, "nay."
 23 (Silence.)
 24 CHAIR HEDANI: Carried. Thank you.
 25 Commissioner Mardfin.

1 COMMISSIONER MARDFIN: I move the adoption of
 2 Objective 2 and its attendant policies and actions.
 3 CHAIR HEDANI: Is there a second?
 4 COMMISSIONER SHIBUYA: Second.
 5 CHAIR HEDANI: Seconded by Commissioner
 6 Shibuya.
 7 Discussion?
 8 (Silence.)
 9 CHAIR HEDANI: All those in favor of Objective
 10 Number 2, Policies and Actions -- Commissioner Mardfin.
 11 COMMISSIONER MARDFIN: I wanted to ask if
 12 somebody could explain what Action 2 means.
 13 CHAIR HEDANI: Staff, Mr. Michaelson.
 14 MR. MICHAELSON: To be honest, I am not
 15 familiar with that initiative. I have never seen it.
 16 CHAIR HEDANI: Commissioner Starr.
 17 COMMISSIONER STARR: It's a national program
 18 in -- in Hawaii. It's been put forward by NuPAC. We
 19 had a presentation on it by Mark -- by Mark Fenton. And
 20 this is a program to make sure that kids can approach
 21 schools. The legislature has pending legislation on
 22 this and probably will implement some degree of it next
 23 term. But it means that there is every -- it's a lot of
 24 the same stuff we're talking about, making sure that
 25 there's sidewalks, bike paths and safe places for

1 CHAIR HEDANI: Carried. Thank you.
 2 Commissioner Mardfin.
 3 COMMISSIONER MARDFIN: We're up to
 4 Infrastructure, Health Care. I move the adoption of the
 5 Goal, Objective 1, and attendant policies and actions.
 6 CHAIR HEDANI: Is there a second?
 7 COMMISSIONER SHIBUYA: Second.
 8 CHAIR HEDANI: Seconded by Commissioner
 9 Shibuya.
 10 Discussion? Commissioner Mardfin.
 11 COMMISSIONER MARDFIN: Didn't we do this when
 12 we did Economic Development?
 13 CHAIR HEDANI: I feel like we keep doing the
 14 same thing over and over. Staff, any comment?
 15 Commissioner Mardfin.
 16 COMMISSIONER MARDFIN: Well, people look up
 17 whether or not we've done it.
 18 A lot of this says delete, not -- the
 19 Director's Recommendation says, delete, not country's
 20 kuleana -- not County's kuleana. And I'm not buying
 21 that at this point. I mean, we talked about schools,
 22 which weren't the County's kuleana, we talked about --
 23 we're gonna talk about harbors right after this. I -- I
 24 think we should -- I guess I made the motion to adopt,
 25 but if I had it to do over again, I would do it with the

1 parents to pull in by a school.
 2 CHAIR HEDANI: So it's talking about design
 3 criteria, basically?
 4 COMMISSIONER STARR: Yeah.
 5 CHAIR HEDANI: Commissioner Shibuya.
 6 COMMISSIONER SHIBUYA: If I may, the layout
 7 design of the subdivision could include pathways between
 8 various houses rather than having the students walk
 9 along the sidewalk that go around the entire block.
 10 They would just cut across into this pathway going
 11 directly to the school, and this pathway would have
 12 shaded trees so that it be easier and more convenient
 13 for the children.
 14 CHAIR HEDANI: Any further discussion -- there
 15 was no motion on the floor for that, yeah, that was just
 16 discussion. Any further discussion on Objective 2?
 17 (Silence.)
 18 CHAIR HEDANI: All those in favor of Objective
 19 2 -- this is Director's Recommendation, right?
 20 COMMISSIONER MARDFIN: Yes.
 21 CHAIR HEDANI: Its policies and actions, as
 22 recommended by the director, signify by saying "aye."
 23 (A chorus of ayes.)
 24 CHAIR HEDANI: Opposed, "nay."
 25 (Silence.)

1 GPAC's final recommendations, not the Director's.
 2 COMMISSIONER SHIBUYA: If you modified it, I
 3 will second it.
 4 COMMISSIONER MARDFIN: I would.
 5 CHAIR HEDANI: How about if we delete the
 6 words "not County's kuleana?"
 7 COMMISSIONER MARDFIN: I guess my motion would
 8 be that we adopt the Goal, Objective 1, Policies and
 9 Actions as recommended by GPAC.
 10 CHAIR HEDANI: That would be an amendment to
 11 the main motion that's on the floor?
 12 COMMISSIONER MARDFIN: It's a clarification
 13 because I didn't specify at the time I made the original
 14 motion.
 15 COMMISSIONER SHIBUYA: Second.
 16 CHAIR HEDANI: Discussion? Commissioner
 17 Starr.
 18 COMMISSIONER STARR: Yeah. Just although it's
 19 not the County's kuleana to provide it, County agencies
 20 such as this one are regularly called upon to review the
 21 proposals relating to these things. So we -- we -- we
 22 do have a role in it, even if we're not the ones paying
 23 for it and building it.
 24 CHAIR HEDANI: Now do you feel sorry that you
 25 worked until 11:00, Dave?

1 MR. MICHAELSON: Actually, let me just throw
2 out a very quick explanation, and then you guys can
3 carry on.

4 First of all, nobody has felt the pain or
5 emotional trauma associated with our health care system
6 on Maui than myself. And if you want those stories, I
7 will be happy to share with you outside of the Planning
8 Commission meeting.

9 With that said, when I was going through this,
10 first of all, there's nothing in here that I don't agree
11 with. All right. I mean, how can you not agree with
12 improving health care on Maui, right? It's mother and
13 apple pie, or it's my wife and apple pie. But what I
14 was trying to figure out is, with all the policies that
15 we've put into this plan -- like I certainly support
16 drug prevention. All right. Have I ever seen drug
17 prevention in a comprehensive plan in 25 years? No. So
18 that's kind of my frame of mind when I went through
19 this.

20 But, again, Warren has a motion on the floor
21 to take GPAC's recommendation. And you're more than
22 welcome to take it to a vote.

23 CHAIR HEDANI: Any additional discussion?
24 Commissioner Guard.

25 COMMISSIONER GUARD: I agree with Dave that I

1 -- I do not like to see us specify, this we'll expedite,
2 this we'll expedite, this we'll expedite, because it
3 implies everything else we won't. I -- everything
4 should be expedited and streamlined, and not just -- we
5 shouldn't pick and choose. So every time we have it, we
6 ought to delete it and do it in general.

7 CHAIR HEDANI: Additional discussion?
8 (Silence.)

9 CHAIR HEDANI: Ready for the question?
10 Question is to delete Item 14, Policy 14.
11 Commissioner U`u.

12 VICE-CHAIR U`U: Are we not working on the
13 deletion on the not County's kuleana? We're not?

14 CHAIR HEDANI: Commissioner Mardfin's motion
15 was clarified. And he said his motion was for the GPAC
16 recommendation rather than the Director's
17 Recommendation. So for the Goal, Objective 1, Policies
18 and Actions, it would be all GPAC recommendations. Then
19 from under that main motion is the motion to delete 14.

20 Additional discussion?
21 (Silence.)

22 CHAIR HEDANI: All those in favor of deleting
23 Policy 14, signify by saying "aye."
24 (A chorus of ayes.)

25 CHAIR HEDANI: Opposed, "nay."

1 don't -- I agree with all of it, that we have it, but I
2 don't know if it needs to be in the Infrastructure,
3 Health Care. Because it looks very similar to the
4 health care sector of Economic Development, regarding
5 telemedicine all the way down to supporting the
6 expansion of Maui Memorial. So -- just so, for the
7 record, when I vote "nay," it's not that I want -- I
8 don't want better services on Maui.

9 CHAIR HEDANI: So you're, basically, saying
10 that it's duplicative with what we already have.

11 Commissioner Mardfin.

12 COMMISSIONER MARDFIN: I move we delete Policy
13 Number 14, which currently reads: "Expedite the land
14 entitlements and permitting process for new medical
15 facilities and demonstrate community consensus and
16 support." I want it to be deleted because it is -- we
17 should be expediting all things.

18 COMMISSIONER HIRANAGA: Before you have
19 discussion, you need a second?

20 CHAIR HEDANI: Is there a second?

21 COMMISSIONER HIRANAGA: Second.

22 CHAIR HEDANI: Okay. Commissioner Mardfin.

23 COMMISSIONER MARDFIN: I -- I made it. And it
24 was -- he's -- Mr. Hiranaga is absolutely correct, it
25 should be seconded before I discuss. I -- it's -- we're

1 COMMISSIONER STARR: Nay.

2 CHAIR HEDANI: Motion is carried.

3 Commissioner Hiranaga.

4 COMMISSIONER HIRANAGA: Policy 7, what is
5 "critical access facilities?"

6 CHAIR HEDANI: Anybody?

7 VICE-CHAIR U`U: Let me take a shot at it.
8 Kidding.

9 CHAIR HEDANI: "Support the expansion of
10 regional critical access facilities where allowed by
11 federal regulations." Is that like emergency room
12 access?

13 COMMISSIONER HIRANAGA: Let's not guess now.
14 This is important.

15 CHAIR HEDANI: Commissioner Starr.

16 COMMISSIONER STARR: I'm thinking maybe it
17 should be "critical care."

18 CHAIR HEDANI: "Support expansion of regional
19 critical care facilities where allowed." Federal
20 regulations prohibit critical care? That's right, I
21 guess they have the certificate of need process and all
22 that jazz?

23 COMMISSIONER STARR: Mr. Chair?

24 CHAIR HEDANI: Should we be adopting things we
25 don't understand?

1 Commissioner Starr.
 2 COMMISSIONER STARR: Yeah. Can we let staff
 3 research whether that's a proper use of the term and
 4 correct it if it's not?
 5 CHAIR HEDANI: Commissioner Starr.
 6 COMMISSIONER STARR: And I would like to move
 7 that, in the Goal, we add the word "all of" at the
 8 beginning of it. And in light of the national
 9 discussion over whether everyone should have health care
 10 or just some people should have health care, I need to
 11 put that in.
 12 CHAIR HEDANI: So your.
 13 COMMISSIONER MARDFIN: Second.
 14 CHAIR HEDANI: So your amendment would read,
 15 "all of Maui's residents?"
 16 COMMISSIONER STARR: Yeah.
 17 VICE-CHAIR U`U: Say that again.
 18 COMMISSIONER STARR: "All of Maui's
 19 residents."
 20 CHAIR HEDANI: Is there a second?
 21 COMMISSIONER MARDFIN: I seconded it.
 22 CHAIR HEDANI: Seconded by Commissioner
 23 Mardfin.
 24 Discussion? Commissioner Starr.
 25 COMMISSIONER STARR: I was tempted to put "and

1 visitors," but I think that might be pushing it.
 2 CHAIR HEDANI: Any additional discussion?
 3 (Silence.)
 4 CHAIR HEDANI: All those in favor of the
 5 amendment to have the words all of Maui's residents --
 6 well, "all Maui's residents," signify by saying aye.
 7 (A chorus of ayes.)
 8 CHAIR HEDANI: Opposed, "nay." Carried.
 9 Commissioner Mardfin.
 10 COMMISSIONER MARDFIN: Policy 15 currently
 11 says, "Support MEO's transportation services for
 12 dialysis patients." And while I support that, we have
 13 just opened a ground -- a national innovation in the
 14 community of Hana, with a -- with a building called Hale
 15 Pomaikai. The County was very -- and State were
 16 instrumental in putting this together. And it allows
 17 for home dialysis outside of the person's physical
 18 residence, but it's a community home. It's a model for
 19 the United States. And so I move that we add some words
 20 to recommendation 15. And the word would be, "Support
 21 MEO's transportation services for dialysis and home
 22 dialysis programs" -- "and community home dialysis
 23 programs."
 24 COMMISSIONER STARR: I'll second it, but I'd
 25 like to make a suggestion, a friendly suggestion. I

1 think we should take out the branding MEO and it should
 2 read, "support transportation services."
 3 COMMISSIONER MARDFIN: Fine. So it would
 4 read, "Support transportation services for dialysis
 5 patients and community home dialysis programs such as
 6 Hale Pomaikai."
 7 CHAIR HEDANI: Remember, General Plan, guys.
 8 Commissioner Starr.
 9 COMMISSIONER STARR: Yeah, I think we should
 10 take out the word "home" because, I mean, in Hana, it
 11 just happened to be in a residential unit, but the rest
 12 of it --
 13 COMMISSIONER MARDFIN: "Community dialysis
 14 program such as" -- I'll spell it for you. I'll spell
 15 it for you. H-A-L-E. Pomaikai, all one word,
 16 P-O-M-A-I-K-I. And you can put a make macron over the
 17 first --
 18 VICE-CHAIR U`U: K-I?
 19 COMMISSIONER MARDFIN: P-O-M-A-I-K-A-I. Don't
 20 worry about the macron.
 21 CHAIR HEDANI: Any further discussion?
 22 Commissioner Hiranaga.
 23 COMMISSIONER HIRANAGA: Well, that -- that's a
 24 motion on the floor?
 25 CHAIR HEDANI: All those in favor of the

1 motion on the floor which is displayed up on the board,
 2 to amend --
 3 COMMISSIONER STARR: Pull out "MEO."
 4 CHAIR HEDANI: -- Policy 15, as displayed,
 5 signify by saying "aye."
 6 (A chorus of ayes.)
 7 CHAIR HEDANI: Opposed, "nay."
 8 (Silence.)
 9 CHAIR HEDANI: Carried.
 10 Any additional changes to the Goal or
 11 Objective Number 1? Commissioner Hiranaga.
 12 COMMISSIONER HIRANAGA: Policy 11, on Page 43,
 13 motion to change the word "help" to "support."
 14 CHAIR HEDANI: Policy Number 11. Is there a
 15 second?
 16 COMMISSIONER MARDFIN: Second.
 17 CHAIR HEDANI: Seconded by Commissioner
 18 Mardfin.
 19 So it would read, "Support efforts to improve
 20 medical service to remote and outlying regions using
 21 mobile units."
 22 Discussion?
 23 (Silence.)
 24 CHAIR HEDANI: All those in favor, signify by
 25 saying "aye."

1 (A chorus of ayes.)
 2 CHAIR HEDANI: Opposed, "nay."
 3 (Silence.)
 4 CHAIR HEDANI: Carried. Thank you.
 5 Any other changes to Objective 1?
 6 Commissioner Hiranaga.
 7 COMMISSIONER HIRANAGA: Motion to delete 16.
 8 CHAIR HEDANI: "Maintain an adequate supply of
 9 ground ambulances in relation to the size of the
 10 population and the remoteness of the area." Is there a
 11 second?
 12 VICE-CHAIR U`U: Second.
 13 CHAIR HEDANI: Seconded by Commissioner U`u.
 14 Discussion? Commissioner Hiranaga.
 15 COMMISSIONER HIRANAGA: That's a -- that's a
 16 private service. I don't know how the County's gonna
 17 maintain an adequate supply of ground ambulances unless
 18 we go into the ambulance service.
 19 CHAIR HEDANI: Commissioner Mardfin.
 20 COMMISSIONER HIRANAGA: Not the County's
 21 kuleana.
 22 COMMISSIONER MARDFIN: I'm going to vote
 23 against the motion to delete. And it -- I'm not
 24 suggesting nothing -- everything in this plan does not
 25 surround -- depend on the County to do it. We've been

1 talking about schools, which the State does. I think
 2 maintaining an adequate supply is a policy that we want
 3 to see upheld. So I will vote against the motion to
 4 delete.
 5 CHAIR HEDANI: Additional discussion?
 6 (Silence.)
 7 CHAIR HEDANI: My only comment is on all the
 8 items where it says, "delete, not County's kuleana," I
 9 would prefer to delete 'em only because if we get so
 10 much stuff into the General Plan that we're talking and
 11 about world peace, it makes the General Plan useless in
 12 the end where you cannot really use it for anything
 13 other than a doorstop. But that's just my personal
 14 perspective.
 15 Commissioner Mardfin.
 16 COMMISSIONER MARDFIN: Well, I'm sympathetic
 17 with the Chairman's view on this. And I even share a
 18 lot of it. That horse has been out of the barn for a
 19 long, long time. So taking one out here does not solve
 20 the situation.
 21 CHAIR HEDANI: Understood. Okay. The motion
 22 on the floor is to delete 16, Policy 16.
 23 Any further discussion?
 24 (Silence.)
 25 CHAIR HEDANI: All those in favor, signify by

1 saying "aye."
 2 (Some Commissioners voiced "aye.")
 3 CHAIR HEDANI: All those opposed, same sign.
 4 (Some Commissioners voiced "nay.")
 5 CHAIR HEDANI: All those in favor, please
 6 raise your hands. One, two, three, four, five.
 7 All those opposed, same sign. One, two,
 8 three, four.
 9 Motion passes.
 10 Any further discussion? Commissioner
 11 Hiranaga.
 12 COMMISSIONER HIRANAGA: Move to delete 12,
 13 Page 43.
 14 CHAIR HEDANI: Policy 12?
 15 COMMISSIONER HIRANAGA: Right.
 16 CHAIR HEDANI: Is there a second?
 17 VICE-CHAIR U`U: Second.
 18 CHAIR HEDANI: Seconded by Commissioner U`u.
 19 "Through monitoring, ensure that current and future
 20 acute care bed needs are met consistent with the Maui
 21 Bed Needs Study."
 22 Commissioner Mardfin.
 23 COMMISSIONER MARDFIN: I'm gonna vote against
 24 this, also, because this doesn't imply that we even do
 25 anything except help monitor it. And it didn't imply

1 that the County does monitor it.
 2 CHAIR HEDANI: Additional discussion?
 3 (Silence.)
 4 CHAIR HEDANI: All those in favor of the
 5 motion to delete 12, signify by saying "aye."
 6 (Some Commissioners voiced "aye.")
 7 CHAIR HEDANI: Opposed, "nay."
 8 (Some Commissioners voiced "nay.")
 9 CHAIR HEDANI: All those in favor, please
 10 raise your hands. One, two, three, four, five.
 11 Opposed, same sign. One, two, three, four.
 12 Motion passes.
 13 Any further discussion? Commissioner
 14 Hiranaga.
 15 COMMISSIONER HIRANAGA: Policy Number 7.
 16 Change the word "support" to "explore."
 17 CHAIR HEDANI: Is there a second?
 18 VICE-CHAIR U`U: Second.
 19 CHAIR HEDANI: Seconded by Commissioner U`u.
 20 "Explore the expansion of regional critical
 21 access facilities where allowed by federal regulations."
 22 COMMISSIONER HIRANAGA: This is Policy 17.
 23 Sorry. Page 44.
 24 CHAIR HEDANI: I'm sorry. I'm sorry. Where
 25 are we at?

1 COMMISSIONER HIRANAGA: Top of Page 44, Policy
 2 17.
 3 CHAIR HEDANI: So your amendment is to --
 4 COMMISSIONER HIRANAGA: Change the word
 5 "support" to "explore."
 6 CHAIR HEDANI: So it would read, "Explore the
 7 reestablishment of a small community hospital in Hana."
 8 Discussion? Commissioner Mardfin.
 9 COMMISSIONER MARDFIN: You will understand why
 10 I have to vote against this one.
 11 MR. HUNT: A man of principles.
 12 CHAIR HEDANI: "Explore" is one step further
 13 than "support."
 14 COMMISSIONER MARDFIN: "Explore" is okay, but
 15 I got to vote against it.
 16 CHAIR HEDANI: Commissioner Hiranaga.
 17 COMMISSIONER HIRANAGA: Rather than delete, I
 18 will -- don't explore, where no man has gone.
 19 CHAIR HEDANI: So this is mediation here.
 20 Any further discussion?
 21 (Silence.)
 22 CHAIR HEDANI: All those in favor of the
 23 amendment, which is to "explore the reestablishment of a
 24 small community hospital in Hana," signify by saying
 25 "aye."

1 CHAIR HEDANI: Motion passes. Thank you.
 2 Additional questions? Commissioner Hiranaga.
 3 COMMISSIONER HIRANAGA: Just an explanation on
 4 Action 4. How does a 24/7 urgent care facility differ
 5 from the MMC's emergency room which also operates at
 6 24/7, urgent care capacity?
 7 CHAIR HEDANI: Staff. Director Hunt.
 8 MR. HUNT: Staff could research the difference
 9 between urgent care and the emergency room and come back
 10 to you.
 11 CHAIR HEDANI: Any further discussion on
 12 Objective Number 1?
 13 (Silence.)
 14 CHAIR HEDANI: Ready for the question? All
 15 those in favor of Objective Number 1, its Policies and
 16 Actions, as recommended by the GPAC final
 17 recommendation, as amended, signify by saying "aye."
 18 (Some Commissioners voiced "aye.")
 19 CHAIR HEDANI: Opposed, "nay."
 20 COMMISSIONER GUARD: Nay.
 21 CHAIR HEDANI: One "nay." Motion carries.
 22 Thank you.
 23 Commissioner Mardfin.
 24 COMMISSIONER MARDFIN: I move the adoption of
 25 the GPAC recommendations for Objective 2, its Policies

1 (Some Commissioners voiced "aye.")
 2 (A chorus of ayes.)
 3 CHAIR HEDANI: Opposed, "nay."
 4 (Some Commissioners voiced "nay.")
 5 CHAIR HEDANI: All those in favor, please
 6 raise your hands. One, two, three, four, five.
 7 Those opposed, same sign. One, two, three,
 8 four.
 9 Motion passes.
 10 Any further amendments to Objective Number 1?
 11 Commissioner Hiranaga.
 12 COMMISSIONER HIRANAGA: Action Number 3,
 13 propose to amend to delete A, B and C.
 14 CHAIR HEDANI: Is there a second?
 15 COMMISSIONER SHIBUYA: Second.
 16 CHAIR HEDANI: Seconded by Commissioner
 17 Shibuya to delete references A, B and C under Action
 18 Item 3.
 19 Discussion?
 20 (Silence.)
 21 CHAIR HEDANI: All those in favor, signify by
 22 saying "aye."
 23 (A chorus of ayes.)
 24 CHAIR HEDANI: Opposed, "nay."
 25 COMMISSIONER MARDFIN: Nay.

1 and Actions.
 2 CHAIR HEDANI: Is there a second?
 3 COMMISSIONER SHIBUYA: Second.
 4 CHAIR HEDANI: Seconded by Commissioner
 5 Shibuya.
 6 Discussion? Ready for the question?
 7 Commissioner Hiranaga.
 8 COMMISSIONER HIRANAGA: I'm not sure why the
 9 word "help" is in there all the time, but Policy Number
 10 2, motion to change the word "help" to "encourage the
 11 expansion," blah, blah, blah.
 12 COMMISSIONER MARDFIN: Second.
 13 CHAIR HEDANI: Motion to change Policy 2 to
 14 read, "Encourage the expansion of the geographic range
 15 of existing health care."
 16 Got that, Julia?
 17 She's gonna get wrinkles on her forehead, too.
 18 Discussion?
 19 COMMISSIONER HIRANAGA: She needs to catch up.
 20 "Encourage the expansion of the geographic range."
 21 CHAIR HEDANI: Any further discussion?
 22 Julia --
 23 MS. STALEY: Sorry, Tonya.
 24 I just want to double-check and make sure
 25 that, for Objective 2, the motion was for the Director

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1 or the GPAC?
 2 COMMISSIONER MARDFIN: It was for the GPAC's.
 3 MS. STALEY: Thank you.
 4 CHAIR HEDANI: Okay. Any further discussion
 5 on the amendment to Policy 2?
 6 (Silence.)
 7 CHAIR HEDANI: All those in favor, signify by
 8 saying "aye."
 9 (A chorus of ayes.)
 10 CHAIR HEDANI: Opposed, "nay."
 11 (Silence.)
 12 CHAIR HEDANI: Carried.
 13 Any further changes to Objective 2?
 14 Commissioner Hiranaga.
 15 COMMISSIONER HIRANAGA: This is kind of
 16 wordsmithing, but Policy 3, change the word "help" to
 17 "support the recruitment of medical personnel."
 18 COMMISSIONER MARDFIN: Second.
 19 CHAIR HEDANI: Seconded by Commissioner
 20 Mardfin.
 21 Discussion?
 22 (Silence.)
 23 CHAIR HEDANI: All those in favor, signify by
 24 saying "aye."
 25 (A chorus of ayes.)

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1 CHAIR HEDANI: Opposed, "nay."
 2 (Silence.)
 3 CHAIR HEDANI: Carried. Any additional
 4 changes to Objective Number 2?
 5 (Silence.)
 6 CHAIR HEDANI: All those in favor of Objective
 7 Number 2, GPAC final recommendation, as amended, signify
 8 by saying "aye."
 9 (A chorus of ayes.)
 10 CHAIR HEDANI: Opposed, "nay."
 11 (Silence.)
 12 CHAIR HEDANI: Carried. Thank you.
 13 Commissioner Mardfin.
 14 COMMISSIONER MARDFIN: I move the adoption of
 15 the GPAC final recommendations for Objective 3, its
 16 Policies and Actions.
 17 CHAIR HEDANI: Seconded by Commissioner
 18 Shibuya.
 19 Discussion?
 20 Can we pass one of these without discussion?
 21 I'm just kidding.
 22 Any discussion? Commissioner Hiranaga.
 23 COMMISSIONER HIRANAGA: Action Item 2, move to
 24 delete, first, "in West Maui," and, second, "in South
 25 Maui."

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1 COMMISSIONER MARDFIN: I second that motion.
 2 CHAIR HEDANI: Seconded by Commissioner
 3 Mardfin.
 4 Discussion?
 5 (Silence.)
 6 CHAIR HEDANI: All those in favor, signify by
 7 saying "aye."
 8 (A chorus of ayes.)
 9 CHAIR HEDANI: Opposed, "nay."
 10 (Silence.)
 11 CHAIR HEDANI: Carried.
 12 Any additional changes? Commissioner
 13 Hiranaga.
 14 COMMISSIONER HIRANAGA: I just have a question
 15 about the Center of Excellence on Aging.
 16 CHAIR HEDANI: Action Item 1.
 17 COMMISSIONER HIRANAGA: Yes. Is there such a
 18 thing or standard, or is that Viagra? Is there a model
 19 that's called the Center of Excellence of Aging, or is
 20 that just some type of title you created?
 21 CHAIR HEDANI: Mr. Michaelson.
 22 MR. MICHAELSON: A lot of what's in here came
 23 from -- and correct me if I'm wrong, Warren, if you were
 24 involved in this -- but there was a statewide sort of
 25 health care plan. This is where a lot of that comes

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1 from.
 2 Also, to be quite honest, the staff member who
 3 is responsible for staffing this IRC is no longer with
 4 Long Range Planning. So I -- I don't wanna sound
 5 ignorant, but I'm gonna claim ignorance.
 6 CHAIR HEDANI: Okay. Any additional
 7 discussion? Commissioner Hiranaga.
 8 COMMISSIONER HIRANAGA: I can't endorse
 9 something I don't know anything about. So I'm gonna
 10 make a motion to delete Action 1.
 11 VICE-CHAIR U`U: Second.
 12 CHAIR HEDANI: Seconded by Commissioner U`u.
 13 Discussion?
 14 (Silence.)
 15 CHAIR HEDANI: All those in favor, signify by
 16 saying "aye."
 17 (A chorus of ayes.)
 18 CHAIR HEDANI: Opposed, "nay."
 19 (Silence.)
 20 CHAIR HEDANI: Carried. Thank you.
 21 It was kind of like nice fluffy gobbledygook
 22 that I couldn't understand. So that was my perspective.
 23 Any further changes to Objective 3?
 24 (Silence.)
 25 CHAIR HEDANI: All those in favor of adopting

1 Objective 3, Policies and Actions, as amended, GPAC
 2 recommendations, signify by saying "aye."
 3 (A chorus of ayes.)
 4 CHAIR HEDANI: Opposed, "nay."
 5 (Silence.)
 6 CHAIR HEDANI: Carried.
 7 Commissioner Mardfin.
 8 COMMISSIONER MARDFIN: I move the adoption of
 9 the GPAC final recommendations for Objective 4 and its
 10 Policies and Actions.
 11 CHAIR HEDANI: You can say Director's
 12 Recommendation in this case because it's the same thing.
 13 COMMISSIONER MARDFIN: I could, but I'm not
 14 going to.
 15 CHAIR HEDANI: You could, but you won't.
 16 MS. PERRIERA: Good for you.
 17 CHAIR HEDANI: Seconded by Commissioner U'u.
 18 Discussion?
 19 (Silence.)
 20 CHAIR HEDANI: All those in favor -- you ready
 21 for a vote?
 22 Discussion? Commissioner Hiranaga.
 23 COMMISSIONER HIRANAGA: What -- this aging in
 24 place retrofit project, I guess I'm referring to Action
 25 Item 4. I guess that's a good thing?

1 CHAIR HEDANI: Moved by Commissioner Hiranaga,
 2 seconded by Commissioner U'u to delete the words
 3 "facilities in Hana" on Action Item number 8.
 4 Discussion? Commissioner Mardfin.
 5 COMMISSIONER MARDFIN: Could I ask -- I'm
 6 gonna obviously have to vote no, but I suggest that you
 7 not delete the word "facilities," just delete the word
 8 "in Hana," if you feel you must.
 9 COMMISSIONER HIRANAGA: Right. I stand
 10 corrected. Yeah.
 11 CHAIR HEDANI: Any additional discussion?
 12 (Silence.)
 13 CHAIR HEDANI: So the amendment would delete
 14 the words "in Hana" from Action Item 8 under Objective
 15 4.
 16 Discussion?
 17 (Silence.)
 18 CHAIR HEDANI: All those in favor, signify by
 19 saying "aye."
 20
 21 (Some Commissioners voiced "aye.")
 22 CHAIR HEDANI: Opposed, "nay."
 23 (Some Commissioners voiced "nay.")
 24 CHAIR HEDANI: Carried. Thank you.
 25 Commissioner Mardfin -- Commissioner Guard.

1 CHAIR HEDANI: "Work with the State to
 2 replicate the aging in place retrofit project."
 3 Commissioner Mardfin.
 4 COMMISSIONER MARDFIN: I asked about this. I
 5 think this is a Rick Rutiz program where he helps
 6 provide housing for kupuna. And it's an excellent
 7 program. And I wanted to comment that this entire
 8 objective and everything about it I just love. We --
 9 this is really, really important to us. So I -- I -- I
 10 know the person involved. And he does stuff all over
 11 the community. It's really great.
 12 CHAIR HEDANI: Additional discussion?
 13 Commissioner Shibuya.
 14 COMMISSIONER SHIBUYA: I fully support this
 15 aging in place building code revisions in the private
 16 homes. And it allows for people to retrofit it so that
 17 it can accommodate wheelchairs and/or other deficient
 18 abilities. And so I -- this is very, very important
 19 because we -- it does not load our medical facilities
 20 with these individuals.
 21 CHAIR HEDANI: Okay. Additional discussion?
 22 Commissioner Hiranaga.
 23 COMMISSIONER HIRANAGA: Action Item Number 8,
 24 move to delete the words "facilities in Hana."
 25 VICE-CHAIR U'U: Second.

1 COMMISSIONER GUARD: Just a note that Action
 2 Item 1 is also Action Item 2 in the Economic
 3 Development, Health Care sector.
 4 CHAIR HEDANI: Is that a motion to delete?
 5 COMMISSIONER GUARD: No. Just they can kind
 6 of start -- I'm just trying to help out and itemize
 7 where these redundancies are.
 8 CHAIR HEDANI: Okay. Maybe staff can just
 9 note that as a potential redundancy.
 10 Any further discussion?
 11 (Silence.)
 12 CHAIR HEDANI: Director Hunt.
 13 MR. HUNT: We appreciate noting whether it's
 14 redundancies. Thank you.
 15 CHAIR HEDANI: It's not easy to spot.
 16 Additional discussion?
 17 (Silence.)
 18 CHAIR HEDANI: Okay. All those in favor of
 19 Objective 4, Policies and Actions, as amended, signify
 20 by saying "aye."
 21 COMMISSIONER STARR: Mr. Chair?
 22 CHAIR HEDANI: Oh, Commissioner Hiranaga.
 23 COMMISSIONER HIRANAGA: On Action Item Number
 24 6C, you're talking about expanding programs to Hana. So
 25 does the home-delivered meals deliver to everywhere else

1 but Hana?
 2 CHAIR HEDANI: Anybody?
 3 COMMISSIONER HIRANAGA: Action Item 6C.
 4 CHAIR HEDANI: Yeah, Page 48, 6C.
 5 Commissioner Mardfin.
 6 COMMISSIONER MARDFIN: I don't know what the
 7 answer is to that. But I -- if -- if it turns out Hana
 8 isn't the only one that doesn't have it, I'd be willing
 9 to insert the words "expand this program to Hana and
 10 other underserved communities."
 11 COMMISSIONER HIRANAGA: I didn't make a motion
 12 on this.
 13 CHAIR HEDANI: Any further discussion? No?
 14 Okay. There's no motion on the floor right now.
 15 Further discussion on Objective Number 4? Commissioner
 16 Mardfin.
 17 COMMISSIONER MARDFIN: I will move, under
 18 Action 6C, that after the word "Hana," we insert the
 19 words "and other underserved communities."
 20 COMMISSIONER SHIBUYA: Second.
 21 CHAIR HEDANI: Period or under the --
 22 COMMISSIONER MARDFIN: Under the direct
 23 control of the communities.
 24 CHAIR HEDANI: So the amendment would insert
 25 the words, "and other underserved communities under the

1 direct control of the community."
 2 COMMISSIONER MARDFIN: "Communities."
 3 CHAIR HEDANI: "Communities," plural, right.
 4 Any further discussion?
 5 (Silence.)
 6 CHAIR HEDANI: All those in favor, signify by
 7 saying "aye."
 8 (Some Commissioners voiced "aye.")
 9 CHAIR HEDANI: Opposed, "nay."
 10 COMMISSIONER HIRANAGA: Nay.
 11 CHAIR HEDANI: All those in favor, please
 12 raise your hands. One, two, three, four, five, six.
 13 Okay.
 14 Opposed, same sign. One, okay.
 15 Okay. Motion passes.
 16 Any further changes to Objective 4?
 17 (Silence.)
 18 CHAIR HEDANI: All those in favor of Objective
 19 4, as amended, signify by saying "aye."
 20 (A chorus of ayes.)
 21 CHAIR HEDANI: Opposed, "nay."
 22 (Silence.)
 23 CHAIR HEDANI: Carried. Thank you.
 24 Commissioner Mardfin.
 25 COMMISSIONER MARDFIN: I move the adoption of

1 the GPAC final recommendations for Objective 5, Policies
 2 and Actions.
 3 CHAIR HEDANI: Is there a second?
 4 COMMISSIONER SHIBUYA: Second.
 5 CHAIR HEDANI: Seconded by Commissioner
 6 Shibuya.
 7 Discussion?
 8 COMMISSIONER MARDFIN: You're gonna get your
 9 wish.
 10 CHAIR HEDANI: Commissioner Hiranaga.
 11 COMMISSIONER HIRANAGA: I'm just wondering why
 12 the staff believes Policy Number 2 is not the County's
 13 kuleana.
 14 MR. MICHAELSON: I guess if the County was the
 15 only person that did that, the only organization that
 16 did that, I would -- I would go with you. But it seems
 17 to me that there's multiple programs, both federal,
 18 State, already County programs to do it. So I just felt
 19 it was relevant.
 20 But, again, I love the concept. It's warm,
 21 it's fuzzy.
 22 CHAIR HEDANI: Commissioner Hiranaga.
 23 COMMISSIONER HIRANAGA: Well, my feeling is
 24 that the County can contribute to the pot. You don't
 25 have to carry the entire ball, but they can help or

1 support. So just -- the motion was to accept the GPAC,
 2 right? All right. Thank you.
 3 CHAIR HEDANI: Any further discussion?
 4 (Silence.)
 5 CHAIR HEDANI: Ready for the question? All
 6 those in favor of adopting Objective 5, Policies and
 7 Actions as per the GPAC final recommendation, signify by
 8 saying "aye."
 9 (Some Commissioners voiced "aye.")
 10 CHAIR HEDANI: Opposed, "nay." One nay.
 11 Carried -- two nays. Carried.
 12 Commissioner Mardfin.
 13 COMMISSIONER MARDFIN: We're up to
 14 Infrastructure, Energy. Just a few more to go. I move
 15 the adoption of --
 16 CHAIR HEDANI: Pages 51 through 61?
 17 COMMISSIONER MARDFIN: No. I move the
 18 adoption of the Goal, Objective 1, and Policies and
 19 Actions under Energy.
 20 CHAIR HEDANI: Is there a second?
 21 COMMISSIONER SHIBUYA: Second.
 22 CHAIR HEDANI: Seconded by Commissioner
 23 Shibuya.
 24 Discussion? Commissioner Mardfin.
 25 COMMISSIONER MARDFIN: I move the deletion,

1 from Objective 1, the deletion of everything after the
 2 word "consumption." I think putting numbers in there is
 3 silly, to be perfectly honest. Reduce fossil fuel
 4 consumption is the objective.
 5 VICE-CHAIR U`U: And that's it?
 6 COMMISSIONER MARDFIN: Period.
 7 CHAIR HEDANI: So you would change Objective
 8 Number 1 to read, "Reduce fossil fuel consumption."
 9 COMMISSIONER MARDFIN: Period.
 10 VICE-CHAIR U`U: Second.
 11 CHAIR HEDANI: Wow, we're turning into a
 12 General Plan.
 13 Seconded by Commissioner U`u.
 14 Discussion? Commissioner Shibuya.
 15 COMMISSIONER SHIBUYA: I like the goals in
 16 percentages because it gives you some ruler or some
 17 management means in which you can gauge yourself. This
 18 is excellent in terms of seeing how much you've
 19 progressed in terms of reducing the use of fossil fuels.
 20 If you don't have a gas gauge, you won't know how well
 21 you're doing. And that's why I think it's very
 22 essential that you have this.
 23 CHAIR HEDANI: Mr. Summers.
 24 MR. SUMMERS: Thank you, Mr. Chairman.
 25 Wherever we can provide quantitative

1 and State level. So we do have plenty of data to
 2 support this.
 3 CHAIR HEDANI: Commissioner Hiranaga.
 4 COMMISSIONER HIRANAGA: So it is a coincidence
 5 that the 15 percent reduction is in 2015, the 20 percent
 6 reduction is in 2020, and the 30 percent reduction is in
 7 2030? That's a coincidence?
 8 CHAIR HEDANI: So we should reach 100 percent
 9 by the year 2100.
 10 Commissioner Mardfin.
 11 COMMISSIONER MARDFIN: I'm gonna vote for my
 12 motion. I do appreciate the position Commissioner
 13 Shibuya took and Mr. Summers. I do like -- I do think
 14 matrixes in many cases are appropriate. But as an
 15 objective, I -- I -- I think the numbers are just too
 16 arbitrary. And I -- and we're gonna be having
 17 population increase and lots of other things. I -- I
 18 just would feel more comfortable if it weren't there.
 19 I'm not unhappy if it is.
 20 CHAIR HEDANI: Director Hunt.
 21 MR. HUNT: Perhaps a compromise would be to
 22 keep in the clause using the 2005 consumption as a
 23 baseline and then stop the objective at that point.
 24 COMMISSIONER MARDFIN: If my motion fails,
 25 I'll go with that.

1 benchmarks in an objective, staff supports that. As
 2 Mr. Shibuya noted, it allows us a way to measure
 3 progress over time.
 4 CHAIR HEDANI: Do we -- do we have a baseline
 5 for 2005? We do?
 6 COMMISSIONER MARDFIN: What was it?
 7 VICE-CHAIR U`U: It would exceed it.
 8 COMMISSIONER MARDFIN: What was it?
 9 VICE-CHAIR U`U: There you go.
 10 CHAIR HEDANI: Commissioner Starr.
 11 COMMISSIONER STARR: I know. The Maui County
 12 Energy Working Group's under the Mayor. I'm not part of
 13 Working Group 2, but I believe they do have a -- they do
 14 have a number for 2005. And that's why it was put
 15 forward. I also support the matrix. I think it's a
 16 very useful tool.
 17 CHAIR HEDANI: Any further discussion?
 18 Commissioner Hiranaga.
 19 COMMISSIONER HIRANAGA: So there is a study or
 20 something that said 15, 20, 30, instead of 20, 40, 60,
 21 or --
 22 COMMISSIONER GUARD: Along the years.
 23 MR. SUMMERS: Thank you, Mr. Chairman.
 24 I don't have the data at my fingertips, but
 25 these issues have been studied extensively at the County

1 CHAIR HEDANI: Commissioner Starr.
 2 COMMISSIONER STARR: Yeah. My understanding
 3 is these are the numbers that came from DBEDT, that is
 4 statewide goals.
 5 CHAIR HEDANI: Okay. You ready for the
 6 question? The question on the floor is to delete
 7 everything after the word "consumption" on Objective
 8 Number 1. All those in favor, signify by saying "aye."
 9 (Some Commissioners voiced "aye.")
 10 CHAIR HEDANI: All those in favor, please
 11 raise your hands. One, two, three.
 12 Oppose, same sign. One, two, three, four,
 13 five.
 14 Motion is defeated.
 15 Commissioner Mardfin.
 16 COMMISSIONER MARDFIN: For Objective 1, I move
 17 the deletion of all the words after "baseline."
 18 CHAIR HEDANI: Is there a second?
 19 VICE-CHAIR U`U: Second.
 20 CHAIR HEDANI: Second by Commissioner U`u.
 21 Discussion? Commissioner Mardfin.
 22 COMMISSIONER MARDFIN: This is in support of
 23 what the Director was suggesting as a compromise. We'll
 24 take out the -- the amount of reductions I still think
 25 is totally arbitrary. And I'm not prepared to vote for

1 them at this point.
 2 CHAIR HEDANI: Okay. Commissioner Shibuya.
 3 COMMISSIONER SHIBUYA: I think the matrix are
 4 needed, DBEDT numbers are these, and these are very
 5 conservative and very attainable goals. And it's not
 6 something that is stretching the pocketbook to a point
 7 where we -- we can't achieve these. So I think this is
 8 a very good matrix that we can follow and use.
 9 CHAIR HEDANI: Commissioner Starr.
 10 COMMISSIONER STARR: Yeah. I, actually, have
 11 the draft report from the Maui County Energy Alliance
 12 working groups. If -- if anyone is interested, I can go
 13 and look them up and try to find the basis for it, you
 14 know. I mean, it's worth digging them out.
 15 CHAIR HEDANI: Additional discussion?
 16 (Silence.)
 17 CHAIR HEDANI: The motion on the floor is to
 18 delete everything after the word "baseline." Ready for
 19 the question? All those in favor, please raise your
 20 hands. Two, three.
 21 Opposed, same sign. One, two, three, four,
 22 five. Motion is defeated.
 23 Any further changes to the Goal or Objective
 24 1. Commissioner Mardfin.
 25 COMMISSIONER MARDFIN: I'm not quite sure

1 CHAIR HEDANI: Any further discussion?
 2 Commissioner Shibuya.
 3 COMMISSIONER SHIBUYA: There's also a
 4 Kobayashi who is also the energy representative, energy
 5 czar, that's correct. So, yes, there are the two belly
 6 buttons that you can point to.
 7 CHAIR HEDANI: Commissioner Hiranaga.
 8 COMMISSIONER HIRANAGA: Action Item Number 3,
 9 I'd like to change the word "require" to "encourage."
 10 CHAIR HEDANI: Action Item Number 3?
 11 COMMISSIONER HIRANAGA: Yeah.
 12 CHAIR HEDANI: Change "require" to
 13 "encourage."
 14 VICE-CHAIR U'U: Second.
 15 CHAIR HEDANI: Seconded by Commissioner U'u.
 16 Discussion? Commissioner Starr.
 17 COMMISSIONER STARR: I'll be voting against
 18 this. I feel that the County government fuel
 19 consumption should be reduced. And there's no reason
 20 that it not be required. It's -- it's possible, it's
 21 doable. We're not saying how much they have to do it,
 22 but it seems like that should be part of their job.
 23 CHAIR HEDANI: Commissioner Hiranaga.
 24 COMMISSIONER HIRANAGA: Actually, it says
 25 consistent with the objective, which is -- the objective

1 where it goes, but I didn't see it in here. Maybe Dave
 2 can help me out. But I think we should think boldly and
 3 have some sort of policy and/or action where we're
 4 talking about tax breaks for solar water, photovoltaic,
 5 support for net metering, allowing small windmills in
 6 residential neighborhoods. Although I recognize there
 7 was a discussion about noise previously. I don't have
 8 anything directly to propose, but I think we ought to
 9 put something in here dealing with that.
 10 CHAIR HEDANI: Commissioner Shibuya.
 11 COMMISSIONER SHIBUYA: The first part is only
 12 talking about conservation. The other parts are
 13 initiatives, follow this objective. So if you'll take a
 14 look later on, you will see some of these incentives
 15 that you're talking about.
 16 COMMISSIONER MARDFIN: Okay. Fine.
 17 CHAIR HEDANI: Additional discussion on
 18 Objective 1? Commissioner Hiranaga.
 19 COMMISSIONER HIRANAGA: Is there a Maui County
 20 energy office? Sorry. There is? And that's what
 21 department?
 22 CHAIR HEDANI: Commissioner Starr.
 23 COMMISSIONER STARR: Yeah, it's under the
 24 Mayor's Office, but it's Economic Development. Victor
 25 Reyes, apparently, has that position.

1 is the 15, 20, 30 percent. And my -- my issue with the
 2 word "require" is, if it's not accomplished, what's the
 3 ramification, furlough?
 4 CHAIR HEDANI: A limited fuel allotment.
 5 Commissioner Starr.
 6 COMMISSIONER STARR: Yeah, I think that
 7 creates grounds for change of staffing in the energy
 8 office.
 9 CHAIR HEDANI: Discussion? Member Shibuya.
 10 COMMISSIONER SHIBUYA: These goals are easy to
 11 attain, it's not something that's so far and difficult
 12 to achieve. Technology has provided. And they already
 13 have one that is a plug-in type vehicle. That in itself
 14 is helping. If we get another one or others, that
 15 already achieved some savings. People are cutting back
 16 on the travel times and distances. So there are
 17 opportunities available. And there are more than one
 18 way to skin this cat. And I think it's very doable, so
 19 there's not a problem in terms of penalties.
 20 CHAIR HEDANI: Take away the car.
 21 Commissioner Hiranaga.
 22 COMMISSIONER HIRANAGA: Mr. Shibuya --
 23 Commissioner Shibuya's personal assurance this will be
 24 attained, or else what will you do?
 25 CHAIR HEDANI: Any additional discussion?

1 (Silence.)
 2 CHAIR HEDANI: Amendment on the floor is to
 3 change "require" to "encourage" for Action Item Number 3
 4 under Objective 1. Further discussion?
 5 (Silence.)
 6 CHAIR HEDANI: All those in favor, signify by
 7 saying "aye."
 8 (A chorus of ayes.)
 9 CHAIR HEDANI: Opposed, "nay."
 10 COMMISSIONER MARDFIN: Nay.
 11 CHAIR HEDANI: Motion carried.
 12 Any additional changes to Objective 1?
 13 (Silence.)
 14 CHAIR HEDANI: All those in favor of Objective
 15 1, its policies and actions as amended, signify by
 16 saying "aye."
 17 (A chorus of ayes.)
 18 CHAIR HEDANI: Opposed, "nay." Carried.
 19 Commissioner Mardfin.
 20 COMMISSIONER MARDFIN: I move the adoption of
 21 Objective 2, its Policies and Actions.
 22 CHAIR HEDANI: Do we have a second?
 23 COMMISSIONER SHIBUYA: Second.
 24 CHAIR HEDANI: Seconded by Commissioner
 25 Shibuya.

1 they're within the Maui County geography, if you will.
 2 CHAIR HEDANI: Commissioner Starr.
 3 COMMISSIONER STARR: Yeah. In addition to
 4 that, power systems that are intermittent now become
 5 firm power when you add storage or you widen -- widen
 6 the grid so that, you know, if there's a grid extending
 7 around the state, then the wind may slow down on Maui,
 8 but it may pick up in Kauai. So, you know, wind will
 9 become firmer and when it's mixed with solar. The --
 10 the larger your baseline, the more you're able to make
 11 it firm.
 12 CHAIR HEDANI: Additional discussion?
 13 Commissioner Hiranaga. That was just a question, right?
 14 COMMISSIONER HIRANAGA: Yeah. Now I would
 15 like to make a motion to change Objective 2, the word
 16 "firmer" to "reliable." So people don't have to keep
 17 asking what "firmer" means.
 18 CHAIR HEDANI: Is there a second?
 19 Any additional discussion? Commissioner
 20 Shibuya.
 21 COMMISSIONER SHIBUYA: Okay. In the industry
 22 here, firm is actually the -- the correct term.
 23 COMMISSIONER HIRANAGA: I'm not in the
 24 industry, though.
 25 CHAIR HEDANI: Okay. We settled that one.

1 Discussion?
 2 Boy, this one has more numbers you can shake a
 3 stick at.
 4 Commissioner Mardfin.
 5 COMMISSIONER MARDFIN: Under Policy 2, it
 6 says, "Encourage the installation," and wondering how
 7 they're encouraging that. I'm sorry. I have my own
 8 note, Action Item Number 8. Never mind.
 9 CHAIR HEDANI: Commissioner Hiranaga.
 10 COMMISSIONER HIRANAGA: Under Objective 2,
 11 what does firmer mean? I know cleaner more efficient,
 12 but what is firmer.
 13 CHAIR HEDANI: Commissioner Shibuya.
 14 COMMISSIONER SHIBUYA: Okay. I can explain
 15 that one. Today we have wind turbines and they're
 16 dependent on the wind velocity and the regular
 17 availability of wind. And, also, photovoltaic, which
 18 depends on the sun, which goes to sleep sometimes,
 19 especially during the night, and, also, the cloud cover
 20 that comes over the photovoltaic collection panels. So
 21 you have a fluctuating power for over a 24-hour period.
 22 The firmer type power that we're trying to encourage is
 23 geothermal and ocean thermal energy conversion. Those
 24 are different systems over the horizon, very doable.
 25 And these are sources that we need to tap because

1 Commissioner Mardfin.
 2 COMMISSIONER MARDFIN: I propose a Policy
 3 13 -- I'm sorry. 12.
 4 COMMISSIONER GUARD: There's no second.
 5 COMMISSIONER MARDFIN: I support a new policy
 6 12, which would read, "Encourage the connectivity of the
 7 electrical grid with Lanai, Molokai and other islands"
 8 -- "and possibly other islands."
 9 CHAIR HEDANI: Marshall Island?
 10 COMMISSIONER MARDFIN: Well, Oahu and Big
 11 Island, but that's out of our kuleana. So encourage
 12 with Lanai, Molokai and possibly other islands.
 13 CHAIR HEDANI: Got that, Julia? This would be
 14 Policy Number --
 15 COMMISSIONER MARDFIN: 12.
 16 CHAIR HEDANI: Or Action Item? Policy Number
 17 12, "Encourage the connectivity of the power grid with
 18 Lanai, Molokai and other islands."
 19 COMMISSIONER SHIBUYA: Is it the Maui grid,
 20 Maui power grid?
 21 COMMISSIONER MARDFIN: May I?
 22 CHAIR HEDANI: Is there a second?
 23 COMMISSIONER STARR: Second.
 24 CHAIR HEDANI: Seconded by Commissioner Starr.
 25 Commissioner Mardfin.

1 COMMISSIONER MARDFIN: This was recently in
 2 the news. And it might be controversial, especially in
 3 my community, but the -- the -- the idea was to use
 4 undersea cables to connect them together. And they had
 5 Oahu and the Big Island being part of it. And it would
 6 help promote reliability and efficient use of resources
 7 from some islands that may be great generators to other
 8 islands that tend to be users, net users. I know the
 9 undersea cables can be controversial and it would have
 10 to be done sensitively, but as long as we're doing this,
 11 we may as well -- I think it would promote the
 12 objective.
 13 CHAIR HEDANI: "And other islands," Julia.
 14 COMMISSIONER MARDFIN: Support the objective
 15 of renewable energy source because we'd be getting from
 16 other places.
 17 CHAIR HEDANI: Okay. The proposed policy is
 18 up on the wall. "Encourage the connectivity of the
 19 power grid between Lanai, Molokai and other islands."
 20 COMMISSIONER MARDFIN: The way you're doing
 21 that, it should be with -- it's connecting Maui with
 22 Lanai.
 23 CHAIR HEDANI: So encourage the connectivity
 24 of the Maui power grid with --
 25 COMMISSIONER SHIBUYA: Other islands.

1 considering things between solar, photovoltaic, ocean
 2 thermal energy conversion, tidal waves. We're trying to
 3 -- the problem is with that is there is no one best
 4 available. You need a variety of these things to make
 5 it really optimal.
 6 CHAIR HEDANI: Commissioner Starr.
 7 COMMISSIONER STARR: Yeah. We're missing a
 8 word and perhaps Commissioner Shibuya can help us.
 9 CHAIR HEDANI: Commissioner Shibuya.
 10 COMMISSIONER SHIBUYA: I was looking at the
 11 words "renewable energy resource."
 12 CHAIR HEDANI: "Recommend the best renewable
 13 energy resource."
 14 COMMISSIONER HIRANAGA: "Resources."
 15 COMMISSIONER SHIBUYA: "Resources," okay.
 16 CHAIR HEDANI: "Best available renewable
 17 energy resources." Further discussion? Is that a
 18 motion? We don't have a motion.
 19 COMMISSIONER MARDFIN: Let's have a motion.
 20 COMMISSIONER SHIBUYA: So move.
 21 CHAIR HEDANI: Motion is to change 1E -- how
 22 come there's two Number 1's. We'll change the numbers
 23 to fit later? Okay. Thank you. So Number 1E will
 24 read, "Recommend the best available renewable energy
 25 resources." Okay.

1 CHAIR HEDANI: "Lanai, Molokai and other
 2 islands." And then further discussion?
 3 (Silence.)
 4 CHAIR HEDANI: All those in favor, signify by
 5 saying "aye."
 6 (A chorus of ayes.)
 7 CHAIR HEDANI: Opposed, "nay."
 8 (Silence.)
 9 CHAIR HEDANI: Carried, thank you.
 10 Are we done with Objective 2?
 11 Commissioner Hiranaga.
 12 COMMISSIONER HIRANAGA: This is kind of
 13 wordsmithing, but Action Item Number 1E, "Recommend the
 14 best available renewable," I'm not sure if that's
 15 industry jargon, lingo, seems like there's a word
 16 missing there.
 17 CHAIR HEDANI: It's a dangling thought.
 18 COMMISSIONER SHIBUYA: You're right.
 19 CHAIR HEDANI: "Recommend the best available
 20 renewable."
 21 COMMISSIONER MARDFIN: Could I suggest the
 22 word "source" go in there?
 23 CHAIR HEDANI: What are we talking about?
 24 Does anybody know?
 25 COMMISSIONER MARDFIN: You know, you're

1 COMMISSIONER SHIBUYA: Okay.
 2 CHAIR HEDANI: All those in favor, signify by
 3 saying "aye."
 4 (A chorus of ayes.)
 5 CHAIR HEDANI: Opposed, "nay."
 6 (Silence.)
 7 CHAIR HEDANI: Carried. Commissioner Mardfin.
 8 COMMISSIONER MARDFIN: For Action Number 4, I
 9 propose adding some new words at the end. It currently
 10 says, "Evaluate and implement the transformation of
 11 Maui's power grid by integrating renewable energy from
 12 multiple sources." I would add the words "and
 13 supporting net metering."
 14 CHAIR HEDANI: Is there a second?
 15 COMMISSIONER STARR: I'll second it.
 16 CHAIR HEDANI: Seconded by Commissioner Starr.
 17 COMMISSIONER STARR: I think it should be
 18 "support of."
 19 COMMISSIONER MARDFIN: "Support of net
 20 metering."
 21 COMMISSIONER STARR: Or --
 22 CHAIR HEDANI: Commissioner Starr.
 23 COMMISSIONER STARR: Yeah. Can we also add
 24 "wheeling?"
 25 CHAIR HEDANI: "Wheeling?"

1 COMMISSIONER STARR: "Metering and wheeling."
 2 Is that okay, Commissioner Mardfin? That means that you
 3 can buy -- anyone can sell power into the grid and buy
 4 it out from the grid.
 5 COMMISSIONER MARDFIN: Yes, I support that.
 6 Metering and wheeling.
 7 CHAIR HEDANI: Add that to your definitions
 8 list.
 9 Commissioner Shibuya.
 10 COMMISSIONER SHIBUYA: I really wanted to keep
 11 it simple and just put a period after "sources."
 12 Because the problem here is that you have private power
 13 providers. And these private power providers are like
 14 HC&S and First Wind. These are private operations and
 15 you have a contract for them to provide a firm
 16 deliverable type of power. Even though the wind power
 17 goes up and down, they'll have to invest in possibly a
 18 battery system to produce a smooth firm type of power to
 19 Maui County's grid.
 20 Net metering is allowing those that provide
 21 energy to the grid to be credited with a amount of --
 22 for the power that they generate. It's a way in which
 23 these people are reimbursed, either by contract or by
 24 credits. And so how you do it, or whether you even sell
 25 it or allow them to sell the power macht nichts. It

1 Motion is lost.
 2 Commissioner Mardfin.
 3 COMMISSIONER MARDFIN: I move the adoption of
 4 a new action after 4. And it would read, "Support of
 5 net metering and wheeling."
 6 COMMISSIONER STARR: Second.
 7 CHAIR HEDANI: I'm sorry, I missed that. What
 8 was that?
 9 COMMISSIONER MARDFIN: He didn't like --
 10 Warren didn't like it as an addition to Action 4. So
 11 I'm proposing a new action right after that, which would
 12 be -- so it's a standalone action.
 13 CHAIR HEDANI: Action Item 9?
 14 COMMISSIONER MARDFIN: Well, it could be. I
 15 would put it right after 4.
 16 CHAIR HEDANI: Okay. Right after this vote,
 17 she's going to change all of the words that you guys say
 18 after this to something that she prefers.
 19 COMMISSIONER MARDFIN: Critical access, right?
 20 Right where Simone [sic] has it.
 21 CHAIR HEDANI: Okay.
 22 COMMISSIONER MARDFIN: "Support net" --
 23 "support net metering and wheeling."
 24 CHAIR HEDANI: Okay. So this would be an
 25 Action Item inserted after 4, so a new number 5. Okay.

1 doesn't make any difference. What you're really
 2 interested in is having this grid with renewable energy,
 3 not so much -- I mean, renewable energy from multiple
 4 sources. How you do it is another matter. Okay. I'd
 5 like to keep it separate.
 6 CHAIR HEDANI: Additional discussion?
 7 (Silence.)
 8 CHAIR HEDANI: Okay. The motion is the floor
 9 is to add the words and "support of net metering and
 10 wheeling," period. Okay. All those in favor of the
 11 amendment signify by saying "aye."
 12 (Some Commissioners voiced "aye.")
 13 CHAIR HEDANI: Oppose, nay.
 14 (Some Commissioners voiced "nay.")
 15 CHAIR HEDANI: All those in favor, please
 16 signify by raising your hands. One, two, three.
 17 COMMISSIONER SHIBUYA: He said "nay."
 18 CHAIR HEDANI: Okay. Motion is to -- motion
 19 is to -- the vote is to --
 20 COMMISSIONER SHIBUYA: Too fast.
 21 CHAIR HEDANI: Add the words, "in support of
 22 net metering and wheeling." So if you're in favor of
 23 that raise your hand. One, two.
 24 Opposed, same sign. One, two, three, four,
 25 five, six.

1 Is there a second?
 2 COMMISSIONER STARR: Second.
 3 CHAIR HEDANI: Seconded by Commissioner Starr.
 4 Discussion? Commissioner Guard.
 5 COMMISSIONER GUARD: Also, in Economic
 6 Development, "Increase renewable energy development and
 7 its use." We talked about wheeling and that's when we
 8 learned what wheeling was, when we discussed this on
 9 Action Item 5.
 10 CHAIR HEDANI: So that's a possible
 11 redundancy.
 12 Mr. Summers.
 13 MR. SUMMERS: Thank you. Also, Policy Number
 14 6, under Objective 2, seems to be the same thing. Well,
 15 they're both written as policies.
 16 CHAIR HEDANI: Additional discussion?
 17 (Silence.)
 18 CHAIR HEDANI: All those in favor, signify by
 19 saying "aye."
 20 (A chorus of ayes.)
 21 CHAIR HEDANI: Opposed, "nay."
 22 (Some Commissioners voiced "nay.")
 23 CHAIR HEDANI: Motion is lost.
 24 Any further changes to Objective Number 2?
 25 Commissioner Mardfin.

1 COMMISSIONER MARDFIN: May I ask if any of the
 2 Members that voted "nay" have a way of working in net
 3 metering and wheeling?
 4 CHAIR HEDANI: It's already covered.
 5 COMMISSIONER SHIBUYA: It's in there.
 6 COMMISSIONER MARDFIN: Not under this area
 7 where we're working on.
 8 CHAIR HEDANI: Any additional discussion on
 9 Objective 2?
 10 (Silence.)
 11 CHAIR HEDANI: Ready for the question? All
 12 those in favor of Objective 2, Policies and Actions, as
 13 amended, signify by saying "aye."
 14 (A chorus of ayes.)
 15 CHAIR HEDANI: Opposed, "nay."
 16 (Silence.)
 17 CHAIR HEDANI: Carried.
 18 Okay. We're gonna take a 15-minute break and
 19 we'll reconvene at 7:45. Take a 10-minute break since,
 20 we made you work overtime and you're in the red zone.
 21 ...(gavel)...
 22 (Recess, 7:26 p.m. to 7:38 p.m.)
 23 CHAIR HEDANI: ...(gavel)... Planning
 24 Commission is back in session.
 25 Commissioner Mardfin.

1 COMMISSIONER MARDFIN: I move, under
 2 Infrastructure, Energy, for the adoption of Objective 3,
 3 the Policies and Actions, GPAC. Is there a second?
 4 COMMISSIONER SHIBUYA: Second.
 5 CHAIR HEDANI: Seconded by -- seconded by
 6 Commissioner Shibuya.
 7 Discussion? Commissioner Mardfin.
 8 COMMISSIONER MARDFIN: Under Action 2, I think
 9 we should add an Item F, which would include solar water
 10 heating, photovoltaic systems, windmills, and improved
 11 building design.
 12 CHAIR HEDANI: It's amazing that we missed
 13 that.
 14 COMMISSIONER MARDFIN: I thought so.
 15 COMMISSIONER STARR: Mr. Chair?
 16 CHAIR HEDANI: Commissioner Starr.
 17 COMMISSIONER STARR: I would support it in it
 18 was a separate item.
 19 COMMISSIONER GUARD: Doesn't go along with it.
 20 COMMISSIONER MARDFIN: Photovoltaic system
 21 certainly does. If you want a separate item, I'll make
 22 it as Item Number 3. Support -- I'll take that as a
 23 friendly amendment, "To support solar water heating,
 24 photovoltaic systems, windmills and improved building
 25 design."

1 COMMISSIONER SHIBUYA: Chair?
 2 CHAIR HEDANI: This would be as an Action Item
 3 Number 3. Seconded by Commissioner Starr.
 4 COMMISSIONER STARR: Yeah.
 5 CHAIR HEDANI: Discussion? Commissioner
 6 Shibuya.
 7 COMMISSIONER SHIBUYA: In this objective, it's
 8 talking about emerging renewable energy technologies
 9 that are not present today, but we can develop for
 10 tomorrow. And photovoltaic and wind and this sort of
 11 energy converting systems are available today. So those
 12 things are being used and encouraged. And we did that
 13 in the early objective.
 14 CHAIR HEDANI: Okay. Any additional
 15 discussion? Commissioner Mardfin.
 16 COMMISSIONER MARDFIN: Can you -- if
 17 Mr. Shibuya will show me where it was exactly, I'd be
 18 happy to withdraw it, but I -- photovoltaic, I believe,
 19 is still developing. Improved building design can still
 20 be developed more. And appropriate windmills can still
 21 be developed. So I don't think it's improper to put it
 22 in here.
 23 COMMISSIONER SHIBUYA: Okay, that's fine. I'm
 24 not gonna argue, but, in Action Number 4, I think, 3 or
 25 4, we say, "Install renewable energy production systems

1 for County facilities."
 2 CHAIR HEDANI: Okay. Objective 3 also says,
 3 "Increase investment in existing and emerging renewable
 4 energy technologies." So it actually probably might
 5 fit.
 6 COMMISSIONER SHIBUYA: Yeah.
 7 CHAIR HEDANI: Any further discussion? It's
 8 displayed up on the -- Commissioner Starr.
 9 COMMISSIONER STARR: Yeah. I just want to say
 10 that I actually had a lot more in this area of energy
 11 efficiency and other -- other stuff, but I -- it's
 12 already been added other places in the plan, in Land
 13 Use, and, you know, efficient communities and so on. So
 14 that's why I'm not adding a lot more stuff in here.
 15 CHAIR HEDANI: The word would be improved with
 16 a "D" on it, right? "Improved building design."
 17 COMMISSIONER MARDFIN: And, Simone, I took the
 18 -- Julia. I'm sorry. Julia, I took the suggestion of
 19 Commissioner Starr that it not be Item F, but it be a
 20 new item. I apologize.
 21 CHAIR HEDANI: Additional discussion?
 22 (Silence.)
 23 CHAIR HEDANI: Ready for the question? All
 24 those in favor of adding objective -- I'm sorry --
 25 Action Item Number 3, as displayed, signify by saying

1 "aye."
 2 COMMISSIONER MARDFIN: Aye.
 3 CHAIR HEDANI: Opposed, "nay."
 4 (Some Commissioners voiced "nay.")
 5 CHAIR HEDANI: All those in favor, please
 6 raise your hand. One, two, three, four, five.
 7 Opposed, same sign. One, two.
 8 Motion carries.
 9 Any additional changes for Objective 3?
 10 Everybody wants to go home already.
 11 VICE-CHAIR U`U: Long time ago.
 12 CHAIR HEDANI: Ready for the question on
 13 Objective 3? Commissioner Shibuya.
 14 COMMISSIONER SHIBUYA: I would like to make a
 15 motion here to include the, "Develop plans to establish
 16 renewable energy zones at sites of resources,
 17 encouraging the development of firm power, renewable
 18 systems and economic and food-producing systems."
 19 CHAIR HEDANI: Can you provide that to Julia?
 20 COMMISSIONER SHIBUYA: Yeah.
 21 CHAIR HEDANI: Moved by Commissioner Shibuya,
 22 seconded by Commissioner U`u.
 23 VICE-CHAIR U`U: No.
 24 CHAIR HEDANI: No? Let's put it up on the
 25 wall and see if we can get a second.

1 sites of resources, encourage the development of firm
 2 power, renewable systems, and economic and
 3 food-producing systems."
 4 COMMISSIONER SHIBUYA: The latter part -- oh,
 5 excuse me.
 6 CHAIR HEDANI: Commissioner Shibuya.
 7 COMMISSIONER SHIBUYA: The latter part is,
 8 actually, with the ocean thermal energy conversion.
 9 You're getting cold water up in the deep parts of the
 10 ocean, and that cold water can either refrigerate
 11 structures or can be used to be desalinated or can be
 12 producing high quality, high value aquaculture such as
 13 abalone, Maine lobster. And these are economic engines
 14 in itself for the County of Maui. So this entire area
 15 would have that possibility of potential growth.
 16 CHAIR HEDANI: Okay. Discussion?
 17 (Silence.)
 18 CHAIR HEDANI: Is there a location on Maui
 19 where ocean thermal could work?
 20 COMMISSIONER SHIBUYA: Yes, there are two
 21 locations.
 22 CHAIR HEDANI: Okay.
 23 COMMISSIONER SABLAS: Where is that?
 24 COMMISSIONER SHIBUYA: One is outside Nuu and
 25 the other one is off Hana.

1 COMMISSIONER MARDFIN: For the point of
 2 discussion, I'll second it.
 3 CHAIR HEDANI: Seconded by Commissioner
 4 Mardfin.
 5 Commissioner Mardfin.
 6 COMMISSIONER MARDFIN: May I ask Commissioner
 7 Shibuya to explain what this adds that is different from
 8 what we've already done?
 9 CHAIR HEDANI: Commissioner Shibuya.
 10 COMMISSIONER SHIBUYA: Thank you, Mr. Chair.
 11 The energy zones actually are credits, tax
 12 credits, which will be incentives for private as well as
 13 maybe for the County. Of course, the County has no --
 14 no incentive, but the County can benefit from it by
 15 using County land and facilities through -- in these
 16 energy zones in which the actual producer gets some tax
 17 credits, either for land assessment credits, the State
 18 can provide GET type tax relief, and thereby allowing
 19 this large, initially, investment to occur.
 20 CHAIR HEDANI: So it's like a free trade zone?
 21 COMMISSIONER SHIBUYA: Yes. Yes. And in
 22 return, the government agency obtains cheaper
 23 electricity rates.
 24 CHAIR HEDANI: Okay. So it would read,
 25 "Develop plans to establish renewable energy zones at

1 COMMISSIONER MARDFIN: Oh.
 2 CHAIR HEDANI: Abalone?
 3 COMMISSIONER SHIBUYA: All right.
 4 CHAIR HEDANI: Any additional discussion?
 5 (Silence.)
 6 CHAIR HEDANI: Now you got his attention.
 7 All those in favor of -- what would that be --
 8 Policy 9, Action Item 9, Policy 9?
 9 COMMISSIONER SHIBUYA: Policy is fine.
 10 CHAIR HEDANI: Is this under Objective 3? So
 11 be Objective 3, Policy 5.
 12 MS. STALEY: Policy 3, Action 7.
 13 CHAIR HEDANI: Okay. It's policy -- Objective
 14 3, Action Item Number 7. Okay. Additional discussion?
 15 (Silence.)
 16 CHAIR HEDANI: All those in favor, signify by
 17 saying "aye."
 18 (A chorus of ayes.)
 19 CHAIR HEDANI: Opposed, "nay."
 20 (Silence.)
 21 CHAIR HEDANI: Carried. Anything else for
 22 Objective 3?
 23 (Silence.)
 24 CHAIR HEDANI: All those in favor of adopting
 25 Objective 3, its Policies and Actions as amended,

1 signify by saying "aye."
 2 (A chorus of ayes.)
 3 CHAIR HEDANI: Opposed, "nay."
 4 (Silence.)
 5 CHAIR HEDANI: Carried. Thank you.
 6 Commissioner Mardfin.
 7 COMMISSIONER MARDFIN: We're up to
 8 Infrastructure, Harbors and Airports. And I move the
 9 adoption of the Goal, Objective 1 and the Policies and
 10 Actions appended to that.
 11 COMMISSIONER SHIBUYA: Second.
 12 CHAIR HEDANI: Moved by Commissioner Mardfin,
 13 seconded by Commissioner Shibuya.
 14 Discussion? Commissioner Hiranaga.
 15 COMMISSIONER HIRANAGA: Action Item Number 4,
 16 at the end, where it says, "while not impacting
 17 recreational uses" -- this is page 58 -- motion to
 18 change that to while -- not while. After the comma -- I
 19 guess you could say "while." "While preserving existing
 20 surf spots."
 21 CHAIR HEDANI: I'm sorry. Repeat that. Kent,
 22 can you repeat that?
 23 COMMISSIONER HIRANAGA: Replace, "while not
 24 impacting recreational uses," replace with while not --
 25 "while preserving existing surf spots."

1 other kinds of things, like canoe paddling, that are
 2 also important.
 3 CHAIR HEDANI: Additional discussion?
 4 (Silence.)
 5 CHAIR HEDANI: Ready for the question? Okay.
 6 The question on the floor is to strike the words "while
 7 not impacting recreational uses," and inserting the
 8 words "while preserving existing surf spots." All those
 9 in favor, signify by saying "aye."
 10 (Some Commissioners voiced "aye.")
 11 CHAIR HEDANI: Opposed, "nay."
 12 (Some Commissioners voiced "nay.")
 13 CHAIR HEDANI: Motion is lost. Any further
 14 discussion on Objective 1? Commissioner Mardfin.
 15 COMMISSIONER MARDFIN: I just want somebody to
 16 -- I'd like somebody to explain to me how Policy 1
 17 doesn't contradict earlier things we have on
 18 sustainability. We're expanding piers, we're increasing
 19 volumes of cargo, sustain Maui's population and economy,
 20 and, yet, we previously said we're gonna promote
 21 sustainability. And that -- it seems a little
 22 contradictory, at least.
 23 CHAIR HEDANI: Commissioner Shibuya.
 24 COMMISSIONER SHIBUYA: There's economies of
 25 scale in terms of the vessels that are actually doing

1 COMMISSIONER STARR: Second.
 2 CHAIR HEDANI: "While preserving existing surf
 3 spots."
 4 Seconded by Commissioner Starr.
 5 Discussion? Commissioner Shibuya.
 6 COMMISSIONER SHIBUYA: I'd like to keep it as
 7 general as possible, you know, in the sense that you're
 8 preserving the recreational areas. But if -- it should
 9 say something -- "to include," that would be better. I
 10 agree with Commissioner Guard.
 11 CHAIR HEDANI: Commissioner Hiranaga.
 12 COMMISSIONER HIRANAGA: The reason I said
 13 "existing surf spots," because you cannot -- well, it's
 14 very difficult to create surf spots or to move them.
 15 That's why I think we need to preserve them. Because
 16 there are some very nice surf spots there that will be
 17 endangered by any development on that western break
 18 wall. Recreational uses, be it kayaking, one-man canoe,
 19 you can maybe move down a little bit down the harbor,
 20 but you can't move surf spots.
 21 CHAIR HEDANI: Additional discussion?
 22 Commissioner Mardfin.
 23 COMMISSIONER MARDFIN: I think I'm gonna vote
 24 against this because I think I think there's more -- I
 25 think surf spots are important, but I think there are

1 the delivery. The problem here is that the vessels are
 2 double-hull. They actually draft, when fully loaded, 24
 3 feet. The pier is 16 feet, 18 feet. And so they have
 4 to do more frequent deliveries on that large scale
 5 barge. And you still use the same amount of manpower.
 6 And, oh, by the way, because the barge comes into the
 7 hydrant, it's -- at the same pier in which you have the
 8 cruise ship docking, so when do they come in, they come
 9 in after hours.
 10 COMMISSIONER MARDFIN: Thank you.
 11 CHAIR HEDANI: Additional discussion on
 12 Objective 1? Commissioner Mardfin.
 13 COMMISSIONER MARDFIN: Under Policy 5, it
 14 says, "Encourage the State to develop cargo inspecting
 15 site and facility for efficient cargo and container
 16 processing and transporting." I would add the words
 17 "and to prevent alien species entry."
 18 COMMISSIONER STARR: Second.
 19 CHAIR HEDANI: Motion to add the words "and to
 20 prevent alien species entry," moved by Commissioner
 21 Mardfin, seconded by Commissioner Starr.
 22 Discussion?
 23 (Silence.)
 24 CHAIR HEDANI: All those in favor, signify by
 25 saying "aye."

1 (A chorus of ayes.)
 2 CHAIR HEDANI: Opposed, "nay."
 3 (Silence.)
 4 CHAIR HEDANI: Carried.
 5 Any additional amendments to Objective 1?
 6 (Silence.)
 7 CHAIR HEDANI: All those in favor of Harbors
 8 and Airports, Goal and Objective Number 1, Policies and
 9 Actions, as amended, signify by saying "aye."
 10 (A chorus of ayes.)
 11 CHAIR HEDANI: Opposed, "nay."
 12 (Silence.)
 13 CHAIR HEDANI: Carried.
 14 Commissioner Mardfin.
 15 COMMISSIONER MARDFIN: I move the adoption of
 16 Objective 2, its one policy and its one action.
 17 VICE-CHAIR U`U: Second.
 18 CHAIR HEDANI: Moved by Commissioner Mardfin,
 19 seconded by Commissioner U`u, to approve Objective 2,
 20 Policy and Action.
 21 Discussion?
 22 (Silence.)
 23 CHAIR HEDANI: All those in favor, signify by
 24 saying "aye."
 25 (A chorus of ayes.)

1 move to change the objective so that it will read,
 2 "Upgraded airport facilities and navigation aids to
 3 serve the needs of passengers, freight movements, and
 4 general aviation."
 5 COMMISSIONER MARDFIN: Second.
 6 CHAIR HEDANI: Add "general aviation."
 7 Seconded by Commissioner Mardfin.
 8 Discussion?
 9 COMMISSIONER SHIBUYA: Just a question.
 10 CHAIR HEDANI: Commissioner Shibuya.
 11 COMMISSIONER SHIBUYA: General aviation would
 12 include fixed-wing small aircraft as well as rotary-wing
 13 aircraft, would it not?
 14 COMMISSIONER STARR: Yeah. It would be -- in
 15 either case, private and smaller kind charter.
 16 COMMISSIONER SHIBUYA: Thank you.
 17 CHAIR HEDANI: Not necessarily at Kahului
 18 Airport, but somewhere.
 19 COMMISSIONER STARR: Wherever.
 20 CHAIR HEDANI: Any further discussion?
 21 (Silence.)
 22 CHAIR HEDANI: All those in favor, signify by
 23 saying "aye."
 24 (A chorus of ayes.)
 25 CHAIR HEDANI: Opposed, "nay." Carried.

1 CHAIR HEDANI: Opposed, "nay."
 2 (Silence.)
 3 CHAIR HEDANI: Carried.
 4 Commissioner Mardfin.
 5 COMMISSIONER MARDFIN: You got your wish. I
 6 move the adoption of Objective 3, its Policies and
 7 Actions.
 8 VICE-CHAIR U`U: Second.
 9 CHAIR HEDANI: Moved by Commissioner Mardfin,
 10 seconded by Commissioner U`u.
 11 Discussion?
 12 (Silence.)
 13 CHAIR HEDANI: All those in favor, signify by
 14 saying "aye."
 15 (A chorus of ayes.)
 16 CHAIR HEDANI: Opposed, "nay."
 17 (Silence.)
 18 CHAIR HEDANI: Carried.
 19 Commissioner Mardfin.
 20 COMMISSIONER MARDFIN: I move the adoption of
 21 Objective 4, its Policies and Actions.
 22 VICE-CHAIR U`U: Second.
 23 CHAIR HEDANI: Seconded by Commissioner U`u.
 24 Discussion? Commissioner Starr.
 25 COMMISSIONER STARR: Yeah. I would like to

1 Commissioner Mardfin.
 2 COMMISSIONER MARDFIN: I'd like to propose an
 3 Action Number 7. "Encourage the State to maintain the
 4 capacity of Hana Airport and to encourage more
 5 responsive service to Hana."
 6 CHAIR HEDANI: Okay. Can you repeat that
 7 again?
 8 COMMISSIONER MARDFIN: Sure. "Encourage the
 9 State to maintain Hana Airport capacity and to encourage
 10 more responsive air service to Hana."
 11 CHAIR HEDANI: And "to encourage."
 12 COMMISSIONER MARDFIN: "More responsive air
 13 service to Hana."
 14 CHAIR HEDANI: Commissioner Starr.
 15 COMMISSIONER STARR: Yeah, I'll second that.
 16 I'd also like to ask the maker whether he'd be willing
 17 to include Kapalua as well?
 18 COMMISSIONER MARDFIN: Yes.
 19 CHAIR HEDANI: Discussion? Commissioner
 20 Shibuya.
 21 COMMISSIONER SHIBUYA: I'd like to make a
 22 friendly amendment. "Air services," not just "air
 23 service," because it could be ambulance type services as
 24 well.
 25 COMMISSIONER MARDFIN: Yes.

1 CHAIR HEDANI: Further discussion?
 2 (Silence.)
 3 CHAIR HEDANI: Ready for the question? This
 4 would be new Policy Item Number 7.
 5 COMMISSIONER MARDFIN: I have it as Action 7.
 6 CHAIR HEDANI: Action Item 7. Sorry.
 7 Discussion?
 8 (Silence.)
 9 CHAIR HEDANI: All those in favor, signify by
 10 saying "aye."
 11 (A chorus of ayes.)
 12 CHAIR HEDANI: Opposed, "nay."
 13 VICE-CHAIR U`U: Nay.
 14 CHAIR HEDANI: One nay. Carried. Thank you.
 15 Commissioner Mardfin.
 16 COMMISSIONER MARDFIN: Policy Number 6,
 17 "Modernize mass transit (bus, fixed rail, shuttle and
 18 taxis) to and from Kahului Airport, and not limited to
 19 passenger movements (allowing for luggage and cargo.)"
 20 I think we ought to add "bikeways and pedestrian access"
 21 in some fashion. I'll leave it to my colleague
 22 Commissioner Starr to propose the exact wording.
 23 COMMISSIONER STARR: Is that --
 24 CHAIR HEDANI: Is that mass transit?
 25 COMMISSIONER MARDFIN: Get enough bikes it is.

1 COMMISSIONER STARR: After "taxis) and bicycle
 2 and pedestrian facilities."
 3 COMMISSIONER MARDFIN: Second.
 4 CHAIR HEDANI: So it would read, "Modernize
 5 mass transit," paren, end paren, "and bicycle and
 6 pedestrian facilities" --
 7 COMMISSIONER STARR: Yeah.
 8 CHAIR HEDANI: -- "to/from Kahului Airport,"
 9 et cetera. Any discussion?
 10 (Silence.)
 11 CHAIR HEDANI: All those in favor, signify by
 12 saying "aye."
 13 (A chorus of ayes.)
 14 CHAIR HEDANI: Opposed, "nay."
 15 (Silence.)
 16 CHAIR HEDANI: Carried. Thank you.
 17 It's 8:00. Do you guys feel abusive?
 18 Commissioner Starr.
 19 COMMISSIONER STARR: On Action Item 3, after
 20 "aircraft," I want to add "and hangars," period.
 21 COMMISSIONER MARDFIN: Second.
 22 CHAIR HEDANI: "And hangar space?"
 23 COMMISSIONER STARR: "And hangars."
 24 CHAIR HEDANI: Oh, "and hangars."
 25 COMMISSIONER STARR: There is a infinite

1 waiting license.
 2 CHAIR HEDANI: Commissioner Mardfin.
 3 COMMISSIONER MARDFIN: May I suggest, I would
 4 like hangars, but I would put it after "sites," not
 5 after "aircraft."
 6 COMMISSIONER STARR: That's fine.
 7 COMMISSIONER MARDFIN: Airport sites and
 8 hangars for small rotary-winged.
 9 CHAIR HEDANI: Discussion?
 10 (Silence.)
 11 CHAIR HEDANI: All those in favor, signify by
 12 saying "aye."
 13 (A chorus of ayes.)
 14 CHAIR HEDANI: Opposed, "nay."
 15 (Silence.)
 16 CHAIR HEDANI: Carried.
 17 (Court reporter asked for clarification.)
 18 CHAIR HEDANI: Motion by Commissioner Starr,
 19 seconded by Commissioner Mardfin.
 20 Any further discussion on Objective 4?
 21 (Silence.)
 22 CHAIR HEDANI: It's 8:00, we're all gonna turn
 23 into pumpkins.
 24 All those in favor of Objective 4, Policies
 25 and Actions, signify by saying "aye."

1 (A chorus of ayes.)
 2 CHAIR HEDANI: Opposed, "nay."
 3 (Silence.)
 4 CHAIR HEDANI: Carried. That was as amended.
 5 Sorry.
 6 Commissioner Mardfin.
 7 COMMISSIONER MARDFIN: Mr. Chairman, as we've
 8 completed the Infrastructure, and it is our witching
 9 hour, I suggest we might be ready for adjournment after
 10 people have done whatever they need to do.
 11 COMMISSIONER STARR: Mr. Chair?
 12 CHAIR HEDANI: Commissioner Starr.
 13 COMMISSIONER STARR: Yeah. Before we go on
 14 this, I just want to ask staff to consider doing
 15 something universally, which is the name of Maui
 16 Community College has now been expanded, you know. So I
 17 think every place we have it, it has to be Maui
 18 Community College and University of Hawaii at Maui,
 19 which is what the four-year programs are called and will
 20 be called.
 21 CHAIR HEDANI: Any objections? No objections?
 22 (Silence.)
 23 CHAIR HEDANI: We'll go ahead and implement
 24 that.
 25 Any further items of discussion? Commissioner

1 Hiranaga.
 2 COMMISSIONER HIRANAGA: Agenda Item F1, Maui
 3 Island Plan Schedule, referring to the letter from Long
 4 Range Division dated June 30th, proposing stakeholders
 5 special meeting on either Wednesday, July 9th or Friday,
 6 July 31st. I thought the commission made it clear we
 7 wanted to meet on a Tuesday in order to avoid having to
 8 meet twice in one week.
 9 CHAIR HEDANI: Staff. This is what -- this is
 10 what Commissioner Hiranaga is talking about.
 11 Commissioner U`u.
 12 VICE-CHAIR U`U: I agree with Commissioner
 13 Hiranaga. I mean, we meeting once a week as it is.
 14 It's taxing on everyone. Especially when we exceed
 15 8:00. Kidding. But I would like to do it on a Tuesday.
 16 We got lives of our own, also.
 17 CHAIR HEDANI: Run it, what, 9:00 to 5:00 or
 18 9:00 to 6:00? Commissioner Starr.
 19 COMMISSIONER STARR: I think it should be kept
 20 to 9:00 to 5:00. That is enough. Enough.
 21 CHAIR HEDANI: So the stakeholders have to buy
 22 time from each other in order to fit it in.
 23 COMMISSIONER GUARD: Five-minute increments.
 24 CHAIR HEDANI: Is five-minute increments --
 25 I'm told by staff that, if we go in five-minute

1 extending the schedule if we deem it necessary. We can
 2 do it by vote.
 3 CHAIR HEDANI: Commissioner Mardfin.
 4 COMMISSIONER MARDFIN: I would like to make
 5 two points. One is, you know, I think it would be nice
 6 if the Department gave us that extra week without, you
 7 know, to do it. Alternatively, I think we should take
 8 one of our regular meetings, second or fourth Tuesday,
 9 and just have that evaporate and turn it into a Maui
 10 Island Plan meeting. That's what we suggested last
 11 time.
 12 CHAIR HEDANI: Commissioner Starr.
 13 COMMISSIONER STARR: Yeah. I don't think we
 14 should be looking to extend the schedule now. In fact,
 15 you know, based on the way it was brought to us, I'm
 16 going to Europe on October 1st. So -- and I also think
 17 we can bear to take a regular meeting off and if we need
 18 to push a little to catch up.
 19 CHAIR HEDANI: Okay. Staff, any additional
 20 comments? Mr. Summers.
 21 MR. SUMMERS: Thank you, Mr. Chairman.
 22 My only comment would be that because this is
 23 directly related to the Directed Growth Strategy, we
 24 wouldn't want it to slip beyond the 4th of August. A
 25 lot of decisions will be made up to that point. I think

1 increments, it will be one day. If we go 10 minutes, it
 2 will be two days.
 3 Commissioner Mardfin.
 4 COMMISSIONER MARDFIN: Well, I share with my
 5 colleagues the idea of having to come more than once a
 6 week. I don't know when on a Tuesday we can fit it in.
 7 I think we've got a pretty full schedule.
 8 CHAIR HEDANI: Commissioner U`u.
 9 VICE-CHAIR U`U: If you gonna move 'em down,
 10 move 'em down, but allow for us to have families and a
 11 full-time job, and maybe an added job with the full-time
 12 job. So, you know, granted this is not a paying job,
 13 this is volunteer, and I hope you guys address our needs
 14 accordingly. Because like I said, we all -- we all very
 15 busy. And I can say, if I had the free time, I would
 16 volunteer daily, but I don't.
 17 CHAIR HEDANI: Director Hunt.
 18 MR. HUNT: I think staff was struggling with
 19 the issue that Commissioner Mardfin brought up, is
 20 between your regular meetings and your special meetings
 21 for the Maui Island Plan, your Tuesdays are all occupied
 22 for the next -- so we could -- one option would be to
 23 add a Tuesday and extend your schedule into October.
 24 CHAIR HEDANI: Commissioner Hiranaga.
 25 COMMISSIONER HIRANAGA: I have no objection to

1 going beyond that would reduce the utility of this
 2 meeting. A lot of public hearing items for the regular
 3 agenda require a 30-day notice, so we would have to
 4 coordinate with current Planning to make sure that it's
 5 doable to use a regular meeting before the 4th of
 6 August.
 7 CHAIR HEDANI: Commissioner Mardfin.
 8 COMMISSIONER MARDFIN: Given that date, I
 9 think the second week in July has been spoken for and
 10 probably been advertised. So the appropriate one would
 11 be the 4th Tuesday in July. It's before August -- it's
 12 before the August 4th deadline. You know, we get a
 13 little bit more behind in that, but our regular stuff
 14 can -- can be delayed, regretfully, but it can be.
 15 CHAIR HEDANI: Commissioner Starr.
 16 COMMISSIONER STARR: Move that the July 28th
 17 meeting be made a meeting for our stakeholders, five
 18 minutes per.
 19 CHAIR HEDANI: Director Hunt.
 20 MR. HUNT: I believe that meeting has already
 21 been noticed.
 22 CHAIR HEDANI: Yeah. All the people that are
 23 on the agenda have already been notified.
 24 COMMISSIONER STARR: July 28th?
 25 CHAIR HEDANI: Yeah.

1 COMMISSIONER STARR: It's a month.
 2 MR. HUNT: We have to give 30-day notice and
 3 then it takes us 10 days to get it to the paper.
 4 MR. SUMMERS: If there are public hearing
 5 items on that meeting -- and we would have to check with
 6 Current -- then we would have a scheduling conflict
 7 situation with everybody who's planning to attend. And
 8 the public whose been apprised of a public hearing item
 9 on the 28th.
 10 CHAIR HEDANI: Is there an alternative date in
 11 August?
 12 MR. HUNT: I think we can shoot for the first
 13 August meeting.
 14 CHAIR HEDANI: First meeting in August?
 15 Commissioner Hiranaga.
 16 COMMISSIONER HIRANAGA: I'm just wondering,
 17 you know, you've got July 21st, Directed Growth mapping.
 18 And then just be an umbrella of comment to do the
 19 stakeholders meeting?
 20 MR. HUNT: It can be. That would be up to you
 21 folks. The discussion at the early part of the
 22 scheduling was we want a lot of days to go over the
 23 Directed Growth mapping. So that's why we gave you
 24 several days here. And I just wanna remind you that
 25 it's up to you folks. But that's -- that's what you

1 CHAIR HEDANI: Okay. So we're looking at
 2 Wednesday -- I'm sorry. Tuesday, the 21st?
 3 MR. SUMMERS: That's correct.
 4 CHAIR HEDANI: For the stakeholders' meeting.
 5 Commissioner Mardfin.
 6 COMMISSIONER MARDFIN: I'd just like to
 7 mention, I just heard you talk about moving the Lahaina
 8 meeting, if you do, I'm gonna be very unhappy. I've
 9 already made hotel reservations. And I'm -- I'm
 10 coordinating it with a trip off island and coming back
 11 and going directly there. So that'll -- I urge you not
 12 to move the Lahaina meeting date.
 13 CHAIR HEDANI: Any further discussions? Are
 14 we agreed on the 21st, stakeholders' meeting on the
 15 21st? Commissioner Starr.
 16 COMMISSIONER STARR: And then we're gonna take
 17 a August meeting from the Current and move it to make up
 18 time?
 19 CHAIR HEDANI: Maui Island Plan.
 20 COMMISSIONER STARR: Yeah.
 21 CHAIR HEDANI: Director, do you have anything
 22 else under your porch you want to cover?
 23 MR. HUNT: I just wanted to mention that the
 24 Council Planning Committee, on Monday of this week,
 25 agreed to a work program for the County-Wide Policy

1 guys decided earlier.
 2 COMMISSIONER HIRANAGA: Well, if you make the
 3 21st the stakeholders, you can make the 28th Directed
 4 Growth mapping. Are you saying it's too late or --
 5 MR. HUNT: I think the 28th is already
 6 noticed. You have a regular meeting.
 7 COMMISSIONER HIRANAGA: So you can have
 8 whatever the 11th of August, the Directed Growth. I
 9 think the stakeholders meeting should be as early as
 10 possible, before we start going into the maps.
 11 MR. HUNT: So take the August 4th and make
 12 that the stakeholders and then, hopefully, these normal
 13 meetings for the Planning Commission could then be THE
 14 Lahaina Civic Center regional meeting.
 15 COMMISSIONER HIRANAGA: Or you could do July
 16 21st as the stakeholders.
 17 MR. HUNT: Do we have enough time to do the
 18 21st, John?
 19 MR. SUMMERS: I think that might be possible.
 20 Then we could perhaps work with the Current Planning
 21 Division to use one of their regular meetings later in
 22 August.
 23 MR. HUNT: Yeah.
 24 MR. SUMMERS: For Directed Growth work.
 25 MR. HUNT: That's a good idea.

1 Plan. Several of you on this Commission reviewed that
 2 plan. And they're gonna start on August 3rd. And they
 3 have a fairly rigorous schedule. But they hope to be
 4 completed by October for final voting. So just to keep
 5 you in the loop on that. And that's the county-wide
 6 policy document.
 7 CHAIR HEDANI: Commissioner Starr.
 8 COMMISSIONER STARR: Yeah, I'd like to ask
 9 that the schedule be distributed to us by email as well
 10 as our changed schedule when staff has a chance.
 11 MR. HUNT: We can do that.
 12 CHAIR HEDANI: Public Hearing Regarding Rules
 13 for Administrative Procedures?
 14 MR. HUNT: That's just the Administrative
 15 Rules that we talked about in the past. There's a
 16 public hearing on July 9th. It allows us to adopt rules
 17 that, basically, reflect the Public Works rules that we
 18 have been using for decade. So we would have our own
 19 rules.
 20 The two biggest changes to the rules, or the
 21 only real substantive changes, is we're proposing to
 22 allow the inspectors to post notice on the site or in
 23 the paper and that would provide sufficient notice.
 24 People get suspicious when they're violating
 25 our laws, and they stop accepting County letters. So

1 it's hard to notify them.
 2 The other issue is the minimum -- the daily
 3 fine would be increased from \$100 a day to \$1,000.
 4 That's what the ordinance says. And that would be to
 5 provide a greater deterrent for violators. For some
 6 violations of \$1,000 a day -- I mean, \$100 dollars a day
 7 is the cost of doing business.

8 So other than that, the rules are the same as
 9 the court's.

10 CHAIR HEDANI: Okay. Our next meeting date
 11 would be for the General Plan review, July 7th, 2009.
 12 2:00 to 8:00. Are we gonna have an orientation before
 13 that, site inspection before that?

14 MR. HUNT: The site visit is for your regular
 15 meeting, for quasi-judicial projects. It's not
 16 regarding the Maui Island Plan.

17 COMMISSIONER HIRANAGA: But it is on July 7th?

18 MR. HUNT: It is on the morning of the 7th.

19 Just real quickly, as long as we're on it,
 20 your schedule is, through today, you are anticipated to
 21 be through Infrastructure and Land Use and, perhaps,
 22 Directed Growth. So we're a little bit behind. At the
 23 regional meetings, you guys tended to get behind because
 24 of all the testimony. The fly in the ointment is your
 25 next meeting is, also, a regional meeting. But,

1 Commission.

2 MR. HUNT: Which meeting was John missing?

3 COMMISSIONER GUARD: Next one, 7th.

4 COMMISSIONER DOMINGO: You're not gonna be
 5 in Kihei?

6 COMMISSIONER GUARD: Kahoolawe.

7 CHAIR HEDANI: You finally get to see

8 Kahoolawe.

9 COMMISSIONER SHIBUYA: Watch the ordinance.

10 Walk like a deer.

11 COMMISSIONER GUARD: The trails.

12 CHAIR HEDANI: The next Maui Island meeting is
 13 the Kihei Community Center, 303 Lipoa Street, Kahului --
 14 I mean, Maui, Hawaii.

15 It's 8:15, we're adjourned.

16 Thank you. Thank you for your hard work.

17 ...(gavel)...

18 (Meeting Adjourned at 8:15 p.m.)

1 hopefully, we can get caught back up.

2 CHAIR HEDANI: Okay. Commissioner Guard.

3 COMMISSIONER GUARD: I won't be here for that
 4 meeting.

5 CHAIR HEDANI: Okay. Commissioner Shibuya.

6 COMMISSIONER SHIBUYA: I just wanted to find
 7 out, what's the procedure in getting items like
 8 telecommunication introduced?

9 CHAIR HEDANI: Mr. Summers, telecommunications
 10 infrastructure?

11 COMMISSIONER SHIBUYA: Yes.

12 MR. SUMMERS: Thank you, Mr. Chairman.

13 Individual Members can introduce topics that
 14 are not currently in the plan, if they so propose.

15 COMMISSIONER SHIBUYA: I would be suggesting a
 16 couple goals and very short policies and actions. But I
 17 have it right here and it's two pages. The rest is,
 18 actually, definitions like broadband, interoperability.

19 CHAIR HEDANI: Maybe you can submit that to
 20 staff and they can try to integrate it into -- we just
 21 finished Infrastructure, right?

22 COMMISSIONER SHIBUYA: I just want to extend
 23 it.

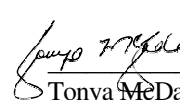
24 CHAIR HEDANI: So staff can take that into
 25 consideration and possibly circulate it to the

CERTIFICATE

1
 2
 3
 4
 5
 6
 7 I, TONYA MCDADE, a Court Reporter of the State
 8 of Hawaii, do hereby certify that the proceedings
 9 contained herein were taken by me in machine shorthand
 10 and thereafter was reduced to print by means of
 11 computer-aided transcription; that the foregoing
 12 represents, to the best of my ability, a true and
 13 accurate transcript of the proceedings had in the
 14 foregoing matter.

15 I further certify that I am not an attorney
 16 for any of the parties hereto, nor in any way concerned
 17 with the cause.

18 DATED this 29th day of July, 2009.

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