

MAUI PLANNING COMMISSION

COUNTY OF MAUI

AUGUST 18, 2009

REGULAR MEETING

Held at the Department of Planning Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku Maui, Hawaii, commencing at 9:00 a.m. on August 18, 2009.

REPORTED BY: JEANNETTE W. IWADO, RPR/CSR #135

1 ATTENDANCE
 2 MAUI PLANNING COMMISSION
 3 REGULAR MEETING
 4 AUGUST 18, 2009
 5
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 7 ACTING CHAIRMAN: BRUCE U'U
 8 COMMISSION MEMBERS: KENT HIRANAGA
 9 WARD MARDFIN
 10 JONATHAN STARR
 11 JOHN GUARD IV
 12 LORI SABLAS
 13 DONNA L. DOMINGO
 14
 15 PLANNING DEPARTMENT: JEFFREY HUNT, DIRECTOR
 16 JOHN SUMMERS
 17 JULIA STALEY
 18 DAVID MICHAELSON
 19 MARK KING
 20 MICHAEL NAPIER
 21
 22 DEPUTY CORPORATION COUNSEL: JAMES GIROUX
 23 SECRETARY: JOY PAREDES
 24
 25

1 discussion, after public testimony under item E, will
 2 actually be the directed growth elements, not the maps. So
 3 again, we're kind of setting the table we give you guys
 4 information, and then we go back to the chronological order.
 5 So again, it will be a presentation on our GIS,
 6 showing you the capabilities and the tools and perhaps
 7 giving you some ideas on some of the layers and information
 8 that's available to you in making your decision. And then
 9 the staff will take you on kind of a tour, as we call it,
 10 around the island showing you the proposed directed growth
 11 areas, the urban growth areas, and the rural growth areas.
 12 And if there's no questions on that, I will turn
 13 it over to John -- pardon me, Dave Michaelson.
 14 MR. MICHAELSON: Thank you, Jeff. Good morning.
 15 My name is Dave Michaelson, I'm a planner with the
 16 Long Range Division. I've been working on the Maui Island
 17 Plan since before I had grey hair.
 18 First of all, congratulations are in order. You
 19 folks are finally almost out of the policy world and into
 20 land use planning. And as I think I have mentioned before,
 21 I'm much more of a physical environmental planner than a
 22 policy wonk, if you want. So no one is happier to get to
 23 this stage than myself. I personally think this is the most
 24 important component of the plan. This is what you will
 25 essentially see out of your windshield and out your front

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 6 ACTING CHAIRMAN U'U: Good morning. The Planning
 7 Commission meeting of August 18, 2009 is now in session. At
 8 this time we are going to look for a motion to accept the
 9 minutes from the June 30th and the July 7th meetings. Do I
 10 have a motion?
 11 COMMISSIONER SHIBUYA: So moved.
 12 COMMISSIONER DOMINGO: Second.
 13 ACTING CHAIRMAN U'U: Moved by Warren Shibuya.
 14 Seconded by Donna Domingo. All those who accept the minutes
 15 say "aye."
 16 (A chorus of ayes)
 17 The vote is unanimous. And at this time I will
 18 turn it over to Director Hunt.
 19 DIRECTOR HUNT: The next item involves the staff
 20 presentation on the Planning Department's Geographic
 21 Information System, and then that will be followed by a
 22 review of the Draft Maui Island Plan's Directed Growth Maps.
 23 Following that, on your agenda, just to keep
 24 things in line here, is we have previously given you a
 25 presentation on the directed growth elements. So your

1 doors over the next 22 years.
 2 First of all, a little bit of house cleaning. If
 3 you remember, last time we got bogged down with one
 4 objective, it was Objective 4 in the urban policies. We
 5 have revised that, based on your direction, and I can
 6 probably speak to that later.
 7 In addition, you have a couple of handouts that I
 8 will describe. You have a list of all the GIS layers that
 9 we have used in our process, and I will also describe sort
 10 of the genesis of these boundaries and where we are today,
 11 and I will walk you through many of these.
 12 I also want to introduce two staff members, Mike
 13 Napier and Mark King. They're both GIS analysts in long
 14 range. These guys are as good as they come, and I think as
 15 we go through our process you will certainly appreciate
 16 their expertise, their ability to answer questions, and
 17 provide information. We work as a team, planners and GIS,
 18 and I come from a GIS background as well.
 19 There's also a spread sheet that you have never
 20 seen before, and it's entitled "Growth Area Unit Count with
 21 2.72 Household Size: DBEDT 2009 Recommendation." Let me
 22 just talk briefly about what that means. First of all, I
 23 gave you a presentation on both the socio-economic forecast
 24 and the land use forecast when we first embarked on the
 25 Planning Commission review, so I am not going to get into

1 too much detail.
 2 But as a point of reference, we based the
 3 population projections and the household, the demand, if you
 4 will, on the DBEDT forecasts that were released in 2005, and
 5 those are reflected in the two spread sheets that accompany
 6 the Director's recommendations, as well as GPAC's. The
 7 DBEDT forecast is very sophisticated. I could go into
 8 brutal under-the-hood detail, but I don't think it's
 9 necessary.

10 To make a long story short, DBEDT uses what's
 11 called an econometric model. It was developed in 1978.
 12 They have done six model runs, I believe, and they have
 13 recently released another model run. And the way the model
 14 functions, in its simplest form it's in-migration,
 15 out-migration, births and deaths. And to build those
 16 components there's literally hundreds of variables that they
 17 use to predict that.

18 And in fact, I have the methodology that they
 19 released in their July 2009. It goes all the way into
 20 actually showing you the algorithms that were used. So if
 21 you really want to get under the hood, copies of this
 22 are available on the web.

23 The 2009 numbers that were released, again, just
 24 about two weeks ago expect or are suggesting a much slower
 25 growth rate than the previous model run. And the reason for

1 to get through. I think these are very clean cut, very
 2 straight forward. It's really Planning 101. And the first
 3 batch, the first page is called Guiding Land Use Principles.
 4 These were principles that were developed through the entire
 5 public process going all the way back to WalkStory and
 6 TalkStory. They went through the IRC review and the General
 7 Plan Advisory Committee review virtually unchanged. And
 8 that goes also for the urban growth area policies and the
 9 rural area policies.

10 One of the more important sheets is the very last
 11 one in that packet, and it's called GPAC Growth Area
 12 Evaluation Criteria. This was the criteria that staff used.
 13 The IRC added two criteria, one of them was transportation
 14 connectivity. I believe the last one was a sort of
 15 environmental sustainability.

16 Now, there's finally, this is the last one, I
 17 handed this out I believe two weeks ago. It's a very
 18 complicated spread sheet with lots of cells. And what it
 19 essentially does is it lists the criteria across the top,
 20 all right. Then you will see a weighting. This was
 21 actually the GPAC's weighting, because that's the
 22 recommendations before you. It frankly didn't differ that
 23 much from ours.

24 And then there's areas of the island that are on
 25 the left-hand column. And the reason there are areas is for

1 that, the simplest way to look at that is when you tear into
 2 the variables that they used to do the model, it is a very
 3 pessimistic model, to say the least. It's assuming growth
 4 rates in terms of tourist visits, of population growth, of
 5 income. It's like less than 2 percent all the way across
 6 the board.

7 With looking at all those variables, that is a
 8 dramatic slowdown. And I think we all know why, we are in
 9 an economic downturn that probably has never occurred in my
 10 lifetime. So the question becomes how quickly do we come
 11 out of it. So out of fairness and transparency, we started
 12 taking a look at a spread sheet that if we use those numbers
 13 what it would look like in terms of land mass and Urban
 14 Growth Boundaries.

15 We are still discussing it internally. All the
 16 boundaries that you will see on our maps and on the wall --
 17 and feel free to leaf through these if you like and ask
 18 staff any questions at the breaks. But they're depicting
 19 the boundaries that you have seen in your draft, all right.
 20 So we haven't physically moved anything around. We will
 21 have to have that discussion about how you want to go there.
 22 So that explains the spread sheet, if you will.

23 There's also a handout, and Jeff alluded to this a
 24 moment ago, that talks about the directed growth policies
 25 themselves. These are the last bunch of policies you need

1 a purpose. We did not review projects, we didn't review
 2 site plans, the reason being is that site plans change.
 3 What comes off the drawing table -- and I've been victim to
 4 this before -- are not necessarily what gets through the
 5 approval process and ends up going into the ground.

6 So we looked at it, if you remember we talked
 7 about Ian McCarg, Design With Nature Suitability Analysis.
 8 That's the approach we used. And we used a very rich data
 9 set, balanced it against this criteria, and that's how our
 10 boundaries were essentially defined. Literally hundreds and
 11 hundreds of hours have gone into these boundaries. Not just
 12 from staff, but obviously from the IRC and GPAC as well. So
 13 I think it's very easy to track how these boundaries have
 14 occurred.

15 The good news is there's not that many significant
 16 differences between the GPAC boundaries and the department's
 17 boundaries. And what we've got on these maps, this was
 18 based on your suggestion, is both the GPAC boundary and the
 19 Director's recommendations are on a single map. And when we
 20 start going through the data on the screen, that is also
 21 true for what you will see up on the wall.

22 So with that said, we originally released some
 23 recommended Urban Growth Boundaries in April of 2008. Those
 24 are in your binder in the very back, is the 2008 draft. And
 25 they've gone through a lot of revisions. When we did those

1 we worked with agencies, we had several workshops
2 internally. Needless to say, it was a pretty rich process.
3 And I think that that holds true also for the earth process.

4 So with that, what I'd like to do, with the help
5 of Mark and Mike, is take you through sort of a care and
6 feeding of the information that you have available to make
7 your decision. Now, I want to make it very clear that staff
8 views our role as providing you the best information we can
9 to make the best decisions. That's our role. And I think
10 you will find that we certainly got the information to make
11 that happen.

12 So with that, I am going to sort of interact with
13 Mark and have him throw some layers up, and let you kind of
14 see what this data is like, and more importantly how we used
15 it from a suitability standpoint to define these boundaries.
16 So Mark, do you mind throwing on first the digital elevation
17 model? Can somebody hit the lights in the back? It might
18 be a little easier.

19 Okay, when we originally did our boundaries, and
20 these are in the April 2008 map catalogue, we used what was
21 called a digital elevation model as a base map. And we
22 found out quickly that because these boundaries are so
23 important where they lie, what properties they're in, what
24 properties already out, we started using digital imagery.
25 And Mark, if you want to throw the imagery on.

1 the most important agricultural lands on the island. And
2 there's some sustainability issues with that, and we have
3 talked I think at length concerning that issue.

4 Now, we also kept hearing keep country country,
5 and the agricultural lands has a component to that. Now,
6 you will never be able to have a scenario in 22 years where
7 you don't consume some prime ag land. It's going to happen,
8 particularly with a concentric growth pattern, how Central
9 Maui has sort of industrialized its agricultural uses. So
10 that kind of goes without saying.

11 We also used a lot of information in terms of
12 public facilities, for example. Do you have the public
13 facilities layer, Mark? So the public facilities, we not
14 only had transportation system data, but we had parks,
15 schools, hospitals. You have actually adopted several
16 policies that talk about the importance of growth occurring
17 where we can handle it from an infrastructure standpoint.
18 So this is a layer that we also used when we started looking
19 at these boundaries.

20 There was also a transit corridor coverage that
21 was developed with the support of GPAC, and we looked at
22 that in terms of where densities could go and how we could
23 create a land use pattern that would support a future
24 transit system, be it buses, rails, car pools, van pools,
25 that sort of thing.

1 The imagery was flown in 2005, and obviously some
2 things have happened on the ground which we had to modify
3 our land use data set to represent this. Actually, you can
4 stay right there, Mark, that's a good window. This is
5 Wailuku-Kahului. You can zoom in pretty tightly to this
6 imagery, and it's very valuable when we start getting into
7 some of the nuts and bolts of the boundaries themselves.

8 Mark, if you want to throw on conservation lands.
9 This was kind of the first place we started. Obviously,
10 conservation lands. One of the values of this software or
11 this sort of analytical approach is that you can essentially
12 identify areas that don't make sense for development, which
13 we did, and areas that do make sense for development, based
14 on the criteria that you have in front of you. This is
15 conservation lands.

16 The next thing we developed was a sensitive lands
17 coverage. And the purpose of the sensitive lands coverage
18 was not so much a no-build zone, but more of an avoidance
19 zone. It's made up of sort of a range of criteria,
20 including flood plane, natural hazards, topography, gulches,
21 and that was kind of a starting point for us.

22 You want to put on prime ag land. Now, the one
23 thing that we heard consistently through the entire process,
24 all the way back to WalkStory, and then I heard it every
25 time I went out into the community, was a desire to retain

1 What else have we got, Mark? There's also natural
2 hazards data. There's a tsunami evacuation zone layer that
3 we considered. And you've got to be a little patient.
4 These data sets are absolutely huge, so we're sort of at the
5 mercy of our processor, if you will.

6 Okay, this gives you a sense of that transit
7 corridor layer. It is in your document, and we did use it.
8 There's also a great deal of the census data that you can
9 use. And the way that the IRC's and GPAC used these data
10 sets is they essentially queried Mark like I'm querying
11 Mark, asking how boundaries interrelate with different data
12 sets.

13 We also have the development projects database,
14 which we've also depicted now on these maps based on some
15 suggestions from the Planning Commission. That data set
16 includes projects that are in the ground, ongoing. It
17 includes projects that either are fully entitled or have
18 some entitlement, and projects that have only been proposed.
19 And several of those you spent a whole day listening to the
20 development community describe their projects to you. So we
21 have those data sets available whenever you like.

22 So go ahead and turn off -- keep the prime ag land
23 on, Mark, just briefly. And go ahead, let's take a little
24 bit of a road trip. Let's good ahead and start in Central
25 Maui, and you can take those projects off for now if you

1 want, Mark. And go ahead and turn on the GPAC and the
2 directed growth boundary layers.

3 Now, as I mentioned, for the most part our
4 boundaries were pretty consistent. We obviously had a few
5 issues that were different. The paper I think has done a
6 fabulous job at describing those conversations. One of the
7 biggest differences in Central Maui and Wailuku/Kahului was
8 how the GPAC handled greenbelt separations. And what I mean
9 by that is that there was a strong tone that we heard when
10 we were out in the community, when we had discussions with
11 GPAC, about retaining separation between communities. And
12 the GPAC took the approach that they were actually going to
13 put these green belts on the ground, and in some cases not
14 include them within Urban Growth Boundaries.

15 The department's recommendation incorporates those
16 greenbelts inside Urban Growth Boundaries. And our
17 perspective was that if you have ever spent any time in
18 cities all over the world that have great greenbelt systems,
19 oftentimes they are in urban areas. So we actually included
20 them in our boundary.

21 If you want to go to West Maui. West Maui was
22 also an interesting puzzle between GPAC and the Director's
23 boundaries. On your spread sheets you have two sets of
24 spread sheets in your notebook. One of them is the GPAC
25 recommendation and the other one is the Director's

1 interesting. For the most part, things stayed pretty
2 consistent, with the exception of Kihei Mauka. We had
3 originally recommended two or I guess three separate pods.
4 The idea was sort of a town center development pattern, not
5 unlike what was there historically, frankly.

6 GPAC essentially identified what's called a
7 country/town boundary, and you will see it in yellow, I
8 believe, Mark. That is a GPAC recommendation. Although I
9 don't think it was totally -- one of the aspects of doing
10 that was that West Maui did get some more units than what
11 we've represented.

12 You can keep going south. Now the boundaries
13 between GPAC and the department recommendations are almost
14 dead on, with the exception of a piece down in Makena that
15 we will talk about.

16 Mark, why don't you go to, let's go to Pa'ia.
17 Now, we also have, as I mentioned before, the Community Plan
18 designations, which are really valuable to understand the
19 relationship between the consistency with these boundaries,
20 both GPAC and the department's boundaries, with the old
21 community plans. And for the most part, we used that,
22 frankly both GPAC and the department, as sort of a guide.
23 We're both showing expansion areas in Pa'ia, both upper
24 Pa'ia, lower Pa'ia, Skill Village, the mill site. And
25 again, they're pretty consistent, and the distribution is

1 recommendation. When we did the model, the actual, both the
2 socio economic and the land use forecast, the model actually
3 allocated densities -- not densities, I'm sorry, population
4 and employment by CP area.

5 So we had a distribution target, if you will, and
6 it doesn't really radically differ from the ratios that are
7 on the island now between CP areas. Obviously the number
8 goes up because the population projections are going up.
9 But the GPAC -- and we can talk about this when we get into
10 the areas -- allocated quite a few more units to West Maui
11 than the Director's version. And we can talk about sort of
12 the logic between the two. And we have Warren Shibuya on
13 the Commission now, who was involved in all those
14 discussions.

15 Go ahead and start going a little south. And we
16 will get into these areas in excruciating detail, I'm sure.
17 Another diversion between GPAC and the department draft,
18 Olowalu specifically. GPAC recommended Olowalu consistent
19 with the site plans that have been suggested. The
20 department I think has represented our position with that.

21 Go just a little farther, go to Ma'alaea.
22 Ma'alaea is consistent between both. It essentially draws a
23 boundary around the existing developed area and stops there.
24 You can see it holds pretty tight to what's out there now.

25 If we start heading towards Kihei, Kihei was also

1 almost identical between the department and GPAC.

2 Do you want to go to Makawao? The only
3 significant differences between the department and GPAC was
4 that we showed some expansion to the north. That's the
5 pineapple fields across from the cemetery. That was
6 supported I believe actually -- Mark, correct me if I am
7 wrong -- that was supported by both GPAC and the department.
8 Yes, okay.

9 We also showed an expansion going up to Seabury.
10 Seabury Hall had represented that they would like to build
11 some faculty housing. We had sort of a spirited debate if
12 we had to put a boundary around that or if we could handle
13 it through policy. And there was a policy that talked about
14 public and quasi-public uses which could occur outside of
15 Urban Growth Boundary. The ultimate decision was to include
16 it.

17 In Pukalani I think we're pretty consistent. We
18 showed some growth on a project to the northwest that I
19 believe is fully entitled. There was also a strong desire
20 not to let Pukalani and Makawao grow together. There's a
21 greenbelt, actually we have a greenbelt coverage that we can
22 show you. I think that gets us through most of upcountry
23 and around.

24 And again, as we go through these, one decision
25 that we need to make is how you folks want to go through the

1 island for your review process. The IRC's and GPAC started
 2 with sort of the ones that were a little easier as the
 3 process unfolded. I believe we did Makawao, Pukalani and
 4 Pa'ia first. Essentially what they did is they looked at
 5 the boundaries, they identified any major pukas that they
 6 felt we either forgot, left out, and they would actually
 7 approve the boundaries by motion, and that was a very
 8 efficient way of getting through it. We did that both with
 9 the IRC and the GPAC.

10 We did end up coming back to areas, sometimes more
 11 frequently than I think was very efficient. But in some
 12 cases this is a complicated exercise. There's a ton of work
 13 that has gone into this. So sometimes we did go back,
 14 particularly when we were doing Kihei and West Maui. We
 15 would kind of go back and forth and deal with some of the
 16 supply and demand issues.

17 Now, Upcountry there's what we're calling rural
 18 service centers, and I think we've made presentations on
 19 what those are. Keokea is one. There's also, in terms of
 20 the country towns, obviously we've mentioned Pa'ia, Haiku.

21 There is also a little bit of expansion in Haiku.
 22 Mark, if you can get to there. And I believe, again, that
 23 that was consistent with both GPAC the Director's. And if
 24 you can see these lines, the black, there's a black line and
 25 a white line that shows you the difference between GPAC and

1 MR. KING: Mark King, staff. Hazards, tsunami
 2 inundations, sea level rise.

3 MR. MICHAELSON: Yes, those are the two primary.
 4 Besides flood plane, we have a tsunami evacuation area, and
 5 we have a sea level rise layer which represents one, two,
 6 and three meter rise. We haven't attached a temple
 7 component to that, in other words, we haven't said we are
 8 going to have one meter rise in 15 years or 20 years.

9 We have used that layer to help us understand if
 10 that does occur, and I think most of the scientific
 11 community is warning us almost on a weekly basis of that
 12 happening at some point. The point it happens is kind of
 13 the debate. And we have integrated that in all the layers.
 14 And like I said, if you are in an area and you are concerned
 15 about that, you can pull that layer up and understand how it
 16 relates to the boundaries that are in place.

17 We also have a reef data set, and Mike is
 18 intimately familiar with this data layer. What it
 19 represents is the best data available in terms of the
 20 conditions of our reef systems. And if you remember when we
 21 did the cultural and heritage resources section, we actually
 22 had a map in there that suggested what we were calling a
 23 SAMP, a special area management plan, that essentially
 24 integrated watersheds with these reef systems. And
 25 obviously that policy is going to take awhile to develop.

1 the Director's. And I believe what's in green on this map
 2 is the sensitive lands coverage, is that correct, Mark? And
 3 you will see how we did use that to frame a lot of these
 4 boundaries. And again, it's gullies, slopes, flood plane.

5 We also have a fair amount of data in terms of
 6 critical habitat that also came into play. So I think that
 7 gives you a -- Hana was also interesting, and this is an
 8 issue that I've spoken to obviously Leslie Bruce and some of
 9 the other Hana representatives about. When we drew the Hana
 10 boundaries -- if you want to head in that correction,
 11 Mark -- we generally used Community Plan designations. And
 12 what's interesting is when I went out to Hana I spoke to
 13 several people that were very concerned with the property
 14 shown as rural residential that were between the Hana
 15 Highway and the coastline. That's an issue I think we're
 16 going to have to grapple with. You are going to hear public
 17 testimony concerning that. But again, it was really the CP
 18 designations that drove it.

19 There has been some concerns voiced about the
 20 entire island. The entire island is not included within
 21 your map packet. The maps that aren't in there we're
 22 proposing no boundaries for, all right. So it's essentially
 23 what you see is what you get.

24 Are we missing anything on our quick little
 25 fly-threw, Mark?

1 But when we get to that I think I will probably
 2 call on Mike to describe where the data came from and what
 3 it represents. The book describing it is about the size of
 4 a dictionary, and we have included that data set as well.

5 We also have a pretty rich topographic data set,
 6 and there's a lot of different ways to look at it. Mark, if
 7 you could pull up, I think you have a percent slope layer as
 8 well. And what we did is essentially, you know, one of sort
 9 of a rule of thumb is anything above 15 to 20 percent gets
 10 challenging in terms of access, in terms of building pads,
 11 in terms of erosion. And that was also a component with
 12 that special area management plan, was trying to limit
 13 development that would cause drainage issues, construction
 14 issues, things like that, and that's what's represented on
 15 this map right here.

16 We also have some cultural data sets. All the
 17 ahupua'as are on these maps. I believe there's 144 of them.
 18 We have a data set of all the mokus. That's come up in
 19 several public hearings about integrating our land use
 20 management systems with some historical ones that frankly
 21 were a little better at environmental protection than ours.

22 There's also a data set that shows streams with
 23 known cultural resources. And we also have the medi-data
 24 for all this. Medi-data is a fancy word for where does this
 25 stuff come from, and what was the data source, and how was

1 it actually integrated into the GIS system. Was it
2 digitized, was it already digital data that we could
3 actually bring into the system. If you ever have any
4 question about where did that come from, we can answer those
5 questions.

6 So I think that gives you a pretty good sense. I
7 have been working with GIS since I guess 1988. This is one
8 of the richest systems that I have ever had the pleasure to
9 work with. And the idea is that Maui is such an
10 environmentally sensitive place, that the data sets have
11 essentially been developed to support that. And it's also
12 based on what we heard when we were out in the community
13 when we were doing public workshops.

14 If you remember when we did the charrettes, we
15 actually had people drawing on maps. We asked them where
16 should development not go, where does development make
17 inherent sense, and all that data is included in your
18 WalkStory binder, it has the data sets. And those purport
19 very closely to all these boundaries, for the most part.

20 I think that hopefully gives you a good sense of
21 the tool that you have. Again, I'll answer any questions
22 about how the thing works and how you can use it. I think
23 it's pretty intuitive. But I think one issue we are going
24 to have to talk about, and I think maybe the time to do that
25 is after we get through the policies that relate to directed

1 Shibuya. Question, Commissioner Hiranaga.
2 COMMISSIONER HIRANAGA: So each Commissioner gets
3 one of these to take home, or when do we get to study them?

4 MR. MICHAELSON: We can produce them.
5 Essentially, the boundaries that you have in your packet, in
6 your binder are the same as these, all right. Now, we can
7 produce maps at the request of the Planning Commission for
8 specific areas, make them a little larger. They're pretty
9 expensive to produce, I'll put that right out there. These
10 large maps, these large format maps we will always have with
11 us. So if we need to put one of these on the floor or a
12 tabletop, we can do that as well.

13 ACTING CHAIRMAN U'U: Follow up, Commissioner
14 Hiranaga.

15 COMMISSIONER HIRANAGA: I would think that I would
16 probably want some larger scales of specific areas, because
17 the maps in our books are pretty small. It's very difficult
18 to even identify geographic locations.

19 MR. MICHAELSON: We will get you whatever you
20 need.

21 COMMISSIONER HIRANAGA: Thank you.

22 ACTING CHAIRMAN U'U: Commissioner Guard?

23 COMMISSIONER GUARD: Is the computer edition
24 available for us to use anywhere?

25 MR. MICHAELSON: Actually, the PDF's are on the

1 growth, in what order you want to go through the island. I
2 think that's pretty critical. I would suggest taking some
3 of the easier ones first, taking the tougher ones maybe not
4 last, but get your feet underneath you.

5 ACTING CHAIRMAN U'U: Okay, thank you. Can
6 somebody turn on the lights?

7 At this time we are going to take up questions by
8 the Planning Commission on the capabilities of the map that
9 was presented to us. Shortly thereafter, we are going to
10 open it up for public testimony. The question I have for
11 Dave is what if you're color blind?

12 MR. MICHAELSON: Well, I guess I can't come up
13 with a braille system on this thing. It's not scratch and
14 sniff. Tell me what colors first, and then I'll figure
15 something out.

16 ACTING CHAIRMAN U'U: Questions, anybody, for
17 Dave? Any questions for staff? Commissioner Shibuya.

18 COMMISSIONER SHIBUYA: I just wanted to thank and
19 commend the GIS staff as well as Dave and John Summers.
20 Being on the GPAC, I have noticed that we've had a quantum
21 increase in improvement in the data layers that you have
22 shown here. We're really privileged to get this kind of
23 data. I'm really stoked about this. Thank you very much.
24 I really appreciate these data sets, thank you.

25 ACTING CHAIRMAN U'U: Thank you, Commissioner

1 website, and you can blow those up. But the software itself
2 that runs this engine is about \$15,000 to \$20,000 a pop. So
3 in other words, we can't, we don't have the availability to
4 give you the software.

5 Now, there is -- you can from the web sites it's
6 esri.com, Environmental Systems Research Institute. There
7 is a software that you can download called ARC Explorer.
8 What it allows you to do is access data and view it, but not
9 manipulate it. One of the values to the system is it's not
10 just about storing and viewing data, but you can analyze
11 data. There's data sets attached to this, a database for
12 each of these layers, and you can query it. So that might
13 be one option. But unfortunately, we don't have the
14 resources to be able to provide each and every member with
15 the software.

16 ACTING CHAIRMAN U'U: Follow up, Commissioner
17 Guard.

18 COMMISSIONER GUARD: Thank you. I guess how many
19 copies are out there, what Kent Hiranaga was referring to on
20 the research if someone wanted to overlay a couple of items,
21 your maps tell us what you wanted to overlay without people
22 being able to make their own decisions on tsunami or taking
23 flood hazards and different boundaries into account. We can
24 only go off what was produced for us, where all those check
25 marks you could do, Mark was able to pinpoint different

1 ones.

2 MR. MICHAELSON: That's exactly what we'll do with
3 you folks.

4 COMMISSIONER GUARD: How many systems are out
5 there right now?

6 MR. MICHAELSON: In our department?

7 COMMISSIONER GUARD: In our department or in the
8 public?

9 MR. MICHAELSON: I can't answer the public. The
10 software itself is the most popular GIS software in the
11 world. There's hundreds of thousands of licenses. But in
12 our department we have eight or ten licenses, I think.

13 ACTING CHAIRMAN U'U: Commissioner Mardfin.

14 COMMISSIONER MARDFIN: Correct me if I am wrong, I
15 think the intent was that throughout our meetings you and
16 your staff will be here to give us whatever we want. And
17 what we have to do is organize ourselves sufficiently that
18 we are not, Kent is asking one question and wants one set,
19 and then I decide to answer questions, and then it goes back
20 to Kent, then goes to Warren.

21 You kind of want to focus on an area, ask for what
22 we want, look at it, decide whether we need go back to it or
23 not, and depend on your staff, you and your staff for the
24 expertise to get us what we want to look at. And what we
25 will be looking at is up here. We can't do this stuff at

1 change. I don't want to put out unreasonable expectations
2 of Mark and Mike.

3 ACTING CHAIRMAN U'U: Commissioner Starr.

4 COMMISSIONER STARR: Yes, there was mention about
5 the changing demographic and population expectation numbers,
6 and I understand that there are really three different sets
7 of these numbers that are in play, and one is the original
8 numbers that came from a very voluminous study that was done
9 a couple of years ago that were the Director's, the basis
10 for it, the Director's recommendation. What's the name of
11 that study, Mark?

12 MR. KING: Mark King, staff. This was the product
13 from our office, the Socio-Economic Forecast, General Plan
14 2030, published in 2006, based on 2005 data.

15 COMMISSIONER STARR: And if any Commissioners have
16 not read that, I recommend it, because it's really
17 interesting the depth of work that went into creating this.
18 There's a lot of intelligence put into this thing. Then
19 these numbers which originally came from the department were
20 amended by the GPAC, and I guess that was kind of done after
21 a time of real rapid growth. And they added a bunch of
22 additional households, I believe mostly on the west side,
23 that kind of inflated those numbers.

24 And also, if I recall, there was a change in the
25 household size that was made, that was contrary to all the

1 home on our own time.

2 MR. MICHAELSON: No. But the whole purpose of
3 this and the way we got through the IRC was the fact that
4 not only is the GIS staff so good at this, but it can happen
5 in real time. You can ask for any layer, you can ask for
6 any scale and it will be there, and that's the value. And
7 these guys will be here with this through this whole
8 process.

9 ACTING CHAIRMAN U'U: Any more questions for
10 staff? Director Hunt.

11 DIRECTOR HUNT: Just a follow-up. The staff has
12 the ability to manipulate some of the layers. So if
13 somebody wants to draw a line somewhere or to code an area
14 or put a hatch mark on a geographic area, staff can do that
15 for you and put it right up there, and that's what they did
16 with the IRC's and the GPAC. So there is some
17 manipulability right here at this scale.

18 MR. MICHAELSON: One caveat to that. The
19 boundaries themselves, the Urban Growth Boundaries, are made
20 up of, in some cases, thousands of vertices, little dots and
21 lines. So they won't be able to actually move the boundary
22 and tell you it's now 36.4 acres, and at 4 units per acre
23 that's the units that occur there. They will draw a
24 geographic shape just to give them the ability to go back,
25 and the next time we are in front of you we can make that

1 research that was done, and that changed the GPAC's
2 recommended numbers and where the boundary fits. Because
3 it's like a balloon, you put more air into it and it gets
4 bigger. If you take the air out it gets smaller. By
5 pumping more air and changing the family size, the balloon
6 got bigger.

7 Now we're looking at DBEDT's numbers, which in
8 some areas are smaller. There's actually a couple of areas
9 where it's slightly larger expectations. I'm wondering what
10 is a reasonable process for us to use to evaluate it? You
11 know, what's worked in other communities, and what do we
12 have to look forward to in trying to create the size of the
13 balloon. We have to decide where it gets bigger or smaller,
14 but how do we figure out the size of the balloon?

15 MR. MICHAELSON: First of all, let me clarify a
16 couple of points that you made. First of all, the 2008
17 adjustment that you just saw there, that actually same from
18 DBEDT. DBEDT re-ran their model and reduced, and I can't
19 remember the specific number of the units at the end of the
20 day, but that was the number that was used by GPAC.

21 Now, the household size was a different animal.
22 Mark, I don't know if you have that sort of inverse
23 relationship graph that came out of the land use forecast.
24 Essentially what the forecast has suggested consistently is
25 that average household size would go down over the forecast

1 window from 2000 to 2030. We use a 2.72 average household
2 size, that's how many bodies are in any given house, which
3 is the middle of the forecast, which was 2020. The GPAC
4 decided to use a different number, which was 2.80, I
5 believe, which was the 2000 census average household size.

6 So what that essentially did was the number of
7 people between the GPAC forecast and the Director's
8 forecast, the number of people stays constant. What changed
9 is GPAC put more people in each house, so the number of
10 houses came down. That's the difference.

11 Now, in terms of the new forecast, what's sort of
12 interesting is that the number that they're projecting now
13 under the latest model run is pretty close to the GPAC,
14 because they again created less households because they put
15 more people into them.

16 This is the chart that I was referring to that
17 came out of the forecast. It's essentially a Lee Square
18 analysis trying predict the household size. We took the
19 middle, 272. In 2010 when we get the census we will have a
20 much better idea of real numbers instead of forecasts, but
21 that's what we did. So that's the difference between the
22 two.

23 I guess a decision that has to be made, and I
24 don't think it's been made on the part of the department
25 yet, is now that we have these new numbers, these July 2009

1 as large or you don't need to accommodate the demand that
2 the 2008 forecast suggests.

3 ACTING CHAIRMAN U'U: Thank you. Any more
4 questions?

5 At this time we are going to open up for public
6 testimony. You will have a maximum of three minutes. The
7 sign-up sheet is in the front of the table. Staff will give
8 you the two minute warning and then the gong at three. Also
9 at 10:00 we will be taking a break for the stenographer.

10 So the first on the list, I will be calling your
11 name, is Dain Kane. And also please state your name for the
12 record and speak directly into the mic.

13 MR. KANE: Good morning, Chairman, and good
14 morning Commissioners. Thank you for your volunteer time to
15 this huge effort. I want to throw out some sarcasm but I
16 won't, I'll bite my tongue. I am here this morning, my name
17 is Dain Kane, and I'm here as a sitting board member of the
18 Wailuku Country Estates Community Association. We have a
19 very active board. I serve as its president. And we are
20 all elected by the 184 owners of the lots that are between
21 3.9 acres right above Happy Valley.

22 I'm here because our board was recently made aware
23 of the GPAC's February 28th meeting and the adopted policy
24 to change small ag lots to rural. And as a community
25 association, and after having a very spirited discussion on

1 DBEDT model runs, what do we do with them, do we use the
2 lower number? And out of just so everyone is on the same
3 page, one of the concerns I had, I had never heard of DBEDT
4 when I came here in 2005.

5 So what I did was I looked at the last six model
6 runs, and they're 40 year forecasts. And I wanted to see
7 the relative variation for each of these model runs over the
8 forecast window. And what's interesting is they've been
9 remarkably accurate over time. They've been within about 2
10 to 6 percent variation at the far end. That's for a
11 population forecast. That's very impressive.

12 Now the question becomes is the uncertainty that
13 we are in now, not only with our local economy but the
14 national economy and the global economy, do the new numbers
15 paint a more pessimistic picture of the economy coming out.
16 And I am not an economist, so I can't tell you that. I did
17 see one disturbing number, that if you looked at the
18 unemployment rate from an 18 month window, January of 2009
19 to July -- or I'm sorry, January of 2008 to July of 2009,
20 our unemployment on Maui went from 3.3 percent to 10. That
21 gets your attention.

22 So, you know, we really haven't decided what to do
23 with it, but we knew out of transparency that we should see
24 what it does to the spread sheet. And if you do use those
25 2009 numbers, your Urban Growth Boundaries do not have to be

1 this particular subject matter, we concluded, although we
2 have a very diverse group, we were unanimous in concluding
3 that we are not in support of changing the ag designation to
4 a rural designation.

5 I've learned recently that perhaps the policy at
6 the GPAC was the result of a more general view that 2 acre
7 subdivisions or the 2 acre ag subdivisions aren't truly ag.
8 And that may be true for many circumstances and many
9 specific circumstances throughout the island. However, I
10 would encourage any of you or all of you collectively, and
11 even people in the public, to come visit us. I think we're
12 a little unique in that --

13 MS. PAREDES: Two minutes.

14 MR. KANE: Thank you. We're a little unique in
15 that we have C and B classified lands. I personally harvest
16 about 500 to 600 pounds of apple banana a week, for a total
17 of 2500 pounds a month. So I'm generating some banana.

18 We sent a letter to Mr. Michaelson on July 28th.
19 So as a reference point, we have a lot of information that
20 we provided to Mr. Michaelson, and we encourage you to take
21 a look at that information. And because of time constraints
22 I decided not read through that verbatim.

23 But again, to encourage you ultimately in the end,
24 after doing everything, with this particular property and
25 the policy that was submitted by the GPAC, and I respect

1 their work, to please consider keeping that particular
2 subdivision intact as an agricultural subdivision and not
3 changing it to rural. Thank you very much.

4 ACTING CHAIRMAN U'U: Thank you. Any questions
5 for the testifier? Seeing none -- Commissioner Hiranaga.

6 COMMISSIONER HIRANAGA: Dain, so specifically what
7 are your most important concerns about the proposed change
8 of the designation from ag to rural, is it like real
9 property tax valuations or density?

10 MR. KANE: Thank you, Commissioner, I appreciate
11 the question. There's a whole plethora of issues that are
12 involved in going from one to another. Property tax could
13 be considered one, but that connected to the fact that we
14 are not going to be able to get in any type of increased,
15 how shall I say, property taxes may be one of them, and that
16 wasn't one that was one of the primary concerns.

17 To take a step back from the specifics into the
18 more general, the intent of that subdivision and the people
19 who bought in there overall, based on the activity that is
20 occurring up there, is that a vast majority of the lot
21 owners who have moved up there and are now living there are
22 farming there. They did that because they wanted to farm
23 and they wanted to do ag.

24 We have currently now from January, and forgive
25 me, let me just pull up a number very briefly. May 2007 to

1 ACTING CHAIRMAN U'U: Questions? Commissioner
2 Shibuya.

3 COMMISSIONER SHIBUYA: I just have a question that
4 deals with two aspects, and it deals with water. One is
5 increasing the impermeability of the agri land with more
6 structures, and the other aspect in terms of using the water
7 that's available for ag use. I see this as a conflict in
8 this respect. How do you view this for your estate?

9 MR. KANE: Commissioner, thank you for the
10 question. And I cannot speak for the members of the board
11 to your question, so I'll speak, if you don't mind, as an
12 individual. I would concur with you, and I believe that
13 there is an inherent conflict with that. Water obviously is
14 an issue, so for us as an agricultural subdivision we face
15 our challenges with the access of water.

16 Now, fortunately we have a dual water system in
17 our subdivision, so we do use non-potable water. And the
18 county has limited us to not being able to use potable water
19 on our crops. I mean that's just part of the restrictions.
20 So we have our challenges. Water is one of the main ones,
21 Commissioner. And so I would simply agree with what your
22 comment was. Thank you.

23 COMMISSIONER SHIBUYA: Thank you.

24 ACTING CHAIRMAN U'U: Any more questions for the
25 testifier? Seeing none, thank you very much. At this time

1 April 2008 we had approximately 99 acres in production, and
2 this is a 420 acre lot subdivision. 420 acres total, with
3 184 lots. That was as of April of 2008. Now we are looking
4 at it's probably about 125 acres of agricultural production.
5 And there's a whole mix, whether it's livestock or a nursery
6 or production with orchards and fruits, et cetera. We
7 projected to even go higher, up to a total of 300, which
8 would be about 75 percent.

9 My point for stating this is the intent for most
10 of the people who are living there intend to do ag, so we
11 want to keep it that way. If it goes rural, what I didn't
12 mention in the letter to Mr. Michaelson, you know, we didn't
13 talk about the increased potential density going through the
14 log jam already in Happy Valley, which is currently the only
15 real way for us on the mauka side of Wailuku and Waiehu to
16 come into town.

17 So, you know, just the issues and the concerns,
18 Commissioner Hiranaga, regarding how the subdivision was
19 built and intended to be utilized. And if it gets upgraded
20 then that becomes an additional cost to the county as well
21 as the taxpayer, as well as us in property taxes, since you
22 brought up the property tax component. We just want to keep
23 it the way it is. We intended to move there the way it was,
24 and we want to keep it like that.

25 COMMISSIONER HIRANAGA: Thank you.

1 we are going to take a 10-minute recess.

2 MR. KANE: Thank you, Chair. Thank you, Members.
3 (Whereupon a brief recess was had)

4 ACTING CHAIRMAN U'U: The Planning Commission is
5 now back in session. Going back to public testimony, next
6 on the list is Joseph Blackburn. Please state your name for
7 the record.

8 MR. BLACKBURN: Joseph Blackburn. I'm the
9 managing agent for Wailuku Country Estates and also an owner
10 up in the subdivision. I want to relate what Dain said.
11 Basically because of the Na Waieha situation, we had to
12 survey every single lot in the subdivision to find out who
13 was doing agriculture, what type of crop, the amount of
14 water being used. It was quite an undertaking, but that's
15 how we got a lot of our numbers, and we know our owners are
16 growing.

17 Also, actually as the managing agent for the board
18 they pushed me to tell the owners to grow. So a lot of us
19 are growing. Some, like me, I started out with bananas,
20 I've expanded to dry land taro. I can't grow any more dry
21 land taro right now because my wife says I have got to keep
22 the yard open for my son's wedding in October. Once that's
23 done, I'm going to make more of my little lo's out there.

24 I come home covered in dirt, so I don't know if
25 you can call me a gentleman, because some people say, "Oh,

1 you're a gentleman farmer." I say, "Well, nobody mistook me
2 for that."

3 But the idea is we love being agriculture. Our
4 covenants say we have to be agriculture. Our CC&R's say we
5 have to be agriculture. But the bottom line is, as I was
6 digging for my electrical outlet -- I retired from Maui
7 Electric, one of my many retirements -- and they told me,
8 "Oh, yeah, your electrical stub-out is right here." You
9 know, typical Maui Electric. And of course I love them.
10 Six feet later I found it, and that's six feet down. All
11 six feet was dirt, not one rock. And that's what made me
12 excited about this is where my dream house is going to be.

13 Now, you are going to come up and you're going to
14 drive up through the subdivision and you'll see my house and
15 you're going to go, "Oh, what a big house." And I say, you
16 know what, I worked two jobs all my life for that. I'm
17 still in debt up to my you know what for that. I share it
18 with every kid that wants to be shared with. I coach kids,
19 they come up, they swim in my pool, they sleep in my house.
20 We're just part of the community, and I love it. But really
21 strikes me is when the kids tell me, "Oh, Coach, one day I
22 want a house like yours."

23 MS. PAREDES: Two minutes.

24 MR. BLACKBURN: You know, and I say, you know
25 what, that's good, because maybe one day you can live with

1 estimation, it's a four mile drive down a highway. It's the
2 same as driving from Wailuku Heights down to, or sorry, from
3 Market Street to the Matson Pier 1 in Wailuku. Not a long
4 way. For the people from Kihei it's like driving on Piilani
5 Highway from Lipoa to the Makena Road. It's just not a long
6 way.

7 But not all Olowalu workers will have to commute,
8 because Olowalu town actually generates jobs for them.
9 Village stores and services, food crop and landscape nursery
10 farms, a charter school with all the people to run it, town
11 management and maintenance, and assorted homeowner services
12 for the people who will be living there.

13 Olowalu Town will be a green rural mixed-use
14 neighborhood, but it will be a nice place to live. Stacking
15 the houses in Kahului industrial section makes places to
16 live, but they're not as nice as Olowalu. It would be
17 better to take a walk in Olowalu wooded trails than going
18 over to Longs across the macadam and the concrete and trying
19 to dodge the 8 cylinder vehicles that are going up and down
20 the industrial park.

21 The plantation model for affordable housing that
22 you accept for Ka'anapali and Pulelehua also holds for
23 Olowalu Town. House workers close to the workplace.

24 MS. PAREDES: Two minutes.

25 MS. SMITH: In fact, Olowalu fits this model

1 me if you marry my daughter. (Laughter) The idea being is
2 that we love our subdivision, we love being close to town,
3 we love the fact that it's cloudy at night, and it rains,
4 and anything you put in the ground grows. And that's what
5 makes Wailuku Country Estates agricultural and special.
6 Thank you. (Applause)

7 ACTING CHAIRMAN U'U: Question for the testifier?
8 I have got a question. What was your land classified as?

9 MR. BLACKBURN: Agriculture.

10 ACTING CHAIRMAN U'U: The soil, the rating.

11 MR. BLACKBURN: B and C.

12 ACTING CHAIRMAN U'U: B and C, thank you. Any
13 questions? Seeing none, thank you very much.

14 MR. BLACKBURN: Okay, thank you.

15 ACTING CHAIRMAN U'U: Next on the list is
16 Katherine Smith. Please state your name for the record.

17 MS. SMITH: I'm Katherine Kama'ema'e Smith,
18 historical novelist, and I'm a volunteer for LIHAU Olowalu
19 Cultural Reserve. I live in West Maui. I decided to come
20 over here because so many nice people drove out to Lahaina
21 to testify against Olowalu, so I will testify for it here.

22 Olowalu always was a village or a town. From
23 ancient times that is the historical use. I want to make
24 sure that's on the record. I gave you pictures of Olowalu
25 town. Olowalu is not far away from Lahaina, in my

1 better because it's a flat valley where people can actually
2 walk not only down to work, but they can walk up to their
3 homes after work.

4 As far as infrastructure is concerned, Olowalu
5 Town LLC plans for cutting edge infrastructure, which we
6 really need to try out on Maui. I live close to the Halawai
7 plant, and one whiff tells me that we are going to be in
8 trouble during the season when North Beach gets full of
9 visitors. And I don't know what the plans are to increase
10 the capacity of that place, but it sure isn't very good now.

11 I urge the Planning Commission to approve the
12 proposed urban and rural growth boundaries requested by
13 Olowalu Town. Thank you.

14 ACTING CHAIRMAN U'U: Thank you. Questions for
15 the testifier? Seeing none, thank you very much. Next on
16 the list is Keomoku Kapu. Please state your name for the
17 record.

18 MR. KAPU: Good morning ladies and gentlemen of
19 the Commission. My name is Keomoku Kapu from Lahaina. I
20 guess it's the big topic on the agenda right now, rural,
21 urban, agriculture. I think the laws that were in place
22 prior to I guess the general plan to make sure that we
23 definitely incorporate some kind of development that has to
24 do with sustainability or like a community kind of
25 sustainable agriculture and try to get away from the sprawl

1 development. I'm living testimony to agricultural lands
2 being chopped up on the west side, yeah, from Olowalu all
3 the way to Kohomokanaha (phonetic) by my friendly
4 neighborhood spider man. And there is limited agriculture
5 being grown on the west side by these private development
6 companies that are building these subdivisions, two acres,
7 five acres, 15 acres. And I'm pretty sure you all know who
8 I am talking about.

9 You know, I'd like to also express my concerns on
10 other things that I hope this Community Plan takes another
11 50 years to be completed, because on the west side we've
12 really got to take into high consideration based upon who
13 this is going to benefit. Every meeting I went to, all I
14 see is attorneys, developers, and no public, the majority.
15 So you have only got one percent of the public that comes to
16 these meetings. That don't make up a whole lot.

17 I see private discussions, back door deals, I see
18 all kinds of things based on this one little topic over
19 here. The general plan that was created back then, sure, we
20 get plenty of flaws, but we dealt with those flaws in the
21 Commission and the Cultural Resources Commission with the
22 state.

23 You know, one thing we have got to think about is
24 this bypass we get coming to Lahaina. If this is completed,
25 is the bypass going to be completed to supplement all these

1 when it came to the central area there wasn't any
2 information passed on, and there has not been any
3 information passed on that we've received in our community
4 association last week. And I would think you would want to
5 know, because we're very pleased about it. And the
6 information was that the recommendation coming from
7 long-range planning for Waihe'e is that they would not --
8 they would leave us alone and allow us to come up with our
9 own plan. So yes, we're very happy about that, but I'm
10 wondering how come nobody else got to know about it.

11 The next thing was I'm also hearing about all
12 these, you know, I look at the maps and the numbers and the
13 colors and I'm totally blown away by what's being done. And
14 in my mind I'm thinking how are we going to survive? How
15 are the people going to survive? How are we going to be
16 able to get to the resources that we need and that we have
17 so much of in our area?

18 When I look at what's happening here with planning
19 I'm thinking we're looking for the peoples' survival here,
20 and I just don't see that. I see the need for development,
21 I see the need for economy, but I don't see how the people
22 themselves are going to be able to survive according to all
23 of those plans.

24 And I'm really confused by definitions now. So
25 that's why when we hear about country lifestyle or ag zone

1 developments? I hear 6,000 homes coming to my neighborhood.
2 6,000 homes, which means what is that, another 12,000
3 people?

4 MS. PAREDES: Two minutes.

5 MR. KAPU: These are the kinds of things that take
6 into high consideration, and urban and rural development it
7 don't belong on the west side. Keep it agriculture. Make
8 people responsible based upon what -- and another thing I
9 don't like, is any time when people say they want to do
10 development up in ahupua'a, that's discriminatory, it's
11 discriminate to myself, my family, my relationships to my
12 land. Because you cannot say we going create one ahupua'a
13 development where the plan is ahupua'a, but how many people
14 you inviting from wherever they going come from, and whether
15 or not they even understand the concept. If they don't
16 understand the concept, shoot it down. Ahupua'a is a
17 discriminate word that is used today basically for profit
18 and money. Mahalo you all for your time.

19 ACTING CHAIRMAN U'U: Thank you, Keomoku.
20 Questions for the testifier?

21 Seeing none, thank you very much. The next
22 testifier is Johanna Kamauno.

23 MS. KAMAUNO: Aloha. My name is Johanna Kamauno.
24 I'm from Waihee Valley. I saw the presentation this
25 morning, and I was kind of disturbed by it mainly because

1 or rural zone, the definitions in those zonings are very
2 different from what we have in our minds about it. And I
3 suppose that's our responsibility, that we have to go back
4 and understand that.

5 But you asked the kupuna one time in a meeting
6 where he testified here if he liked the idea about being
7 country, and he said yeah. But when we went back to look at
8 what country designation was, it was definitely not what he
9 had in his mind, okay.

10 MS. PAREDES: Two minutes.

11 MS. KAMAUNO: So there's some problems with those
12 definitions. And now we hear more and more of these terms
13 being used, not just in the designations, but in county laws
14 or bills being proposed. And it's an aberration if not an
15 adulteration of the word as it was meant to be used.

16 So my concern would be that as you start to look
17 at these things, can you feel the love for the people while
18 you are doing this? I see lots of energy, I see lots of
19 thought, lots of work going into this, but I'm sorry, I just
20 don't feel the love coming from that. I see the need for
21 the economy, I see the goals that you are trying to achieve
22 with this, but I still don't see the love in connection with
23 the people or with the land, and that's what I'm really
24 concerned about. We have something special with this land
25 and we should take care of that. Thank you.

1 ACTING CHAIRMAN U'U: Thank you, Johanna. Any
2 questions for the testifier? Commissioner Shibuya.

3 COMMISSIONER SHIBUYA: I just have a question,
4 Johanna. Can you tell us how many streams, since the past
5 20 years that you can remember having lived in that area,
6 have disappeared, and what can we do to restore these
7 streams?

8 MS. KAMAUNO: Well, that's a good question. Just
9 so you have an idea, you folks know about Waihe'e stream.
10 Everybody knows that there's a Waihe'e Stream, right? But
11 only the residents know where Waihe'e Stream really is.
12 It's not the stream that is noted on your maps today, it's
13 the body of water that used to run alongside Waihe'e School.
14 Today I think the name on it is Kope Gulch, just like
15 another bay in our area is all of a sudden Turtle Bay. So
16 we have a few problems with that.

17 Yes, a lot of the streams have dried up. I can't
18 tell you how many. As for what we can do to it, it's really
19 simple. There's diversions in the stream, and the Water
20 Commission said that those waters need to be returned. But
21 they've instituted a permitting process that makes them the
22 management of that water, but they still don't come to talk
23 to the people about how that's supposed to be done. And I
24 don't think they know what our community needs are regarding
25 that.

1 our problem is.

2 The boundaries as drawn on the plan as submitted
3 leave out important areas of Makena Resort in a
4 non-development, putting them in non-development status
5 where they have already, these lands already have Community
6 Plan and zoning consistency. For years they worked on the
7 plan and the Community Plan and the zoning for the Makena
8 Resort to bring everything into consistency. The process
9 has taken well over ten years. The last round was last
10 December.

11 It's difficult for the landowner when the planning
12 comes in and sort of arbitrarily -- it's not arbitrary, but
13 just draws the lines and without perhaps considering a lot
14 of the important history of the property.

15 But there's a legal issue that's real important.
16 We have a state law, a Special Management Area law under the
17 Coastal Zone Management Act that says if you are a landowner
18 and you are in the SMA --

19 MS. PAREDES: Two minutes.

20 ACTING CHAIRMAN U'U: It's just two minutes.
21 You've got a minute to finish.

22 MR. WELCH: Thank you. If you're in the SMA the
23 County Planning Commission may not -- you are prohibited
24 from granting any permit for any use of that property that
25 requires an SMA, any ground disturbing, any construction,

1 I'm hearing about Wailuku Country Estates and the
2 farming they're doing up there, and if I understand
3 correctly, their water is coming from the Wailuku Water
4 Company. There's a lot of things happening here. So I'm
5 sorry, I don't have the answers for how that works out. But
6 put the water back in the stream.

7 ACTING CHAIRMAN U'U: Thank you. Any more
8 questions for the testifier? Seeing none, thank you very
9 much. Next is Tom Welch. State your name for the record.

10 MR. WELCH: Mr. Chairman, members of the board.
11 Good morning, my name is Tom Welch. I'm here representing
12 the owners of the Makena Resort. It's a tough position to
13 be in to stand before you after all this work has been done
14 and all these studies have been done and all the great
15 planning and so forth, to come in from a different
16 perspective representing a single landowner, to voice
17 concerns about a particular part of the boundaries that are
18 drawn, particularly as related to the Makena Resort.

19 One wants to be positive in these procedures and
20 processes and so forth, and everybody has done a lot of good
21 work on it, and it's coming along great. But at some point
22 there's a couple of very important issues that have to be
23 dealt with on a property by property basis, as I'm sure you
24 well know, and there will be other opportunities, I'm sure,
25 to talk about it. But I want to put on record today what

1 any development, if the project is inconsistent with either
2 the zoning or the Community Plan. These boundaries are
3 going to be incorporated into the Community Plan, and what
4 you do by including them in the boundary is that you
5 prohibit all use of that property.

6 Now, there are constitutional requirements there.
7 The county, this was a big issue in the Montana Beach case.
8 The county ended up paying over \$10 million in that case as
9 a result of that. Doug White's case in Lahaina, that was
10 the issue. That was the issue in Doug White's case, and
11 that cost the county a million and a half. And there's a
12 couple of cases in Palauea that are pending that I believe
13 the county will ultimately lose.

14 ACTING CHAIRMAN U'U: Thank you, Tom. Questions?
15 Commissioner Hiranaga.

16 COMMISSIONER HIRANAGA: Tom, you said those
17 parcels have consistency regarding Community Plan and
18 zoning. How about state land use designation?

19 MR. WELCH: State land use also, as a result of
20 all the work over the last decade.

21 ACTING CHAIRMAN U'U: Thank you. Any more
22 questions for the testifier? Commissioner Guard.

23 COMMISSIONER GUARD: Thanks, Tom. In looking at
24 this document, do you have any concerns that this is looking
25 more and more like ordinance versus what people thought was

1 going to be a guiding general plan for the community plans
2 to move forward with?

3 MR. WELCH: That's a very good question. What
4 happens is because of the state law on SMA, it elevates
5 whatever is in the Community Plan, it elevates it to the
6 level of ordinance, of zoning and development prohibition,
7 legal prohibition, where an inconsistency is created. And
8 this process is creating inconsistencies within the SMA, and
9 I don't know if you have considered all that at this point
10 in the process.

11 COMMISSIONER GUARD: For me, just as a volunteer,
12 it seemed like in the early stages we were working with a
13 general plan for the communities that we're all a part of
14 separately. But a lot of people seem to be coming back to
15 us thinking this is looking more and more like new
16 ordinance. That no one would be able to do any developments
17 with if you had to take the entire document. So I mean I
18 don't know if -- it's good to have you here, because I'm
19 becoming concerned with that, and I don't know what your
20 thoughts are.

21 MR. WELCH: If I could comment just quickly on
22 that. The General Plan and the Community Plan process
23 originally was created in the state to be just that, a guide
24 for zoning. The zoning law, the zoning organic act which
25 empowers the county to zone, 46.4, says that zoning will be

1 Four areas I wanted to bring up. Four are areas
2 that's in my testimony. Commissioner Starr had suggested we
3 put together a map to geographically locate our
4 recommendations, so those are in your testimony. And the
5 four things we wanted to highlight was elimination of any
6 new expansion areas in what I call spot zoning. Again, I
7 don't think that should belong in an islandwide concept plan
8 or guiding document, that should be handled at the Community
9 Plan.

10 So that is namely the regional park that was
11 designated, a 152 lot subdivision that was designated, and
12 an ag parcel that was put into the country town. So we
13 would want to have that eliminated from the Urban Growth
14 Boundary map.

15 I've stated earlier that we feel that the existing
16 classifications don't reflect our needs and desires as a
17 community, and I recommended that an ahupua'a land use
18 designation be developed. Again, at the policy level they
19 said that was inappropriate, so I don't know if it's
20 inappropriate at this level of planning. But we're thinking
21 that there's a classification that better reflects the
22 community's desire to be more holistically dealing with
23 resources and capacity issues in the Waihe'e area.

24 The third thing is keep ag ag. Again, with Dain
25 Kane, president of Wailuku Country Estates, we're totally

1 enacted within the long-term and comprehensive plans
2 formulated by the county from time to time, and we have the
3 community planning process.

4 What's happened over the years is in certain
5 areas, like now the subdivision regulations, but also in the
6 SMA, they've raised that Community Plan and General Plan to
7 the level of an ordinance where it actually prohibits
8 resulting in -- it prohibits your actual use of the
9 property. So unfortunately, it's evolved that way. It
10 shouldn't be, and this process shouldn't perhaps be more
11 than a guide, but it just happens to be the way it's going
12 to evolve.

13 ACTING CHAIRMAN U'U: Thank you. Any more
14 questions? Seeing none, thank you very much.

15 MR. WELCH: Thank you.

16 ACTING CHAIRMAN U'U: Next is Daniel Ornellas.
17 Please state your name.

18 MR. ORNELLAS: Good morning. Daniel Ornellas
19 representing Ho'oulaai (phonetic), which is a coalition of
20 residents and elected representatives in the Waihe'e areas.
21 I just wanted to note that what I am going to say here was
22 presented to the County Council in their countywide planning
23 review process. And Director Hunt did say that that was the
24 inappropriate venue, that maybe it should be handled at this
25 level of planning. So I just wanted to note that.

1 supportive of not designating it rural residential, which
2 means half acre basically at the zoning level. We want to
3 keep ag ag, two acres or more.

4 And finally, the Halemoa project, it's urban town
5 in the middle of prime ag land. That is supposed to have
6 been a fast track affordable housing project approved in
7 2005. I don't see anything coming out of that project. I
8 looked at the county ordinance and the state statutes, there
9 is no time frame for it. Once you get your final
10 subdivision approval you can build it 50 years from now.

11 So somehow we have got to have this guiding
12 document that truly reflects what we want to see in our
13 region in the next 20 to 30 years. And if they can't do
14 affordable housing fast track, then it shouldn't be in a
15 long range planning document. So I would recommend that
16 Halemoa not be recognized in Urban Growth Boundary for the
17 Waihe'e area. Thank you.

18 ACTING CHAIRMAN U'U: Commissioner Starr?

19 COMMISSIONER STARR: To a certain extent I think
20 there's a semantic battle going on regarding the country
21 town, and I think the intent of the country town is to
22 create a place that has kind of a slow way of life where
23 people can exist there, a school, a church, you know, a
24 small store, which is pretty much what you have now in
25 Waihe'e. And what I'm trying to understand is, if the new

1 growth area's expansion from the built environment, in other
2 words, what's already been built on the ground are taken
3 out, then is the community, would the community be satisfied
4 with that, the existing stuff labeled as a country town, and
5 kept at the borders of what's already built, you know, the
6 school side and the community areas and where it's already
7 built.

8 MR. ORNELLAS: In regards to the label country
9 town, we feel Wailuku is our town. We're in walking
10 distance, biking distance, driving distance from Wailuku.
11 That is our town, and our country is Waihe'e. And it just
12 doesn't -- we don't need commercial, we don't need
13 development in Waihe'e. A country town does encourage that.
14 So again, I don't think it's consistent with what the needs
15 and desires of the overall community is on a long-range
16 scale.

17 Would we be satisfied with it? No, I don't think
18 so. I think we need something that better reflects our
19 lifestyle, and it doesn't exist in the existing
20 classifications. I think there's a lot of synergy we can
21 tap into with the state legislature promoting this Ahu Moku
22 Council, where you would have resource managers in each
23 ahupua'a. So at the county level we can compliment that by
24 having land use designations where these guys would actually
25 have parameters in which to make recommendations to the

1 description. I don't see what the difficulty may be here.

2 ACTING CHAIRMAN U'U: Thank you. Any more
3 questions? Seeing none, thank you very much, Daniel.

4 Next on the list is Clyde Murashige.

5 MR. MURASHIGE: Good morning, Mr. Chairman and
6 members of the Commission. My name is Clyde Murashige.
7 Thank you for the opportunity to testify today on the Maui
8 Island Plan. On behalf of myself as an AICP member, and the
9 members of the Maui Chapter of the American Institute of
10 Architects, including its executive committee and the Maui
11 Chapter of the Hawai'i Society of Professional Engineers, we
12 would like to provide comments for your consideration as to
13 the purpose and structure of the Maui Island Plan regarding
14 its establishment in the planning process, and some concerns
15 with the impacts of enacting the plan in its current form.

16 Our belief is that the policies and implementing
17 actions provisions should be broader directional statements,
18 rather than mandates of specific actions and programs to
19 county and state agencies.

20 First and foremost, although intended to guide the
21 county in future decision making and vision, the Maui Island
22 Plan is primarily a physical plan. While elements of the
23 Maui Island Plan have statements and reflections of social,
24 economic and environmental values, the plan is fundamentally
25 a guide to the physical development of the island. The Maui

1 Board of Land and Natural Resources. So I just see there's
2 a lot of opportunities out there that we're not capitalizing
3 on.

4 ACTING CHAIRMAN U'U: Commissioner Starr?

5 COMMISSIONER STARR: Well, then, you know, it's
6 going to be difficult with the workload to create a new
7 classification. However, another option is just not to
8 create that country town area and just leave it out
9 basically in ag and conservation, which is where it is now,
10 and anyone who wanted to build something would have to go
11 through the process based on that. There's no mechanism to
12 say no, you can't build anything, you have to stay within
13 the ag or the conservation. Would that be what would be
14 preferred?

15 MR. ORNELLAS: I would like it to be consistent
16 with all other areas in the planning document. Yes, ag
17 should stay ag, conservation should stay conservation. I
18 would think how are you going to label Waihe'e town,
19 Hawaiian Homes? Right now you want to call it urban, right
20 now you want to call it country town. Again, it doesn't
21 reflect -- to me, changing it is not a problem, because it's
22 not written in the ordinance, this classification, it's just
23 basically a creative planner put together an idea and put it
24 in a book and drew a line and colored it. I'm sure Mark can
25 change the color to purple and somebody can write up a short

1 Island Plan should translate the values of the community
2 into a vision that describes how, why, when and where to
3 develop, redevelop, or preserve lands.

4 The plan cannot and should not be an all
5 encompassing plan of everything to everybody. It should not
6 be a detailed social service, health or educational delivery
7 plan. It also should not be a detailed economic promotion,
8 environmental preservation, historic preservation, or
9 transportation plan, although it should reflect and
10 incorporate all of these elements and others within the
11 conceptual context of the island's vision.

12 Secondly, as proposed, the plan is rightly a
13 long-range plan. The important point to remember is that
14 the longer the duration of the plan, the more flexible the
15 goals and objectives need to be.

16 Third, the plan should be comprehensive in a
17 general nature. The GPAC and planning staff should be
18 commended that the current version geographically covers the
19 entire island and encompasses functions that make up
20 logistical components of the island.

21 MS. PAREDES: Two minutes.

22 MR. MURASHIGE: The plan also considers the
23 interrelationships of the functions, however, in too much
24 detail and rigidity. Again, the longer the duration of the
25 plan, the more flexible the goals and objectives need to be.

1 The advantages of reviewing the Maui Island Plan
 2 as a document establishing goals and objectives for physical
 3 development include: The essential and uncluttered
 4 statements of goals and objectives that facilitate public
 5 participation. The more complicated the plan the less
 6 public participation and understanding will occur.
 7 Ultimately, there will be significant frustration by the
 8 public that will be ultimately expressed. The goal of good
 9 governance and planning should not be to confuse or to
 10 agitate the general public. A plan that is a statement of
 11 goals and objectives encourages or even demands involvement
 12 on the part of public officials.

13 In closing, we suggest that the current plan
 14 should be restructured so that the goals and objectives are
 15 the framework of the plan. Policies and action items should
 16 be a separate document, as suggested recommendations for
 17 decision makers, and that would retain the flexibility
 18 that's needed in the plan.

19 ACTING CHAIRMAN U'U: Thank you, Clyde. Any
 20 questions for the testifier? Seeing none, thank you very
 21 much, Clyde.

22 MR. MURASHIGE: Thank you.

23 ACTING CHAIRMAN U'U: Next on the list, Jacqueline
 24 Haraguchi.

25 MS. HARAGUCHI: Thank you, Chair. My name is

1 Jacqueline Haraguchi. I am the Executive Director of the
 2 Maui Contractors Association. First, I would like to thank
 3 the department staff, GPAC members, and Planning
 4 Commissioners for all your hard work and time in creating
 5 recommendations to this Maui Island Plan. This is an
 6 important step in addressing how we want Maui to grow.

7 As a local member of this community and employee
 8 of the building industry and a parent, I would like to offer
 9 some recommendations for your consideration. Allow for more
 10 flexible planning in our future by expanding urban and rural
 11 growth boundaries; consider lower density with an urban and
 12 a rural growth boundary; respect the input and testimonies
 13 of residents who reside in the area; preserve the core
 14 values and local lifestyles of Maui's people.

15 Finally, please keep in mind that this plan is a
 16 policy document to provide a foundation to adopt applicable
 17 laws and determine appropriateness of development. I ask
 18 all of you to take a hard look at these recommendations and
 19 ask yourselves who will enforce this new policy, how will we
 20 pay for enforcement to happen, and is it really beneficial
 21 for our members of our community.

22 ACTING CHAIRMAN U'U: Any questions for the
 23 testifier? Seeing none, thank you very much, Jacqueline.

24 Next we have John Garcia.

25 MR. GARCIA: Good morning, Mr. Chairperson,

1 Commissioners. My name is John Garcia. I'm not a
 2 professional planner, so I'm a little out of my element, a
 3 little nervous. But I'm speaking as a 40 year resident of
 4 Makena, but more importantly as a member of the Kihei/Makena
 5 CAC that created these urban boundaries that exist today in
 6 the Kihei/Makena area. And I'm trying to go back to
 7 remembering what we did.

8 In creating the boundary for the Makena Resort, we
 9 sort of tried to be uniform and bring it across where the
 10 Wailea 670 ended on the mauka side, and drawing a natural
 11 line across there, and we got all the input from the
 12 citizens in the area. This had gone through the Planning
 13 Commission -- I mean the Planning Department and the County
 14 Council.

15 And now, from what I've seen in the plans, even
 16 though they have the zoning in place, this Community Plan
 17 that you have, or countywide plan now is taking away some of
 18 that land that has already been urbanized, and I don't feel
 19 that's really what this Commission was created for. And I'm
 20 kind of having a problem with that, with all the time that
 21 we spent as a community association, almost a year, pretty
 22 close to 20 meetings, to see the work that you did. And
 23 this was a 20 or 30 year plan.

24 MS. PAREDES: Two minutes.

25 MR. GARCIA: Thank you. And they've taken all

1 that time to put in their input, get their zoning and
 2 everything, and now we're looking at changing that. Thank
 3 you.

4 ACTING CHAIRMAN U'U: Questions? Commissioner
 5 Hiranaga.

6 COMMISSIONER HIRANAGA: Hi, John. How long has
 7 your family owned property in the Makena area?

8 MR. GARCIA: About 60 years.

9 COMMISSIONER HIRANAGA: Okay, thank you.

10 ACTING CHAIRMAN U'U: Commissioner Guard.

11 COMMISSIONER GUARD: Thanks for coming in today.

12 So do you think a lot of this should be handled at the
 13 community level, and would you see yourself going out to
 14 Lahaina and trying to dictate to them how they should plan
 15 their communities?

16 MR. GARCIA: No, and I think that's -- I believe
 17 that's the major problem I'm having with this Commission. I
 18 think it started out as being something that was going to
 19 give us objectives for the whole island, and now they're
 20 doing, I don't know what the term is, maybe action planning,
 21 that type of thing. So I agree with you.

22 ACTING CHAIRMAN U'U: Commissioner Shibuya?

23 COMMISSIONER SHIBUYA: Thank you, John. I just
 24 wanted to ask you about the CAC, whether they did some
 25 culturally sensitive as well as archeological site surveys

1 in that area.

2 MR. GARCIA: No. You know, I think in those years
3 back, you know, this was 1990, and I guess it wasn't as
4 sensitive then. But I know in the Community Plan that
5 there's wording that you have got to protect that, and it's
6 got to be researched and things like that. But actually, to
7 go out and actually like look for sites or anything like
8 that, no, we did not.

9 COMMISSIONER SHIBUYA: Thank you.

10 ACTING CHAIRMAN U'U: Thank you. Questions?
11 Seeing none, thank you.

12 Next we have got Margit Tolman. Sorry if I
13 butchered your last name.

14 MS. TOLMAN: Aloha. My name is Margit Tolman,
15 Private Property Rights Committee Chair, also Realtors
16 Association of Maui. My testimony today is referring to
17 Transient Vacation Rentals and the GPAC Draft Maui Island
18 Plan. The Realtors Association of Maui is quite concerned
19 about the policy statement that appears on page 125 of the
20 GPAC's proposed plan land use, that bluntly states,
21 "Prohibit TVR's outside of Resort Districts." Because this
22 is the only language out of an approximate 900 policies in
23 the proposed plan that deals with transient vacation
24 rentals, we feel that it is important that language is
25 corrected.

1 policy on TVR's.

2 Manage Transient Vacation Rentals through a permit
3 process that limits the number of units allowed and protects
4 against possible negative impacts on neighborhoods.

5 Mahalo for the opportunity to address this issue.

6 ACTING CHAIRMAN U'U: Thank you. Questions for
7 the testifier? Seeing none, thank you very much.

8 Next Dave DeLeon.

9 MR. DeLEON: Aloha and good morning. Dave DeLeon
10 representing the Realtors Association of Maui. I'm here to
11 speak, I'm up here to give the other half of the story on
12 the real ag question. I'm here to speak on the position
13 taken by the General Plan Advisory Committee that basically
14 called for transformation of Maui's small lot agricultural
15 properties to rural.

16 The GPAC also stated that that reclassification
17 should happen without any change in density. So that would
18 mean that two acre ag would become two acre rural. The
19 properties the GPAC was addressing are now existing, not
20 new, planned future developments.

21 There is corresponding language in the GPAC plan,
22 but it's kind of indirect and I would say obtuse to the
23 point, so we would like to propose some clear language that
24 is more to the point.

25 And what is our point? It is that there are about

1 Our association has been directly involved in the
2 ongoing debate about vacation rentals in Maui County for
3 over a decade. We are gratified with the progress we have
4 made in the last year in both crafting a new permit system
5 for Bed and Breakfast businesses, and actually winning
6 permit approvals for those businesses. I want to take this
7 moment to thank the members of the Commission for your
8 wisdom and your openness to this process.

9 B&B's are only half of the picture. Transient
10 Vacation Rentals are the other half. TVR's provide needed
11 jobs in Maui County, like property management and many
12 maintenance and service related jobs. They also offer low
13 rent housing for onsite caretakers. In some cases, TVR
14 owners are Maui residents living on adjacent lots. Except
15 for the lot separation, they would qualify as a B&B. With
16 professional management and a straightforward county
17 permitting process --

18 MS. PAREDES: Two minutes.

19 MS. TOLMAN: There is no reason TVR's cannot
20 continue to be a positive economic contributor and neighbor
21 in our community.

22 While we are still waiting for an opportunity to
23 amend the County Code to accommodate this use, it is
24 important that the language Maui Island Plan is general and
25 allows flexibility. Therefore, we offer the following

1 1,000 existing small lot agricultural properties on Maui
2 that are really truly rural in character. Our point is that
3 fact should be clearly recognized in the product of this
4 general planning process.

5 Why is that important? Because these families who
6 are on these properties deserve the right to enjoy them as
7 they are. The majority are everyday, regular members of our
8 community who have to work every day to pay for their
9 mortgages. But because state law is aimed at protecting
10 plantation agriculture, Maui County believes that it is its
11 responsibility to pressure these residents to actively farm
12 these properties. This is despite the evidence that
13 suggests that we have long since passed the point where we
14 can sustain a modern American family on a two acre
15 agricultural lot.

16 One example of the situation and the problems this
17 causes is because of Maui County's ag agreements, which are
18 attached to the property's deed, mortgage lenders are now
19 refusing to lend on agricultural properties in Maui County.

20 MS. PAREDES: Two minutes.

21 MR. DeLEON: Their fear is that the farmer, if the
22 farmer ever quits farming, the farm agreement implies that
23 the county would force the demolition of the farmhouse. At
24 what point does that go away? When grandma gets to be 75,
25 does she still have to farm to be able to keep her house?

1 The point is that government continues to attempt
2 to force a square peg into a round hole. Our goal is to try
3 to make that stop by connecting our zoning to our reality.
4 And we are proposing that the following language be put into
5 the plan.

6 That the plan recognizes that most of Maui's
7 numerous small lot agricultural subdivisions are truly rural
8 in character, and support their transition from the state
9 agricultural district to rural. And also, an action
10 statement that says to maintain the same density when
11 transferring these agricultural subdivisions to rural
12 classifications. Thank you for your time.

13 ACTING CHAIRMAN U'U: Thank you. Questions?
14 Commissioner Mardfin.

15 COMMISSIONER MARDFIN: We heard earlier testimony
16 from Dain Kane that they didn't want their lots moved into
17 rural because they feel it would interfere with their
18 ability to continue to farm. How would you respond to that?

19 MR. DeLEON: I don't believe there's any reason
20 why you can't still farm on rural. I think anything they
21 can do on ag they can do on rural, if that's what they
22 really want to do. I think the situation in that particular
23 subdivision is very unique because they have an independent
24 water source, it's a non-potable water source. A far
25 majority of our properties in Maui County do not.

1 encourage and support tourism. In managing the future
2 growth of the visitor industry, we would like you to
3 consider language that supports the positive impacts while
4 regulating the negative impacts of our industry.

5 Our industry, like all others, needs to be able to
6 adapt to future change. This flexibility would be
7 difficult, given some of the current verbiage. Please
8 incorporate language that manages, regulates, encourages,
9 supports, rather than limits and discourages.

10 Maui County's strength as a top tourist
11 destination depends upon our ability to provide a diverse
12 mix. Timeshares, hotels, condos, TVR's, and B&B's all add
13 diversity to our mix, thus appealing to a wide range of
14 visitors. This is what sets Maui apart from all other
15 destinations throughout the world and makes us so
16 successful.

17 In particular, we would like to comment on a few
18 passages in the Land Use section of the Island Plan. As it
19 pertains to B&B's and TVR's, decisions in regard to where
20 these types of businesses are allowed should be left to the
21 discretion of the respective communities at the community
22 level plan. And why is the document trying to limit B&B's
23 to commercial districts? It's not the right fit. The
24 Council recently legislated that B&B's can be appropriate in
25 any area with proper regulations.

1 When you get out to Huelo you have agricultural
2 properties but no water source. It's been a little bit
3 difficult to farm without water. Most of the agricultural
4 subdivisions are on five-eighths meters, and they are not
5 able to upgrade because there's no additional water to add
6 to.

7 So when it dries out my trees suffer, and I don't
8 have that same option. Besides, when you have someone like
9 Mr. Blackburn that's going around door to door telling them,
10 "You will comply with your covenants" I guess you will get
11 more farming.

12 ACTING CHAIRMAN U'U: Thank you. Any more
13 questions? Seeing none, thank you.

14 Next on the list, Carol Reimann.

15 MS. REIMANN: Aloha everyone. I stand before you
16 once again on behalf of the Maui Hotel and Lodging
17 Association to comment that because the visitor industry had
18 no representation on the GPAC, the result is a document that
19 reflects negatively towards tourism.

20 ACTING CHAIRMAN U'U: Excuse me. Could you please
21 state your name for the record?

22 MS. REIMANN: Sure, Carol Reimann.

23 ACTING CHAIRMAN U'U: Thank you.

24 MS. REIMANN: If the visitor industry is truly the
25 economic engine for Maui County, then the Island Plan should

1 Discourage timeshares and fractional ownership,
2 which is also in the economic development section. It is a
3 fact that no new hotels have been built in some time.
4 Globally, the trend has been turned from hotel stays to
5 timeshare and interval ownerships. There are two reasons
6 for this: One, investors choose to invest in interval sales
7 versus hotels; and two, consumers are attracted to this type
8 of vacation.

9 There is a misconception that timeshare visitors
10 do not spend. Research indicates otherwise, they do spend,
11 and they venture out to experience what the island has to
12 offer, and support other island businesses. Another myth is
13 that timeshares don't pay their fair share of taxes.
14 Studies indicate that including Real Property Tax, TAT and
15 TOT, the county receives more tax dollars from timeshares
16 than from comparable hotels.

17 Lastly, our timeshare members also give back to
18 the community, as reflected in their contributions each year
19 to the Visitor Industry Charity Walk. Rest assured, group
20 business is a very important facet of the visitor industry
21 expenditures on our island, and will not disappear. It is
22 our diversity of accommodations that makes Maui so
23 successful.

24 The visitor industry is currently at an all-time
25 low. Our properties are being challenged more than ever.

1 This slow down in business has trickled down to nearly all
2 aspects of Maui. Please support and encourage the industry.
3 And in closing, we encourage you to change the language in
4 the document to support the visitor industry, and help us to
5 grow in a positive manner. Thank you for the opportunity to
6 testify.

7 ACTING CHAIRMAN U'U: Thank you very much.
8 Questions for the testifier? Seeing none, thank you.

9 Next up is Mark Decos. Please state your name for
10 the record. We will be taking a break for the stenographer
11 after this testifier.

12 MR. DECOS: Good morning Commission, Mark Decos,
13 marine biologist at UH. I'd like to take this opportunity
14 to recommend that Olowalu not be added as an urban growth
15 area due to its imminent threat to the Olowalu reef, Maui's
16 largest fringing reef and one of Maui's only remaining
17 healthy reefs.

18 For those of you unfamiliar with the impacts of
19 coastal development next to the reef, I'll refer to the
20 recent report by the Department of Aquatic Resources which
21 states that, "Maui has lost over 25 percent of its coral
22 reefs in the past seven to 12 years, attributed in large
23 part to man-made impacts, including shoreline development,
24 human use, and pollutant loading."

25 When we pave over our watershed areas, storm water

1 MS. PAREDES: Two minutes.

2 MR. DECOS: Only a handful of places like this
3 exist in the world. So I could go on talking about the
4 moral and ethical issues, and what natural resources we will
5 leave behind for our children, but unfortunately the only
6 voice that gets much attention any more is the voice of
7 money. So let me translate this into the language of
8 economics.

9 65 percent of visitors that come to Maui are
10 repeat visitors. Why do they keep coming back? They come
11 back for the beaches, the ocean, the snorkeling, the diving,
12 the whale watching. Basically for our natural resources.
13 In fact, tourists spend over \$30 million a year on marine
14 recreation here on Maui, which in turn generates a whopping
15 \$3.1 billion in revenue for the lodging, food,
16 transportation, and retail industries.

17 So urbanizing Olowalu directly adjacent to one of
18 Maui's only remaining healthy reefs is economic suicide.
19 The town can be moved, but the reef can't. And once the
20 reef is gone, there's no way to get it back. So please do
21 not recommend Olowalu for urban growth.

22 ACTING CHAIRMAN U'U: Thank you. Questions for
23 the testifier? Commissioner Starr.

24 COMMISSIONER STARR: Yes, thank you for your
25 testimony. I have spent a lot of time underwater at

1 and runoff can't get absorbed. It washes directly out onto
2 the ocean, onto the reefs. The sedimentation blocks the
3 coral from needed sunlight, pollutants, fuel, destructive
4 algae blooms that overtake and eventually suffocate the
5 reef.

6 The Olowalu reef has been immune to these impacts
7 because of non-development in this area. It remains
8 healthy, it supports an abundance of marine life, some of
9 which help to re-populate nearby struggling reefs. But if
10 we go ahead and pave Olowalu watershed, add 4500 residents,
11 the reef will no doubt suffer from storm runoff,
12 sedimentation, and algae blooms.

13 One only has to look at Maalaea Harbor to see how
14 quickly this can happen. In 1993, Ma'alaea had 50 percent
15 coral coverage. Today it's swamped with invasive algae and
16 less than eight percent coral. It can happen that fast.

17 There's another reason Olowalu reef is so special.
18 You might be familiar with Kealakekua Bay that supports the
19 spinner dolphins, where they rest during the daytime. Well,
20 the same thing happens at Olowalu reef for the manta rays.
21 I have been conducting my doctoral research there for the
22 past five years, and have documented over 300 manta rays
23 that utilize this unique habitat. They use the area during
24 the day to rid themselves of parasites and also for
25 reproductive purposes during the breeding season.

1 Olowalu, and I appreciate it. I wondered if you had any
2 experience and comment regarding both the Honolua area and
3 also Makena, particularly urbanization south of Pu'uolai,
4 between Pu'uolai and Nahihi.

5 MR. DECOS: I don't have much experience in those
6 areas. My research does focus on Olowalu, so my testimony.
7 I know Honolua has its own separate issues in terms of
8 sedimentation seems to be the major issue there. But
9 Olowalu itself, because of its location, its proximity to
10 the development, and I think it's a significant reef that we
11 need to protect.

12 I just want to add one comment. In terms of the
13 GIS layers that were contributing to the decision-making, it
14 always seems that once everything goes below the water line
15 it just kind of disappears from peoples' minds. So I would
16 like to see or I'd recommend that there be that at least
17 that near shore area be represented when we're looking at
18 the planning, the development, the future of the island,
19 because the impacts that we get on the coastal areas that
20 are beneath the water are significant in terms of quality of
21 life, in terms of sustenance, in terms of economics. So
22 people who do not get underwater very often, it's kind of
23 not part of their world.

24 ACTING CHAIRMAN U'U: Thank you. Questions?
25 Commissioner Guard.

1 COMMISSIONER GUARD: Thank you. Thanks for your
 2 time today. We have to go over all sorts of projects that
 3 come through here, and many times really we're not
 4 responsible that water came from down the mountain. And we
 5 have plenty of examples of the way to do it wrong. And we
 6 hear Ma'alaea Harbor come up a lot, and we have seen
 7 disasters over the years with sedimentation.

8 In any of your research are there ways that any of
 9 this urbanization can co-exist? And maybe for us as a body
 10 that we can be either recommending or trying to have the
 11 government or individual developers possibly implement to
 12 save our resources?

13 MR. DECOS: I don't know if I have the expertise
 14 to answer that question. You know, my expertise is with the
 15 natural resource itself, not so much how to develop. You
 16 know, I know there are some very --

17 COMMISSIONER GUARD: Not how to develop. But if
 18 there's any like people in Florida probably have the same
 19 issues, or anywhere on the coast, you want to protect that
 20 resource. At the same time there's always the conflict with
 21 people want to also live there. Unless we all retreat and
 22 go back to a rain forest, then there's always going to be
 23 that conflict. I mean 2.7. Any time you are over 3 you're
 24 developing, you're increasing the numbers of people on the
 25 island.

1 entering the ocean for a 50 year one hour storm, would you
 2 still be opposing the project?

3 MR. DECOS: I think that's certainly going to
 4 minimize the damage. In terms of the resource itself, I
 5 think it poses a huge threat. I think the value of that
 6 reef is just it's hard to measure it and we can't -- that
 7 the location of that town, I think, because of the structure
 8 of that area too, because of the watershed area, any paving.
 9 But definitely pushing everything mauka would certainly
 10 begin to minimize some of the impact.

11 COMMISSIONER HIRANAGA: Thank you.

12 ACTING CHAIRMAN U'U: Commissioner Starr?

13 COMMISSIONER STARR: Yeah, I drove out to Lahaina
 14 the other day and I noticed at Olowalu when you're first
 15 coming past the pali and, you know, the road is running
 16 along the ocean and then where the shoreline kind of moves
 17 away there's a house there with kind of stucco right before
 18 Camp Pecusa. And I noticed two big backhoes there. It
 19 looked like they were digging a drainage channel to put
 20 storm drainage or storm runoff that would dump just before
 21 that house. And I know that's an area where the reef, the
 22 coral is really healthy coming right into shore.

23 And I don't know what that is, I haven't had any
 24 explanation of that, but it looked to me like it was a way
 25 to dump runoff from the new road and stuff into that area.

1 MR. DECOS: Yeah, I mean there's definitely
 2 solutions in terms of, you know, the closer you build to the
 3 coastline, that's a big issue. There's no buffer for any
 4 runoff to occur. Any time you pave over watershed areas
 5 there is no perform my yeah built in the ground. So these
 6 kinds of things can be taken into account.

7 The point injections, you know, all the injection
 8 wells that go directly into the -- trickling into the reef
 9 that are kind of fueling the algae blooms. These can be
 10 treated or reused in terms of, you know, there are plenty of
 11 solutions. I think it boils down to the economics. A lot
 12 of people want to kind of cut corners because it brings them
 13 top dollar.

14 ACTING CHAIRMAN U'U: Commissioner Guard?

15 COMMISSIONER GUARD: Thank you for that. With all
 16 of your research, getting a Ph.D, there may be things out
 17 there that many of the people are unaware of, and ourselves
 18 included. So I just wanted to pick your brain. Thank you.

19 ACTING CHAIRMAN U'U: Commissioner Hiranaga?

20 COMMISSIONER HIRANAGA: I know that there has been
 21 a lot of testimony regarding the reef outside of Olowalu,
 22 and my question is, with the proposed development there, if
 23 no urban development was allowed makai of the existing
 24 Honoapiilani Highway, and the developer contained all
 25 pre-development and post-development surface runoff from

1 Have you noticed that, and if so, could you comment on what
 2 that might do?

3 MR. DECOS: No, I am not aware of that.

4 ACTING CHAIRMAN U'U: Any more questions?
 5 Commissioner Shibuya.

6 COMMISSIONER SHIBUYA: I just have a couple of
 7 questions in terms of conflicts here. How do we mitigate in
 8 the -- Commissioners Guard and Hiranaga were talking in
 9 terms of development having an impact on the reefs, as you
 10 mentioned. How do we mitigate recreational uses of the
 11 shorelines and the coral and sea life in that area? Because
 12 you have now more visitors, more people walking in or
 13 swimming in. And now that would have some impact, would it
 14 not?

15 MR. DECOS: Oh, definitely. And that's another
 16 issue that would occur there. I'm on, you know, other
 17 committees that deal with that. You know, sometimes it's
 18 handled on the commercial side of things. Like a lot of the
 19 divers, snorkel companies will create better business
 20 practices. I mean for the people that use it, in terms of
 21 the commercial side, not the public side, you know, these
 22 are resources that bring food onto their table, so they want
 23 to protect them. So they manage their employees and the
 24 tourists that come and join them for the most part, and they
 25 do a pretty good job about it.

1 In terms of the coastal people, the people
2 attending the beaches and that sort of thing, I think there
3 needs to be an educational awareness. It's probably the
4 most significant impact you can have, and there's various
5 ways of dealing with that.

6 COMMISSIONER SHIBUYA: See, national parks have
7 walkways and planks. Perhaps we can use something like that
8 in the shoreline. It doesn't look too good, but perhaps
9 maybe those boardwalks underwater might help, I don't know.
10 Also, the impact of sea level rise, how will that impact the
11 reefs and the shoreline ecology?

12 MR. DECOS: You guys have tough questions for me.
13 (Laughter). I don't think I can give you a good answer on
14 that one.

15 ACTING CHAIRMAN U'U: Thank you. Any more
16 questions? Seeing none, at this time the Commission is
17 going to take a ten minute recess. Next up for testimony is
18 Tom Croley. The Commission is now in recess.

19 (Whereupon a brief recess was had)

20 ACTING CHAIRMAN U'U: The Planning Commission is
21 now back in session. Next to testify Thomas Croley.

22 MR. CROLEY: Aloha, Commissioners. My name is
23 Thomas Croley, and I am testifying today on behalf of the
24 Maui Vacation Rental Association, and I did submit written
25 testimony for you to refer to. Mahalo for the opportunity

1 residents, MVRA supports the Director's recommendation to
2 change one of the policies to manage bed and breakfasts
3 through permit criteria, and limit the total number of
4 permits, and would further suggest adding TVR's to the
5 statement. So the statement would read, "Manage B&B's and
6 TVR's through permitting criteria and limiting the total
7 number of permits."

8 MS. PAREDES: Two minutes.

9 MR. CROLEY: Accordingly, we would suggest
10 deleting the policy that states "Prohibit TVR's out of the
11 resort district." The County Council's Planning Committee
12 is currently considering proposed legislation with this
13 policy as a basis, and it would be inappropriate for the
14 Island Plan to prejudge the outcome of this legislation
15 that's before the Council.

16 Additionally, the Council recently established a
17 new real property tax category that includes TVR's, so it
18 would seem reasonable to expect that the plan should include
19 the management of TVR's in Maui's future development. I'm
20 not here today to advocate in one way or another for TVR's
21 or B&B use, other than to point out that these types of
22 non-resort accommodations are a fast growing worldwide
23 travel trend. And if Maui is to continue to be a desirable
24 tourism destination, they will have to find a way to include
25 the availability of these types of accommodations in all

1 to make comment on the Maui Island Draft Plan. The Maui
2 Vacation Rental Association asks that the Commission and the
3 Island Plan recognize that the primary economic engine for
4 Maui island today and for the foreseeable future continues
5 to be tourism.

6 While the plan may seek as an objective to limit
7 the impacts of tourism on the island and its people, we must
8 allow the industry enough leeway to have the flexibility to
9 continue to be the leading destination for premium travel.
10 MVRA has two concerns with the Draft Island Plan in this
11 respect.

12 First, in the section concerning economic
13 development, under the goal of Maui will have a healthy
14 visitor industry, there's an objective to "Limit and manage
15 future visitor expansion." This entire section is not in
16 support of Maui's economic development, and should instead
17 be listed under the land use section. However, to support
18 the objective of Maui having a healthy visitor industry we
19 would suggest a policy be added to the economic development
20 section that would state, "Encourage the development of low
21 impact, alternative visitor accommodations, including
22 owner-occupied B&B's, small inns, and TVR's in areas
23 determined appropriate by Community Plan designations."

24 In the land use section under the objective to
25 seek to minimize and contain the impact of tourism on

1 areas of the island. Thank you.

2 ACTING CHAIRMAN U'U: Thank you. Questions?
3 Seeing none, thank you very much.

4 Next we have Randy Ragon or Ragon. Please state
5 your name for the record.

6 MR. RAGON: It's Randy Ragon.

7 ACTING CHAIRMAN U'U: All right, thank you.

8 MR. RAGON: My name is Randy Ragon. I am a
9 resident of Olowalu, and the current president of the
10 Olowalu Mauka Subdivision Home Owners Association. I and
11 many are strongly opposed to the inclusion of Olowalu Town
12 in the 2030 General Plan. Since the last Planning
13 Commission meeting in Lahaina, a copy of the petition
14 previously signed by the residents of the Olowalu community
15 for the GPAC with supporting documentation has been provided
16 to all members of the Commission. That's that large packet
17 that you all received. Following each exhibit tab is a
18 short cover letter backed by several pages of public records
19 which provide factual support for our assertions. We are
20 just asking you to read the cover pages. If you do that,
21 you will come to a pretty thorough understanding of our
22 frustrating experience with the Olowalu Elua Associates, and
23 Frampton and Ward in connection with the development of our
24 subdivision.

25 It's been approximately ten years since permits

1 for the Olowalu Mauka and Makai subdivisions were issued.
 2 However, many of the permit conditions have still not been
 3 met, and the construction of the subdivision is still not
 4 complete. One of the conditions at issue is the failure of
 5 the developer to construct a mandated fully channelized
 6 highway intersection providing safe egress and ingress to
 7 the subdivision, as well as the appropriate drainage
 8 improvements, which we talked about today with the coral
 9 issues. Of key importance of these meetings, please review
 10 the photo documentation located at the end of exhibit D,
 11 which evidences the neglect and destruction of several
 12 archaeological sites due to the developer's conduct, as well
 13 as its failure to maintain the waterways serving the area.

14 Our association first brought the problems in our
 15 subdivision to the attention of the Planning Director and
 16 other government agencies back in November of 2008. We have
 17 specifically asked that a hearing to enforce the conditions
 18 attached to the SMA permit be placed on this Commission's
 19 agenda. However, no hearing date has been assigned.
 20 Meanwhile, the same entities that are responsible for
 21 placing our physical and financial welfare at risk are now
 22 here before you asking for concessions to allow them to
 23 further exploit the Olowalu area.

24 It's important to note that once the developer
 25 fully transitions out of the picture, it will pass its

1 Last sentence. These documents make clear that
 2 Frampton and Ward were intimately involved with the project,
 3 especially when it came to the mandated highway intersection
 4 which OEA has not installed. Thank you for your time.

5 ACTING CHAIRMAN U'U: Thank you. Questions?
 6 Commissioner Starr.

7 COMMISSIONER STARR: Yes, have you noticed any new
 8 drainage work being done or changes, especially makai?

9 MR. RAGON: Yes, and this is exactly what you were
 10 talking about earlier. This last week we saw them, I
 11 believe it was the DOT came out and was dredging the area by
 12 that house that you were alluding to on the beach. We feel
 13 that one of the reasons why is because we have been in
 14 contact with the DOT in Honolulu complaining that the
 15 drainage issues were never completed. And we feel, you
 16 know, they haven't gotten back to us. We have asked for
 17 public records and it's been months. So we don't feel there
 18 was a permit involved in that, but we feel it's part of
 19 something that's happening behind the scenes to mitigate the
 20 claims that we're making.

21 COMMISSIONER STARR: Thank you.

22 ACTING CHAIRMAN U'U: Thank you. Any more
 23 questions for the testifier? Seeing none. One last
 24 question, Commissioner Mardfin.

25 COMMISSIONER MARDFIN: One of the concerns we

1 responsibilities to complete the subdivision to the HOA.

2 MS. PAREDES: Two minutes.

3 MR. RAGON: This is a burden which the homeowners
 4 did not bargain for when purchasing their lots. In
 5 addition, there is a clear and foreseeable risk of injury
 6 caused by the developer defaults, which the county has long
 7 been on notice of. Thus, the county, and ultimately the
 8 taxpayers, are at risk of liability if claims are asserted
 9 as a result of further injuries and losses stemming from the
 10 developer's defaults.

11 Frampton and Ward and OEA have made a concerted
 12 effort to distance themselves from each other in order to
 13 get Olowalu Town included in the 2030 Plan. However, this
 14 spin belies the truth. Frampton and Ward have a long
 15 history of closely assisting OEA with its projects, and OEA
 16 is their partner in Olowalu town, LLC. In fact, it appears
 17 that OEA is the primary, if not the sole capital contributor
 18 to this venture, and its potential to influence the
 19 development is undeniable.

20 I have brought with me additional documentation of
 21 Frampton and Ward's involvement in the development of the
 22 Olowalu Mauka subdivision here with me today. I submit this
 23 evidence for your consideration because Dave Ward publically
 24 testified at a GPAC hearing that he had nothing to do with
 25 the Olowalu Mauka subdivision.

1 heard earlier today was the effect of any development in
 2 this area on the reefs. Do you have any comments on that?

3 MR. RAGON: Well, absolutely, and this is part of
 4 what we have documented. We spent a lot of time and energy
 5 documenting. One of the things -- there was a couple of
 6 things where the developer was fined. One of the fines that
 7 we documented was for dredging coral out of the ocean
 8 without a permit. They have had several warnings and fines
 9 also for running activities in their beach house without
 10 permits, SMA permits.

11 Just a complete disregard and disrespect for the
 12 law and for the people and for the land by this existing
 13 developer, and also, which we've documented here, by
 14 Frampton and Ward. They have been very much a part of this
 15 from the beginning, and our document clearly shows that.

16 ACTING CHAIRMAN U'U: Thank you. Any more
 17 questions? Seeing none, thank you.

18 MR. RAGON: Thanks for your time.

19 ACTING CHAIRMAN U'U: Next we have got Al
 20 Lagunero. Please state your name for the record.

21 MR. LAGUNERO: Thank you. Al Lagunero. I'm just
 22 speaking, you know, as an artist. Before I get into reading
 23 my testimony, which I have presented to you, I wanted to say
 24 thank you to Mr. Murashige and the architect's group for
 25 allowing the land to breathe. And I think that those

1 comments should be taken very seriously as a part of the
2 process for your deliberations.

3 You know, when we talk about things like manta
4 rays and the ocean and all of those things that we love
5 dearly, we put those objects as though they were the only
6 kinds of things that we need to concern ourselves about,
7 these kinds of developments.

8 I recall within a seven year period coming home
9 from the mainland on Oahu that I did not know anybody else
10 when I came home. That same thing now is coming here to
11 Maui. So we need to address that kind of situation, and
12 perhaps the idea of small town planning and those kinds of
13 values can be reissued.

14 Commissioners, I continue on the question of our
15 movement from cult to culture, to civil and to civilization;
16 and at this point invite thoughts to create Maui, Moloka'i,
17 and Lana'i, and Kahoolawe, Island Heritage Zones and
18 monuments in perpetuity as a means of providing a watch dog
19 for our actions in the future. These historic places have a
20 way of talking to us. If we have no way of letting the land
21 breathe in that way, then the land cannot speak. It is a
22 reminder to us, this precious land, that we have those kinds
23 of continuums for previous cultures.

24 So with the testimony I present to you, I recall
25 that Council Member Joanne Johnson, in pondering items that

1 dog, sustains us, and talks to us. Mahalo.

2 ACTING CHAIRMAN U'U: Thank you. Questions?

3 Seeing none, thank you very much.

4 Next to testify, Ryan Churchill.

5 MR. CHURCHILL: Good morning, Chair, members of
6 the Planning Commission. My name is Ryan Churchill with
7 Maui Land & Pineapple Company. I wanted to address comments
8 made by Dave at the beginning of this meeting regarding
9 population forecast. Changing key growth projections I
10 believe is throwing a big wrench in this already challenging
11 process, and will discredit the GPAC and their committees,
12 who spent so much time working with the parameters provided
13 to them.

14 Based on the information presented by Dave
15 earlier, it appears the population projection changes are
16 based on revised forecasts due to the weakening economy, and
17 likely current out-migration of people from the islands. We
18 have to remember this is a 20 year plan, not a 12 month
19 plan. Projections are constantly changing and constantly
20 being revised, and are impossible to predict. To change 20
21 year population projections, which I believe are the most
22 significant variable in this planning process, midstream
23 would be a knee jerk reaction to current economic times, and
24 is going to create significant inconsistencies with how the
25 different bodies make their recommendations on the plan.

1 consistently faced the County Council having to do with
2 ancient burial sites, clouded land title interests, and
3 perhaps historical lands areas, what kind of policy should
4 the county establish.

5 The question and the concept reveals opportunities
6 for collaborative work in many areas to preserve, protect,
7 and acknowledge island heritage, and take giant strides
8 towards the building of our island civilization in the broad
9 stream. Appropriate zoning assists in creating the
10 perpetuity and the longevity.

11 This is a fine brush over the large strokes that
12 you are taking across the island. Whether it's a fine brush
13 or a broad brush, I would like for us to look at what has
14 been done on the federal level with creating Papahanaumoku
15 National Reserve in the northern parts of our island chain.

16 So if we have those kinds of places where the
17 island does exist for us to look forward to, to breathe, to
18 acknowledge the ancestors and the civilizations that have
19 come to us, we acknowledge and create a time for us to
20 become a civilization. And then we begin to look beyond 30
21 years and the kinds of things that we have to deal with,
22 with housing and appropriate housing to create just economic
23 conditions for us in the short term. And I think I'm
24 inviting you to look at the longer term. Create something
25 where the land is breathing, has the ability to be the watch

1 Should the GPAC be reconvened so they can make
2 changes to their recommendations based on the new population
3 data, we all know that's not going to happen. But if the
4 new data is used, their maps will be somewhat irrelevant to
5 your decisions, as they can't be compared apple to apples.

6 In the next year when new data emerges next July,
7 will it be recommended that the County Council consider
8 different data and maps essentially throwing away your work?
9 I understand this is a dynamic process, but my point is that
10 each body in this process should work off of a consistent
11 data set so that the next body in line can effectively
12 evaluate the prior body's recommendation.

13 Mr. Starr asked the question earlier what data set
14 should be used and what is the reasonable process. We
15 suggest you stay the course and review the same 2008 data
16 that has been in the public realm and used by the GPAC.
17 Thanks for the time, and the best of luck.

18 ACTING CHAIRMAN U'U: Thank you. Questions?
19 Commissioner Mardfin.

20 COMMISSIONER MARDFIN: I'm reminded of the person
21 that went to a parking lot after dark and he was walking
22 around a light pole looking down at the ground. A person
23 came along and said, "What's going on?" He says, "Well, I
24 lost my car keys." And the person said, "Oh, you lost them
25 around here?" He says, "No, I lost them over there in the

1 dark, but the light is so much better over here." (Laughter)
 2 My point in this is that if in fact the
 3 projections are really high that we had originally gotten
 4 from DBEDT, and the new lower ones are more accurate, then
 5 we ought to be using them regardless of consistency in the
 6 past. Consistency isn't the goal, it's accuracy.

7 Now, during the interim I read the report. By the
 8 way, I have a Ph.D in economics, I was a college professor
 9 of economics, and I was trained as a demographer, and I've
 10 done population projections. So I read this earlier, and I
 11 know DBEDT very well, and they generally do good work.

12 This was not, from a first reading of it, done
 13 just in relationship to past, the last couple of years. I
 14 think they're perceiving that the next 30 years are going to
 15 be slower growth than we have seen in the past. And I'm not
 16 swearing that they're correct this time as opposed to some
 17 other, but I don't think we ought to ignore it just for
 18 consistency. It's the sort of thing we have to take very
 19 seriously. And if that means we need fewer houses or less
 20 expansion because tourism is going to slow down, then I
 21 think we should be cognizant of that and not allocate land
 22 for over-building.

23 MR. CHURCHILL: I agree, I think you should strive
 24 to have the most accurate projections. I think the concern
 25 is how do you measure that from body to body with the maps?

1 How do you take the recommendations from one body forward to
 2 the next, and go off of that when things have changed?

3 ACTING CHAIRMAN U'U: Thank you. Commissioner
 4 Hiranaga.

5 COMMISSIONER HIRANAGA: Actually, this is just a
 6 point of order. We're in public testimony, and
 7 Commissioners should ask questions of the testifiers and not
 8 state positions, as that is not part of the public hearing
 9 process.

10 ACTING CHAIRMAN U'U: Thank you for the reminder.
 11 Any questions? Seeing none, thank you very much.

12 Next we have Bill Frampton.

13 MR. FRAMPTON: Good morning Vice-Chair, Mr. U'u,
 14 and Planning Commission members. My name is Bill Frampton,
 15 and I am here to address two concerns regarding accuracy of
 16 information provided to Commission members. We respect the
 17 Commission's decision to allow developers only one
 18 opportunity to present their projects. However, we believe
 19 the General Plan update is too important for the future of
 20 Maui, and therefore would like to provide you with some very
 21 brief information that is accurate to help you make
 22 well-informed decisions.

23 I only have two points to make. The first point
 24 is related to the letters to the GPAC which we just handed
 25 out. The first letter is from Olowalu Town, ourselves,

1 which is to establish to be very, very clear that we all
 2 agree that the coastal ecosystems, as well as all of the
 3 natural resources from the top of the mountain well out
 4 beyond the shoreline, are critical to Olowalu, as all of
 5 Maui. The letters are to demonstrate that it is possible
 6 for humans to co-exist with nature. To ensure that you're
 7 provided with scientific analysis with which to make
 8 decisions.

9 We have attached the second letter. The letter is
 10 from Brown and Caldwell, a nationwide environmental
 11 engineering firm with 20 years of experience on the island
 12 of Maui. And their position is, rather than view recycled
 13 wastewater and storm water runoff as a liability, instead we
 14 can view these as assets. It's a very important position to
 15 understand.

16 The second point, I'm very concerned that at your
 17 previous meeting in Lahaina inaccurate information was
 18 provided to you by the Long-Range Planning Division, which
 19 was then inaccurately reported in the Lahaina News recently.
 20 A planner noted that the GPAC discussions regarding Olowalu
 21 Town were very passionate. Yes, we fully agree. However,
 22 it was incorrectly noted that the final vote for Olowalu
 23 Town was 13 to 12. That is not correct. If you were to go
 24 check the detailed records you will find that only four
 25 individuals on the GPAC voted against the project, not 12,

1 as reported to you.

2 I very much thank you for this opportunity to
 3 provide you with this information, and appreciate again
 4 having the ability to do so.

5 ACTING CHAIRMAN U'U: Thank you. Questions for
 6 the testifier? Commissioner Guard.

7 COMMISSIONER GUARD: Thanks, Bill. So from the
 8 earlier testimony from the marine science, obviously a lot
 9 of people are probably concerned that there may be the issue
 10 that you give someone the chance and it doesn't work out, it
 11 ends up like Ma'alaea or anything else. Brown and Caldwell
 12 has been doing this across the country, like working the
 13 storm water and wastewater?

14 MR. FRAMPTON: Yes, absolutely, Mr. Guard. And
 15 it's really important to understand, again, Brown and
 16 Caldwell just recently published a document entitled, "A
 17 Handbook For Storm Water Reclamation and Reuse, Best
 18 Management Practices in Hawai'i," and it was done for the
 19 United States Bureau of Reclamation and the Department of
 20 Land and Natural Resources. They're helping to establish
 21 the new paradigm shift that we need to do. We can't
 22 continue to look at storm water runoff and wastewater as a
 23 horrible liability.

24 The use of these existing giant infrastructure
 25 systems in Kihei, Lahaina and Central Maui, the concept of

1 continuing to provide growth only in those areas because a
2 sewer pipe runs underground, and just adding onto it, we
3 think is very short minded and a narrow approach to a
4 visionary plan. It's clearly more established, Mr. Guard,
5 that it's more economical and less complicated to design and
6 build such systems up front during construction, versus
7 trying to come in and retrofit systems that were built in
8 the 1970's.

9 So again, at Olowalu we have fantastic natural
10 resource engineers helping us. People should be extremely
11 concerned and are justified in being worried about the
12 coastal ecosystems off of Olowalu. That's the first thing
13 the residents told us when we approached them. It's
14 critical. So the idea again is we can co-exist with nature,
15 and we will submit this handbook to you for future
16 discussions.

17 ACTING CHAIRMAN U'U: Thank you, Bill. Questions?
18 Commissioner Shibuya.

19 COMMISSIONER SHIBUYA: Thank you, Bill, for your
20 clearing the matter up in terms of nutrients. But also in
21 terms of running these systems you need power. Can you
22 explain some of the power sources that you will have, since
23 you are isolated from the main infrastructure?

24 MR. FRAMPTON: Thank you, Mr. Shibuya. The power
25 to run such systems as well as the entire Olowalu community

1 into our neighborhood for an exit and entrance to a shopping
2 center.

3 The group that I represented that day was started
4 primarily and expressly because of the infringement upon our
5 neighborhood by the commercial shopping center. And today
6 I'd just like to ask you to use wise planning in the future
7 so that we're thinking about the people who are existing
8 there already.

9 And the place that I'm really going to speak about
10 is about the Waiale area, and the area that is between the
11 VMX and above Pomaikai School. I'm sorry, I don't know
12 exactly what the area designation is. But they both have
13 been considered in the GPAC planning process. And I have
14 walked those areas, and as you know, I have testified here
15 many times before about the burials in this area. And I
16 just hope that you will use wise planning so that I don't
17 have to come and keep testifying to try to save the areas of
18 the burials and we won't have this conflict.

19 So I would like to support the Director's plan for
20 the Waiale area, which gives a green space all around the
21 reservoir. And by the way, it is really a beautiful area,
22 one of the few really natural areas we have in the Central
23 Maui Wailuku area. And I grew up there, I played in that
24 area, and I see the kids from that area playing there, and
25 it would be a shame to lose it to homes.

1 is going to be based upon integrated natural resource
2 planning, which incorporates solar power and hydro power, as
3 well as the differential temperature differences related to
4 groundwater to surface level bringing that water up.

5 Our engineers are assessing right now and have
6 proven that what is economically feasible and viable is too
7 utilize solar power to pump up this recycled treated water
8 up mauka, which we have the topographic relief in Olowalu.
9 Once that energy is stored up there, prior to sending that
10 water back out via gravity to irrigate all of our park space
11 and land and whatnot, it will run through hydro turbines
12 generating, again, the sustainability concept.

13 It would be just foolish for us to think
14 otherwise, to think that we would only build homes and not
15 include such infrastructure systems. Mr. Shibuya, I
16 appreciate you giving me the opportunity to clarify that.

17 ACTING CHAIRMAN U'U: Thank you. Any more
18 questions? Seeing none, thank you very much.

19 MR. FRAMPTON: Thank you, Mr. U'u.

20 Next up we have Claire Apana.

21 MS. APANA: Good morning, Commissioners. First of
22 all, my name is Claire Apana, and I live in Wailuku. I
23 would, first of all, like to thank this body for their
24 support of our old neighborhood in Sand Hills, in supporting
25 our resolution to prevent the use of our street that comes

1 And then in the other area near the Pomaikai
2 School between the VMX area I would like to support the GPAC
3 version, which gives a larger green space and a cultural
4 park there. And I thank you so very much for saving as much
5 as you can of this known traditional burial area so that we
6 will not have the conflicts that have come before you when
7 they are trying to build houses over burials. Thank you
8 very much.

9 ACTING CHAIRMAN U'U: Thank you. Questions?
10 Seeing none, thank you very much.

11 Next we have Angie Hofmann.

12 MS. HOFMANN: Aloha, Angie Hofmann here. I know I
13 have come quite often to testify, and I take the time to do
14 so because I love Maui and I think the Maui Island Plan is
15 very important in insuring a great future for our island.
16 And I know you folks all love Maui too, and I really
17 appreciate you guys for doing your job. It's a hard job.
18 You have many difficult decisions to make.

19 We're basically in the middle of the Pacific and
20 our resources are finite, and it's a lot easier to protect
21 what we have now than to replace what is gone, and one of
22 those resources is our island lifestyle that we all love.
23 And you are making these decisions about the Urban Growth
24 Boundaries and what projects to let in, please consider the
25 area and whether or not more growth is appropriate for that

1 area. Consider the island lifestyle of the area.
 2 For many reasons that have been stated in the past
 3 by many testifiers, the four least appropriate areas in
 4 question for more growth are Makena, Waihe'e, Olowalu and
 5 Honolulu. I fully support the Planning Director's and the
 6 GPAC's recommendations to limit growth in these areas.
 7 These are some of our most special places on Maui, and I say
 8 preserve and restore the culture in these areas for the
 9 future generations and keep them in the island lifestyle and
 10 not in second home lifestyle.

11 I was in Waihe'e this weekend and I had the honor
 12 of working in a lo'i, and we opened up a new patch to be
 13 planted in. And after that we went down to Waihe'e beach
 14 park and had a swim and some lunch with our friends, and we
 15 were surrounded by Waihe'e families enjoying their park on a
 16 Saturday. And I tell you, life doesn't get much better than
 17 that. It's really the epitome of island lifestyle.

18 Anyway, I wanted to comment on an earlier
 19 testimony on Makena, and the decision made way back in the
 20 day to allow for resort growth in the area. I really
 21 appreciate Commissioner Shibuya's question if the cultural
 22 sites were considered back then, because so much more is
 23 known now about the cultural sites and also about the native
 24 plants and animals in the area. You have heard me come up
 25 and testify about the endangered native Honoea --

1 Commission, we have a decision to make. We have
 2 seven more testifiers that's on record. Do you want to
 3 continue? You guys sure you guys not hungry? You guys
 4 positive? Can I use a life line? Next up is Susan Moikeha.

5 MS. MOIKEHA: Good almost afternoon Vice-Chair and
 6 members of the Planning Commission. Thank you for this
 7 opportunity. For the record, my name is Susan Moikeha, and
 8 I have participated as a GPAC member and have been to weigh
 9 in on this plan that you now have before you.

10 I'd like to begin with this one percent. And
 11 where that comes from is a couple of years ago when we were
 12 on hiatus waiting for the plan again to come out and be
 13 reviewed by the GPAC, we went on and we created a public
 14 participation IRC and process. And during that time we
 15 talked about the importance of public participation.

16 And it was mentioned by a staff person at that
 17 time that this plan has only had one percent public
 18 participation, of a population on this island that
 19 encompasses 135,000, 130,000 people. I will tell you today
 20 that I don't believe that's any different. No matter what
 21 process we will continue to go through, whether it's the
 22 GPAC, Maui Planning Commission, the Council, the testifiers
 23 that have come before you, all bodies, everybody that has
 24 participated, we will only total probably less than one
 25 percent participation in this. And it's just the way it is,

1 MS. PAREDES: Two minutes.

2 MS. HOFMANN: Thank you. Who has had the best
 3 success on Oneloa aka Big Beach at Makena State Park.
 4 Hawai'i Wildlife Fund has only monitored the Honoea since
 5 1996.

6 Back to the cultural sites, a 400-plus page book
 7 was recently printed about the cultural sites in that
 8 specific area called "Project Kaeo." So you see there's a
 9 lot of new information that has come to light that wasn't
 10 available when those decisions were made. Also, the reason
 11 all this information is being collected is because of how
 12 much has been lost already to the way that Maui was planned
 13 in the past.

14 Cultural sites are far and few between these days,
 15 and the Honoea is down to a hundred or less nesting females.
 16 Pretty much the brink of extinction. With all this new
 17 information and how much has been lost, this area is no
 18 longer appropriate for more growth. So please think of the
 19 future generations of Maui when making these decisions.
 20 Mahalo.

21 ACTING CHAIRMAN U'U: Thank you, Angie. Any
 22 questions? Commissioner Hiranaga.

23 COMMISSIONER HIRANAGA: I'm scratching my finger.

24 ACTING CHAIRMAN U'U: Oh, you're scratching your
 25 finger. False alarm.

1 and it's unfortunate.

2 Another key thing that I have picked up through
 3 this process is the word "desire," and it is throughout and
 4 it has been throughout this process that word. I'd like to
 5 refer you to Director Hunt's memo to you, which is dated
 6 March 27, 2007. And on page 2, or sorry page 3, it talks
 7 about Maui Island Plan enabled ordinance. And he references
 8 MCC 2.80(b), and continues to say it mandates that the
 9 General Plan set forth the desired sequence, patterns and
 10 characteristics of future development.

11 That word "desire" is so important, yet we only
 12 know the desires of those that have come before you. You
 13 only know the desires of the department through this
 14 process. And you will have your own personal desires to
 15 weigh in on in making your decisions. But 99 percent of the
 16 population here doesn't know what's going on, and they are
 17 not going to know what's going on, and it's going to affect
 18 them the most.

19 I'd like to also say whose desire that we are
 20 talking about here that we're going to talk about planning
 21 in the future, if we only have less than one percent
 22 participating.

23 There is no doubt out there that the department
 24 submitted to us, but I did find something from a report
 25 called Hawai'i Housing Policy Study 2006. It's the blue

1 table in front of you entitled Preference Location of New
2 Housing Unit 2006. When you look and cross reference -- and
3 I am only going to look at Makawao, Pukalani, Kula as the
4 preference, first choice preference. 47.4 percent of the
5 people surveyed chose that as where they want to live.

6 Now, we can't all move to Upcountry, but is there
7 different areas on this island? And you have it within the
8 purview of this ordinance to give us alternatives besides
9 urban, high dense type of development. Can we not have some
10 more rural type of development?

11 ACTING CHAIRMAN U'U: Thank you.

12 MS. MOIKEHA: Thank you.

13 ACTING CHAIRMAN U'U: Questions? Seeing none,
14 thank you very much, Susan.

15 Next up Rory Frampton.

16 MR. FRAMPTON: Good afternoon Commission members,
17 Vice-Chair U'u. My name is Rory Frampton, I'm a land use
18 planner, and I'm speaking in general about the
19 organizational format of the Maui Island Plan. I want to
20 support the testimony that was provided by Clyde Murashige
21 earlier. Clyde and I have had discussions, as well as I
22 have had discussions with other professionals in the
23 community, and we really want to try to work towards a plan
24 that would be readable and understandable for all Maui
25 residents, and a plan that would help with the formulation

1 I do sense that the Commission, through their
2 comments and the way they have been working on the
3 statements in the plan, is sensitive to these issues. I
4 think we want to work the Commission to help come up with a
5 plan again that is usable. We have passed out a sample of
6 how a restructured plan might look like. That's right in
7 the back of my testimony.

8 MS. PAREDES: Two minutes.

9 MR. FRAMPTON: And, you know, again the idea would
10 be to make it simpler. The concern about including, one of
11 the major concerns is about including language that would
12 require future legislation. And if you have that type of
13 language in the document there's going to be confusion when
14 you're implementing the plan as to whether or not that's the
15 law, or whether or not some future action is going to be the
16 law.

17 I think for the everyday Joe in the street, and
18 for the person who is reviewing building permit plans, it
19 could become quite confusing if those statements aren't
20 separated out and it's made really clear how to implement
21 them. So by doing it in the way that we've suggested, we
22 keep all the language that came out of GPAC, we keep a lot
23 of that information intact, but just put it in the
24 appropriate context. I think that's what we're asking for.

25 And one last thing, you are going to be looking at

1 of future community plans, and a plan that could -- and to
2 come up with a plan that would help with implementing the
3 goals that we've created.

4 One possible way to do this would be to
5 restructure the plan to focus on goals and objectives, and
6 really the guiding principles, and have that adopted by
7 ordinance. And then take the policies and the actions which
8 are currently in the plan and separate them out and
9 categorize them into implementation recommendations for
10 different functional areas. One would be Community Plan
11 formulation, another would be for future legislation,
12 administrative action, capital improvement planning, and so
13 forth.

14 And I have presented my testimony to you. I am
15 not going to go over it in detail. But I think by doing
16 this, again, we can clear it up. I've suggested language
17 that the Commission could adopt, which would read that a
18 Planning Commission would recommend modifying the
19 organization of the plan for the purposes of presenting a
20 plan for all Maui's residents which is readable and
21 understandable. Establishing a framework to support the
22 formulation of each Community Plan, and to facilitate
23 realistic implementation of the Maui Island Plan. And
24 again, I have provided some of the rationale in my written
25 testimony.

1 the growth area policies. Planning has recommended some
2 changes, and I would suggest the modifications that they've
3 made to the multi-user water and wastewater systems are
4 still not adequate, and those provisions should just be
5 dropped in their entirety.

6 ACTING CHAIRMAN U'U: Thank you. Questions for
7 the testifier? I have one, Rory. Are you saying that it's
8 a more blanket coverage and you'd like to move it on to a
9 Community Plan, basically some of the comments?

10 MR. FRAMPTON: Exactly. That would be one of the
11 roles. There's some very specific recommendations that
12 would sort of tie the hands of the people who are going to
13 be adopting community plans in the future. We've heard from
14 Kula, we've heard from Waihe'e, we've heard from
15 representatives from Hana that they want to have some
16 flexibility in how they adopt their plans.

17 And I think by paying attention to what's actually
18 in here and setting a broad guideline and some general
19 mandates for the island, I think it's good. But to have the
20 very specific language that's included in here and some of
21 the mapping, you know, I don't think it allows for that
22 flexibility for each of the Community Plan regions.

23 And I might just add it goes both ways, and we
24 have heard a lot of the communities saying what type of
25 growth they don't want. We have heard the Hana people

1 saying they want to put where the growth will be allowed.
2 They want to have the flexibility to allow for where the
3 affordable housing is going to be located. The way the plan
4 is structured right now, I don't think they can do that
5 without coming in and doing a full scale revision to the
6 Maui Island Plan.

7 So in other words, you can't just leave the land
8 in Hana blank and then allow it to be added at the Community
9 Plan level. The way the plan is currently formulated that
10 doesn't work. You would have to allow that to happen in all
11 the communities.

12 ACTING CHAIRMAN U'U: Any questions? Seeing none,
13 thank you very much.

14 MR. FRAMPTON: Thank you.

15 ACTING CHAIRMAN U'U: Next we have Ray Bain.
16 Please state your name.

17 MR. BAIN: My name is Ray Bain. I live Upcountry
18 in Keokea. I'm here today just in large part to repeat what
19 probably everybody has already heard. It's my belief that
20 the Island Plan should reflect a positive attitude toward
21 small scale visitor accommodations. In the past, the model
22 has largely been to have centralized and relatively large
23 scale visitor accommodations located in relatively
24 segregated areas of the island. That worked. It was a good
25 development model for the time.

1 we have a permit.

2 COMMISSIONER MARDFIN: Thank you.

3 ACTING CHAIRMAN U'U: Thank you. Any questions?
4 Seeing none, thank you very much.

5 Next up we have Willy Greg.

6 MR. GREG: Aloha. My name is Willy Greg of the
7 Hawaii Operating Engineers. The construction industry
8 contributed 3 billion 400 million dollars in the year 2008
9 to the State of Hawaii. Yet as far as I know, it was not
10 included as part of this plan. Can this plan be written in
11 a way where we can actually understand it? What is the cost
12 of all of this, can we afford it? Who is going to enforce
13 it? How much effort was made to educate and get input from
14 our local families how each and every page is going to
15 affect them?

16 Were the people on the GPAC willing to live as how
17 they are dictating, or do they already have a home with a
18 large lot? Please take a hard close look at what you are
19 putting in ink, as it will affect generations to come.
20 Thank you for your time.

21 ACTING CHAIRMAN U'U: Questions for the testifier?
22 Seeing none, thank you.

23 Next up we have Bobby. I can't pronounce your
24 last name. Sorry, bra.

25 MR. RAMMEL: Good afternoon. My name is Bobby

1 Times have changed. Today what we need is a more
2 diversified, more disbursed type of visitor accommodation
3 industry. I happen to be a resident manager for a TVR. We
4 get people from all over the world who come there and who
5 shop locally. Local is really important to keep in mind
6 when dealing and when encouraging visitor type uses. Those
7 can be positive. I believe in most cases they have been.

8 I would urge you to keep that in mind, and to have
9 that reflected within the plan's language. That in today's
10 world, whether we like it or not, we've moved into a
11 different reality. The motto today might be taken from a
12 saying from the sixties, "Small is beautiful." And because
13 of that, or at least that ideal, we need to have diversified
14 and as I say, widely spaced small industries that aren't
15 going to, you know, when they go, if they do go, they are
16 not going to end up contributing to a large unemployment
17 impact. Thank you.

18 ACTING CHAIRMAN U'U: Thank you. Questions?
19 Commissioner Mardfin.

20 COMMISSIONER MARDFIN: Real quick. You said you
21 are a manager for a TVA.

22 MR. BAIN: TVR, sir.

23 COMMISSIONER MARDFIN: TVR. Is that within a
24 resort development area?

25 MR. BAIN: No, sir. I'm in Keokea, upcountry, and

1 Rammel. I stand before you today concerning this book. I
2 had the opportunity to look at this book, and it's very hard
3 to understand. If it could be rewritten to where simple
4 people like myself, my children can understand what the
5 future is here on Maui would be appreciated. But as I was
6 looking through it, it's very hard to read and very hard to
7 understand. So that's my testimony for today, bra.

8 ACTING CHAIRMAN U'U: We get something in common,
9 by the way, and I'm on the Planning Commission. (Laughter).

10 Any questions for the testifier? Seeing none,
11 thank you very much.

12 Next up we have Deanna Davis.

13 MS. DAVIS: Hi, aloha. My name is Deanna Davis.
14 I just wanted to say three things: Educate, communicate and
15 simplify. Educate the public on what the plan is all about.
16 I have talked to so many people, they're clueless, they
17 don't know what it is. Communicate with the communities to
18 get their input for their community. And simplify the plan
19 so that we can all understand it. Thank you.

20 ACTING CHAIRMAN U'U: Questions? Seeing none,
21 thank you very much. Last on the list we have Lucienne
22 deNaie, unless we have more on the next list. Remember,
23 we're a hungry Commission. We try to stay positive.

24 MS. DeNAIE: Thank you, Chair U'u, and thank you
25 all for staying late for lunch. My name is Lucienne de

1 Naie, and I'm testifying as a former GPAC member. I want
2 to address some of the things that were brought up about our
3 process.

4 First of all, many GPAC members questioned the
5 projection of populations. So the fact that we would be
6 consistent or inconsistent, there were many questions both
7 that the projections were too low and that they were too
8 high. So Warren can concur with that. But I do think that
9 we should look at boundaries that reflect the latest data
10 that we can get. That would be useful.

11 Also, you know, during our discussions of the Maui
12 Island Plan it was made clear that this plan does not give
13 entitlements. Only the Community Plan process will give
14 final entitlements. So the idea is something in or out,
15 they've lost their entitlement process, I don't think that's
16 the case. But you folks should ask your Corp Counsel for
17 their opinion, but that's what we were told.

18 Now, as to some of this plan is too complex and it
19 should be more general, and that a lot of these things
20 should be back in the Community Plan process, level, it's
21 like where are we going to look at the big picture? This is
22 supposed to be the big picture. The community plans only
23 look at their region. So I think the idea of having
24 something the people can understand is good, but it has to
25 really cover the big picture, and we need some specifics in

1 any of these other terms. That there are over a hundred
2 documented burials in that area, and more to come. And I
3 mentioned to you before that I felt that GPAC's decision to
4 leave that area out of the Urban Growth Boundary was
5 appropriate. And someone brought up the matter of the
6 church, and I said personally I supported the church. So
7 there's a little line that shows how you could include the
8 church property and still leave that burial area that's
9 acknowledged by the Burial Commission as a very, very
10 important cultural resource out of the Urban Growth
11 Boundary. Thank you.

12 ACTING CHAIRMAN U'U: Thank you. Commissioner
13 Mardfin.

14 COMMISSIONER MARDFIN: Lucienne, I think it was
15 your second point where you said that it was your position
16 that we are not creating entitlements. What I was hearing
17 from earlier testimony wasn't that we were creating
18 entitlements, it was that we were creating unentitlements.
19 We were preventing people from doing things, not letting
20 them do it. Is your position, would you also think that we
21 are not creating unentitlements?

22 MS. DeNAIE: Well, I guess you may be referring to
23 what Mr. Welch said, that you are going to put people at
24 risk of lawsuits, and so forth and so on. If this plan is
25 the first level in suggesting where future growth should

1 there.

2 As to some of the folks that have testified before
3 about Wailuku Country Estates, I was glad to hear those
4 folks come out. I have seen their farms up there, they have
5 substantial farms, and it's good farming land. And it isn't
6 always A lands that are good for farming. We need to
7 realize those classifications are more about plantation use
8 and not about small scale use. So the idea that Waihe'e and
9 other areas have good soil and should use them for ag
10 purposes, listen to the community.

11 As far as what has been said about Central Maui,
12 I'm passing this map around. It might only have one copy.
13 But it's a map of the Waiale area. And I just want to share
14 with you folks that there was a visit, a site visit that was
15 conducted by the Human Services Committee of the Council,
16 and that site visit allowed folks from the community and
17 from the Burial Council to go out and discuss a new
18 affordable housing project that was in that area. It was
19 made very clear by several members of the Burial Commission
20 who were there that they felt strongly that that area that
21 is being set aside that's in green that says A, B, C, D,
22 E --

23 MS. PAREDES: Two minutes.

24 MS. DeNAIE: That that area actually should be a
25 cultural preserve and not a regional park or a greenway or

1 come in the community plans, then it is not giving
2 entitlements. But I am not an attorney, your Corp Counsel
3 should give you that information.

4 What we were told, and we asked this specifically
5 of Brian Moto -- and I circulated his opinion to all of you
6 I think the very first time I testified -- he said, "Because
7 you are an advisory body you are not obligated to look at
8 any past entitlements and say, if things have not been
9 constructed and these are cast in cement, you are not going
10 to be under any legal duress if you say, we think, based on
11 new information, based on new knowledge."

12 I mean otherwise we can just go with all the old
13 stuff that isn't based on accurate information and just say,
14 "Well, we know more now, but we can't do anything because we
15 have to ignore all of our accurate information." I mean
16 it's your call.

17 COMMISSIONER MARDFIN: Thank you.

18 MS. DeNAIE: Thank you.

19 ACTING CHAIRMAN U'U: Questions? Seeing none,
20 thank you.

21 Next is Dick Meyer, and he's the last on the
22 sign-up sheet. And we will be open to more testimony after
23 Mr. Meyer's presentation.

24 MR. MEYER: Do you want me to go after lunch? I
25 don't want to stand between you and lunch.

1 ACTING CHAIRMAN U'U: You know what, it's too late
2 for that already, I'm upset. (Laughter) No, I'm kidding, I'm
3 kidding. I'm good, we got sushi. Go ahead, Dick.

4 MR. MEYER: Thank you very much. My name is Dick
5 Meyer, and I am not speaking for the GPAC, although I was
6 Vice-Chair of the body.

7 Several things. The population numbers that you
8 have been given now, I would urge you to use these revised
9 numbers. We in fact changed as we went along. We
10 originally had been given a larger figure. We reduced it by
11 3,000 and then we reduced it. Now the GPAC has reduced it
12 again. So there's a total reduction of 10,000 from the
13 number we started with originally. And that's why the
14 number of units needed is going to be reduced. And I would
15 urge you to use that. I've used DBEDT numbers in my
16 teaching over the years as an economist, and I have found
17 them also to be accurate projections in general.

18 But there's a more fundamental question, and that
19 is what the county ordinance which charges you and us and
20 the GPAC and the Council to do in developing this General
21 Plan. It makes the following statement, and I'll give you
22 the citation if you need it. "The General Plan shall
23 indicate desired population and physical development
24 patterns for each island and region within the county."

25 I would like you all to go home in the next few

1 2.72 which is on this yellow sheet that you were given
2 today.

3 Number three, how many units are needed? I don't
4 think the 11,500 that's needed is the actual number that is
5 needed. I think it's lower than that, because many of the
6 numbers that you used to get that came from not counting
7 ohanas, not counting the many small subdivisions, not
8 counting ag subdivisions. So in fact there's the potential
9 for many more units than are on that list that you were
10 given.

11 And finally, I would urge you to consider
12 infrastructure costs -- let me finish up this sentence --
13 when you say how much development should go and where the
14 Urban Growth Boundary should be. Please consider the cost
15 of infrastructure, and whether the county or the state will
16 have the money to build the schools, the sewer lines, the
17 police stations, the fire stations, et cetera, in that
18 particular area. Thank you very much.

19 ACTING CHAIRMAN U'U: Thank you, Dick. Questions?
20 Commissioner Starr.

21 COMMISSIONER STARR: Dick, you brought to mind
22 about 12 years ago we were both involved in a project called
23 Maui's Hundred Year Plan. I remember I was involved with
24 the water, you were involved with population and
25 demographics. You were still teaching at the college then.

1 days, before your next meeting next weekend and ask several
2 of your neighbors, just say, "What population would you like
3 to see on Maui 20 years from now?" Tell them the population
4 on the island right now is about 136,000. And that is the
5 approximate number according to DBEDT. And ask them, "What
6 would you like to see, 250,000? What number?"

7 Let them ask, Do you want it to increase by
8 30,000, 40,000, 100,000? And I think it would be good to
9 ask 10, 15, 20 people in your neighborhood, who you work
10 with, go to school with, go to church with, whatever it
11 might be, what they think the desired population should be.
12 That would be a very good way, because that's what the plan
13 is asking you to do.

14 The next item, the unit counts. At present in the
15 last census it was 2.90 was the unit count for Maui County.
16 The department was recommending at that time 2.72 as
17 something we should look at, and that's the number they gave
18 you. The GPAC thought that that was too low. We thought
19 given the cost of housing here, that housing types would be
20 larger, and we ended up with 2.8 when we made our
21 projections.

22 MS. PAREDES: Two minutes.

23 MR. MEYER: And I would urge you to go back to the
24 2.8 and ask the department to give you, given the revised
25 DBEDT numbers, what would be the unit count at 2.8, not the

1 And I was really surprised when people were thinking that
2 the population would be a million, and your group came out
3 with a very low number, lower than it is now. That was
4 interesting.

5 But, you know, obviously you have changed your
6 thinking, but could you remind us of what happened at GPAC
7 with the change of the numbers both in terms of the
8 population and the household size, because I'm confused over
9 what happened. I thought it had altered one way, but it
10 sounds like I was wrong.

11 MR. MEYER: In 2006 the population for the county
12 was 199,000. Finally, when we sat down and we drew up our
13 boundary lines it had been reduced by 3,000, this was in
14 2008, 2008 numbers, to a figure 196,000, a reduction of
15 3,000. The numbers which came out a month and a half ago,
16 July 1st, now have reduced the county population down to
17 189,000, and Dave Michaelson I think can verify those
18 numbers for you. That's a significant reduction.

19 And I don't think it's just because there has been
20 a sudden downturn in the economy, although obviously that's
21 one of the factors, they have done a re-appraisal of what
22 the state and the counties will have as their population
23 figures based on the economy of the islands, the inability
24 to diversify out of tourism, the fact that tourism as an
25 industry is somewhat discretionary. That we can't just

1 expect everybody from the mainland to continue to come. So
 2 I think those numbers came down for some of those reasons.
 3 And then going onto the unit count, the other part
 4 of your question, the question of the size of families. And
 5 there's some disagreement about how big units will be. We
 6 all know that there's a lot of crowding on Maui in terms of
 7 housing because of the housing costs. And I think that's
 8 going to keep the size of households -- and that's what
 9 we're measuring -- that population of how many people will
 10 go into each household, we as a GPAC said it would be 2.80,
 11 and we used that as our assumption. There was a lot of
 12 discussion. We were going up and some would go down, but we
 13 ended up with 2.80.

14 And I would urge you to seriously consider
 15 utilizing that number, rather than the 2.72, because that
 16 would be a very significant drop from 2.9 to 2.72. That
 17 would mean that somehow we'd have all these husbands and
 18 wives living together to balance off those where there are
 19 families, and I suspect that's not necessarily the case.

20 ACTING CHAIRMAN U'U: Thank you. Questions?
 21 Seeing none, thank you very much.

22 MR. MEYER: Enjoy your lunch.

23 ACTING CHAIRMAN U'U: Anybody else wishing to
 24 testify, please step forward and state your name.

25 MR. GOODE: Mr. Chair, David Goode, KST Hawai'i.

1 I brought you a nectarine, okay, because I don't want to
 2 stand between you and lunch.

3 ACTING CHAIRMAN U'U: Thank you.

4 MR. GOODE: I want to testify real quickly on
 5 Waihe'e and some additional information for you to consider.
 6 The census block called 308 extends from the Chinese
 7 cemetery all the way to Waihe'e Valley. In 2000 there were
 8 about 3,400 people in that area. Whatever numbers you folks
 9 use from DBEDT, there's growth. As far as I know, it's not
 10 going negative until 2030. The residents in Waihe'e need an
 11 opportunity to have ag land, which they've stated they want,
 12 keep it ag, they want ag opportunities, they want rural
 13 opportunities. We also note, because we get the phone
 14 calls, is folks want urban opportunities. Not everybody
 15 wants to live on ag, not everybody wants to live on rural.
 16 Some folks want to live in an urban environment. It can be
 17 really small, like The Village. The Village is what
 18 residents typically call that area as you drive in. When
 19 you first hit the homes on the left-hand side across from
 20 the park through to the school. In that area there's
 21 something around 1200 residents. Of the urban lots you see
 22 there, 77 percent of those lots, and we've counted, are less
 23 than 10,000 square feet. You can't rebuild those homes
 24 right now. There's no sewer system. There's no way to get
 25 a septic design approved unless you drill some massive

1 septic.
 2 If you look on the Internet today you can buy a
 3 home on Kuhinia Street and the highway for \$166,000. In
 4 fact, it's actually been dropped to \$140,000. Why has no
 5 one bought it? Because the last termite is holding hands.
 6 As soon as they stop holding hands it's going to fall down.
 7 It's a tear-down. Well, great, you get a piece of land.
 8 But guess what, it's 4,000 square feet, you cannot build.

9 So Waihe'e has some unique issues. It has
 10 population, the kids are going to want to stay there, some
 11 of them. They need an opportunity for ag, urban and rural.
 12 Under existing urban infrastructure there it's inadequate.
 13 So you need some opportunities for urban. So I am going to
 14 continue to make the pitch. You can look at your unit
 15 count, if you guys go down that path like GPAC did. At 152
 16 units maybe that's too much. Take a look at that.

17 I just want to piggy-back on Dick Meyer's
 18 comments. As you go home and you think about some of the
 19 things Dick asked you to think about and talk to your
 20 neighbors, ask your neighbors but ask them, "Where do you
 21 want your kids to live? Not all your kids are going to get
 22 mom and dad's house. Where do you want your kids to live?
 23 What kind of opportunities do you want for your kids?"

24 The answer you will hear more often than not is
 25 you want them close by. Waihe'e is just a microcosm of the

1 whole county. They need an opportunity. So mahalo for your
 2 time.

3 ACTING CHAIRMAN U'U: Thank you. Questions,
 4 seeing none, thank you very much. Anybody else want to give
 5 public testimony? If so, please step forward.

6 Seeing none, public testimony is now closed. We
 7 are on lunch break until 1:25. Thank you.

8 (The lunch recess was taken)

9 ACTING CHAIRMAN U'U: The Planning Commission is
 10 now back in session. At this time I'd like to turn it over
 11 to the Director.

12 DIRECTOR HUNT: Your next agenda item involves the
 13 Commission's discussion of and recommendations related to
 14 the Maui Island Plan's Land Use Element, particularly
 15 Objective 4, Land Uses. This was the element that we
 16 deferred. We got all the way through the land use element
 17 except for this one area, and it relates to the tourist
 18 industry.

19 After that, we will go into the Directed Growth
 20 Element, which is the principles, not to be confused with
 21 the Directed Growth Maps. The Directed Growth Element has
 22 two phases, one is the policy side and one is the maps. So
 23 with that, I'll turn it over to -- Dave, do you want to take
 24 the lead on this?

25 MR. MICHAELSON: Sure. Mr. Chairman, what we have

1 tried to do is, I had some pretty significant notes of
2 concerns from the Commission, and we worked with Jeff was
3 involved and John Summers. And what you see on the third
4 column is an effort to try to address the majority of your
5 concerns. I think in some cases the language was slightly
6 softened regarding both conversion of hotel units as well as
7 monitoring and managing. That was the language that was
8 suggested in terms of timeshares and fractional ownership.

9 The only other significant change I believe was
10 defining with a little more clarity what large scale resort
11 development was. And you will notice a footnote on the
12 bottom. And I think where our conversation really was was
13 that there are instances where we have resort
14 accommodations, I think the Kula Lodge is probably a pretty
15 good example, where some expansion is probably appropriate.
16 And in some cases, and we will see when we get to the
17 Community Plan, is probably acceptable. But that the larger
18 resort, sort of the industrial resort accommodations is what
19 we were trying to channel to the resort destination areas
20 that are also summarized in number 4.

21 ACTING CHAIRMAN U'U: Director Hunt?

22 DIRECTOR HUNT: Specifically on number 3, what we
23 tried to do is craft a policy that reflects the current
24 community policy or the county's policy. And frankly, we
25 don't have a very clear policy. But in dealing with the B&B

1 recommendation or the PC voting record, whichever, I guess
2 I'd like to make a mention to change the word "minimize and
3 contain" to "manage." Again, trying to alleviate negative
4 connotation.

5 ACTING CHAIRMAN U'U: What was that again?

6 COMMISSIONER HIRANAGA: It says, "Seek to minimize
7 and contain." Change "minimize and contain" to "manage."

8 COMMISSIONER GUARD: Second.

9 ACTING CHAIRMAN U'U: Motion made by -- amendment
10 made by Commissioner Hiranaga, seconded by Commissioner
11 Guard. Discussion? Commissioner Starr.

12 COMMISSIONER STARR: Yeah, what's the difference
13 between manage and minimize and contain, is it just a weaker
14 form of the same thing? I'm asking staff.

15 DIRECTOR HUNT: It's a good question. It's open
16 to interpretation. I would agree with your interpretation,
17 minimize is a little stronger, manage is a little more open.

18 ACTING CHAIRMAN U'U: Commissioner Shibuya.

19 COMMISSIONER SHIBUYA: I was thinking more in
20 these lines here, not so much as manage, but I was thinking
21 this is not a motion of course, but it's "Seek to minimize
22 and contain adverse impacts of tourism on residents'
23 qualities of life and natural environments and resources."
24 That's where I am going towards. The thought process is not
25 so much to manage this thing, but it's to minimize and

1 and the TVR ordinance and enforcement, these are what staff
2 believes we could at least take an attempt at saying what
3 the county's policy is right now. That's to enforce our
4 existing laws until they're changed.

5 And then the other one is to manage TVR's. It
6 should be transient vacation rentals in there, but we can
7 correct that on item B. Manage them through permitting in
8 accordance with ordinances and Community Plan policies.

9 So one of the speakers this morning spoke about
10 you guys can't really set policy because we don't know what
11 it is. To some extent that's true, but I think B is broad
12 enough so that it would accomplish or accommodate any future
13 ordinances that the Council adopts regarding TVR's. And
14 even if they don't, we are permitting them through the
15 conditional permit process, as you guys are well aware of.

16 ACTING CHAIRMAN U'U: Commissioner Starr?

17 COMMISSIONER STARR: Move for approval of Land Use
18 Objective 4 and underlying policies and actions. Further
19 advise Director's recommendation.

20 DIRECTOR HUNT: Motion made by Commissioner Starr.
21 Is there a second?

22 COMMISSIONER SHIBUYA: I'll second.

23 ACTING CHAIRMAN U'U: Seconded by Commissioner
24 Shibuya. Discussion? Commissioner Hiranaga.

25 COMMISSIONER HIRANAGA: Objective 4, the GPAC

1 contain adverse impacts.

2 ACTING CHAIRMAN U'U: Any more discussion?
3 Commissioner Mardfin.

4 COMMISSIONER MARDFIN: I think I'm going to
5 support my colleague's motion to use "manage." I think the
6 purpose of it, from reading between the lines, is just to
7 avoid negative connotations. And while it's slightly
8 weaker, I think it gets to the same end without the negative
9 connotation. So I can support it.

10 ACTING CHAIRMAN U'U: Any more discussion?
11 Call for the vote. All those in favor of that
12 amendment say "aye."

13 (A chorus of ayes)

14 All those opposed?

15 (Nay)

16 ACTING CHAIRMAN U'U: One nay, Commissioner Starr.
17 Any more discussion? Commissioner Shibuya.

18 COMMISSIONER SHIBUYA: I'd like to make another
19 amendment here where, "To seek to minimize" -- I mean to
20 "Seek to manage impacts of tourism on residents' qualities
21 of life and natural environments and resources." I'd like
22 to add those elements in there, "residents' qualities of
23 life and natural environments and resources."

24 DIRECTOR HUNT: Would that be an amendment?

25 COMMISSIONER SHIBUYA: That's a motion to make an

1 amendment.
 2 ACTING CHAIRMAN U'U: Do we have a second on that?
 3 COMMISSIONER STARR: I'll second that.
 4 ACTING CHAIRMAN U'U: Seconded by Commissioner
 5 Starr. Discussion?
 6 COMMISSIONER HIRANAGA: Point of order. Wasn't
 7 the motion adopted, and now you're amending the motion that
 8 was adopted. I'm not that familiar with Robert's Rules of
 9 Order, but is that appropriate?
 10 ACTING CHAIRMAN U'U: So am I, I'm not that
 11 familiar with it also. This is time for discussion. Okay,
 12 we can turn it over to Corp Counsel. The lawyer was choking
 13 on a grape.
 14 MR. GIROUX: What was the first motion?
 15 ACTING CHAIRMAN U'U: We made an amendment by
 16 Commissioner Hiranaga that's stated on the board, and we had
 17 one in opposition. And now we have another amendment to the
 18 same motion.
 19 MR. GIROUX: Well, it's up to -- looking at that
 20 motion, if it's germane or if it's completely hostile to the
 21 original motion, then I don't think you want to be accepting
 22 a motion that's going to negate something that's previously
 23 been adopted, unless it's the intent of the body to actually
 24 adopt something that negates a previously adopted motion,
 25 which would be more properly introduced as a motion to

1 reconsideration.
 2 ACTING CHAIRMAN U'U: Commissioner Starr.
 3 COMMISSIONER STARR: Furthermore, reconsideration
 4 means you're undoing what you did before, you're not making
 5 a further change. So I don't think it would be relevant.
 6 ACTING CHAIRMAN U'U: Discussion? Commissioner
 7 Domingo.
 8 COMMISSIONER DOMINGO: Thank you. I remember back
 9 in Haiku we talked about the tourism. There was an element
 10 under population. So maybe I think your concerns was under
 11 that. If you could bring that up, it was under population.
 12 We talked about maximizing residents' benefits from the
 13 visitor's industry. And I think that would be your concern
 14 on that side, because we did have some issues on that as
 15 well.
 16 COMMISSIONER MARDFIN: Mr. Chairman?
 17 ACTING CHAIRMAN U'U: Commissioner Mardfin.
 18 COMMISSIONER MARDFIN: I think to proceed we need
 19 to get the wording on the board that Commissioner Shibuya
 20 suggested we do. The person putting this on the board needs
 21 him to repeat his motion, and for me also.
 22 ACTING CHAIRMAN U'U: Could you repeat your
 23 motion, Commissioner Shibuya?
 24 COMMISSIONER SHIBUYA: After the period after
 25 "residents" you would add "qualities of life and natural

1 reconsider. So you need to look at the body of both of
 2 these motions to determine whether or not it's germane or
 3 whether or not it's hostile.
 4 COMMISSIONER HIRANAGA: It should be a motion to
 5 reconsider.
 6 ACTING CHAIRMAN U'U: Commissioner Starr.
 7 COMMISSIONER STARR: It is germane. The first
 8 motion changed the words "minimize and contain" to "manage,"
 9 and then this motion refers to the impact. So it has
 10 nothing to do with the previous motion, and it's certainly
 11 germane to the main motion, so there's nothing wrong with
 12 it.
 13 ACTING CHAIRMAN U'U: Commissioner Shibuya.
 14 COMMISSIONER SHIBUYA: As the maker of this
 15 motion, I would say it would be a reconsideration to add
 16 these qualities of life and natural environments and
 17 resources to it.
 18 ACTING CHAIRMAN U'U: Okay. Any more discussion?
 19 Commissioner Mardfin.
 20 COMMISSIONER MARDFIN: There's a couple of things.
 21 One, I'd like to see what the actual motion read. Secondly,
 22 I would urge the maker of the motion not to make it a
 23 reconsideration. We changed "minimize and contain" to
 24 "manage" and now you are adding a further concept to it,
 25 which is perfectly proper to do, without having to do a

1 environments and resources." I am not only looking at the
 2 residents' quality of life, but I'm looking at our natural
 3 environment, our view planes, things of this nature, stream
 4 flows, all of these materials.
 5 COMMISSIONER STARR: I think there's some wording
 6 missing.
 7 ACTING CHAIRMAN U'U: Commissioner Starr.
 8 COMMISSIONER STARR: Yeah, and sorry, Julie, I
 9 believe that the wording should be "Seek to minimize and
 10 contain the negative impacts on the quality of life," et
 11 cetera. I mean is that correct, Commissioner Shibuya?
 12 COMMISSIONER SHIBUYA: Yes, that's acceptable.
 13 COMMISSIONER MARDFIN: Mr. Chairman?
 14 ACTING CHAIRMAN U'U: Hang on one second.
 15 Commissioner Shibuya, is that what you had in mind?
 16 COMMISSIONER SHIBUYA: I had two things in mind,
 17 and that's one item that's acceptable.
 18 ACTING CHAIRMAN U'U: Commissioner Mardfin.
 19 COMMISSIONER MARDFIN: Mr. Chairman, now we are
 20 undoing the motion that we made before. I think to be
 21 consistent with what we had, it should be what is up there
 22 under KH, that is, "Seek to manage the impact of tourism on
 23 residents." Then add his words to that, "and on the
 24 qualities of life and natural environments and resources."
 25 And I think that's what the motion was.

1 I'd just like to -- the manage part we have
2 already taken care of. And I think you need an "and" in
3 there after "residents." And now if Commissioner Shibuya
4 would look at it and see if that is essentially what he had
5 moved.

6 COMMISSIONER SHIBUYA: I was looking at the
7 residences as proper.

8 ACTING CHAIRMAN U'U: Is that okay with the maker
9 of the motion?

10 COMMISSIONER SHIBUYA: No. The word after
11 residents would be striking the word "and" off.

12 ACTING CHAIRMAN U'U: It would read, "Seek to
13 manage" --

14 COMMISSIONER MARDFIN: Is there a comma after
15 residents?

16 COMMISSIONER SHIBUYA: No, there's no comma there.

17 ACTING CHAIRMAN U'U: Wordsmithing. Can we all
18 speak one at a time? Is that okay with the maker of the
19 motion?

20 COMMISSIONER SHIBUYA: Yes.

21 ACTING CHAIRMAN U'U: And the seconder?
22 Discussion. Commissioner Mardfin.

23 COMMISSIONER MARDFIN: I thought that the
24 apostrophe was supposed to be a comma. Oh, it's supposed to
25 be an apostrophe, okay.

1 planes, because of the height of the hotels and things of
2 this nature. So it does have its impacts. And I am not
3 very specific, but it's very general, and it should be
4 considered.

5 ACTING CHAIRMAN U'U: Thank you, Commissioner
6 Shibuya. Commissioner Mardfin.

7 COMMISSIONER MARDFIN: It got taken out. It
8 originally should be a motion to reconsider, now it's a
9 motion to amend. It's correct now.

10 ACTING CHAIRMAN U'U: Commissioner Hiranaga.

11 COMMISSIONER HIRANAGA: If you look at the
12 policies and actions of this Objective, it all relates to
13 tourism. And I think that what Commissioner Shibuya wants
14 addressed is probably addressed somewhere else in this very,
15 very concise document.

16 ACTING CHAIRMAN U'U: Point taken. Director Hunt.

17 DIRECTOR HUNT: Staff would concur with Mr.
18 Hiranaga's comments.

19 ACTING CHAIRMAN U'U: Calling for a vote. All
20 those in -- I'm sorry, discussion. Commissioner Mardfin.

21 COMMISSIONER MARDFIN: Yeah, the Director made a
22 comment, and I would think that Commissioner Shibuya might
23 want to think about that, or just go ahead with what we
24 have. I wouldn't immediately call for a vote unless he
25 pauses for more than 10 seconds.

1 MS. STALEY: Excuse me, Mr. Chairman, before I
2 lose my mind.

3 ACTING CHAIRMAN U'U: Don't lose your mind.

4 MS. STALEY: Will the maker of the motion please
5 go look at the board. That is not a comma, that's an
6 apostrophe. "As long as the residents" is a plural
7 possessive. I just need to know.

8 COMMISSIONER SHIBUYA: That's right.

9 ACTING CHAIRMAN U'U: Thank you for clarifying.
10 Any more discussion? Commissioner Hiranaga.

11 COMMISSIONER HIRANAGA: I'm opposed to the motion
12 unless the natural environments and resources is excluded,
13 because I think you are expanding the scope of this
14 particular Objective. We are talking about impact of
15 tourism on residents, and now you're increasing the scope to
16 include the entire island basically and its natural
17 environments and resources. I wouldn't be voting in favor
18 of this motion.

19 ACTING CHAIRMAN U'U: Any more discussion?
20 Commissioner Shibuya.

21 COMMISSIONER SHIBUYA: I am going to be speaking
22 towards, for this, because any time we have accommodations
23 for the tourists we put a load on the environment as well as
24 our resources. And it challenges the residents to balance
25 between having these natural environments as well as view

1 ACTING CHAIRMAN U'U: 8, 9 and 10. Call for a
2 vote. All those in favor of the amendment say "aye."

3 (A chorus of ayes)

4 All those opposed?

5 (A chorus of nays)

6 Can we see the nays? Three against. Can we see
7 the ayes? The amendment fails.

8 DIRECTOR HUNT: For the record, it was four for,
9 so you need five affirmative votes.

10 ACTING CHAIRMAN U'U: Commissioner Mardfin.

11 COMMISSIONER MARDFIN: I move that we amend -- can
12 you put the same words back on there, please? It's a motion
13 to amend to read, "Seek to manage the impact of tourism on
14 residents' qualities of life," period.

15 COMMISSIONER SHIBUYA: Second.

16 ACTING CHAIRMAN U'U: Amendment made by
17 Commissioner Mardfin. Seconded by Commissioner Shibuya.
18 Discussion?

19 Call for the vote. All those in favor say "aye."

20 (A chorus of ayes)

21 All those opposed?

22 (None)

23 Motion passes.

24 Discussion? Commissioner Hiranaga.

25 COMMISSIONER HIRANAGA: On policy one, I'm just

1 pointing out, kind of wordsmithing. Is the word "criteria"
 2 necessary?
 3 ACTING CHAIRMAN U'U: Staff?
 4 DIRECTOR HUNT: Probably not. It would be
 5 inclusive in permitting and perhaps Community Plan policies
 6 both.
 7 COMMISSIONER HIRANAGA: Save a bunch of ink. Does
 8 that require a motion or that just -- it requires a motion?
 9 ACTING CHAIRMAN U'U: Is that a motion?
 10 COMMISSIONER HIRANAGA: Motion to delete the word
 11 "criteria" from Policy number 1.
 12 ACTING CHAIRMAN U'U: Do we have a second? Can
 13 you repeat the motion?
 14 COMMISSIONER HIRANAGA: Motion to delete the word
 15 "criteria" from the Director's Policy number 1. The word
 16 between permitting and limiting, criteria.
 17 COMMISSIONER DOMINGO: I'll second that.
 18 ACTING CHAIRMAN U'U: Motion made by Commissioner
 19 Hiranaga, seconded by Commissioner Domingo. Discussion?
 20 Call for the vote. All those in favor say "aye."
 21 (A chorus of ayes)
 22 All those opposed?
 23 (A chorus of nays)
 24 Can we have a show of hands for in favor?
 25 (Five)

1 Show of hands opposed.
 2 (Three)
 3 Motion passes five to four -- five to three.
 4 Three. We have eight. That's good math.
 5 Discussion? Commissioner Hiranaga.
 6 COMMISSIONER HIRANAGA: I don't know if this is
 7 important. Policy number 3B, "Manage transient rentals," do
 8 you need to insert the words "vacation rentals" or do you
 9 just want "transient rentals"? That might I guess include
 10 rental cars.
 11 ACTING CHAIRMAN U'U: Is that a motion?
 12 COMMISSIONER HIRANAGA: I'll make a motion to
 13 insert the word "vacation" between "transient" and
 14 "rentals."
 15 ACTING CHAIRMAN U'U: Do we have a second?
 16 COMMISSIONER STARR: Second.
 17 ACTING CHAIRMAN U'U: Seconded by Commissioner
 18 Starr. Motion made by Commissioner Hiranaga. Discussion?
 19 COMMISSIONER GUARD: On Policy 3 was staff going
 20 to return with new language. Is that it, is that the new
 21 language now?
 22 DIRECTOR HUNT: We felt this was sufficient. If
 23 the Commission wants us to return --
 24 COMMISSIONER GUARD: No, that's fine.
 25 ACTING CHAIRMAN U'U: Call for a vote. All those

1 in favor say "aye." Raise your hand, say "aye."
 2 (A chorus of ayes)
 3 All those opposed?
 4 (None)
 5 Motion passes.
 6 COMMISSIONER MARDFIN: In the revised Director's
 7 recommendation there is no Action number 1. Was that an
 8 intentional deletion or should Action 1 under the GPAC be
 9 considered part of the revised Director's recommendation?
 10 ACTING CHAIRMAN U'U: Director?
 11 DIRECTOR HUNT: I believe we were going to just
 12 carry it across. We should make that clear.
 13 COMMISSIONER MARDFIN: So it is part of it?
 14 DIRECTOR HUNT: Correct.
 15 ACTING CHAIRMAN U'U: Thank you. Commissioner
 16 Hiranaga.
 17 COMMISSIONER HIRANAGA: Regarding the footnote,
 18 "Large-scale resort development," "more than 20 visitor
 19 accommodations." I mean what happens to the Maui Lu Resort?
 20 What happens to the Maui Beach Hotel renovation or
 21 redevelopment? 20 visitor accommodations is not a whole lot
 22 of rooms. I mean there's the proposed airport lodge, I mean
 23 I have a problem with 20 visitor accommodation units.
 24 ACTING CHAIRMAN U'U: Director?
 25 DIRECTOR HUNT: I would ask Mr. Summers if this is

1 a definition that exists or are we proposing it. And if
 2 it's the latter, then we can certainly modify it so that the
 3 definition is typically containing more than 20, or you can
 4 change the number.
 5 MR. SUMMERS: Thank you, Mr. Chairman. This would
 6 be a new definition. The number of units, you know, is
 7 subject to debate. Sometimes it's useful to include some
 8 examples of some current resorts on the island, for
 9 instance, to provide more direction to staff.
 10 ACTING CHAIRMAN U'U: Is that an answer?
 11 MR. SUMMERS: Yes, that's an answer.
 12 ACTING CHAIRMAN U'U: Commissioner Guard.
 13 COMMISSIONER GUARD: Well, how many are in say
 14 Makena Prince or Wailea's Grand Wailea, Four Seasons,
 15 Kealani, Wailea Point? There's a few, a couple thousand
 16 versus 20. I mean 20 is a way off number, if we are talking
 17 about a large scale resort development such as Wailea,
 18 Makena, Kapalua and Ka'anapali.
 19 ACTING CHAIRMAN U'U: Staff?
 20 DIRECTOR HUNT: We can play with the number, but
 21 it's important you also read the rest of the sentence, "and
 22 typically includes the support facilities, recreational
 23 amenities, convention capabilities."
 24 ACTING CHAIRMAN U'U: Commissioner Hiranaga.
 25 COMMISSIONER HIRANAGA: The current Maui Beach

1 Hotel has restaurant, conference and convention
2 capabilities, and they have got the Kahului Harbor right
3 there, recreational facilities. I know they have more than
4 20 rooms.

5 ACTING CHAIRMAN U'U: Just for a comment, it
6 seems a little misleading for myself when you say large
7 scale development and you are bringing it down to 20. It's
8 almost like a B&B with six rooms, if you think about it.
9 Discussion? Director Hunt?

10 DIRECTOR HUNT: I think we need to research this
11 one a little bit more on the specific definition, and come
12 back to you.

13 ACTING CHAIRMAN U'U: Is that okay the Commission?
14 Commissioner Mardfin.

15 COMMISSIONER MARDFIN: I'm waiting, because what I
16 want is something to be changed up on the board. Action
17 number 1 should be carried over under revised Director's
18 recommendation.

19 ACTING CHAIRMAN U'U: Commissioner Hiranaga.

20 COMMISSIONER HIRANAGA: Policy number 4, I'd like
21 to make a motion to change the word "prohibit" to "limit."
22 And change the word "outside of" to "to," T-O.

23 ACTING CHAIRMAN U'U: Do we have a second on that?

24 COMMISSIONER DOMINGO: I'll second.

25 ACTING CHAIRMAN U'U: Seconded by Commissioner

1 be a recommendation in an hour, and we can get it done
2 today.

3 ACTING CHAIRMAN U'U: I think we should take a
4 break for an hour. Just kidding. Commissioner Guard.

5 COMMISSIONER GUARD: Thank you. Yeah, I feel like
6 we had discussed this before, and what a resort was with the
7 Maui Lu example, et cetera, whether it be the golf course.

8 I mean I can name a few hundred units in different complexes
9 and hotels. I mean Commissioner Domingo and Commissioner
10 Sablas, they could probably give us a pretty accurate number
11 of how many hotel rooms are in either the Wailea area or
12 Ka'anapali. I guess it's disturbing to me with this
13 document to have that as a footnote down to 20 units. I
14 just don't want that to be throughout this document, those
15 inconsistencies on items that we're relying on staff to
16 provide. To go down to 20 units on something like that is a
17 major mixup, and it could almost be 1,000 to 2,000 if you
18 add it up per each development.

19 ACTING CHAIRMAN U'U: Commissioner Mardfin.

20 COMMISSIONER MARDFIN: I would like to suggest a
21 friendly amendment to Kent. That after the word "limit" you
22 add "new." And I think that may take care of some of our
23 concerns about existing buildings like the Pioneer Inn. If
24 it's "limit new large scale resort development" that may
25 help the problem.

1 Domingo. Discussion?

2 COMMISSIONER HIRANAGA: "Outside of." Eliminate
3 that to "to."

4 ACTING CHAIRMAN U'U: Could you read that back to
5 us, please?

6 COMMISSIONER HIRANAGA: She's got it. Eliminate
7 the word "outside."

8 ACTING CHAIRMAN U'U: She's got it.

9 COMMISSIONER HIRANAGA: Eliminate the word
10 "outside" development to the resort destination areas of
11 Wailea, et cetera.

12 ACTING CHAIRMAN U'U: Could you read it for us?

13 MS. STALEY: "Limit large-scale resort development
14 to the resort destination areas of Wailea, Makena, Kapalua
15 and Ka'anapali, as identified on the Maui island policy map
16 number, blank, blank, blank."

17 ACTING CHAIRMAN U'U: Commissioner Starr?

18 COMMISSIONER STARR: I'm thinking that it kind of
19 doesn't make sense, because Lahaina isn't included. And
20 there's certainly quite a bit of, you know, I mean the
21 Pioneer Inn. You know, I know as an urban area Wailuku and
22 Kahului there's going to be a need. So I really think we
23 need to do something else. I wish we could deal with it
24 today though. We have so much work, I hate to defer stuff.
25 So maybe we could come back to it in an hour and there could

1 ACTING CHAIRMAN U'U: Commissioner Hiranaga,
2 response?

3 COMMISSIONER HIRANAGA: Well, there should be a
4 second.

5 COMMISSIONER MARDFIN: What I'm suggesting to you
6 is a friendly amendment.

7 COMMISSIONER HIRANAGA: "Limit new." Well, my
8 concern is like the Maui Lu redevelopment, basically they're
9 going to tear everything down and build something new. So
10 is that a new large-scale resort development?

11 ACTING CHAIRMAN U'U: Commissioner Starr.

12 COMMISSIONER STARR: I mean I think there are
13 needs such as, you know, at some point we will need an
14 airport hotel, we will want one. My feeling is maybe
15 outside of resort and urban areas, something like that, so
16 that we make it clear that we are not talking about that it
17 should be just out in the boonies somewhere, but in the
18 urban centers, which would include Lahaina, Kihei, Kahului,
19 Wailuku. That it probably makes sense. Maybe the
20 department could chime in.

21 MR. SUMMERS: Thank you, Mr. Chairman. I think it
22 might be a little dangerous to move forward with this
23 without resolving the definition issue. That should really
24 be addressed first, and then there could be clarity in terms
25 of what the policy or the action in this case would actually

1 do once implemented. Staff would suggest that we be given
2 time during the next break to work on the definition, and
3 defer this policy until that time.

4 ACTING CHAIRMAN U'U: Agreed. Commissioner
5 Sablas?

6 COMMISSIONER SABLAS: I think probably the object
7 of this policy is probably to limit the resorts to master
8 plan areas. The four areas we are talking about, Wailea,
9 Makena, Kapalua and Ka'anapali, are all master plan, whereas
10 the other resorts are kind of like built up as individual
11 entities. I agree also that limiting to 20 is unrealistic
12 because it's not, for example, site it. That we need to
13 look at the number.

14 I think the key here is the master plan resorts,
15 where they come in and it had come in with, you know, I
16 remember seeing plans for Ka'anapali in the late 50's that
17 actually had places set aside for the accommodations that
18 you see today, but it was master planned for the 20 year
19 period. I think that's what we are addressing here, is the
20 master plan resorts.

21 ACTING CHAIRMAN U'U: So at this time I am going
22 take discussion on the deferring the item for giving staff
23 some input on the Commission's feelings. Commissioner
24 Mardfin.

25 COMMISSIONER MARDFIN: I move we defer this item

1 that are in bold and a larger font.

2 ACTING CHAIRMAN U'U: Commissioner Mardfin.

3 COMMISSIONER MARDFIN: I had spent some time
4 looking at the one that we had received early on, preparing
5 for this meeting. And we got this today, I believe. Can we
6 call a 15 minute recess to give us time to look all the
7 changes over? That would also allow them to look at the
8 previous issue about defining resort development.

9 ACTING CHAIRMAN U'U: Director Hunt?

10 DIRECTOR HUNT: Dave, the only recent changes are
11 in the large bold font, is that correct?

12 MR. MICHAELSON: That's correct. And then there's
13 been a series of deletions. I am assuming you are under the
14 urban growth area, goals and policies. We made several
15 deletions. We found essentially redundancy between those
16 and the implementation section of the document. I have
17 cited those in footnotes at the bottom of the page. But
18 Jeff is correct, the only changes are in bold, with the
19 exception of those deletions I just cited.

20 COMMISSIONER MARDFIN: I repeat. If I could have
21 15 minutes to read this, I would feel much more comfortable.

22 ACTING CHAIRMAN U'U: It's up to the Commission.
23 Commissioner Starr?

24 COMMISSIONER STARR: You know, we have had this
25 for awhile. I know it was emailed to us. I know I would

1 until after the next major break.

2 COMMISSIONER STARR: Second.

3 ACTING CHAIRMAN U'U: Motion made by Commissioner
4 Mardfin, seconded by Commissioner Starr. Discussion?

5 Seeing none, call for the vote. All those in
6 favor say "aye."

7 (A chorus of ayes)

8 All those opposed?

9 (None)

10 Motion is deferred.

11 Turning it back over the Director at this time.

12 DIRECTOR HUNT: Your next item involves the land
13 use -- pardon me, the land use element directed growth --
14 pardon me -- the directed growth element. The policies as
15 opposed to the maps, and I believe there is a handout.

16 MR. MICHAELSON: That's correct. It begins with a
17 set of guiding land use principles. These are basically the
18 foundation virtually for the entire plan. They track
19 through the work we did with WalkStory/TalkStory. And
20 again, they've remained virtually unchanged since the April
21 2008 draft. They were viewed and approved by the IRC's and
22 then also reviewed and approved by GPAC.

23 DIRECTOR HUNT: So essentially the changes as
24 proposed are underlined for additions and strike through for
25 deletions. And then there's some more recent amendments

1 prefer to keep moving on it.

2 COMMISSIONER MARDFIN: I just received it today, I
3 think.

4 ACTING CHAIRMAN U'U: What's the intent of the
5 body? Do you want to call it for a vote for a 15 minute
6 recess?

7 COMMISSIONER STARR: How about 10 minutes.

8 ACTING CHAIRMAN U'U: We can take a 10 minute
9 recess for the stenographer. So how about that.

10 Commissioner Hiranaga?

11 COMMISSIONER HIRANAGA: I would prefer to move on.
12 We can multi-task.

13 ACTING CHAIRMAN U'U: You can multi-task.

14 Stenographer, it's up to you. We know you're
15 good, but do you want a break?

16 What's your pleasure, Commission? Commissioner
17 Mardfin.

18 COMMISSIONER MARDFIN: If we move right on, I am
19 just going to ask huge numbers of questions because I need
20 more time to read this. After 10 minutes I probably won't
21 need it.

22 ACTING CHAIRMAN U'U: At this time we are going to
23 take a break for 10 minutes.

24 COMMISSIONER MARDFIN: Thank you.

25 (Whereupon a brief recess was taken)

1 ACTING CHAIRMAN U'U: The Planning Commission is
 2 now back in session. Director Hunt.
 3 DIRECTOR HUNT: The staff has come up with a
 4 revised Policy number 4. This is under the land use element
 5 that we were discussing previously. And this is based on
 6 the submittal by the Hotel and Lodging Association, with
 7 some slight revisions. And I believe Julia has it typed up
 8 on the board. I could read it for people.
 9 "Limit large scale resort development to the four
 10 existing resort destination areas of Kapalua, Ka'anapali,
 11 Wailea and Makena. Large scale resort is defined as
 12 complexes that include multiple accommodation facilities,
 13 activity businesses, retail complexes, and other amenities."
 14 ACTING CHAIRMAN U'U: Discussion? Commissioner
 15 Starr.
 16 COMMISSIONER STARR: I move to amend to utilize
 17 the wording.
 18 ACTING CHAIRMAN U'U: There's a motion to move to
 19 utilize the wording. Is there a second?
 20 COMMISSIONER SHIBUYA: Second.
 21 ACTING CHAIRMAN U'U: Seconded by Commissioner
 22 Shibuya. Motion made by Commissioner Starr. Discussion?
 23 Call for the vote. All those in favor say "aye."
 24 (A chorus of ayes)
 25 Can we have a show of hands, aye.

1 Motion passes unanimously.
 2 Commissioner Mardfin?
 3 COMMISSIONER MARDFIN: Mr. Chairman,
 4 congratulations, we have finished the land use element.
 5 ACTING CHAIRMAN U'U: That wasn't the main motion,
 6 that was an amendment.
 7 COMMISSIONER MARDFIN: I'm sorry, too early.
 8 ACTING CHAIRMAN U'U: Good economist though. Any
 9 more discussion?
 10 Vote for the main motion. All those in favor say
 11 "aye."
 12 (A chorus of ayes)
 13 All those opposed say "nay."
 14 (None)
 15 Motion passes unanimously.
 16 The Vice-Chair would like to make a comment. It
 17 was told to me that I have to distinguish the ayes and the
 18 nays. And it also was told to me if the people in the
 19 gallery could hold the noise down so that the staff could
 20 focus, because they get grumpy from 2:30. Actually, from
 21 2:10 on to 5. So for respect to the staff, hopefully you
 22 guys agree to that.
 23 Moving onto the GPAC Guiding Land Use Principles.
 24 I guess we are going to take this one at a time. The
 25 Guiding Land Use Principles is 1 through 9, and I guess we

1 (A show of hands)
 2 That's five ayes.
 3 All those opposed "nay."
 4 (None)
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1 need a motion to accept it. Commissioner Starr.
 2 COMMISSIONER STARR: To get the ball rolling, I
 3 move to approve Guiding Land Use Principles 1 through 9.
 4 COMMISSIONER SHIBUYA: Second.
 5 ACTING CHAIRMAN U'U: Motion made by Commissioner
 6 Starr. Seconded by Commissioner Shibuya. The ball is
 7 rolling. Discussion? Commissioner Mardfin.
 8 COMMISSIONER MARDFIN: I move to amend by adding
 9 an item 10 to that list of 9. And I think I've distributed
 10 this to you Commissioners a few weeks ago, but I will read
 11 it aloud. And I have provided copies so Julia can get it up
 12 there.
 13 10 would be, "Promote community responsibility,
 14 empowerment and uniqueness, the struggle to resolve
 15 development issues is not amenable to a one-size-fits-all
 16 approach. Thus, the development of community plans should
 17 be a broad-based inclusive process. Once they have been
 18 approved by the community and the County Council, they
 19 should take precedence over the Maui Island General Plan for
 20 projects and issues falling within the community.
 21 Subsequent development should be directed as much as
 22 possible by community advisory committees."
 23 ACTING CHAIRMAN U'U: I'm glad we didn't give him
 24 15 minutes. Is there a second?
 25 COMMISSIONER SHIBUYA: Second.

1 ACTING CHAIRMAN U'U: Seconded by Commissioner
2 Shibuya. Discussion? Commissioner Mardfin.

3 COMMISSIONER MARDFIN: I would like to point out
4 that this is consistent with the Maui Island Plan portions
5 that we've already dealt with, especially the section on
6 land use, urban objective number 5, and Policy 2 and Action
7 1.

8 ACTING CHAIRMAN U'U: Commissioner Starr?

9 COMMISSIONER STARR: I'd like to hear a comment
10 from Mr. Summers, the Long Ranger.

11 ACTING CHAIRMAN U'U: Long Ranger. Comments.

12 MR. SUMMERS: Thank you, Mr. Chairman. If we
13 could have Julia type the language out, we'd be happy to
14 respond.

15 ACTING CHAIRMAN U'U: Take your time, Julia. Just
16 kidding. And if you could, please, can we have it read
17 back please, Julia, since you did such a fine job.

18 MS. STALEY: I know there are a couple things I
19 need to fix. All right, number 10 is going to read,
20 "Promote community responsibility, empowerment and
21 uniqueness."

22 The text will read, "The struggle to resolve
23 development issues is not amenable to a one-size-fits-all
24 approach. Thus, the development of community plans should
25 be a broad-based, inclusive process. Once they have been

1 they be dismantled once the community plans are adopted?

2 ACTING CHAIRMAN U'U: Director?

3 DIRECTOR HUNT: I believe they would be
4 dismantled.

5 ACTING CHAIRMAN U'U: Commissioner Starr.

6 COMMISSIONER STARR: I'd ask for a comment from
7 the Long Ranger.

8 ACTING CHAIRMAN U'U: Comment.

9 MR. SUMMERS: Thank you, Mr. Chairman. The third
10 sentence appears to be inconsistent with Maui County Code
11 Chapter 2.80B, which is the ordinance which outlines the
12 legal requirements for our planning process, and the legal
13 basis for each of the plans that are approved ultimately
14 through that process. So the department would have concerns
15 with that third sentence as it is currently constructed.

16 ACTING CHAIRMAN U'U: Commissioner Starr.

17 COMMISSIONER STARR: How could it be modified so
18 that the concept which is, you know, community
19 responsiveness after the General Plan is in place, is
20 maintained but still be consistent with the process?

21 MR. SUMMERS: I believe the first two sentences
22 and the fourth sentence do reinforce that concept. It's the
23 third sentence that appears to be a direct conflict with
24 2.80B.

25 ACTING CHAIRMAN U'U: Director Hunt?

1 approved by the community and the County Council, they
2 should take precedence over the Maui Island General Plan for
3 projects and issues falling within the community.
4 Subsequent development should be directed, as much as
5 possible, by community advisory committees." And I will fix
6 all the things that are on there.

7 ACTING CHAIRMAN U'U: Discussion? Commissioner
8 Hiranaga.

9 COMMISSIONER HIRANAGA: What is the process for
10 the community to approve, is that through a referendum, a
11 vote, or how do you determine that the community has
12 approved it?

13 ACTING CHAIRMAN U'U: Director?

14 DIRECTOR HUNT: I didn't understand the question.

15 COMMISSIONER HIRANAGA: The fourth line, "once
16 they have approved by the community." How do you determine
17 the community has approved it?

18 DIRECTOR HUNT: It's open to interpretation.

19 Somebody could argue that once the Community Advisory
20 Committee has passed it out. Somebody else could argue, and
21 I think it would have a stronger argument, that it's really
22 not effective or approved until the Council adopts it.

23 ACTING CHAIRMAN U'U: Commissioner Hiranaga.

24 COMMISSIONER HIRANAGA: The CAC will be active
25 through the 20 years that this plan is proposed for, or will

1 DIRECTOR HUNT: I agree with John. I think the
2 third sentence, we would suggest that it read once they have
3 been, "Once the community plans have been approved by the
4 County Council, the plans should implement the Maui Island
5 Plan regarding projects and issues falling within the
6 community." John, are you okay with that?

7 MR. SUMMERS: That language would be fine. I
8 think the principle issue here, and it's generic to the
9 entire document, is to make sure that the policies and the
10 direction provided in the plan don't replicate issues that
11 are more appropriately covered in the Community Plan. So
12 that's really the mechanism that will address a lot of these
13 issues. If we start delving into specific things, like the
14 location of a neighborhood park, the location of a police
15 substation, that's where we need to identify those types of
16 issues and just make sure they're not included in this
17 document. By removing the third sentence or amending it as
18 the Director has noted, I think that would make it
19 consistent with current law.

20 ACTING CHAIRMAN U'U: Commissioner Mardfin.

21 COMMISSIONER MARDFIN: Mr. Director, I think you
22 said -- and I would make this, take this as a friendly
23 amendment to change it to your wording. So as I got it, you
24 would change the word "take precedence" to the word
25 "implement," and take out the word "over," I guess. Is that

1 correct?

2 ACTING CHAIRMAN U'U: Director Hunt?

3 DIRECTOR HUNT: Also, I really hate pronouns

4 because they're confusing and vague, so we would suggest

5 "once the community plans have been approved."

6 COMMISSIONER MARDFIN: That's fine. So you want,

7 after "once" you want they changed to the community plans.

8 DIRECTOR HUNT: I think it would be clearer.

9 COMMISSIONER MARDFIN: I'm happy with that as a

10 friendly amendment.

11 ACTING CHAIRMAN U'U: Director Hunt?

12 DIRECTOR HUNT: We can live with "approved by the

13 community" but I think it also presents potential vagueness

14 in the future. Some people will argue well, when is the

15 community approving it, and really it's the Council that

16 approves them ultimately. And do we start, once the

17 community plans have been approved by the community, they

18 should implement. Well, it's really once the Council

19 approves them.

20 ACTING CHAIRMAN U'U: Commissioner Hiranaga?

21 COMMISSIONER MARDFIN: Okay, I can live with that

22 too. So you want to take out "the community and."

23 DIRECTOR HUNT: Yes.

24 COMMISSIONER MARDFIN: You know, I'd prefer that,

25 don't take that out yet, change "community" to "Community

1 you need time. You need time? Director Hunt.

2 DIRECTOR HUNT: Once the community plans have been

3 recommended. Okay, actually I'm okay with that now.

4 ACTING CHAIRMAN U'U: Long range, comment?

5 MR. SUMMERS: Well, one way to clarify it would be

6 to say, "Once the community plans have been reviewed by the

7 Citizens Advisory Committee and approved by the County

8 Council." That would be consistent with the way the

9 ordinance is structured.

10 ACTING CHAIRMAN U'U: Commissioner Guard.

11 COMMISSIONER GUARD: Thank you. This may be for

12 the Director then. Once that's approved, it reads they're

13 going to implement a Maui Island General Plan. So is this a

14 guiding plan or is this they're going to go through all the

15 policies that we've been going over to make sure every

16 project goes through each policy on this document?

17 DIRECTOR HUNT: In theory, the community plans

18 will get into more detail in a region by region basis, and

19 implement the policies and maps that you are going through

20 right now.

21 COMMISSIONER GUARD: So these are all policies,

22 not just guiding principles.

23 DIRECTOR HUNT: That's a discussion that we should

24 have at length, and I don't think it's necessary to have it

25 right now. The issue is, are these policies that you are

1 Advisory Committee." Mr. Director, is that okay?

2 DIRECTOR HUNT: I would read that then that it's

3 both things have to happen. So once they're approved by the

4 Community Advisory Committee and/or as well as County

5 Council they should implement.

6 COMMISSIONER MARDFIN: Is that okay?

7 DIRECTOR HUNT: Yes.

8 COMMISSIONER MARDFIN: Thank you.

9 ACTING CHAIRMAN U'U: Commissioner Hiranaga.

10 COMMISSIONER HIRANAGA: My concern with including

11 the CAC is the Council is not obligated to adopt the CAC

12 recommendations without making changes. So you could

13 basically have two different documents. So I think the

14 final authority again is the County Council. So I would

15 recommend removing CAC, because they are providing

16 recommendations to the Council, they are not providing a

17 document to be adopted.

18 ACTING CHAIRMAN U'U: Discussion? Commissioner

19 Starr.

20 COMMISSIONER STARR: The wording should be,

21 "approved as recommended by the Community Advisory Committee

22 and approved by the County Council."

23 COMMISSIONER MARDFIN: I will take that as a

24 friendly amendment.

25 ACTING CHAIRMAN U'U: Got it, Julia? Julia, if

1 adopting, are they regulations or are they guidelines.

2 COMMISSIONER GUARD: Well, that's a pretty key

3 point. If we are talking about directed growth map

4 principles, I don't know when we should have it. It's kind

5 of becoming the white elephant. It's the elephant in the

6 room that we need to address this thing.

7 There's different, I mean people come and testify

8 that oh, yeah, once you approve this it's in, or once you

9 take it out of the Urban Growth Boundary it's out. And I

10 mean we have had attorneys here saying that these

11 inconsistencies are going to cause a lot of problems. And

12 even on this one, I'm a volunteer and I'm uncomfortable

13 getting into implementing policy that I am going to have to

14 live with for the next 20 or 30 years.

15 So I know there's people in the room that felt

16 like this document is going to disable development on Maui,

17 some people feel it's moving forward. There's different

18 ideas of what this document is. And I'm starting, now that

19 we are at the end of it and I hear the County Council saying

20 enough eyes have gone through it we don't need to review it.

21 We trust the GPAC, and now the Planning Commission.

22 I want to know at what level is this thing being

23 looked at. I mean obviously smarter people than I have the

24 same concerns, because we're getting a lot of paperwork on

25 it from the written testimony to say hey, what is this and

1 what's the goal here. And here it's addressed right here in
2 our face again.

3 ACTING CHAIRMAN U'U: Director?

4 DIRECTOR HUNT: Again, I think that's a really
5 important discussion. I don't think we have to come to that
6 discussion now or at the conclusion regarding that
7 discussion to adopt this policy. All this policy -- and
8 it's not even a policy, it's a guideline or principle -- is
9 saying that the community plans will implement the Maui
10 Island Plan. Now, whether the Maui Island Plan is
11 guidelines or regulations, we can debate that later.

12 COMMISSIONER GUARD: So like saying we will use
13 the Maui Island Plan as a guideline for any development,
14 right, should implement the Maui Island Plan for projects
15 versus use the Maui Island Plan as a guideline for the
16 project.

17 DIRECTOR HUNT: I would argue that either side of
18 the argument, whatever you folks come down on, whether the
19 Maui Island Plan is guidelines or regulations, that
20 statement up there is crafted as a good statement. The
21 community plans will implement the Maui Island Plan,
22 regardless of whether it's regulations or policies.

23 COMMISSIONER GUARD: Okay.

24 ACTING CHAIRMAN U'U: Commissioner Hiranaga.

25 COMMISSIONER HIRANAGA: Do we really need the

1 wants?" And a Community Advisory Committee is one way to
2 get that. They hold public hearings, people go there and
3 express themselves. In a sense I'm advocating that for
4 every community on the island.

5 ACTING CHAIRMAN U'U: Director Hunt?

6 DIRECTOR HUNT: The concept of having community
7 with a small C input into the future development is fine,
8 and I think there's even policies in the Countywide Plan and
9 perhaps the Maui Island Plan that speaks to that. The
10 department would have concerns with the capitalization,
11 because that refers to an actual specific committee. And I
12 believe that committee is appointed and it has members and
13 then there's a process. So neighborhood committees are
14 small C committee.

15 COMMISSIONER MARDFIN: I can live with ca and c
16 being lower case letters.

17 ACTING CHAIRMAN U'U: Director Hunt.

18 DIRECTOR HUNT: How about small C community and
19 small C committees, and take out advisory.

20 ACTING CHAIRMAN U'U: Commissioner Mardfin.

21 COMMISSIONER MARDFIN: Sure. But we're just
22 talking about the last -- no, Julia, not there, please.

23 Those are where -- down at the last sentence only, I
24 believe. I can live with that.

25 ACTING CHAIRMAN U'U: Commissioner Guard.

1 first sentence, in an effort to be concise?

2 ACTING CHAIRMAN U'U: Commissioner Mardfin.

3 COMMISSIONER MARDFIN: I would prefer to see it in
4 because it fits in with the title that I gave this. This is
5 a principle to promote community responsibility, empowerment
6 and uniqueness, and so I was trying to give a rationale to
7 fit that title. I was trying to give a rationale that would
8 provide a philosophy for why the community plans are so
9 important.

10 ACTING CHAIRMAN U'U: Commissioner Hiranaga.

11 COMMISSIONER HIRANAGA: Do we really need the last
12 sentence? Because I believe you are going to dismantle the
13 CAC's. So how are they going to direct development if
14 they're non-existent?

15 ACTING CHAIRMAN U'U: Commissioner Mardfin.

16 COMMISSIONER MARDFIN: Actually, the Director said
17 they could be dismantled. I would think it would be a good
18 idea to keep Community Advisory Committees going on a
19 long-term basis. We have one in Hana, the Hana Advisory
20 Committee to the Maui Planning Commission. I think there
21 are some difficulties with it in terms of getting people
22 there, but I think it works very well to get community
23 input.

24 Several times during the discussions over the last
25 months people have said, "How do we know what the community

1 COMMISSIONER GUARD: Thank you. So this might be
2 for Corp Counsel. A Community Plan puts a project together,
3 goes to the Council, it's approved, but if it wasn't exactly
4 where this document had placed the project, is it
5 inconsistent, it can't be implemented.

6 MR. GIROUX: 280B says that the community plans
7 have to be consistent with the General Plan. So you're at
8 the level where you develop the General Plan. Now it goes
9 to the CAC's. They have to look at the -- they have to look
10 at your General Plan to look at what they're implementing in
11 order to keep it consistent. So I think what the wording is
12 saying is that if there's, you know, sometimes the maps are
13 just like a little bit off and/or there might be some policy
14 wording that's kind of ambiguous. And I think what you guys
15 are saying with this paragraph is that if it's ambiguous but
16 you can't say that it's, you know, diametrically opposed,
17 that you have got to go with what's more clarity with your
18 Community Plan if it's developed through the CAC.

19 And I say through the CAC because the Community
20 Plan ultimately could be voted on and changes made at the
21 county level with no CAC input, and we have seen that with
22 the fire station in Waikapu. The fire station went through
23 right at the ninth hour, and when Scott Munikawa did his
24 development even the fire department didn't want it.

25 So that would be a fine example of your Community

1 Plan may be completely inconsistent with your General Plan,
 2 but it was developed not with the CAC input. And if you
 3 look at the charter, it also mentions that type of action.
 4 So that's something to think about when you're talking about
 5 your Community Plan and your General Plan.
 6 ACTING CHAIRMAN U'U: Commissioner Guard?
 7 COMMISSIONER GUARD: So like on the Makena one
 8 where the GPAC recommended taking a lot of already zoned
 9 lands out of the Urban Growth Boundary, and they come in
 10 saying "hey, we want," and for some reason the Planning
 11 Commission goes along with that, then they want to go with
 12 what they already have. Community Plan approves it, Council
 13 approves it, and then the General Plan doesn't allow that.
 14 MR. GIROUX: Then --
 15 COMMISSIONER GUARD: Because we have to implement.
 16 MR. GIROUX: You're looking at a major
 17 inconsistency. I mean if it's completely outside of the
 18 Urban Growth Boundary.
 19 COMMISSIONER GUARD: Well, if it's a guide versus
 20 a policy manual, I mean it just becomes a very major
 21 inconsistency.
 22 MR. GIROUX: Well, that's why you're working, at
 23 the General Plan level you're trying to work with your
 24 broadest strokes. So you want to be as flexible as you can
 25 to allow -- with your wording, what I'm reading there, is to

1 allow the community to then come in and work within that,
 2 within that framework.
 3 COMMISSIONER GUARD: So those UGB's are going to
 4 be a very limiting issue for people.
 5 MR. GIROUX: Just as a caveat on top of that, is
 6 that 280B does allow for the General Plan to be amended. It
 7 also allows for your community plans to be amended. So
 8 those dialing in and fixing and tweaking may happen way long
 9 after the document is finished.
 10 COMMISSIONER GUARD: So this document is stricter
 11 than what the community may actually want. They may have to
 12 go in later and change it. I'm concerned that a body of
 13 nine guys are telling what Lahaina should do. I'm not from
 14 there, and it may not be what the community wants at all.
 15 But that's what may get approved at this level, or in Hana,
 16 for that matter.
 17 ACTING CHAIRMAN U'U: Commissioner Starr.
 18 COMMISSIONER STARR: I'm hearing some untruths
 19 that were presented to us in testimony being repeated, and
 20 it's not, you know, it's not the case. There was some land
 21 that had been set up in agricultural areas for possible
 22 single-family use, and there's no need for that to be
 23 urbanized necessarily. You're not taking something away by
 24 not urbanizing necessarily. So, you know, take some of the
 25 stuff with a grain of salt. You are not taking away rights.

1 ACTING CHAIRMAN U'U: Commissioner Hiranaga.
 2 COMMISSIONER HIRANAGA: The fifth line, "committee
 3 advisory," should that be "committees" plural? I think
 4 there's more than one CAC. And a follow-up question on line
 5 number six. Who is "they," or who are "they"? Or should it
 6 be an it?
 7 ACTING CHAIRMAN U'U: Commissioner Mardfin.
 8 COMMISSIONER MARDFIN: That is a pronoun referring
 9 to the community plans.
 10 ACTING CHAIRMAN U'U: Commissioner Hiranaga.
 11 COMMISSIONER HIRANAGA: I did not major in
 12 English, so is that appropriate, they? Are community plans
 13 they or its?
 14 ACTING CHAIRMAN U'U: Director Hunt.
 15 DIRECTOR HUNT: Again, I don't like pronouns. I
 16 would suggest you find some language. Who are you referring
 17 to with "they," is it a committee, is it councils, is it a
 18 plan, is it citizens? If it's a plan, just say the plans
 19 should implement or the community plans should implement.
 20 COMMISSIONER MARDFIN: That's okay.
 21 ACTING CHAIRMAN U'U: Commissioner Hiranaga.
 22 COMMISSIONER HIRANAGA: I'm just wondering, you
 23 know, the statement here, isn't it the basic premise of why
 24 we're doing this? I mean it's kind of stating the obvious
 25 to me. Maybe I'm wrong.

1 ACTING CHAIRMAN U'U: Commissioner Mardfin.
 2 COMMISSIONER MARDFIN: I read the guiding
 3 principles, and with one minor exception I had no problem
 4 with them, but I thought it was too central. And all along
 5 I've been arguing for the empowerment of communities, and I
 6 thought this was the place to put this in as a guiding land
 7 use principle that we will look to the communities as to
 8 what they want in their neighborhoods. And so I think it's
 9 an important guiding land use principle, and that's where I
 10 would really like this in. Because as JB says, I don't want
 11 to be telling Lahaina what to do, I want Lahaina to decide
 12 what they want to do.
 13 ACTING CHAIRMAN U'U: Commissioner Hiranaga.
 14 COMMISSIONER HIRANAGA: I mean my understanding of
 15 the Maui Island Plan and the Community Plans is the
 16 Community Plans can be more restrictive than the Maui Island
 17 Plan, and that's the purpose of having these Community
 18 Plans, which will be reviewed by the CAC's. So personally I
 19 don't really see the need for this additional principle, so
 20 I will be voting against it.
 21 ACTING CHAIRMAN U'U: Any more discussion?
 22 Call for the vote on guiding land use principles
 23 item number 10.
 24 All those in favor say "aye" with a show of hands.
 25 That's four ayes.

1 Those opposed?
 2 Motion fails.
 3 Commissioner Mardfin?
 4 COMMISSIONER MARDFIN: I am going be voting
 5 against everything in this plan.
 6 ACTING CHAIRMAN U'U: That's a comment. Any more
 7 discussion? Commissioner Hiranaga.
 8 COMMISSIONER HIRANAGA: On I guess it's called
 9 principle 6, I'd like to suggest taking out the word in the
 10 third line "where appropriate" and adding the word "urban"
 11 between "all" and "neighborhoods." So it would read, "all
 12 urban neighborhoods should have adequate parks."
 13 ACTING CHAIRMAN U'U: Is there a second?
 14 COMMISSIONER SHIBUYA: Second.
 15 ACTING CHAIRMAN U'U: Motion made by Commissioner
 16 Hiranaga, seconded by Commissioner Shibuya. Discussion?
 17 Director Hunt.
 18 DIRECTOR HUNT: It may be limiting to say the list
 19 of facilities are only to be assured in urban neighborhoods.
 20 I think we have some of what we would consider rural
 21 neighborhoods that have some of these facilities in them.
 22 Just think about whether it's a directive or if it's more of
 23 a permissive statement.
 24 ACTING CHAIRMAN U'U: Commissioner Hiranaga.
 25 COMMISSIONER HIRANAGA: I guess my thought on this

1 withdrawn. My more discussion?
 2 COMMISSIONER SHIBUYA: I have one.
 3 ACTING CHAIRMAN U'U: Commissioner Shibuya.
 4 COMMISSIONER SHIBUYA: Under principle 2, the
 5 second paragraph I guess starts off with traffic congestion,
 6 affordable housing, convenience on major quality of life
 7 issues that Maui residents care deeply about. I was looking
 8 at traffic congestion. It seems like it's a negative there.
 9 So I wold like to change that word, those words "traffic
 10 congestion" to "reliable transporting, affordable housing
 11 and convenience are major quality of life issues that Maui
 12 residents care deeply about. The same is true for quality
 13 education, public safety, and a clean, thriving
 14 environment." So I would add the word "thriving" after the
 15 word "clean environment." It's not clean, but it's living.
 16 COMMISSIONER STARR: I'll second.
 17 ACTING CHAIRMAN U'U: Motion made by Commissioner
 18 Shibuya, seconded by Commissioner Starr. Julia, you got it
 19 typed? Could you repeat that again slowly to Julia, please.
 20 COMMISSIONER SHIBUYA: Okay. The sentence would
 21 read, "Reliable transporting," strike out the word "traffic
 22 congestion," and at the end it says, "clean, thriving
 23 environment" and that's it.
 24 ACTING CHAIRMAN U'U: Is that okay the maker of
 25 the motion, Commissioner Shibuya?

1 is it's just saying urban neighborhoods. This is the
 2 minimum level of service for urban neighborhoods. It
 3 doesn't address rural or agricultural neighborhoods. This
 4 is the minimum baseline for urban neighborhoods. So I don't
 5 think it is a limiting factor, but it's open to discussion.
 6 ACTING CHAIRMAN U'U: Commissioner Shibuya.
 7 COMMISSIONER SHIBUYA: I'd like to make a friendly
 8 amendment to that effect. It's to read the same line here,
 9 "Neighborhoods are encouraged having adequate parks,
 10 community centers, greenways."
 11 COMMISSIONER HIRANAGA: My concern with that is
 12 then you're throwing rural into that pot, and I don't
 13 believe you are going to have libraries in rural
 14 neighborhoods. So when you say urban, these are the minimum
 15 services that we would hope to have in urban areas.
 16 COMMISSIONER SHIBUYA: At least it gives you an
 17 opportunity to have them if you have the population large
 18 enough to justify for it, at least they have the
 19 opportunity. That's my basic leaving the door open.
 20 COMMISSIONER HIRANAGA: Or we can just go back to
 21 "where appropriate." I could withdraw my motion.
 22 ACTING CHAIRMAN U'U: Motion withdrawn. Is that
 23 okay with Commissioner Shibuya?
 24 COMMISSIONER SHIBUYA: Fine.
 25 ACTING CHAIRMAN U'U: The motion has been

1 COMMISSIONER SHIBUYA: Yes.
 2 ACTING CHAIRMAN U'U: Discussion? No discussion?
 3 Call for the vote. All those in favor of this
 4 amendment say "aye."
 5 (A chorus of ayes)
 6 Can I see a show of hands?
 7 Five ayes.
 8 All those opposed say "nay."
 9 (A chorus of nays)
 10 Motion passes.
 11 Any more discussion? Seeing none, call to the
 12 main motion. Commissioner Mardfin.
 13 COMMISSIONER MARDFIN: In principle 9 I move to
 14 amend. It says, "Promote the use of sustainable energy." I
 15 would add the words "and water."
 16 ACTING CHAIRMAN U'U: Do we have a second?
 17 COMMISSIONER STARR: Second.
 18 ACTING CHAIRMAN U'U: Motion made by Commissioner
 19 Mardfin, seconded by Commissioner Starr. Discussion?
 20 Commissioner Starr.
 21 COMMISSIONER STARR: I would replace the first
 22 "and" with a comma.
 23 ACTING CHAIRMAN U'U: Commissioner Hiranaga.
 24 COMMISSIONER HIRANAGA: What is sustainable water?
 25 ACTING CHAIRMAN U'U: Staff? Commissioner Starr?

1 COMMISSIONER STARR: Sustainable water means when
 2 you are not mining resources but you're using it at a rate
 3 where it can replenish.
 4 ACTING CHAIRMAN U'U: Commissioner Mardfin, is
 5 that the intent?
 6 COMMISSIONER MARDFIN: Yes. But I think somebody
 7 needs to add some words later on in the last sentence on
 8 that, but I don't know exactly what the words should be.
 9 ACTING CHAIRMAN U'U: Discussion? Commissioner
 10 Hiranaga.
 11 COMMISSIONER HIRANAGA: Point of order.
 12 Commissioner Ward mentioned adding more language, but is he
 13 going to do that or are you going to bring the motion to a
 14 vote?
 15 ACTING CHAIRMAN U'U: For clarity, could you state
 16 it?
 17 COMMISSIONER MARDFIN: I don't know what the words
 18 would be. Perhaps my college Commissioner Starr would. It
 19 should be in there somewhere, but I didn't know the words
 20 when I thought of this. "Encourage future projects to
 21 incorporate energy efficient design and alternative energy
 22 technology," and then I'll turn to my colleague to get the
 23 wording.
 24 COMMISSIONER STARR: How about, "Incorporate
 25 energy and water efficient design and alternative energy

1 Okay, motion passes, thank you.
 2 Back to the main motion. Any discussion? Vote on
 3 the -- Commissioner Mardfin.
 4 COMMISSIONER MARDFIN: The main motion is on all
 5 the guiding principles, is that correct?
 6 ACTING CHAIRMAN U'U: Correct, 1 through 9.
 7 COMMISSIONER MARDFIN: Unfortunately, I'm going to
 8 have to vote against this, because without protection for
 9 the interest of the communities, I can't vote for this.
 10 It's a basic principle that I believe needs to be in here.
 11 Without that, it is incomplete and I cannot support it.
 12 ACTING CHAIRMAN U'U: Thank you, Commissioner
 13 Mardfin. Commissioner Starr.
 14 COMMISSIONER STARR: I like the idea of that as
 15 well, and perhaps we can get some help from staff on a way
 16 we could wordsmith this so that it is maybe a little gentler
 17 but still protecting the rights of the community and the
 18 Community Plan. Suggestions?
 19 ACTING CHAIRMAN U'U: Director Hunt?
 20 DIRECTOR HUNT: From listening to the concerns
 21 from the people who voted "no," I mean we have to interpret
 22 so I don't want to speak for somebody, but it seemed that
 23 the concern was that it's not necessary. So watering down
 24 the language I'm not sure is going to help. Perhaps
 25 persuading one vote that even though it's not necessary, no

1 technology in site design and future structures." I think
 2 it should be hydro efficient. No, sorry, water efficient.
 3 ACTING CHAIRMAN U'U: Discussion? Commissioner
 4 Starr.
 5 COMMISSIONER STARR: Yeah, I'm starting to feel
 6 that alternative energy is almost, it's almost become passe,
 7 because what was alternative energy is now becoming some of
 8 our mainstay. I would say "renewable energy technology" is
 9 better than "alternative."
 10 ACTING CHAIRMAN U'U: Discussion? No discussion?
 11 Call for the question. All those in favor say
 12 "aye."
 13 (A chorus of ayes)
 14 A show of hands.
 15 (A show of hands)
 16 All those opposed?
 17 (One)
 18 One opposed, Commissioner Hiranaga. Two opposed,
 19 Commissioner Hiranaga.
 20 Motion passes.
 21 ACTING CHAIRMAN U'U: The Vice-Chair votes. Say
 22 that again. So can we call that again?
 23 Motion to approve, could we have the hands shown
 24 again?
 25 (A show of hands)

1 harm, no foul. I think, again, staff doesn't have any
 2 concerns with adding this language. I don't think it will
 3 cause a problem by adding the language.
 4 ACTING CHAIRMAN U'U: Commissioner Starr.
 5 COMMISSIONER STARR: I think it may be something
 6 that's of greater concern to those who are in areas that are
 7 more, you know, kind of more apart and different, you know,
 8 whether it's Hana or Kipahulu. I kind of feel like there
 9 has to be, you know, statements of localized community
 10 empowerment here. And I understand it's a very important
 11 thing for Commissioner Mardfin as well. So I'm wondering if
 12 there's a wording that some of those who are against it
 13 would be willing to undertake that would allow us to go
 14 forward with this concept.
 15 ACTING CHAIRMAN U'U: Commissioner Shibuya.
 16 COMMISSIONER SHIBUYA: I was just going to suggest
 17 that we change the word "promote" to "encourage" or
 18 "Implement community responsibility, empowerment and
 19 uniqueness." I'm just suggesting.
 20 ACTING CHAIRMAN U'U: It's not a motion?
 21 COMMISSIONER SHIBUYA: It's not a motion, but just
 22 a suggestion, "Implement community responsibility,
 23 empowerment and uniqueness."
 24 ACTING CHAIRMAN U'U: That wasn't a motion.
 25 COMMISSIONER SHIBUYA: It was not a motion.

1 ACTING CHAIRMAN U'U: Discussion? Commissioner
2 Starr.

3 COMMISSIONER STARR: I'd be willing to make that
4 as a motion if I felt like there might be some more momentum
5 behind it if there was.

6 ACTING CHAIRMAN U'U: Well, I believe the motion
7 failed previous, and if you don't have a motion to make, we
8 can vote on the main motion, Commissioner Starr.
9 Commissioner Shibuya?

10 COMMISSIONER SHIBUYA: I'll make the motion to,
11 "Implement community responsibility, empowerment and
12 uniqueness." I don't have following words, but it would
13 have almost the same words that we did not include.

14 ACTING CHAIRMAN U'U: For clarity, that will be a
15 new item under item number 10.

16 COMMISSIONER SHIBUYA: Number 10.

17 DIRECTOR HUNT: Do we have a second on that?

18 COMMISSIONER MARDFIN: Second.

19 ACTING CHAIRMAN U'U: Motion made by Commissioner
20 Shibuya, seconded by Commissioner Mardfin. Discussion?
21 Staff?

22 MR. SUMMERS: Thank you, Mr. Chair. The term
23 "implement" I think is difficult. The original wording to
24 "promote" is probably a lot more effective as a principle.

25 ACTING CHAIRMAN U'U: Commissioner Guard?

1 COMMISSIONER STARR: Yeah, I have a lot to say on
2 this. I don't really feel that this is the place or the
3 time to say it. But, you know, I feel like the question
4 that's before us, you know, that's being discussed is
5 whether we as a community are going to have discipline and
6 try to build a future for Maui island that will work, or
7 whether we're going to allow it to be the wild wild west
8 where development takes place where it's most lucrative, and
9 in ways that maximize profit for those doing it. You know,
10 and it be done in a hit-and-run, continue to be done in a
11 hit-and-run fashion, rather than trying to create a plan and
12 a future where we optimize what we have, and try to put the
13 future growth into areas where we can have the
14 infrastructure and where people can live lifestyles and
15 afford to live there, rather than just have all of our
16 resources sapped and moved away to somewhere else.

17 So, you know, there are some real serious
18 discussions here, and those who are trying to weaken it are
19 those who are trying to make their fortune and run, you
20 know, not those who are going to be living with it. But
21 this is not necessarily germane to the item under
22 discussion, and that is, you know, more about whether the
23 community will have empowerment on a more localized level.

24 ACTING CHAIRMAN U'U: Thank you. Commissioner
25 Guard.

1 COMMISSIONER GUARD: I like the original language.
2 My main concern was the implementation of this plan, that
3 all along was supposed to be a broad stroke, and now that
4 we're getting down to the maps and seeing the maps starting
5 to confine areas. And I don't know how to get around from
6 being nervous that what the Planning Commission says should
7 happen in Hana or out in Waihe'e is in this document, where
8 the community may be opposed to it.

9 So I don't know, I guess I'm just becoming
10 disenfranchised with what I thought was a guideline and is
11 now looking like a policy manual, and people are starting to
12 think the same. So I just don't know how to move forward by
13 approving something that says to implement the plan over the
14 community's wishes, realistically.

15 ACTING CHAIRMAN U'U: Discussion? Commissioner
16 Hiranaga.

17 COMMISSIONER HIRANAGA: I believe the Maui Island
18 Plan should be as broad as is palatable to the Planning
19 Commission, because the process is to then have Community
20 Plans which are reviewed by representatives from that
21 specific community, and they can be more restrictive. They
22 cannot be broader than the Maui Island Plan. So to start
23 putting in restrictions that apply to the entire island at
24 this level I think is inappropriate.

25 ACTING CHAIRMAN U'U: Commissioner Starr.

1 COMMISSIONER GUARD: Just for the benefit of
2 moving on, I'll go along with it. I think it's important
3 enough to promote the community responsibility, empowerment,
4 et cetera, and I'll just trust that the document that we
5 pass on to the County Council is as broad as possible. That
6 it states it's supposed to be. And I also trust that the
7 communities know where they want their projects, and that
8 the long range and everyone else can look to the long-time
9 residents of those communities to let them work with
10 projects that they want to work with within these guiding
11 principles, instead of policies or ordinances of this
12 document.

13 ACTING CHAIRMAN U'U: Commissioner Mardfin.

14 COMMISSIONER MARDFIN: Hearing that, I believe
15 Commissioner Guard had voted against the policy, and
16 according to parliamentary procedure it takes somebody that
17 voted on the prevailing side, the prevailing side was to not
18 have it, the person on the prevailing side can make a motion
19 to reconsider and parliamentary can come back.

20 COMMISSIONER GUARD: Sorry, I don't know the rules
21 as well. I'll make a motion to reconsider.

22 ACTING CHAIRMAN U'U: Motion to reconsider by
23 Commissioner Guard. Seconded by Commissioner Mardfin. Any
24 more discussion? Commissioner Hiranaga.

25 COMMISSIONER HIRANAGA: We just need the language

1 up there.

2 COMMISSIONER STARR: The previous language.

3 COMMISSIONER HIRANAGA: What is being voted on.

4 COMMISSIONER MARDFIN: If you gave me five minutes

5 I could sit with Julia and we could get it out, because I

6 kept notes as we went along. It was the title.

7 ACTING CHAIRMAN U'U: One at a time, please.

8 Commissioner Mardfin.

9 COMMISSIONER MARDFIN: The title was -- I'll read

10 from my notes and somebody else look up there. "Promote

11 community responsibility, empowerment, and uniqueness. The

12 struggle to resolve development issues is not amenable to a

13 'one-size-fits-all' approach. Thus the development of

14 community plans should be a broad-based, inclusive process.

15 Once the Community Plans have been reviewed by the Community

16 Advisory Committees, and approved by the County Council,

17 they should implement the Maui Island General Plan for

18 projects and issues falling within the Community.

19 Subsequent development should be directed as much as

20 possible by community committees."

21 ACTING CHAIRMAN U'U: Commissioner Hiranaga.

22 COMMISSIONER HIRANAGA: Mr. Chair, could you

23 please remind the public that if they must have private

24 conversations to please leave the room, as they are

25 disturbing the Commissioners as well as the secretary and

1 Community Plan should implement the Maui Island Plan for

2 projects and issues falling within the Community.

3 Subsequent development should be directed, as much as

4 possible, by community committees."

5 COMMISSIONER MARDFIN: I believe that's correct.

6 MS. STALEY: And "within the Community," is that a

7 small c or a large c? We had a "c" conversation.

8 COMMISSIONER MARDFIN: I would keep it as a large

9 c myself.

10 MS. STALEY: So be it.

11 ACTING CHAIRMAN U'U: That was for clarity.

12 Discussion? Commissioner Hiranaga.

13 COMMISSIONER HIRANAGA: One of the issues I have

14 is that the community committees, which is referred to in

15 the last sentence, may not necessarily be the same

16 individuals who are on the Community Advisory Committee. So

17 you have this plan that's reviewed by the capital CAC, and

18 then new members or different members on these community

19 committees could have different agendas.

20 And what's going to create these committees, is

21 this something new that's going to be mandated by the Mayor

22 or the Council? I'm sure that Hana has a Hana Advisory

23 Committee, but no other Community Plan area has one of these

24 things.

25 ACTING CHAIRMAN U'U: Commissioner Starr.

1 staff.

2 ACTING CHAIRMAN U'U: Thank you. I don't think I

3 need repeat that, I think everyone heard.

4 Do we need clarity on what was stated for item

5 number 10? Any discussion?

6 Seeing none, call for the vote.

7 COMMISSIONER HIRANAGA: Choto mate. Let me read

8 it, please.

9 ACTING CHAIRMAN U'U: Can we have somebody read it

10 back?

11 MS. STALEY: Excuse me. You have a motion to

12 reconsider, and then this motion, this language is being

13 proposed by whom?

14 COMMISSIONER STARR: Guard and Mardfin.

15 ACTING CHAIRMAN U'U: Thank you, Julia.

16 MS. STALEY: All right. And we have language up

17 here, gentlemen, if you will look.

18 ACTING CHAIRMAN U'U: Take it away, Julia.

19 MS. STALEY: Here we go. Promote community

20 responsibility, empowerment and uniqueness. The struggle to

21 resolve development issues is not amenable to a

22 one-size-fits-all approach. Thus, the development of

23 community plans should be a broad-based, inclusive process.

24 Once the community plans have been reviewed by the Community

25 Advisory Committees and approved by the County Council, the

1 COMMISSIONER STARR: Perhaps the wording should be

2 "with local community input." And that way we're not

3 talking about a specific body.

4 ACTING CHAIRMAN U'U: Is that a friendly

5 amendment? Commissioner Mardfin?

6 COMMISSIONER MARDFIN: Yes.

7 COMMISSIONER STARR: So the end word, local

8 community input, "with local community input." "Directed,

9 as much as possible, with local community input."

10 ACTING CHAIRMAN U'U: Do you need direction,

11 Julia?

12 MS. STALEY: I'm getting so much.

13 ACTING CHAIRMAN U'U: We have beaten it to death

14 and brought it back to life. Discussion?

15 COMMISSIONER SHIBUYA: You have got a second,

16 right?

17 ACTING CHAIRMAN U'U: It was a friendly amendment.

18 Discussion? Commissioner Hiranaga.

19 COMMISSIONER HIRANAGA: I'm just having a little

20 problem with that last sentence.

21 COMMISSIONER STARR: Revise it.

22 COMMISSIONER HIRANAGA: It should be directed --

23 subsequent development should be directed with local

24 community input. I'm just trying to understand the intent

25 of that sentence. Isn't the Community Plan which is

1 reviewed by the CAC the intent of the local communities? So
2 is that saying that later local community input shall
3 supersede the CAC recommendations which were adopted by the
4 County Council? I'm just trying to understand the intent of
5 that sentence.

6 ACTING CHAIRMAN U'U: Commissioner Starr.

7 COMMISSIONER STARR: I understand it. The intent
8 is that when you get a Community Plan amendment, you know,
9 two years or three years or whatever after the Community
10 Plan has been published, that there should be community
11 involvement in the process, and not just someone coming in
12 the stealth in the middle of the night to the County Council
13 to slip something through.

14 ACTING CHAIRMAN U'U: Commissioner Hiranaga.

15 COMMISSIONER HIRANAGA: So should that be stated
16 in that motion? Instead of "subsequent development" you
17 could say "subsequent proposed Community Plan amendments."

18 COMMISSIONER STARR: That would be better. That
19 would improve it.

20 COMMISSIONER HIRANAGA: Now I understand.

21 ACTING CHAIRMAN U'U: Take that as a friendly
22 amendment, Commissioner Mardfin?

23 COMMISSIONER MARDFIN: Let me see it. Subsequent
24 proposed Community Plan amendments should be directed, as
25 much as possible, with local community input.

1 private. Ways should be found to speed up the system" --
2 maybe that's two words or hyphenated, I'm not sure, "speed
3 up the system without lowering development standards or
4 harming our other values."

5 ACTING CHAIRMAN U'U: Do we have a second?

6 COMMISSIONER SHIBUYA: Second.

7 ACTING CHAIRMAN U'U: Motion made by Commissioner
8 Mardfin, seconded by Commissioner Shibuya for new item 11.
9 Discussion? Commissioner Starr.

10 COMMISSIONER STARR: I don't really feel that this
11 belongs here. I don't think this is a guiding land use
12 principle, but a process issue. And although I do
13 appreciate the intent of it, I think that it's not really in
14 the right place.

15 ACTING CHAIRMAN U'U: Commissioner Hiranaga.

16 COMMISSIONER HIRANAGA: It seems to be more of an
17 action statement than a guiding land principle.

18 ACTING CHAIRMAN U'U: Comment by staff?

19 MR. SUMMERS: Thank you, Mr. Chair. Staff would
20 concur with those comments. If you look at guiding
21 principle 6, the second to the last sentence, this concept
22 is addressed.

23 COMMISSIONER STARR: Yes, it is.

24 ACTING CHAIRMAN U'U: Commissioner Mardfin?

25 COMMISSIONER MARDFIN: Please show me where in 6

1 COMMISSIONER STARR: I think it should be
2 "subject" instead of "directed." "Subject to local
3 community input."

4 COMMISSIONER MARDFIN: I think that's acceptable
5 wording.

6 ACTING CHAIRMAN U'U: I think it's acceptable.
7 Something we need right now. Vote on new item number 10.
8 Discussion?

9 Vote on item number 10. All those in favor say
10 "aye."

11 (A chorus of ayes)

12 All those opposed?

13 (None)

14 None opposed.

15 Vote on the main motion. Commissioner Mardfin.

16 COMMISSIONER MARDFIN: First, thank you.

17 ACTING CHAIRMAN U'U: You're welcome.

18 COMMISSIONER MARDFIN: Second, I propose a
19 principle number 11.

20 ACTING CHAIRMAN U'U: I thought you was going to
21 be quiet. That was the word I got. Commissioner Mardfin.

22 COMMISSIONER MARDFIN: 11 is as is up there,
23 Streamline and expedite the planning and approval process.
24 Unnecessary delays and inconsistent determination slow the
25 decision-making process and add to costs both public and

1 this is covered.

2 ACTING CHAIRMAN U'U: Staff.

3 MR. SUMMERS: Thank you. This is the second to
4 the last sentence.

5 COMMISSIONER MARDFIN: Oh, okay. I withdraw my
6 motion.

7 ACTING CHAIRMAN U'U: Motion withdrawn. Vote on
8 the main motion. All those in favor of guiding land use
9 principles 1 through 10 call for the vote. All those in
10 favor say "aye."

11 (A chorus of ayes)

12 All those opposed?

13 (None)

14 None opposed. Does the stenographer need a break?

15 It's been an hour. We will take a 10 minute break.

16 (Whereupon a brief recess was had)

17 ACTING CHAIRMAN U'U: The Planning Commission is
18 back in session. At this time we are going over --
19 Commissioner Mardfin.

20 COMMISSIONER MARDFIN: I move the adoption of the
21 GPAC Urban Growth Area Goal and Policies.

22 COMMISSIONER SHIBUYA: As amended?

23 COMMISSIONER MARDFIN: By the Director's
24 amendment.

25 ACTING CHAIRMAN U'U: Motion by Ward Mardfin. Is

1 there a second?

2 COMMISSIONER SHIBUYA: Second.

3 ACTING CHAIRMAN U'U: Seconded by Commissioner
4 Shibuya. Discussion? Commissioner Mardfin.

5 COMMISSIONER MARDFIN: I am concerned about -- the
6 Director's recommendation was to remove items G and H. And
7 I would -- the footnote said it's because it's redundant
8 with the long range implementation plan, but we haven't
9 adopted a long range implementation plan. Even if we had, I
10 think as a goal and policies, leaving G and H in it's
11 probably a good idea, but I would like to listen to the
12 Director's or somebody's, the department's reason for
13 deleting it, besides redundancy.

14 ACTING CHAIRMAN U'U: Staff?

15 MR. SUMMERS: Thank you, Mr. Chairman. We do have
16 a long range implementation section in the document that
17 clearly spells out a comprehensive strategy for planning for
18 and funding infrastructure. These policies that are the
19 subject of discussion essentially replicate those policies
20 in that section. And staff has concerns about including
21 this language, which we feel is inappropriate, within the
22 context of the Urban Growth Boundaries, that this is not the
23 best place for it. It can lead to inconsistencies if the
24 language is changed in a future section where it does
25 belong. We would then have an inconsistency created. It

1 concern, that the system would address where we have
2 existing legal entitlements for such systems, that those
3 would be appropriate instances when this type of facility
4 would be beneficial.

5 COMMISSIONER GUARD: The multi-user wastewater.
6 So that's not talking about like a house and cottage going
7 into the same septic.

8 MR. SUMMERS: No.

9 COMMISSIONER GUARD: It's not a multi-user
10 wastewater collection system?

11 MR. SUMMERS: That's correct.

12 COMMISSIONER GUARD: It's not?

13 MR. SUMMERS: This would be a situation where
14 we're providing wastewater service to multiple dwellings on
15 different lots.

16 COMMISSIONER GUARD: On different lots would be
17 the key then. Is that's right, Director, Corp Counsel? I
18 read multi-user as more than one, so the house and a cottage
19 to me sounds like two different users going into the same
20 wastewater collection system. I just wanted to be certain
21 that we weren't stopping rural lots from being able to do
22 that.

23 ACTING CHAIRMAN U'U: Clarity, staff?

24 COMMISSIONER GUARD: And then conversion to
25 conservation was a pretty big change as well.

1 simplifies the sections or recommendations that it be taken
2 out.

3 ACTING CHAIRMAN U'U: That's your final offer.
4 Commissioner Mardfin?

5 COMMISSIONER MARDFIN: He answered my question.
6 I'd still like to see it in.

7 ACTING CHAIRMAN U'U: Commissioner Guard.

8 COMMISSIONER GUARD: Thank you. I don't know if I
9 missed this somewhere, but it's like conversion subdivision
10 design and the multi-user waste water collection system. I
11 think I understand it. I don't know if it would be
12 allowable on like a rural half acre lot somewhere right now
13 that you would have a house and a cottage going under the
14 same system for wastewater collection. But again, whatever
15 the conversion subdivision design is maybe for long range
16 under B.

17 ACTING CHAIRMAN U'U: Staff?

18 MR. SUMMERS: Thank you, Mr. Chair. Yes, the
19 conversion should be conservation. This would allow these
20 multi-user systems which can be a real benefit in certain
21 instances. So the idea is when these are approved through a
22 planning process as part of a conservation subdivision
23 design, which we've discussed in previous meetings, that
24 that would be an appropriate allowance for a multi-user
25 system. As well as when there's a documented health

1 MR. SUMMERS: That was the intent. Typically in
2 the conservation subdivision design process there is a
3 subdivision that occurs and new lots created, and that's
4 when these systems would usually be employed.

5 ACTING CHAIRMAN U'U: Commissioner Guard.

6 COMMISSIONER GUARD: So is this only in a
7 conservation district?

8 MR. SUMMERS: No. This would be for areas outside
9 of the Urban Growth Boundaries, most typically agricultural
10 and rural areas.

11 COMMISSIONER GUARD: So why are we talking about
12 it in the GPAC urban growth area goal and policies?

13 MR. SUMMERS: Because it provides definition to
14 when these systems would be appropriate. In this case we're
15 talking about the urban growth areas. There's a meaning
16 associated with that and clarifying that these types of
17 systems which can facilitate urban development should not be
18 allowed outside of the Urban Growth Boundaries except under
19 these mitigating circumstances.

20 ACTING CHAIRMAN U'U: Director Hunt.

21 DIRECTOR HUNT: Also it's in the urban growth
22 area, because generally speaking you wouldn't want to allow
23 your existing multi-user wastewater systems that are within
24 an urban growth area to then be expanded outside the Urban
25 Growth Boundary. So that's why it's within the urban growth

1 area of goals and policies.
 2 ACTING CHAIRMAN U'U: Discussion? Commissioner
 3 Hiranaga.
 4 COMMISSIONER HIRANAGA: I'm looking ahead. In the
 5 rural growth you have K, multi-users relating to RGB's, and
 6 then which relates to B here, which is UGB's. So you're
 7 saying multi-user wastewater collection systems in RGB's are
 8 okay, but in the urban you're saying you can't go beyond
 9 urban growth. There seems to be some inconsistency there,
 10 or am I reading it wrong?
 11 ACTING CHAIRMAN U'U: Staff?
 12 MR. SUMMERS: Thank you, Mr. Chair. Essentially
 13 the language would indicate that these systems are
 14 appropriate within urban areas and within rural areas. It
 15 is outside of those areas where they could not occur except
 16 if one of these three conditions exists, and that would be
 17 primarily agricultural areas, since the county doesn't have
 18 regulatory authority in the conservation district.
 19 ACTING CHAIRMAN U'U: Commissioner Guard.
 20 COMMISSIONER GUARD: So the same thing on the
 21 multi-user, I haven't heard a definite answer that on ag
 22 land a house and cottage goes into the same septic system.
 23 Multi-users would not be just the house and the cottage. Or
 24 if they're doing a bunch of ag you could have a third farm
 25 dwelling. That doesn't constitute multi-user?

1 DIRECTOR HUNT: Correct, unless there's a state
 2 documented health concern or there's already prior legal
 3 entitlements.
 4 COMMISSIONER HIRANAGA: Maybe Corp Counsel can
 5 help, but I thought there was a regulations that if you have
 6 X number of lots in an agricultural district that you would
 7 have to create a public wastewater system. That there's a
 8 limit to the number of lots you could create that's serviced
 9 by septic systems. I thought there was some number like 40
 10 or 45.
 11 MR. GIROUX: I am not sure if you're referring to
 12 the EPA or to our subdivision standards. We'd have to talk
 13 to somebody in Planning about what the limitation is.
 14 COMMISSIONER HIRANAGA: Or Public Works. I
 15 believe, and this has been years ago, but I think there is a
 16 limit to the number of lots you can create that are serviced
 17 by individual septic systems. And at one point the DOH said
 18 now you have got to create a public water system to service
 19 these lots. So I'm just throwing that in for discussion.
 20 ACTING CHAIRMAN U'U: Commissioner Shibuya.
 21 COMMISSIONER SHIBUYA: I just wanted a
 22 clarification. On the Urban Growth Boundary areas, that
 23 includes residential, commercial, industrial type uses?
 24 Maybe staff can confirm it for me.
 25 ACTING CHAIRMAN U'U: Staff?

1 DIRECTOR HUNT: We can define that and make it
 2 very clear, if that's what you would like.
 3 ACTING CHAIRMAN U'U: I think that's what he's
 4 suggesting.
 5 COMMISSIONER GUARD: If I'm the only one. I
 6 didn't know what a conversion subdivision design is, and
 7 we're being asked to vote on it, and it's not even what the
 8 word was supposed to be.
 9 ACTING CHAIRMAN U'U: Commissioner Hiranaga.
 10 COMMISSIONER HIRANAGA: I'm a little concerned
 11 that within the UGB if you have a scenario where someone is
 12 doing a two lot subdivision or a three lot subdivision that
 13 is not serviced by the county sewer system, they would be
 14 forced to put in septic systems, is that what you're saying,
 15 or they're forced to connect to the county sewer system in
 16 order to get their subdivision approved? I'm just kind of
 17 trying to figure out what this is trying to say.
 18 ACTING CHAIRMAN U'U: Staff?
 19 DIRECTOR HUNT: Essentially they'd be allowed as
 20 long as they're within an Urban Growth Boundary. That's not
 21 the issue, or a rural, given those parameters.
 22 COMMISSIONER HIRANAGA: So if you're outside the
 23 UGB or RGB you cannot create a multi-user wastewater
 24 collection system, you would have to go to individual, which
 25 would be basically septic systems.

1 DIRECTOR HUNT: It would include all those uses.
 2 It would include everything within the Urban Growth Boundary
 3 line.
 4 COMMISSIONER SHIBUYA: Thank you.
 5 ACTING CHAIRMAN U'U: Discussion? Commissioner
 6 Mardfin.
 7 COMMISSIONER MARDFIN: What's on the table, is it
 8 the whole motion?
 9 ACTING CHAIRMAN U'U: Right now this discussion
 10 has been on B for clarity about the multi-user.
 11 Commissioner Guard?
 12 COMMISSIONER GUARD: I'm just putting it on the
 13 table. I'd almost -- it would be easier for me to not vote
 14 on B and K on the next one, because I don't understand. And
 15 I am not hearing any definite answer that makes me think
 16 that everyone understands it. I was hoping someone on the
 17 Commission would have been able to give me input on it, and
 18 that wasn't the case either, to kind of ease my concern. So
 19 I'm not going to be able to vote for it if it's including
 20 that right now.
 21 ACTING CHAIRMAN U'U: Commissioner Hiranaga.
 22 COMMISSIONER HIRANAGA: Looking at F, you have it
 23 crossed out, but footnote 2 is not crossed out. And I'm
 24 just wondering if that's the intent, to leave footnote 2
 25 there or are you also deleting footnote 2?

1 DIRECTOR HUNT: Footnote 2 explains why we're
 2 deleting it, so that's just an explanation, that is not part
 3 of the plan.
 4 ACTING CHAIRMAN U'U: Commissioner Mardfin.
 5 COMMISSIONER MARDFIN: I move we amend item A, and
 6 my amendment would be, after it says "Maui Island Plan," add
 7 "the Community Plans."
 8 ACTING CHAIRMAN U'U: Is there a second? Was that
 9 a motion?
 10 COMMISSIONER MARDFIN: That was a motion to make
 11 it consistent with principle number 10 that we just adopted.
 12 ACTING CHAIRMAN U'U: Motion made by Commissioner
 13 Mardfin. Is there a second?
 14 COMMISSIONER SHIBUYA: Second.
 15 ACTING CHAIRMAN U'U: Seconded by Commissioner
 16 Shibuya. Discussion? Commissioner Mardfin.
 17 COMMISSIONER MARDFIN: As I said, this is -- we've
 18 accepted principle 10, the community should be involved.
 19 This is just reinforcing that. This is an implementing goal
 20 or policy.
 21 ACTING CHAIRMAN U'U: Any more discussion?
 22 Commissioner Hiranaga.
 23 COMMISSIONER HIRANAGA: Yeah, I will be voting
 24 against the motion. Again, we're muddling Maui Island Plan
 25 with Community Plans, and I think there's a place for each.

1 ordinance, if it says the county will provide whatever here,
 2 it could provide direction to the department responsible for
 3 that.
 4 COMMISSIONER HIRANAGA: I'm sensitive to K, "The
 5 county may automatically rezone lands." So I'm just --
 6 DIRECTOR HUNT: The rezoning -- if I may.
 7 ACTING CHAIRMAN U'U: Director.
 8 DIRECTOR HUNT: The rezoning would require final
 9 action by the County Council. But the county, again, would
 10 be the Planning Department would probably make a
 11 recommendation, the Planning Commissions would make a
 12 recommendation.
 13 ACTING CHAIRMAN U'U: Discussion?
 14 Vote on the motion, the main motion. All those in
 15 favor of adopting the GPAC urban growth area and goals and
 16 policies as amended, all those in favor say "aye."
 17 (A chorus of ayes)
 18 All those opposed?
 19 (None)
 20 Motion fails. Zero, nay.
 21 DIRECTOR HUNT: Motion passes.
 22 ACTING CHAIRMAN U'U: Motion passes, correct. Did
 23 I say motion fails? I wanted it to fail. (Laughter) Good
 24 try, good try.
 25 Motion passes, I'm sorry. I just was checking if

1 And Community Plan references should be in the Community
 2 Plan. I don't know why we keep trying to morph this product
 3 as part of the Community Plans.
 4 ACTING CHAIRMAN U'U: Any more discussion? Seeing
 5 none, call for the vote on the amendment of A. All those in
 6 favor raise your hand.
 7 (A show of hands)
 8 Three in favor.
 9 All those opposed?
 10 (A show of hands)
 11 Four against.
 12 Motion fails.
 13 Discussion? Commissioner Hiranaga.
 14 COMMISSIONER HIRANAGA: Just for clarity, when you
 15 refer to the county, does that mean it's ordinance adopted
 16 by Council? When you say the county may, the county shall,
 17 the county will, I'm just trying to get clarity.
 18 ACTING CHAIRMAN U'U: Staff?
 19 DIRECTOR HUNT: I'd have to read the exact phrase
 20 you are referring to. Generally speaking, the county, if
 21 it's capitalized, refers to the whole county system, the
 22 whole county government.
 23 COMMISSIONER HIRANAGA: So it goes to the Council
 24 for adoption. It's up to the Mayor to veto or not.
 25 DIRECTOR HUNT: Well, if it's referring to an

1 you guys are on it. I'm impressed right now. Commissioner
 2 Mardfin.
 3 COMMISSIONER MARDFIN: I move the adoption of the
 4 Director's recommendation for the GPAC rural growth area
 5 goals and policies.
 6 ACTING CHAIRMAN U'U: You should have seen you
 7 guys' faces. Motion made by Commissioner Mardfin, seconded
 8 by Commissioner Starr. Discussion? Commissioner Hiranaga.
 9 COMMISSIONER HIRANAGA: Item G, move to change the
 10 word "shall" to "should."
 11 ACTING CHAIRMAN U'U: Item G, "shall" to "should."
 12 Motion made by Commissioner Hiranaga. Is there a second?
 13 Seeing no second, motion dies. Discussion?
 14 Commissioner Hiranaga.
 15 COMMISSIONER HIRANAGA: Just clarification. Why
 16 would you approve a UGB and then not allow it to be
 17 developed because it's on prime or productive ag land?
 18 ACTING CHAIRMAN U'U: Which one are you referring
 19 to, Commissioner Hiranaga?
 20 COMMISSIONER HIRANAGA: Item G. I'm trying to
 21 understand why you would limit rural growth if it's in a UGB
 22 because it's on prime or productive ag land.
 23 ACTING CHAIRMAN U'U: Director?
 24 DIRECTOR HUNT: In theory you would draw your
 25 growth areas in areas where they wouldn't encroach. The

1 alternative would be the conservation subdivision design
 2 where you could design it so it's off of there, off of the
 3 primary prime or productive ag land.
 4 I think your motion raised an interesting point
 5 though. It is fairly strong language. There may be
 6 instances where this isn't possible. The department
 7 wouldn't have a problem with your proposal as you suggested
 8 before.
 9 ACTING CHAIRMAN U'U: Do you want to restate your
 10 motion?
 11 COMMISSIONER HIRANAGA: Can I do that, reintroduce
 12 it?
 13 ACTING CHAIRMAN U'U: Reintroduce your motion.
 14 COMMISSIONER HIRANAGA: For G, move to change the
 15 word "shall" to "should."
 16 ACTING CHAIRMAN U'U: Is there a second?
 17 COMMISSIONER DOMINGO: Second.
 18 ACTING CHAIRMAN U'U: Seconded by Commissioner
 19 Domingo. Discussion? Commissioner Starr.
 20 COMMISSIONER STARR: I know what "shall" means. I
 21 really don't know what "should" means in planning language.
 22 Could we ask if it's a real word in planning?
 23 ACTING CHAIRMAN U'U: Staff?
 24 COMMISSIONER STARR: Plan talk.
 25 ACTING CHAIRMAN U'U: Staff?

1 (None)
 2 Motion passes.
 3 Commissioner Mardfin.
 4 COMMISSIONER MARDFIN: I move the adoption of the
 5 Director's recommendation for the GPAC growth area
 6 evaluation criteria.
 7 ACTING CHAIRMAN U'U: Motion made by Commissioner
 8 Mardfin. Is there a second?
 9 COMMISSIONER SHIBUYA: Second.
 10 ACTING CHAIRMAN U'U: Seconded by Commissioner
 11 Shibuya. Discussion? Seeing none. Commissioner Starr.
 12 COMMISSIONER STARR: Yeah, I'd like to add an item
 13 14, which will be "Impact of" -- runoff isn't the right
 14 word. Storm, "Impact of storm water runoff on near shore
 15 waters."
 16 ACTING CHAIRMAN U'U: Motion by Commissioner Starr
 17 for an added number 14. There was a second, correct?
 18 COMMISSIONER SHIBUYA: I'll second.
 19 ACTING CHAIRMAN U'U: Seconded by Commissioner
 20 Shibuya. Discussion? Could you help Julia, Commissioner
 21 Starr, with the wording?
 22 COMMISSIONER STARR: That's fine. Do we need,
 23 yeah, does the proposed --
 24 ACTING CHAIRMAN U'U: Commissioner Starr.
 25 COMMISSIONER STARR: Proposed development. "Does

1 MR. SUMMERS: Thank you, Mr. Chair. "Shall" is
 2 basically mandatory. So it starts to become more regulatory
 3 in nature. "Should" is more policy oriented.
 4 ACTING CHAIRMAN U'U: Thank you for clarity. Any
 5 more discussion? Seeing none, call for the vote. Sorry,
 6 Julia.
 7 MS. STALEY: I just need to clarify if Mr.
 8 Mardfin's motion is to approve the Director's
 9 recommendation.
 10 COMMISSIONER MARDFIN: Yes, it was.
 11 ACTING CHAIRMAN U'U: Yes, it was.
 12 MS. STALEY: Thank you.
 13 ACTING CHAIRMAN U'U: Call for the vote for
 14 amendment G.
 15 All those in favor say "aye."
 16 (A chorus of ayes)
 17 All those opposed?
 18 (A chorus of nays)
 19 Two nays.
 20 Motion passes.
 21 Any more discussion?
 22 Seeing none, vote on the main motion. All those
 23 in favor say "aye."
 24 (A chorus of ayes)
 25 All those opposed say "nay."

1 the proposed development create a danger of negative impacts
 2 on the near shore waters, shoreline resources, and reefs."
 3 ACTING CHAIRMAN U'U: Discussion for new item 14.
 4 Commissioner Hiranaga.
 5 COMMISSIONER HIRANAGA: I'd like to suggest
 6 changing the word "danger" to "threat."
 7 COMMISSIONER STARR: Fine.
 8 ACTING CHAIRMAN U'U: Friendly amendment, "danger"
 9 to "threat." Can I have the meaning of it? Just kidding.
 10 Discussion? Staff?
 11 MR. SUMMERS: Thank you, Mr. Chairman. Staff
 12 would suggest that that be included as a bullet point under
 13 number 2, which is specific to environmental and cultural
 14 resources, As a bullet point under criteria number 2.
 15 DIRECTOR HUNT: So staff recommends that to be as
 16 a bullet point under item number 2?
 17 MR. SUMMERS: That's correct.
 18 ACTING CHAIRMAN U'U: Is that okay with the maker
 19 of the motion?
 20 COMMISSIONER STARR: I'd actually prefer it to be
 21 a separate evaluating criteria.
 22 ACTING CHAIRMAN U'U: That is a no. Discussion?
 23 Commissioner Hiranaga.
 24 COMMISSIONER HIRANAGA: Friendly suggestion.
 25 "Impact of additional untreated storm water runoff on near

1 shore waters." "Impact of post-development untreated storm
 2 water runoff."
 3 ACTING CHAIRMAN U'U: Friendly amendment. Is it
 4 acceptable to the maker of the motion?
 5 COMMISSIONER STARR: I think I prefer it to stand.
 6 ACTING CHAIRMAN U'U: That's a no. Any
 7 discussion, more discussion?
 8 Seeing none, vote for new item 14. All those in
 9 favor say "aye."
 10 (A chorus of ayes)
 11 All those opposed say "nay."
 12 One nay.
 13 Motion passes.
 14 Commissioner Mardfin?
 15 COMMISSIONER MARDFIN: I move the adoption of an
 16 item 15. And I have a title, but not the words for the
 17 considerations. The title would be "Efficient water
 18 conservation and usage." And if anybody wants to suggest
 19 considerations, I would appreciate the help.
 20 ACTING CHAIRMAN U'U: Motion made by Commissioner
 21 Mardfin. Is there a second for item 15? Commissioner
 22 Starr.
 23 COMMISSIONER STARR: Yeah, I have a second, but
 24 I'm wondering whether it could be water and energy.
 25 COMMISSIONER MARDFIN: 13 has energy, which is why

1 COMMISSIONER SHIBUYA: I'd just like to replace
 2 the word "alternate" with "renewable energy and resources."
 3 ACTING CHAIRMAN U'U: Friendly amendment?
 4 COMMISSIONER SHIBUYA: Friendly amendment.
 5 ACTING CHAIRMAN U'U: Accepted?
 6 COMMISSIONER STARR: Yes. Renewable.
 7 ACTING CHAIRMAN U'U: Discussion on item number
 8 13, amendment to 13. Seeing none, Commissioner Hiranaga.
 9 COMMISSIONER HIRANAGA: Shouldn't that be posed as
 10 a question, such as, "Does the project maximize efficient
 11 use of water resources?" Because it's a criteria, it's not
 12 a mandate.
 13 ACTING CHAIRMAN U'U: Commissioner Mardfin.
 14 COMMISSIONER MARDFIN: That's acceptable to me.
 15 And we ought to work on the bullet point above that, because
 16 that's not in the form of a question either.
 17 ACTING CHAIRMAN U'U: Julia, have you got that?
 18 You're on it, girl.
 19 COMMISSIONER MARDFIN: For bullet point number 2,
 20 to what extent does the development of the area promote
 21 self-sufficiency and environmental sustainability. To what
 22 extent does the project.
 23 ACTING CHAIRMAN U'U: Commissioner Shibuya.
 24 COMMISSIONER SHIBUYA: I would not feel
 25 comfortable with that, because you're just asking what's the

1 I thought we needed another one for water.
 2 COMMISSIONER STARR: Okay. How about we add water
 3 into 13 and add another bullet point.
 4 COMMISSIONER MARDFIN: That's fine with me.
 5 ACTING CHAIRMAN U'U: So a friendly amendment. We
 6 are going to take 15, move to it 13.
 7 COMMISSIONER STARR: Energy and water
 8 self-sufficiency.
 9 ACTING CHAIRMAN U'U: Can we help Julia with the
 10 wording, please.
 11 COMMISSIONER MARDFIN: We need a bullet point for
 12 that then. And I think it should deal with water
 13 conservation usage.
 14 COMMISSIONER STARR: So how about "Energy and
 15 water conservation, self-sufficiency, and environmental
 16 sustainability." "Energy and water conservation,
 17 self-sufficiency, and environmental sustainability." And
 18 then the bullet point would be "Project should maximize
 19 conservation of water resources, or maximize efficient use
 20 of water resources."
 21 ACTING CHAIRMAN U'U: Is that okay with the maker
 22 of the motion?
 23 COMMISSIONER MARDFIN: It is.
 24 ACTING CHAIRMAN U'U: Discussion? Commissioner
 25 Shibuya.

1 extent. I think the rubber has to meet the road, and we
 2 have got to go with does the development of the area.
 3 COMMISSIONER STARR: So we just go "to what
 4 extent," and just take out "to what extent."
 5 COMMISSIONER MARDFIN: That's fine.
 6 ACTING CHAIRMAN U'U: Discussion? Amendment to
 7 item number 13.
 8 Seeing none, call for the vote. All those in
 9 favor say "aye."
 10 (A chorus of ayes)
 11 All those opposed say "nay."
 12 (None)
 13 No opposition.
 14 Amendment passes.
 15 Back the main motion. Commissioner Mardfin.
 16 COMMISSIONER MARDFIN: On evaluation criteria 2,
 17 in general I like it, but I think in that second bullet
 18 point the extent that development of the growth area impacts
 19 environmental cultural, I would add in there before "scenic"
 20 the word "historic." I think history has been left out.
 21 COMMISSIONER STARR: Second.
 22 ACTING CHAIRMAN U'U: Motion made by Commissioner
 23 Mardfin, seconded by Commissioner Starr on item number 2.
 24 Discussion?
 25 Seeing none, call for the vote. All those in

1 favor say "aye."
 2 (A chorus of ayes)
 3 All those opposed?
 4 (None)
 5 Amendment passes.
 6 Back to the main motion.
 7 COMMISSIONER HIRANAGA: You are going to wordsmith
 8 there, right, because I think it should be "historical."
 9 ACTING CHAIRMAN U'U: Point taken. Back to the
 10 main motion, any discussion? Commissioner Shibuya.
 11 COMMISSIONER SHIBUYA: On number 3, these are not
 12 actual questions, these are actually statements. I was
 13 wanting to change them all into questions.
 14 ACTING CHAIRMAN U'U: Commissioner Shibuya.
 15 COMMISSIONER SHIBUYA: I haven't really thought it
 16 through, but I just noticed it doesn't have any question.
 17 ACTING CHAIRMAN U'U: Commissioner Starr?
 18 COMMISSIONER STARR: Can we just ask that staff
 19 make sure that there's consistency with the wording and plan
 20 speak?
 21 MR. SUMMERS: Yes, we can do that.
 22 ACTING CHAIRMAN U'U: Thank you.
 23 Vote on the main motion. All those in favor say
 24 "aye."
 25 (A chorus of ayes)

1 bit behind.
 2 At a previous meeting the staff understood the
 3 Commission to direct staff to come back with a schedule or
 4 options which we could discuss, and that's this handout
 5 here, the yellow and green one, if you are an Oregon Duck
 6 fan. The previously scheduled meetings are the ones that
 7 are on your schedule already, they are in green, and then
 8 the options are in gold.
 9 I have a little bit of commentary. One of the
 10 options is the Pukalani meeting on September 2nd. Currently
 11 it's scheduled to go from 9 to 5. I thought it was 1:30. I
 12 think the green should be 1:30 until 8, and we are
 13 suggesting that you start at 9 or 10 to make that a long --
 14 it's a long day, but as long as you're showing up for that
 15 day anyway.
 16 So let me go through them all, and then you can
 17 start poking holes in them. Going back to August 29th,
 18 that's a Saturday meeting. We could schedule a Saturday
 19 meeting for you. And likewise, September 12th is a Saturday
 20 meeting. Staff could accommodate that. Both of those are
 21 10 to 6. I will be honest with you, Saturday meetings are
 22 tough on staff, but we could probably manage one.
 23 The last alternative we haven't discussed is
 24 Monday the 14th. That takes another day out of your work
 25 week. So staff can probably accommodate the Pukalani change

1 All those opposed "nay."
 2 (None)
 3 Unanimous. The motion passes.
 4 Turning it back over to the Director.
 5 COMMISSIONER STARR: Good work.
 6 DIRECTOR HUNT: Commissioner Mardfin, did you want
 7 to say anything?
 8 COMMISSIONER MARDFIN: I would just like to
 9 congratulate the Chairman on running an efficient meeting
 10 and getting us through these policies.
 11 ACTING CHAIRMAN U'U: We've still got time to
 12 screw it up. Director Hunt.
 13 DIRECTOR HUNT: If the Commission finds this
 14 acceptable, we'd like to go to item F now on your agenda,
 15 which speaks to your schedule. Commissioner Shibuya needs
 16 to leave in the near future. We thought that we'd have him
 17 here for the discussion, if there's no objections.
 18 ACTING CHAIRMAN U'U: Anybody else have to leave
 19 before 5:00? Because the Vice-Chair has to leave at 5:00.
 20 Thank you. Director?
 21 DIRECTOR HUNT: Item F involves the Director's
 22 report, the staff overview of the Maui Island Plan schedule.
 23 Real briefly, today is August 18. We're supposed to be on
 24 your second day of directed growth mapping. You are
 25 starting to just initiate it right now, so you are a little

1 and one other meeting, possibly two, but not two Saturdays.
 2 So with that, I'll turn it over to the Chair.
 3 ACTING CHAIRMAN U'U: I vote that we keep the
 4 schedule and not add any more dates. I'm kidding. Comment?
 5 Commissioner Hiranaga.
 6 COMMISSIONER HIRANAGA: I am opposed to more than
 7 one meeting per week. I believe we need a cooling down
 8 period. If we start meeting more than once a week, I think
 9 we're going to get too close for comfort.
 10 ACTING CHAIRMAN U'U: Commissioner Mardfin.
 11 COMMISSIONER MARDFIN: I have two questions that
 12 I'd like to ask the department. One is, as to the mapping,
 13 when do we do the implementation plan, because that was next
 14 in the book that we had.
 15 DIRECTOR HUNT: It's scheduled after your directed
 16 growth mapping. So as soon as you get through your mapping,
 17 that would be your next element.
 18 COMMISSIONER MARDFIN: And then we have
 19 implementation. And what's after that?
 20 DIRECTOR HUNT: Evaluation and monitoring.
 21 COMMISSIONER MARDFIN: And then?
 22 DIRECTOR HUNT: Final clean-up, if needed.
 23 COMMISSIONER MARDFIN: My second comment would be
 24 can we use Tuesday, September 8th, and Tuesday, September
 25 22nd for this project, and just defer all the regular

1 business?

2 ACTING CHAIRMAN U'U: Commissioner Starr?

3 COMMISSIONER STARR: I was going to say the same
4 thing. And then if we need to add a couple of meetings in
5 October, well, I will be away.

6 ACTING CHAIRMAN U'U: I'm looking forward to that.
7 Commissioner Hiranaga.

8 COMMISSIONER HIRANAGA: Yeah, I'm opposed to
9 deferring regular Commission business. With this economy we
10 cannot be an obstacle to whatever is being processed on
11 regular Planning Commission business. I would prefer
12 exploring requesting an extension from the Council so that
13 we can continue into October, because I don't -- the 180
14 days was an arbitrary number that was established by
15 ordinance. And we cannot control the amount of public
16 testimony, which impacts the amount of time we have to
17 review these items. So I would prefer meeting once a week,
18 not delay regular Commission business, and explore the
19 possibility of extending it into October.

20 ACTING CHAIRMAN U'U: Thank you, Commissioner
21 Hiranaga. Commissioner Starr.

22 COMMISSIONER STARR: I would be very much against
23 asking for an extension to the extent of exploring my
24 options, because we did have a commitment to doing it in
25 that time, and some of us have made plans accordingly. I

1 think that's really wrong, and I think that we'd be
2 perceived as being lazy and not willing to do our job if we
3 don't add additional meetings to do it in the time allotted
4 to us.

5 I feel that I, for one, like to take pride in a
6 certain amount of diligence and professionalism in this, and
7 to say well, we didn't want to have extra meetings so we are
8 going to extend it is a wrong message to send and a wrong
9 thing to ask from the Council, and it puts us and the
10 department in the position of saying that we are not
11 competent to do our job.

12 ACTING CHAIRMAN U'U: That's your viewpoint,
13 Commissioner Starr, but not mine. Commissioner Mardfin.

14 COMMISSIONER MARDFIN: My suggestion to you is
15 September 8th and September 22nd for this process. It would
16 defer that business, but we could make it up by doing the
17 comparable days in October to make up the business. So we
18 could have -- if we take off two from September for the Maui
19 Island Plan we could add two in October for our regular
20 business, and so by the end of October we would have been
21 caught up on both, which just means going one more month
22 with four meetings.

23 ACTING CHAIRMAN U'U: If we happen to finish and
24 conduct the business of the General Plan. Comments?
25 Discussion? Commissioner Hiranaga.

1 COMMISSIONER HIRANAGA: I'll let Mr. Shibuya speak
2 first.

3 ACTING CHAIRMAN U'U: Commissioner Shibuya.

4 COMMISSIONER SHIBUYA: Thank you. I was just
5 wondering, after we meet on the 25th and we are doing the
6 mapping review, and let's say we are not done, I would
7 recommend that we recess, not adjourn. Then that way we
8 don't have public testimony. Of course I could be stoned,
9 tarred and feathered by my community.

10 ACTING CHAIRMAN U'U: That would be something to
11 see.

12 COMMISSIONER SHIBUYA: It's just a suggestion.

13 ACTING CHAIRMAN U'U: Discussion? Commissioner
14 Hiranaga.

15 COMMISSIONER HIRANAGA: My request to explore
16 extending into October is so that we can have extra meetings
17 so we will not be rushed through this process. This is the
18 most important, to me, important stage of the process is the
19 maps. And I am concerned as we start deliberating over the
20 maps if we have multiple meetings, staff will not be able to
21 turn around product and give us ample time to study.

22 Because I want to avoid having staff product
23 placed before me in the morning that we are supposed to
24 review, and make determinations that same day. I would like
25 these products sent to me a week before so that I can look

1 at it.

2 And just going off on a tangent, I did not
3 appreciate this guiding land use principle disclosure that
4 these are changes. It should have been provided in a note
5 to us earlier, that there are changes to these guiding land
6 use principles, so we didn't have to take that 10-minute
7 recess. If it had been provided by a note we would have
8 reviewed it prior to the meeting and be more prepared.

9 ACTING CHAIRMAN U'U: Thank you, Commissioner
10 Hiranaga. I agree with Commissioner Hiranaga to being
11 informed a little earlier than how it's been done in the
12 past. I know we are on a busy hectic work week along with
13 the Commission meetings, and I would appreciate it if we
14 could get the information sooner if possible so it would
15 give us ample time to look it over. Commissioner Starr.

16 COMMISSIONER STARR: They were emailed to us about
17 two weeks ago.

18 DIRECTOR HUNT: All of the information?

19 COMMISSIONER STARR: Yes.

20 ACTING CHAIRMAN U'U: Not the revised.

21 COMMISSIONER DOMINGO: I got them on my email
22 today.

23 ACTING CHAIRMAN U'U: Any more discussion?
24 Commissioner Starr.

25 COMMISSIONER STARR: Once again, I really don't

1 think that extending is an option. I feel that this is a
2 way to manipulate, knowing that I'll be away, to try to
3 manipulate the actions of this body. And this is the way
4 that Elmer and this is the way that Maui government used to
5 happen, and it's corrupt and it's wrong. And I, for one,
6 will be very vocal in my opposition to this.

7 ACTING CHAIRMAN U'U: I'm sorry that you are going
8 away, but there's eight of us also along with yourself, Mr.
9 Starr.

10 COMMISSIONER STARR: My comments stand.

11 ACTING CHAIRMAN U'U: Thank you. Commissioner
12 Domingo.

13 COMMISSIONER DOMINGO: Do we have an option, is
14 there an option to extend, is there an option and we can
15 take a look at that?

16 DIRECTOR HUNT: Staff would need to research that.
17 John, do you know the answer to that?

18 MR. SUMMERS: I didn't hear the question.

19 DIRECTOR HUNT: Does the Bill 53, or whatever as
20 amended, does that include a provision to extend the
21 Planning Commission review of the Maui Island Plan?

22 MR. SUMMERS: There is a mechanism in the
23 ordinance for an extension. That process takes time. Staff
24 would have serious concerns about any request for an
25 extension. The process of getting an extension through the

1 powers. And if you look at the charter, there is some
2 mandated -- a timeline in the charter. So we need to look
3 at that rule before we vote on any type of extension.

4 ACTING CHAIRMAN U'U: I have a question. Did the
5 GPAC have an extension? And if so, maybe Commissioner
6 Shibuya can answer how long was the extension that the GPAC
7 had.

8 COMMISSIONER SHIBUYA: I think it was 30 days, I
9 believe, I'm not sure.

10 ACTING CHAIRMAN U'U: Director Hunt.

11 DIRECTOR HUNT: They got a five year -- pardon me,
12 a month extension. It seemed like five years.

13 ACTING CHAIRMAN U'U: They got a five month
14 extension.

15 DIRECTOR HUNT: A five month extension on the Maui
16 Island Plan. A 23 day extension on the Countywide plan.

17 ACTING CHAIRMAN U'U: Commissioner Mardfin.

18 COMMISSIONER MARDFIN: I'm ready to make a formal
19 motion that we meet on the Maui Island Plan on September
20 8th, and that that -- and September 22nd, and that we use
21 the second and fourth Tuesdays in October to make up for
22 those meetings.

23 ACTING CHAIRMAN U'U: Motion made by Commissioner
24 Mardfin to add the meetings to the September 8th and
25 September 22nd. Is there a second?

1 Council alone may take up to six weeks, maybe longer,
2 depending on the Council's schedule.

3 If we have any major concerns about any meeting
4 after September 29th, for us to meet the legislative
5 deadline of October 17th we need to complete this review
6 process so we can prepare the transmittal for the County
7 Council. So we would strongly encourage the committee to
8 complete its work within the legislative framework.

9 COMMISSIONER HIRANAGA: But the answer is "yes"
10 the Director's question?

11 MR. SUMMERS: Yes, there is a mechanism. It does
12 take a fair amount of time to get that through the County
13 Council.

14 ACTING CHAIRMAN U'U: Thank you. Comments?
15 Commissioner Mardfin.

16 COMMISSIONER MARDFIN: I'll make a formal motion.
17 I move we --

18 MR. GIROUX: Chair, can I interject?

19 ACTING CHAIRMAN U'U: Corp Counsel.

20 MR. GIROUX: I think we need to look at 280B,
21 because I remember earlier in the year there was some
22 legislation that was trying to get through, and we had
23 looked at that clause. And it gave the GPAC the ability to
24 ask for a continuance through resolution, but it wasn't
25 clear whether or not the Commission was given that same

1 COMMISSIONER STARR: Second.

2 ACTING CHAIRMAN U'U: Second made by Commissioner
3 Starr. Discussion? Director Hunt.

4 DIRECTOR HUNT: I believe September 8th and
5 probably September 22nd have already been noticed. We have
6 to have -- by law we have to notify 30 days in advance, and
7 then there's usually a lead time to get it in the paper. We
8 also commit to the applicant 45 days out in front, though we
9 can reschedule. The commitment isn't a big deal, but once
10 it's in the paper it gets a little awkward.

11 ACTING CHAIRMAN U'U: Tar and feathered. So what
12 are you saying, Director?

13 DIRECTOR HUNT: I would recommend strongly against
14 September 8th. Possibly the 22nd. I think we'd have to
15 have some kind of soft recommendation that if it's not
16 already noticed then we schedule, or something along that
17 line.

18 ACTING CHAIRMAN U'U: Maker of the motion?
19 Commissioner Mardfin.

20 COMMISSIONER MARDFIN: I have a problem with
21 what's going on. I totally agree with Commissioner Starr
22 that this shouldn't be delayed. It seems to be some
23 problems with that. It would tend to cut him out of input
24 into this process. I'm not real thrilled by Mondays and
25 Saturday meetings, although Saturday was probably preferable

1 to -- in fact, that Saturday, September 12th, I am going to
2 be in Hana. It's the Hana Relay, and I have commitments for
3 that. I'm not wild about a Monday meeting, and then
4 followed by a Tuesday meeting. I mean if you wanted to make
5 it Wednesday the 9th and then the 23rd. I just have some
6 difficulties with it.

7 ACTING CHAIRMAN U'U: Do you want to withdraw your
8 motion?

9 COMMISSIONER MARDFIN: No, I don't want to
10 withdraw my motion, I want to vote on it.

11 ACTING CHAIRMAN U'U: Commissioner Shibuya.

12 COMMISSIONER SHIBUYA: I'd like to make a comment
13 here, because I am probably going to be voting against what
14 Commissioner Mardfin had recommended. What I wanted to do
15 was have two consecutive days, either the 14th and 15th or
16 the 28th and 29th, and you actually have a recess on the
17 earlier meeting. Then that way we minus out one public
18 testimony session, and that way it allows us to be more
19 productive on the second day, at least. I know it's two
20 consecutive days, but we don't have to meet until 6:00. I
21 would say 9 to 5 on either day.

22 ACTING CHAIRMAN U'U: We still have a motion on
23 the floor. Commissioner Hiranaga, discussion?

24 COMMISSIONER HIRANAGA: We seem to be
25 transgressing. There is a motion on the floor, so we should

1 (A chorus of ayes)

2 All those opposed?

3 (A chorus of nays)

4 Okay, what I'll do is, all those in favor say

5 "aye," and could you raise your hand?

6 Three in favor, Commissioner Starr, Commissioner
7 Mardfin, Commissioner Guard.

8 All those opposed, "nay."

9 (A chorus of nays)

10 Motion passes -- motion fails. Motion fails.

11 Any more motions? Commissioner Shibuya.

12 COMMISSIONER SHIBUYA: I would like to make a
13 motion that we meet on the 14th, 9 to 5, and recess, and
14 then continue on the 15th. And if we need, we meet on the
15 28th of September 9 to 5, and then recess and continue on
16 the 29th.

17 COMMISSIONER MARDFIN: Second.

18 ACTING CHAIRMAN U'U: Motion made by Commissioner
19 Shibuya. Seconded by Commissioner Mardfin. Discussion?
20 Commissioner Starr.

21 COMMISSIONER STARR: I'd like to understand
22 whether the maker would be willing to also add in the
23 additional hours proposed on September 2nd.

24 ACTING CHAIRMAN U'U: Good question. Maker of the
25 motion?

1 vote on that and dispose of it versus going to other
2 options.

3 ACTING CHAIRMAN U'U: I agree. Commissioner
4 Starr.

5 COMMISSIONER STARR: Can I suggest we add the
6 words to the motion, if notice has not -- "If irrevocable
7 notice has not already been given for those meetings."

8 COMMISSIONER MARDFIN: That's fine with me.

9 ACTING CHAIRMAN U'U: Accepted by the maker of the
10 motion.

11 COMMISSIONER MARDFIN: Yes.

12 ACTING CHAIRMAN U'U: Vote on the motion to change
13 the meeting dates recommended by Commissioner Mardfin.

14 All those in favor say "aye."

15 COMMISSIONER HIRANAGA: For clarity, the motion is
16 to add September 8th and 22nd to the Maui Island Plan review
17 schedule.

18 ACTING CHAIRMAN U'U: With the verbiage made by
19 Commissioner Starr. Which potentially could take out
20 September 8th.

21 DIRECTOR HUNT: Potentially the 22nd as well,
22 potentially.

23 ACTING CHAIRMAN U'U: Potentially the 22nd as
24 well, wow.

25 Call for a vote. All those in favor say "aye."

1 COMMISSIONER SHIBUYA: Sure, yes.

2 ACTING CHAIRMAN U'U: Additional hours for the
3 September meeting up in Pukalani. Would that be acceptable
4 to the maker of the motion?

5 COMMISSIONER SHIBUYA: At this point I'd like to
6 just address these two, and then we can address the Pukalani
7 one later.

8 ACTING CHAIRMAN U'U: Comments, discussion?
9 Commissioner Starr.

10 COMMISSIONER STARR: I notice that on the 14th,
11 the Monday, the time is set at 10 am to 6 pm. Is there a
12 reason why it's not 9 to 5?

13 ACTING CHAIRMAN U'U: The maker of the motion
14 changed that to 9 to 5, is that correct?

15 COMMISSIONER STARR: I'm going to ask staff if
16 there's a reason why they made it that way.

17 ACTING CHAIRMAN U'U: Is staff on vacation that
18 day.

19 MS. PAREDES: The planning conference room is used
20 by other boards and commissions, so utilizing their
21 calendar, the dates that you are proposing are not possible.

22 ACTING CHAIRMAN U'U: Staff, could you comment on
23 that? Director? For clarity.

24 DIRECTOR HUNT: From what I understand, the
25 planning conference room is already scheduled on the 28th,

1 but the 14th is clear.
 2 MS. PAREDES: The 14th is clear after 11:30.
 3 DIRECTOR HUNT: After 11:30 on the 14th. Joy, how
 4 about the 16th?
 5 MS. PAREDES: Sunday. All day, no problem. Oh,
 6 I'm looking at August. Let's try September. Okay, what
 7 days again?
 8 DIRECTOR HUNT: September 16th.
 9 COMMISSIONER STARR: First the 14th and 28th.
 10 ACTING CHAIRMAN U'U: The 14th and 28th from 9 to
 11 5.
 12 MS. PAREDES: Yes, it's clear.
 13 ACTING CHAIRMAN U'U: And on the 28th from 9 to 5.
 14 MS. PAREDES: It's clear. Any other dates?
 15 DIRECTOR HUNT: Did you check the 16th, as long as
 16 you have the calendar?
 17 MS. PAREDES: The 16th is taken from 12:30 to 6.
 18 COMMISSIONER STARR: So let's call the question.
 19 ACTING CHAIRMAN U'U: Discussion? Commissioner
 20 Hiranaga.
 21 COMMISSIONER HIRANAGA: I'm wondering why do we
 22 need three-and-a-half meeting days to do long range
 23 implementation evaluation, monitoring and cleanup? Because
 24 if we haven't completed the review of the maps by August
 25 18th, which is the next meeting, I guess -- it's today -- we

1 Discussion? Commissioner Mardfin.
 2 COMMISSIONER MARDFIN: I'd like to speak in favor
 3 of the motion. We spent half a day today on public
 4 testimony, and Commissioner Shibuya's motion would basically
 5 change, assuming that the first half of the Monday meeting
 6 would be taken up by public testimony, it would get -- and
 7 we just put it off, then we get three functional working
 8 days out of it. And so I think we can be quite efficient.
 9 I'm hoping we can be quite efficient at this, so I think
 10 it's a good motion.
 11 ACTING CHAIRMAN U'U: Commissioner Hiranaga.
 12 COMMISSIONER HIRANAGA: I'll be voting against the
 13 motion. I'm opposed to having two days in a row being used,
 14 my personal time to be used for this process. I do have a
 15 job, so I have things to attend to. And to commit two full
 16 days in a row is, to me, a pretty heavy burden for those of
 17 us who are working for a living.
 18 ACTING CHAIRMAN U'U: Discussion? Commissioner
 19 Domingo.
 20 COMMISSIONER DOMINGO: Jeff, is staff available on
 21 the 28th?
 22 DIRECTOR HUNT: Staff is available on both the
 23 14th and the 28th. Staff, just so we can get our comments
 24 in, we support the motion. We think this is a better
 25 alternative to an extension.

1 would just continue reviewing the maps until we're done.
 2 So I'm wondering if staff can explain to us why we
 3 need three-and-a-half meeting dates for long range
 4 implementation, monitoring, evaluation, and final cleanup.
 5 ACTING CHAIRMAN U'U: Staff?
 6 DIRECTOR HUNT: The sections are fairly long. I
 7 don't know if everyone has read them yet, they are fairly
 8 long. The other idea is that the GPAC ran out of time and
 9 didn't get to review them. So there's been some discussion
 10 that, well, the Planning Commission should take a little
 11 extra time to review it.
 12 I agree with you, I think the schedule is a little
 13 bit loose at that point, and we may be able to get through
 14 it in less time than is on the schedule. But you know how
 15 scheduling goes with the public.
 16 ACTING CHAIRMAN U'U: Discussion? Commissioner
 17 Shibuya.
 18 COMMISSIONER SHIBUYA: On the implementation
 19 portion of it we have actual evaluations on the actions that
 20 we had identified earlier. And we are trying to prioritize
 21 some of the CIP or any other improvements or money costs
 22 actions. And so it's going to take some time in terms of
 23 deliberating which one comes first when you have a limited
 24 pot of money.
 25 ACTING CHAIRMAN U'U: Back to the motion.

1 ACTING CHAIRMAN U'U: Commissioner Starr.
 2 COMMISSIONER STARR: I support it. I wish we
 3 didn't have to spend this much time on it, but I think that
 4 it's our responsibility to do a good job and to get it done.
 5 And grudgingly I will give up my time to do it.
 6 ACTING CHAIRMAN U'U: Any more discussion?
 7 Seeing none, call for the vote. The vote, for
 8 clarity, will be adding a Commission meeting on September
 9 14th from 9 to 5. Calling a recess to extend it through the
 10 15th. Coming back to the meeting here on the 28th of
 11 September. Calling a recess, and coming back on the 29th of
 12 September. All those in favor of that say "aye."
 13 (A chorus of ayes)
 14 Can we have a show of hands?
 15 (A show of hands)
 16 All those opposed?
 17 (A show of hands)
 18 The Vice-Chair votes "yes." Motion passes, five
 19 to three.
 20 Commissioner Starr.
 21 COMMISSIONER STARR: I move that we add in the
 22 extra hours on September 2nd in Pukalani. So we start at 10
 23 am and we go from 10:00 a.m. to 8:00 pm.
 24 ACTING CHAIRMAN U'U: Motion made by Commissioner
 25 Starr to add the hours, the proposed change from 9 to 5 to

1 10 through 8. Is there a second?
 2 COMMISSIONER MARDFIN: Second.
 3 ACTING CHAIRMAN U'U: Seconded by Commissioner
 4 Mardfin. Discussion? Commissioner Mardfin.
 5 COMMISSIONER MARDFIN: I am probably the one least
 6 happy with this. I was really looking forward to
 7 Commissioner Shibuya giving me a tour of Upcountry during
 8 that time, but we've just got a job to do.
 9 ACTING CHAIRMAN U'U: Commissioner Shibuya.
 10 COMMISSIONER SHIBUYA: I have a concern here, and
 11 that would be related with the amount of meal times. We
 12 would have lost two meal times, two hours, would it not, if
 13 we chose this alternative of going from 10:00 am to 8:00 pm.
 14 And I'm concerned that you have two meals, lunch and dinner,
 15 whereas the other one --
 16 ACTING CHAIRMAN U'U: Just to add a comment. If
 17 Commissioner Shibuya continues to bring snacks, that
 18 wouldn't be a problem. You did an excellent job today.
 19 Discussion? Commissioner Hiranaga.
 20 COMMISSIONER HIRANAGA: I'm going to be opposed to
 21 that motion. I think 1:30 to 8:00 is long enough. And I
 22 hope members recall that when we do go out to the
 23 communities those are very long days, and people start
 24 wanting to not continue with the agenda. And so by adding
 25 three-and-a-half hours additional time, I think you guys are

1 hours back on the 14th or 15th or even the 28th and 29th,
 2 and pull those hours back. That would be my suggestion.
 3 But I would be against changing the time for Pukalani.
 4 ACTING CHAIRMAN U'U: Thank you for the comment.
 5 Director Hunt.
 6 DIRECTOR HUNT: I wasn't sure if there was a
 7 question regarding food, but if the vote goes through we
 8 would provide you two meals if you're working from 10 to 8.
 9 ACTING CHAIRMAN U'U: Any more discussion?
 10 Call for the vote. All those for the proposed
 11 change from 9:00 to 5:00 -- excuse me, instead of 1:30 to
 12 8:00, to 10:00 to 8:00. All those in favor say "aye."
 13 (A chorus of ayes)
 14 Show of hands.
 15 (A show of hands)
 16 All those opposed?
 17 (A show of hands)
 18 I vote opposed. Motion fails.
 19 DIRECTOR HUNT: I'm not sure if Commissioner Guard
 20 voted "no."
 21 ACTING CHAIRMAN U'U: That was a nay. I'm sorry,
 22 that was a nay, so the motion fails.
 23 DIRECTOR HUNT: I'm sorry, could we take the vote
 24 again?
 25 ACTING CHAIRMAN U'U: Vote again, show of hands.

1 going to regret it when we get into the evening.
 2 ACTING CHAIRMAN U'U: Commissioner Starr.
 3 COMMISSIONER STARR: I'd like a clarification on
 4 the hours at Pukalani, because I had thought it was 1:30 to
 5 8:00, not 9:00 to 5:00.
 6 ACTING CHAIRMAN U'U: That was a misprint by
 7 staff. The actual hours are from 1:30 to 8:00.
 8 Commissioner Starr.
 9 COMMISSIONER STARR: I do want to comment that I
 10 mean the 10 to 8 is a long day, but that's what we did. We
 11 did worse in Hana because everyone, most people had to drive
 12 out. But we did do 10:00 to 8:00 successfully. We did that
 13 in Kihei with the site inspection. And it's hard work, but
 14 we have been handling it. You know, I think we ran out of
 15 steam, it was 8:00 pm we ran out of steam. We were talking
 16 about going past 8:00 pm, you know. So I think we can
 17 handle it.
 18 The advantage of front-loading it as much as we
 19 can is if we do get it done then we can cancel some of these
 20 later meetings and take a holiday. Maybe we can get rid of
 21 the 28th and 29th. I, for one, would love that.
 22 ACTING CHAIRMAN U'U: Any more discussion?
 23 Commissioner Domingo.
 24 COMMISSIONER DOMINGO: I have a suggestion.
 25 Instead of doing the long day in Pukalani, is just hold the

1 All those for the proposed change to the added hours on
 2 September 2nd.
 3 (A show of hands)
 4 Those in favor of the proposed change are
 5 Commissioner Mardfin, Commissioner Starr, Commissioner
 6 Sablas, Commissioner Shibuya.
 7 Those opposed?
 8 (A show of hands)
 9 Commissioner Guard, Commissioner Hiranaga,
 10 Commissioner Domingo, and Commissioner U'u.
 11 DIRECTOR HUNT: Thank you.
 12 ACTING CHAIRMAN U'U: Director?
 13 DIRECTOR HUNT: Going back to item E on the
 14 agenda, we are through the land use element policies,
 15 through the directed growth element policies. Now it's to
 16 the directed growth maps. I believe Dave suggested that we
 17 initially come to some agreement as to how we should take
 18 the tour around the county or the island.
 19 There's a suggestion from staff that you start on
 20 the easy ones first, kind of get used to it, and then from
 21 there leave the more contentious ones for later.
 22 ACTING CHAIRMAN U'U: Discussion? Commissioner
 23 Hiranaga.
 24 COMMISSIONER HIRANAGA: I'd like to make a motion
 25 that we prioritize the review based upon the number of

1 proposed units for each Community Plan area. So the area
2 that has the least number of proposed units would be the
3 first one, and the area that has the most proposed units
4 would be the last.

5 ACTING CHAIRMAN U'U: Motion by Commissioner
6 Hiranaga. Is there a second?

7 COMMISSIONER SHIBUYA: I'll go ahead and second
8 it.

9 ACTING CHAIRMAN U'U: Seconded by Commissioner
10 Shibuya. Discussion? Commissioner Mardfin.

11 COMMISSIONER MARDFIN: I am going to vote against
12 this, because that would imply that Hana goes first, and I
13 know there's a lot of concern in Hana. I've asked Dave
14 Michaelson for some information, and he's been working on
15 it, but he hasn't yet gotten it to me. So I would not like
16 Hana to be the first one. If it's the third, or something
17 like that, I can live with that. But I have been asking for
18 awhile back for some information, I need that in order to
19 vote intelligently.

20 The other thing is, I'd almost go in the reverse
21 order. I understand the idea of starting with the easier
22 ones first, but we are up against a time crunch, and I would
23 kind of like to see us tackle the tough ones. I don't want
24 to do easy ones and then think this is going to be a breeze
25 and we misjudge our time. I would rather start with the

1 Can we show hands?
2 (A show of hands)
3 All those opposed?
4 (One)

5 One nay. Motion carries.

6 Back to the Director.

7 DIRECTOR HUNT: Go ahead, Jonathan.

8 COMMISSIONER STARR: Small to large. So Haiku
9 first, Hana next, et cetera.

10 DIRECTOR HUNT: Haiku first.

11 COMMISSIONER HIRANAGA: Read the actual official
12 Community Plan designation.

13 ACTING CHAIRMAN U'U: Commissioner Starr?

14 COMMISSIONER STARR: North Maui, East Maui,
15 Upcountry Maui, South Maui, West Maui, Central Maui.

16 ACTING CHAIRMAN U'U: Thank you, Commissioner
17 Starr. Director Hunt.

18 DIRECTOR HUNT: So we will start in Haiku. And is
19 the GIS staff ready to go, do we need a break or anything?
20 I'm getting a thumbs up. Mr. Michaelson, are you going to
21 take the controls?

22 MR. MICHAELSON: We will kind of team take the
23 controls here. It might be helpful if that mic is in front
24 of Mark, if we can do that. Just in case I need to ask you
25 a question, Mark.

1 tough ones and see how long the tough ones take us, and be
2 able to adjust our pace in some fashion. So I am going to
3 be voting against this motion.

4 ACTING CHAIRMAN U'U: Any more discussion?
5 Commissioner Hiranaga.

6 COMMISSIONER HIRANAGA: I would oppose what
7 Commissioner Ward was proposing because it would imply that
8 Hana would be last.

9 ACTING CHAIRMAN U'U: Discussion? Commissioner
10 Starr.

11 COMMISSIONER STARR: Yeah, I think my preference
12 would actually be to go from, you know, less contentious to
13 more contentious. I guess Central Maui is the highest
14 numbers, and let's see, Pa'ia/Haiku is the lowest. So if we
15 were to do what Commissioner Hiranaga suggested, our order
16 would be -- and correct me if I am wrong someone --
17 Pa'ia/Haiku, Hamakuapoko, then Hana would be second, then we
18 would go to Makawao/Pukalani, then we're going to
19 Kihei/Wailea/Makena, then we're going to West Maui, and then
20 we finish up with Central Maui. I don't think that's too
21 bad. I think that's probably as good as anything.

22 ACTING CHAIRMAN U'U: Any more discussion?

23 Seeing none, call for the vote. All those in
24 favor say "aye."

25 (A chorus of ayes)

1 ACTING CHAIRMAN U'U: Commissioner Starr?
2 COMMISSIONER STARR: I'm not exactly sure what
3 information Commissioner Mardfin has been looking for for
4 Hana, but I for one would like to make sure that it's made
5 available in good time before we go to Hana.

6 MR. MICHAELSON: Actually, what he's asked for,
7 just for clarity, is a comparison between land mass,
8 Community Plan areas, I think you had a state land use
9 classification table as well.

10 COMMISSIONER MARDFIN: May I?

11 ACTING CHAIRMAN U'U: Commissioner Mardfin.

12 COMMISSIONER MARDFIN: I was concerned, I wanted
13 to know what currently existed, so I wanted to know how many
14 properties and what areas were zoned on the various state
15 zoning and the various county zoning, county designations,
16 so that I could get a feel for where we are now. And I know
17 there are minimal changes proposed, but I still wanted to
18 know what they were. And I think that's important for me to
19 have.

20 And I think it will him -- he's been working on it
21 and it's close, but I think it might, I don't think we can
22 cover it today because I don't have the information yet.
23 And maybe it could get covered at our next meeting.

24 MR. MICHAELSON: Which is a week from today.

25 COMMISSIONER MARDFIN: Is that possible?

1 MR. MICHAELSON: Yes.
 2 COMMISSIONER MARDFIN: Then I would urge that we
 3 not do Hana today, even if we finish North Maui today.
 4 ACTING CHAIRMAN U'U: Staff?
 5 MR. MICHAELSON: Mark, if you could zoom in to
 6 Haiku proper, Haiku town and the Cannery, and then we will
 7 go out from there. As you have seen on your maps, there are
 8 two sets of boundaries in Haiku. The yellow boundary
 9 represents a country/town boundary. The blue, I think you
 10 can see that blue is rural service center boundaries. Mark,
 11 if you want to turn the Community Plan designations on for
 12 me.
 13 MR. KING: Mark King, staff. Mark Napier is
 14 driving right now. Aloha.
 15 MR. MICHAELSON: Okay, I'm sorry. So you're like
 16 a back seat driver.
 17 ACTING CHAIRMAN U'U: Commissioner Starr.
 18 COMMISSIONER STARR: Point of order. Are we going
 19 into territory that has not been agendaed?
 20 MR. MICHAELSON: No, I believe this was on the
 21 agenda to review these maps. Correct me if I am wrong.
 22 DIRECTOR HUNT: Staff intended the land use,
 23 pardon me, the directed growth element to be both the
 24 policies and the maps.
 25 MR. MICHAELSON: The boundaries between, I believe

1 helpful is to take a look at Haiku, then take a look at
 2 Paia, and then if you make a motion for everything on N-2
 3 that would be a single motion.
 4 We're also showing some very limited expansion.
 5 You had several presentations I believe, or at least one
 6 presentation on the Maui High School project, Chris Hart and
 7 Partners. We're showing consistent with CP designation some
 8 additional residential units to the east and north. And
 9 again, Mike, if you want to pull up, if you will pull up the
 10 CP's. Actually, it was a project district. Correct me if
 11 I'm wrong, Mark.
 12 ACTING CHAIRMAN U'U: Commissioner Hiranaga.
 13 COMMISSIONER HIRANAGA: Before we go too far,
 14 early in the process I asked for a map that shows the
 15 current Community Plans overlaid onto the proposed plans by
 16 GPAC and the Director. So are we going to be provided those
 17 before we start deliberation on any motions?
 18 MR. MICHAELSON: I believe we can show that to you
 19 right now.
 20 COMMISSIONER HIRANAGA: Are we going to be
 21 provided copies so that we can study it? Because we have
 22 got 15 minutes before 5, and I really do not appreciate
 23 these types of -- the situation was proposed to us and then
 24 we need to make a determination.
 25 MR. MICHAELSON: I guess the only caution is that

1 the boundaries between GPAC the Director's recommendation
 2 are virtually identical through here. You will notice some
 3 small expansion shown behind the Cannery. You see that
 4 pineapple field and it goes up north towards the reservoir.
 5 But again, I believe -- and Mark, correct me if I am wrong,
 6 or whoever has got the mic -- that our boundaries are
 7 consistent, and they follow the designations that were shown
 8 on this handout, the classification handout that's included
 9 in your binder, to give you a sense of what we were
 10 thinking. You will also see a green belt separation between
 11 the Cannery and Haiku town proper. And the other thing that
 12 would be helpful is prime ag lands. I believe you will see
 13 the boundaries stay very tight to that line to the west.
 14 ACTING CHAIRMAN U'U: Director Hunt.
 15 DIRECTOR HUNT: Dave, would it help if we directed
 16 the Commission to an actual map in their packet?
 17 MR. MICHAELSON: Yes, I'm sorry. I believe it's
 18 actually N-2 in both the GPAC the Director's growth maps.
 19 DIRECTOR HUNT: As I recall how GPAC did it was
 20 that they made their motions to a map, a specific map.
 21 That's kind of like you have done as policies, and propose.
 22 It's N-2. So someone would make a motion to approve and
 23 then there's opportunities to amend as you go through it.
 24 MR. MICHAELSON: Also on N-2 right now Mike is
 25 focusing on Haiku. I think the other thing that would be

1 these maps are very expensive to reproduce. And just like
 2 every county department, we are under significant fiscal
 3 constraints. That's one of the values to this system, is
 4 you can ask me that question and I can show it to you.
 5 ACTING CHAIRMAN U'U: Commissioner Hiranaga.
 6 COMMISSIONER HIRANAGA: Also, I asked that the
 7 major landowners be identified for each of these proposed
 8 UGB's or RGB's. And again, I'd like to have that
 9 beforehand.
 10 Also, I have some questions regarding -- and maybe
 11 you have answered this earlier -- but your absorption
 12 assumptions as far as units proposed, current units
 13 available, are you assuming that anything that's currently
 14 entitled will be built out in the next 20 years? Are you
 15 assuming whatever is in these UGB's and RGB's will be built
 16 out in the next 20 years? Because I know there are projects
 17 that have been sitting on the books for 15 years, 20 years,
 18 that have not broken ground.
 19 I need to understand your assumptions and the
 20 inventory that's currently available, what's proposed, are
 21 you assuming 50 percent built-out on these proposed units or
 22 what.
 23 MR. MICHAELSON: I understand. Actually, in the
 24 case of the projects that were fully entitled, we went
 25 through a process with planning staff, with agency staff.

1 The majority of projects that were fully entitled, I believe
2 with very few exceptions, were built out by 2030. The
3 exception to that was some Hawaiian Home Lands projects that
4 proposed thousands of units, and we built those out
5 incrementally. We do have a spread sheet where we broke
6 that down project by project.

7 ACTING CHAIRMAN U'U: Commissioner Starr.

8 COMMISSIONER STARR: I'm a little confused about
9 which Hawaiian Home Lands projects are in here and which are
10 out. I know, for example, there's a whole bunch in Central
11 Maui that aren't in here. Which ones are in the UGB and
12 which are out?

13 ACTING CHAIRMAN U'U: Staff?

14 MR. SUMMERS: Thank you, Mr. Chair. Each project
15 is treated a little bit differently. Remember, the unique
16 thing about Hawaiian Home Lands is that the county does not
17 have regulatory authority in those areas, and their client
18 market is not necessarily exclusive to Maui. So it's very
19 opaque. There are a lot of assumptions that have to be made
20 when we deal with Hawaiian Home Lands. We have tried to
21 include them in most instances in that Urban Growth
22 Boundaries or within Rural Growth Boundaries. We do have
23 information, Mr. King has information on specific projects
24 as we go through each Community Plan area, and we can pull
25 those up.

1 ACTING CHAIRMAN U'U: On a dime. But we can't
2 take it home to study. That's the alternative you have
3 given us, is do it now, accept it as it is. That's what
4 you're saying.

5 MR. MICHAELSON: We can produce maps at this scale
6 that overlay Community Plan designations by urban and rural
7 growth boundaries, we can do that. Can I get you that map a
8 week in advance of a meeting that's tomorrow, hard copy?
9 It's just physically impossible. If I can find another
10 format where we can get that information where it's useful
11 to you, I'll come up with something. But I was never under
12 the impression that you guys were requesting full scale
13 maps.

14 What I remember producing for you, which is right
15 behind me, is show me a map that compares GPAC boundaries
16 and the Director's boundaries on a single map. And I made a
17 commitment to do that, and that's right behind me.

18 ACTING CHAIRMAN U'U: Commissioner Hiranaga.

19 COMMISSIONER HIRANAGA: I distinctly asked for the
20 current Community Plan. But what I would suggest is if you
21 can provide us with something like this with the overlay of
22 the current Community Plan and with the proposed GPAC plan
23 and Director's plan, and then -- in advance, and then I can
24 put specific requests for blow-ups of certain sections. So
25 you don't have to generate a map like that. But if I have a

1 ACTING CHAIRMAN U'U: I also have a question. I
2 have the same concern as Commissioner Hiranaga. I remember
3 the date that he asked you specifically, Dave, to have an
4 overlapping distinction between the previous and what's
5 being looked at now, and I remember your wording was yes,
6 you can have that. And there was no information that it was
7 too expensive or costly.

8 And my thought at that time was we was going to
9 have something in front of us, and not something presented
10 on the day we make, we have to be decision-makers for the
11 day. It is tough as it is now. And I honestly feel like
12 it's being ram-rodged without the information that was asked
13 months ago that you agreed to give. And hopefully you are
14 not backing down on that agreement by saying it's too
15 expensive.

16 MR. MICHAELSON: I'm not. When it comes to
17 producing maps at this scale, which are very readable, we
18 cannot produce that for each Planning Commission member.

19 ACTING CHAIRMAN U'U: Your answer should have been
20 "no" then.

21 MR. MICHAELSON: Well, the information is in fact
22 right behind Kent. He can see those CP designations, we can
23 zoom in on them, we can ID them. You can look at each of
24 these polygons full screen literally and compare the
25 Community Plan designations with these boundaries.

1 concern for a specific, say Pa'ia III, I will ask for a
2 blowup of Pa'ia III, and you can either email that to me or
3 I'd like some advance time to review it.

4 ACTING CHAIRMAN U'U: Because it's going to happen
5 before it hits Hana, I can assure you, with Ward Mardfin.

6 MR. MICHAELSON: It already did. And when we went
7 out to Hana we had a copy of the CP designations on the wall
8 for people to see as they related to the boundaries.

9 ACTING CHAIRMAN U'U: Commissioner Hiranaga.

10 COMMISSIONER HIRANAGA: Also moving on, when you
11 said lands that are fully entitled, that means state land
12 use, community plan, and zoning are consistent. So it's
13 ready to, it can be developed.

14 MR. MICHAELSON: Yes.

15 COMMISSIONER HIRANAGA: You are assuming 100
16 percent build-out in the next 20 years?

17 MR. MICHAELSON: I'm going to defer to Mark for a
18 second. Mark, when we built that spread sheet I believe we
19 did not build out 100 percent of fully entitled projects.

20 COMMISSIONER HIRANAGA: Just to add my concern is,
21 you know, Wailuku Heights Phase II was built in 1979, and
22 there are still vacant lots up there. That's 30 years ago.
23 So I'm concerned. I want to know what the assumptions are.

24 ACTING CHAIRMAN U'U: Staff?

25 MR. KING: Mark King, staff. This is questions

1 about the land use forecast report, is that right, the
2 supply that was counted in the entitled lands in the land
3 use forecast report. How would you like me to show you how
4 those were counted?

5 ACTING CHAIRMAN U'U: Commissioner Hiranaga.

6 COMMISSIONER HIRANAGA: I want to understand your
7 assumptions as to fully entitled lands, which means it has
8 consistent state land use designation, community plan
9 designation and county zoning. Your assumption that of this
10 inventory, what percent would be built out during this plan
11 period? Are you assuming 100 percent, 95 percent, 90
12 percent, because I said Wailuku Heights is an example which
13 the infrastructure was built out complete, lots sold in
14 1979, and you still have vacant lots up there. So it's not
15 100 percent built out after 30 years. So I need to just
16 understand what your assumptions are to come up. I'm not
17 questioning if they're right or wrong, I just need to know
18 what they were.

19 MR. KING: Mark King, staff. As referenced in the
20 residential chapter for residential land use supply, those
21 entitlements were full build-out assumptions. So as you
22 reference, the lot potential in a particular subdivision was
23 counted as its full supply potential for the purposes of
24 these supply numbers.

25 COMMISSIONER HIRANAGA: 100 percent?

1 MR. MICHAELSON: When we produced the maps for
2 your submittal we did not put the development projects on
3 those maps. And you guys asked us for that, and that's
4 what's on these large format maps behind me. Those
5 development projects are in fact on there, so they're
6 available for your reference.

7 ACTING CHAIRMAN U'U: Questions? Commissioner
8 Mardfin.

9 COMMISSIONER MARDFIN: Let's do a test of this.
10 Mark, can you show us for the map you have up there, I think
11 you already do, what the various proposed projects were?

12 MR. KING: Yes, I can. In my table of contents on
13 the left I have turned on the layer called Development
14 Projects. We refer to these in growth classes between
15 recently completed, plan committed, plan designated, and
16 proposed, and those relate to their entitlement levels.

17 In the area for N-2, the red cross hatch is the
18 proposed projects. The blue and white boundary is the rural
19 service center boundary from the department recommendation.
20 The black and blue boundary is the rural service center as
21 recommended by the General Plan Advisory Committee. And the
22 coincidence of those lines looks like this white, blue,
23 black, blue alternating.

24 Within this area, the closest development project
25 in the development projects database is Kauhikoa rural lots

1 MR. KING: 100 percent, correct.

2 COMMISSIONER HIRANAGA: That was the answer I was
3 looking for.

4 ACTING CHAIRMAN U'U: Thank you. We are going to
5 be adjourning at 5:00. What's the Commission's pleasure?
6 Do you want a motion to adjourn? Commissioner Mardfin.

7 COMMISSIONER MARDFIN: I think we should use this
8 last five minutes to talk about what our various concerns
9 are. I don't think we are going to make any decisions
10 today.

11 ACTING CHAIRMAN U'U: I thought that's what we
12 were doing. Commissioner Mardfin.

13 COMMISSIONER MARDFIN: I don't have any particular
14 ones, but I think we should discuss them.

15 ACTING CHAIRMAN U'U: Discussion? Commissioner
16 Guard.

17 COMMISSIONER GUARD: Yeah, on the map N-2 that we
18 started with, I wasn't sure if that showed the GPAC
19 boundaries and I guess the Director's boundary. Did that
20 also show proposed projects that had been requested by
21 developers and what we thought? Because if we are not given
22 that on the maps, all those meetings where the developers
23 came in to say, "Oh, please, include us" and then they may
24 not be on there. If we're just given two sets of documents
25 and we can't make our decision.

1 across from the Cannery just north of this Haiku
2 neighborhood, Haiku III.

3 COMMISSIONER MARDFIN: That would be outside both
4 boundaries?

5 MR. KING: As depicted on this map, this red
6 proposed rural lot project is outside both GPAC, department,
7 rural, and country town. So yes, that's correct, this red
8 one is outside of both.

9 COMMISSIONER HIRANAGA: Where is north?

10 MR. KING: Up is north.

11 ACTING CHAIRMAN U'U: Commissioner Hiranaga.

12 COMMISSIONER HIRANAGA: So the ocean is down here?

13 MR. KING: Yes.

14 ACTING CHAIRMAN U'U: Please speak into the mic,
15 Commissioner. Commissioner Mardfin.

16 COMMISSIONER MARDFIN: Okay, let's stay focused on
17 that. Right now I'm asking hypothetical questions, because
18 I just want to know what we can do. How many, if that were
19 included in, that's an urban growth boundary we are talking
20 about that they would like to be included in?

21 MR. KING: No, it's not. Rural.

22 COMMISSIONER MARDFIN: Rural growth boundary. If
23 it were included in the rural growth boundary, can you tell
24 me how many lots they'd be able to do and how much housing
25 they would be able to put in there?

1 MR. KING: Yes. However, this was not a
 2 stakeholder that came to you at the stakeholder's meeting.
 3 This is from a subdivision submittal to DSA, Department of
 4 Development Services Administration, DSA and Public Works.
 5 I have a separate list of stakeholders that approached you
 6 on July 21st. This tool I'm using is the identity tool.
 7 And for this project, Kauhikoa rural lots, it was proposed
 8 by this developer as a six lot residential on 2.55 acres,
 9 and it was proposed in 2006.

10 COMMISSIONER MARDFIN: Do we have any clue what
 11 the status of that is now?

12 MR. KING: No.

13 COMMISSIONER MARDFIN: Thank you. Now you're
 14 letting me know what kinds of information we can get to, and
 15 that's important to know.

16 ACTING CHAIRMAN U'U: Thank you. Commissioner
 17 Hiranaga.

18 COMMISSIONER HIRANAGA: So, you know, basically
 19 that's what I would like to have before the meeting, not
 20 during the meeting. So if we asked for specific areas, are
 21 you able to generate a map and email that to us? We are not
 22 asking you for the whole N-2, but if we ask you for Haiku
 23 Cannery, can you create something like that and email it to
 24 us with the current Community Plan, proposed Community Plan
 25 by GPAC, and the proposed Community Plan by the Director,

1 suggest is, kind of like Commissioner Mardfin did, just ask
 2 some questions and ask staff to pull up these layers. And
 3 we can pull up layer after layer and shift from a layer, and
 4 sometimes you want to go back and forth.

5 "What was the Community Plan?" "What was the
 6 state again?" "Can we go back to the Community Plan?" And
 7 I really think this is your tool that you should be focusing
 8 on, rather than having us spend time especially, but also
 9 resources in printing up paper maps.

10 ACTING CHAIRMAN U'U: I have a question. Maybe
 11 not at this meeting, but maybe at the next meeting if we can
 12 have a walk-through of the capabilities of the maps prior to
 13 starting. And my second question would be, how would the
 14 public be involved in the discussion, or is it a violation
 15 of the Sunshine Laws? That we're posting something, but we
 16 are not really giving them anything to go off of. Just out
 17 of curiosity.

18 DIRECTOR HUNT: Well, what happened at GPAC is the
 19 public would make comments specific to an area. And
 20 remember, what you're doing, and this is why this map is
 21 limited, is because this is what you are adopting. All the
 22 other layers is information that leads to this decision.
 23 And the public can figure it out, and especially if it's in
 24 their neighborhood or their own particular project, and say,
 25 "We wish to include it in the urban growth or the rural

1 and also proposed projects by the public?

2 ACTING CHAIRMAN U'U: Staff?

3 MR. KING: Would this be a written parenthetical
 4 textural description?

5 COMMISSIONER HIRANAGA: A copy like that. Just
 6 email that to me.

7 MR. KING: Okay. So how would you know the land
 8 entitlements from this map?

9 COMMISSIONER HIRANAGA: Well, we've got the key.
 10 I'm assuming you are going to be consistent.

11 MR. KING: I guess where I was going with this was
 12 parcel-based, or something that interpreting all the parcels
 13 in this map and what their current entitlement levels were
 14 at state land use, community plan, and zoning. That's
 15 beyond what I can do in this time frame.

16 ACTING CHAIRMAN U'U: Director Hunt.

17 DIRECTOR HUNT: There's actually a limitation to
 18 putting this information, digital information on paper, and
 19 I hope the Commission will get comfortable with the GIS that
 20 we have. I try not to brag, but we have gotten compliments
 21 from the private sector about how good this GIS is. We
 22 don't get comments from the private sector very much at all,
 23 let alone on technology where they usually have far greater
 24 resources in which to develop their technology.

25 Start playing around with it. And what I'd

1 growth boundary" and that's really the discussion. They're
 2 not going to ask to have a specific community plan
 3 designation. That's not appropriate at this level.

4 ACTING CHAIRMAN U'U: Commissioner Hiranaga.

5 COMMISSIONER HIRANAGA: So again, can you email
 6 this display that's currently on the screen to me? I don't
 7 need it on paper, but can you email that to me?

8 MR. KING: Yes. A screen capture can be exported
 9 as a PDF file, and it's what you see is what you get. It
 10 would just be what you see on the screen. Now, that
 11 wouldn't be a legal document. This is only a draft product,
 12 and the information displayed would not be legally binding.

13 ACTING CHAIRMAN U'U: Commissioner Hiranaga.

14 COMMISSIONER HIRANAGA: It would just provide me a
 15 basis to formulate questions when we actually have a
 16 meeting. But if I send you a request to say, "Can you send
 17 me Haiku III," you can do that?

18 MR. KING: Yes, with a qualifier. The format of
 19 our maps that we display as a product of the Planning
 20 Department, County of Maui, have to have a title,
 21 disclaimers, credits to the appropriate sources of the data,
 22 and as we display on the wall, you can see what's sort of
 23 called a title block. In addition to the data layout of the
 24 map, it has the information title block. That takes the
 25 most time to prepare. You have to develop a legend that

1 corresponds to how you have symbolized everything.
2 Yes, so a screen print is a couple of seconds, but
3 the title block of information could be several weeks.
4 That's usually done by the combination of a planner and
5 analyst and a technician with graphic design. To release
6 something from our department it has to have that title
7 block information. That's the biggest hurdle. That's legal
8 for the County of Maui.

9 ACTING CHAIRMAN U'U: Commissioner Hiranaga.

10 COMMISSIONER HIRANAGA: When you send your email
11 can you put a disclaimer, "The attached" and put a county
12 standard disclaimer? I mean I take your word that you are
13 going to use the same legend for N-2 that you are sending
14 me. It's just for preparation. There is no -- I am not
15 going to ask you questions per se, that's for the meeting.
16 I want advance access to these maps. I do not want to be
17 looking at this right now, and then a motion is going to go
18 on the floor.

19 ACTING CHAIRMAN U'U: Yes, no? Staff?

20 MR. KING: Mr. Chairman, I really need to defer to
21 my management and supervisors, because we are not to make
22 commitments like that.

23 ACTING CHAIRMAN U'U: Okay. Director Hunt?

24 DIRECTOR HUNT: We will try and come up with some
25 kind of email system. Maybe we can ask you not to forward

1 COMMISSIONER MARDFIN: And that's in large part
2 what we need, because we have been taking all this testimony
3 and we don't want to ignore what they've asked for. We
4 might not grant it, but we want to be cognizant of it. So
5 we need to know how it fits in to the GPAC boundary and the
6 Director boundary. And I think if we were limited to those
7 three things, at least in my mind -- I'll let the other
8 Commissioners speak for themselves -- in my mind, if we had
9 that for most of the areas, I would find that very helpful.

10 And I do understand turning it into a PDF so we
11 can look at it. We wouldn't be able to alter it in any way,
12 but you could expand a PDF on our own screen so we can look
13 at as much detail is there, and I would find that kind of
14 useful.

15 MR. SUMMERS: Mr. Chairman, we have that
16 information on the maps behind us. We can easily upload
17 that to the web so it can be available to not only the
18 Commission but also the public as a PDF. It can be zoomed
19 in on. These are up on the web as well, the actual maps
20 that are on the document. But these analysis maps behind us
21 can be uploaded to the web and made available to this body.
22 It has the information that you have requested.

23 ACTING CHAIRMAN U'U: Any more comments?
24 Commissioner Hiranaga.

25 COMMISSIONER HIRANAGA: Just for clarification,

1 it on to the public, so it's an internal working draft.
2 Again, when Mark does a snapshot there's limitations. To
3 ask Mark to map out the community plan, the state land use,
4 the zoning, the GPAC urban growth, the department's urban
5 growth, it starts getting really messy and even hard to
6 decipher. I mean a map with fewer layers is easier to
7 understand. And that's the beauty of the GIS, is we can
8 turn on a layer and turn it off with the click of a button.

9 ACTING CHAIRMAN U'U: Commissioner Mardfin.

10 COMMISSIONER MARDFIN: I see a lot of the value of
11 what Commissioner Hiranaga is asking for, but I also
12 understand what you're saying about limited areas. I think
13 the GPAC boundary, the Director's boundary need to be on
14 everything we get, because that's where we're making the
15 decisions. I find that red hatched area kind of
16 interesting, if that's some sort of -- the red hatched is
17 some sort of entitlement.

18 MR. KING: No. Mark King, staff. The red is a
19 proposed category. And as noted in the disclaimer of how
20 proposed is defined, proposed shows a developer intent
21 without any appropriate entitlement at this time. The red
22 one is one of your stakeholders. Alexander & Baldwin
23 Properties and HC&S did come and bring stakeholder
24 information for all five or six of the Community Plan
25 regions.

1 the PDF's you are going to provide are going to show GPAC
2 proposed Community Plan, Director's proposed Community Plan,
3 and the current Community Plan. Those are the three
4 overlays I would be interested in. I am not really that
5 concerned about state land use or current zoning.

6 MR. SUMMERS: Right. What they do is they break
7 out proposed projects, designated projects which are
8 projects that have Community Plan entitlement but not
9 zoning, and projects that are fully entitled, they have all
10 three. So that information is on those maps. The maps have
11 already been created. We can upload them and make them
12 available to everybody.

13 COMMISSIONER HIRANAGA: Thank you.

14 ACTING CHAIRMAN U'U: Director Hunt?

15 DIRECTOR HUNT: Again, just to be clear, there was
16 talk earlier about having the Community Plan designations on
17 there. We can abide Commissioner Mardfin's request to have
18 the department's Urban Growth Boundary, the GPAC's Urban
19 Growth Boundary, and the proposed developments. And there
20 are several different colors depending on the type of the
21 proposed development or the step of the development process
22 that it's in. But beyond that, I think that's all we're
23 committing to at this point.

24 COMMISSIONER HIRANAGA: How about the current
25 plan?

1 DIRECTOR HUNT: There are no Urban Growth
 2 Boundaries.
 3 COMMISSIONER HIRANAGA: But there are Community
 4 Plan designated areas.
 5 DIRECTOR HUNT: Can we add the CP layer?
 6 MR. SUMMERS: We can look at that. The thing
 7 about the designated projects is they would essentially
 8 encompass those Community Plan lands. If there's a project
 9 that's designated that's been proposed, it would be
 10 crosshatched in yellow. So it's not exactly the same thing,
 11 but it's close. We will look at what we can do to get all
 12 of the CP boundaries for you. But this information is very
 13 rich, and it should prove to very useful.
 14 ACTING CHAIRMAN U'U: Commissioner Mardfin.
 15 COMMISSIONER MARDFIN: I'd just like to say I
 16 can't speak for everybody else, I would love to see this
 17 material. I think we have here the base, we have the
 18 community, the GPAC plan and the Director's plan. If we
 19 additionally had the projects as shown up there, I think
 20 that would -- it won't solve all my issues, but it would
 21 allow me to come and ask intelligent questions when we get
 22 here and we can refine it on screen. I would appreciate
 23 that very much.
 24 ACTING CHAIRMAN U'U: Any more questions,
 25 comments? Commissioner Shibuya.

1 COMMISSIONER HIRANAGA: Just one last comment on
 2 agenda. Can you specify which Community Plan areas will be
 3 reviewed at each meeting, so we don't have people testifying
 4 on an area we are not really reviewing? It might cut down
 5 on the public testimony.
 6 DIRECTOR HUNT: How about if we lay out the first
 7 several of them. In case we get through one, we still have
 8 the ability to go to the next one because it's on the
 9 agenda.
 10 ACTING CHAIRMAN U'U: Thank you. Do we have a
 11 motion to adjourn at this time?
 12 COMMISSIONER GUARD: Move to adjourn.
 13 ACTING CHAIRMAN U'U: Move to adjourn by
 14 Commissioner Guard. Is there a second?
 15 COMMISSIONER DOMINGO: Second.
 16 ACTING CHAIRMAN U'U: Seconded by Commissioner
 17 Domingo. All those in favor say aye.
 18 (A chorus of ayes)
 19 The Planning Commission is adjourned.
 20
 21 (The proceedings were concluded at 5:15 p.m.)
 22
 23
 24
 25

1 COMMISSIONER SHIBUYA: I was concerned in terms of
 2 if I were to upload it on my PC would I be able to expand
 3 the image? Normally the PDF just comes up and I can't play
 4 with it.
 5 ACTING CHAIRMAN U'U: Staff?
 6 MR. MICHAELSON: Actually, Warren, if you have
 7 either 8 point or 9 point, there is a zoom-in tool with the
 8 PDF. We will make sure that the resolution is high enough.
 9 Because some of the PDF's that we have on the website now
 10 turn down the resolution so you can get it on your screen.
 11 So we will make sure that, you know, Kent's comments of
 12 being able to zoom in, we will get you something you can
 13 use.
 14 COMMISSIONER SHIBUYA: Thank you.
 15 DIRECTOR HUNT: Last one. Commissioner Mardfin.
 16 COMMISSIONER MARDFIN: I like that idea, the only
 17 concern is if you make it a million gigs we are not going to
 18 be able to download it.
 19 MR. MICHAELSON: That's the exercise.
 20 COMMISSIONER MARDFIN: That's the trade-off.
 21 MR. MICHAELSON: Balancing resolution by
 22 usefulness for you folks, and everyone else who goes on the
 23 website.
 24 ACTING CHAIRMAN U'U: Thank you. Commissioner
 25 Hiranaga.

1 CERTIFICATION
 2
 3 I, JEANNETTE W. IWADO, Notary Public for the State of
 4 Hawaii, certify:
 5 That the proceedings contained herein were taken by
 6 me in machine shorthand and were thereafter reduced to print
 7 under my supervision by means of computer-aided
 8 transcription; that the foregoing represents, to the best of
 9 my ability, a true and accurate transcript of the
 10 proceedings had in the foregoing matter.
 11
 12 Dated the 7th day of September 2009
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Jwado
 NOTARY PUBLIC, State of Hawaii
 My commission expires 2/5/12

