

PLANNING COMMITTEE
Council of the County of Maui

M I N U T E S

Council Chamber

February 5, 2015

CONVENE: 1:31 p.m.

PRESENT: VOTING MEMBERS:

Councilmember Don Couch, Chair
Councilmember Robert Carroll, Vice-Chair
Councilmember Gladys C. Baisa (left at 4:08 p.m.)
Councilmember Elle Cochran
Councilmember Don S. Guzman (left at 2:38 p.m.)
Councilmember Mike White (arrived at 3:49 p.m.)

NON-VOTING MEMBERS

Councilmember Stacy Crivello
Councilmember Riki Hokama (arrived at 1:42 p.m.)

EXCUSED: Councilmember Michael P. Victorino

STAFF: Jordan Molina, Legislative Analyst
Pauline Martins, Committee Secretary

Ella Alcon, Council Aide, Molokai Council Office (via voice conference)
Denise Fernandez, Council Aide, Lanai Council Office (via voice conference)
Dawn Lono, Council Aide, Hana Council Office (via voice conference)

ADMIN.: Michael J. Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel
Michele McLean, Deputy Director, Department of Planning
Mary Jorgensen, Senior Planner, Long Range Planning Division, Department of Planning
Jennifer Maydan, Planner, Long Range Planning Division, Department of Planning
Pamela Pogue, Planner, Long Range Planning Division, Department of Planning
Michael Napier, GIS Analyst, Long Range Planning Division, Department of Planning

OTHERS: Gwen Hiraga, Senior Advisor, Munekiyo & Hiraga

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Arlan Chun, Senior Vice President of Development & Construction,
Pulama Lanai
Lynn McCrory, Senior Vice President of Government Affairs, Pulama
Lanai
Kurt Matsumoto, Chief Operating Officer, Pulama Lanai
Ron McOmer, Community Plan Advisory Committee (CPAC)
Stan Ruidas
Sally Kaye, Lanai Water Advisory Committee (LWAC)
Plus (3) other people

PRESS: *Akaku Maui Community Television, Inc.*
Brian Perry, The Maui News

PC-11 LANAI COMMUNITY PLAN UPDATE (CC 14-283)

CHAIR COUCH: . . . *(gavel)* . . . Will the Planning Committee meeting of February 5, 2015 please come to order. It is now about 1:32. My name is Don Couch. I'm the Chairman of the Committee and before we start I would like to ask everybody to put their phones on, any kind of noise making device on silent mode or turn them off please. We wanna get through our meeting today and we got a lot of work to do. First I want to introduce our voting Members. We have Robert Carroll who's our Vice-Chair
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VICE-CHAIR CARROLL: Good afternoon.

CHAIR COUCH: --good afternoon. I was almost gonna say good morning. And then we have Councilwoman Gladys Baisa.

COUNCILMEMBER BAISA: Good afternoon, Chair.

CHAIR COUCH: Councilwoman Elle Cochran.

COUNCILMEMBER COCHRAN: Aloha, Chair.

CHAIR COUCH: Aloha. Council Vice-Chair, Don Guzman.

COUNCILMEMBER GUZMAN: Good afternoon, Chair.

CHAIR COUCH: Good afternoon and excused is going to be Councilmember Victorino and Council Chair Mike White, and then joining us shortly, he says he's on his way is non-voting Member, Councilmember Riki Hokama from the Lanai District. So it's important that he be here for this meeting. And from Staff we have Michele McLean, Deputy Planning Director.

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MS. McLEAN: Good afternoon, Chair.

CHAIR COUCH: Good afternoon. I see Pam Pogue in the back, Planning Program Administration, Administrator. Mary Jorgensen, Senior Planner and the project lead for this one. Jennifer Maydan, is she, yup she's here too, Senior Planner, and Michael Napier, GIS Analyst. Dan Huffman, McNulty-Huffman, GIS Analyst and Deputy Corporation Counsel, Michael Hopper. We have Committee Staff, Committee Analyst, Jordan Molina, he's gonna be running our maps today, and Committee Secretary, Pauline Martins. Alright, Members, the item on today's agenda is PC-11, which is the Lanai Community Plan Update. We're picking up where we left off on a day and a half worth of work on Lanai. Thank you for coming out there and sitting through all that stuff. Just to for the public the Committee is in receipt of the proposed bill to adopt the decennial revisions to the Lanai Community Plan, pursuant to Section 2.80B.090 of Maui County Code. Alright, we're gonna be ready to start public testimony here in a second. Just wanna make sure that everybody is aware that testimony is limited to three minutes and if you...you have one minute to conclude if you request the minute. And testifiers are requested to state their name and indicate who they are represented. Alright, here we go. Let's see, do we have any testifiers here? Doesn't look like it, I don't see any. Alright so let's go with Molokai, do you have anybody there for testimony?

. . . BEGIN PUBLIC TESTIMONY . . .

MS. ALCON: Good afternoon, Chair. This is Ella Alcon on Molokai and there is no one here waiting to testify.

CHAIR COUCH: Thank you. Okay. Hana, do have anybody ready to testify?

MS. LONO: Good afternoon, Chair. This is Dawn Lono at the Hana Office and there is no one waiting to testify.

CHAIR COUCH: Thank you. And I'm sure Lanai has a few people. Lanai?

MS. FERNANDEZ: Good afternoon, Chair. This is Denise Fernandez on Lanai and we currently have three testifiers. The first one to testify is Ron McOmer, testifying on Item Number PC-11.

MR. McOMBER: Good afternoon, Chair, members of the Council.

CHAIR COUCH: Can you get a little closer to the phone, Mr. McOmer, please? We can hardly hear you.

MR. McOMBER: Okay well hang on, I'll get closer to it.

CHAIR COUCH: Okay.

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MR. McOMBER: First time in my life that somebody said they couldn't hear me. I'm here to testify; basically I'm here to see the continuation of our meeting on Lanai. At this time I really don't have anything other than to tell you that I want you to understand that we are resources, the ones of us in the CPAC are considered resource people on this item. We were told at the beginning that we could follow this all the way through, through the LPC and through your meeting and your decisions and your decisions on Lanai. At this time, it's really unfair for me to make a general statement other than we are here to see what is the final, going to be the final product and hopefully you, and I know that you're coming back Lanai to do the final hearing on Lanai, I hope.

CHAIR COUCH: Yes.

MR. McOMBER: Understand right now I don't really have much more to say to what I said before other than 'cause I have no idea what you're gonna talk about today. I would like to have that opportunity later on. If there's anything that we need to discuss I would like to discuss that later on in the meeting. Thank you, Chair.

CHAIR COUCH: Thank you. Members, any questions of the testifier?

COUNCILMEMBER BAISA: No questions.

CHAIR COUCH: Seeing none, next testifier?

MS. FERNANDEZ: The next testifier is Stan Ruidas testifying on Item Number PC-11.

MR. RUIDAS: Good afternoon, Chair Couch and Councilmembers.

CHAIR COUCH: Good afternoon.

MR. RUIDAS: Will I be able to testify on the previous meeting or just the ones that coming up today?

CHAIR COUCH: All of the above, it's all one item.

MR. RUIDAS: Okay. Let me start on the housing since you guys gonna hit the housing first. Please don't delete the items in red because that was there for a reason, and a little history on that is when we was on the Planning Commission, we always referred anything to do, anything beginning with TVRs, B&Bs, and Short Term Rentals to the Community Plan Update. Although we cannot write this as a policy we still need to have it in our Community Plan. Because it may, it might work for Maui, but not for Lanai. Like many issues. Lanai is its own unique character; therefore, the best solution for this is to empower the Lanai Planning Commission to determine regulations that will work for Lanai only. And that's for the whole Housing section that you guys deleted on Page 11-3, 11-4, 11-6. And then I'd like to go back on Page 4-3, 41-42 Line, encourage review of the SMA areas to reduce risk from hazards.

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The purpose of that was to identify the flood zones and Coastal Zone Management area and also potential hazards to historical and cultural sites. Next one is 4-5, please do not delete Table 1, 4.12, again regarding to the SMA. You know, a lot of these items like on Page 5-4, it hits for Line 46-47, Item 13, Policy 13, we put, we wanted to update our SMA area, but this has been going on for the last five years and someone's blocking it in the Planning Department, because every time we wanna change it, it gets shut down, so anyway that's the history on that one. And then Page 6-3, Strategy 2B, do not delete Lines 24 to 26. Again regarding to the subject of the TVRs and B&Bs. And then history on Page 7-15, Table 7.5, item 7.26, install steel posts for primary utility lines, I know you guys went through that I heard you guys had some discussion. Well the history on that was to make Lanai, primary lines bulletproof so that in case of a hurricane which we had two last year, potential hurricanes, we could have been wiped out because all these buildings on Lanai is only rated to not more than a Category 2. If a Category 4 came here we would be wiped out. And also Pulama added underground transmission lines and I don't see it in here. And that's the end of my testimony for now. Thank you.

CHAIR COUCH: Thank you, Mr. Ruidas. We have all kinds of different people wanting to ask you questions, so hang on.

MR. RUIDAS: Okay.

CHAIR COUCH: Mr. Guzman?

COUNCILMEMBER GUZMAN: Thank you, Chair. Can the testifier put, does he have that in writing, if they can send it? There was so many different requests and deletions that I couldn't keep up. So if they could possibly submit written testimony...

MS. FERNANDEZ: We can't hear.

CHAIR COUCH: Okay the question or the question was do you have all that testimony in writing and can you please submit it, so we can, 'cause you, there was a lot of requests in there.

MR. RUIDAS: I know I had last minute three minutes so I kind of rushed it in. I'll make a written testimony.

CHAIR COUCH: Please do and submit it to us.

MR. RUIDAS: Okay.

CHAIR COUCH: I know I have a question. The steel poles, what item was that again do you remember?

MR. RUIDAS: That was Page 7-15, Table 7.5, item 7.26, the third policy, third action, I sorry.

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CHAIR COUCH: Okay. I still can't find that but I'll, I know we talked about coming back to that, because we wanted to find out from, oh yeah there it is, we wanted to get comments from you guys as to were you folks aware of what these poles look like and if you're okay with that, that's fine as well.

MR. RUIDAS: Yes. We've discussed it and we came to the conclusion that you can paint the poles and it doesn't have to be big ones like you guys have in Maui. Because the voltages are not as high as you guys, and the capacity. So it can be the same height as it is right now or placed underground, and aesthetics wouldn't prevail over functionality and survivability of Lanai.

CHAIR COUCH: Okay. So you wanted to add undergrounding?

MR. RUIDAS: Yes. If it was mentioned before but I didn't see it in the update.

CHAIR COUCH: Okay. Alright any other, Members, any other questions to the testifier? Seeing none, thank you and can we have the next testifier please?

MS. FERNANDEZ: Okay. The last testifier is Sally Kaye, testifying on item PC-11.

MS. KAYE: Good afternoon, Chair Couch and Members of the Committee. I wanna start by thanking you for this opportunity to communicate remotely, it makes all the difference in the world. I submitted written testimony, I had nothing else to add at this time but would be available to answer questions. Thank you.

CHAIR COUCH: Great. Thank you. Members, any questions to the testifier? She submitted written testimony I think a couple days ago, at least it came on, it's on SharePoint for those of you who got the e-mail. I think everybody got the e-mail and I took a look at it, it's pretty succinct and very detailed testimony. And if you are looking for it I don't think it's gonna be in the binders, it's gonna be on SharePoint if you want a copy either you can have your Staff do it or maybe we can get somebody later on if we get up during the break to get that taken care of. Alright, so nobody else is over there on Lanai?

MS. FERNANDEZ: Yeah, there's no one, nobody else waiting to testify.

CHAIR COUCH: Okay and I understand that some of these folks wanna be considered as resource if we need them, little bit later.

MS. FERNANDEZ: Yes.

CHAIR COUCH: Okay.

MS. FERNANDEZ: They'll be here in the Office available.

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CHAIR COUCH: Okay. Hang around and I'm also aware that you really don't have any video at this point, you're just doing over the Poly-com.

MS. FERNANDEZ: No, actually we do have video. We just set it up yesterday.

CHAIR COUCH: Oh, okay. Oh, excellent. Okay, that's good 'cause we're gonna be doing a few maps. So it would be good to be able to ask you and point to the map. Alright, thank you.

MS. FERNANDEZ: Thank you.

. . . END OF PUBLIC TESTIMONY . . .

CHAIR COUCH: Members, I don't see anybody here wanting to testify, last chance going once. Okay, seeing that there's nobody here to, wanting to testify and everybody else on the District Offices have not come up to testify, without any objections, we'll close testimony?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR COUCH: Okay. Here we go. We're not gonna, that's gonna be Molokai and Hana, beeping off in a little bit here. Okay. We have a handout that came from the Hawaii Board on Geographic Names and geographic names used in the Lanai Planning, Lanai Community Plan Update. So I know there were some questions on place names and why, what was taken as part of the name so, Members, take a look at that, if you have any questions we'll be glad to discuss it when we're done, when we go through our first pass. Members, last time we ended up on Chapter 8, Public facilities and services, all the way down to Health and Social Services starting on Page 8-13. If you wouldn't mind turning your binders to that page and we can start, or if you're going off the list, if you recall we went off the list of suggested changes by the Planning Department if it's easier for you to take a look at that. And our problem that we ran across under Health and Social Services, there was a lot of support the development of this and support the establishment and support, and there was question on why are we, I mean how are we going to support State functions? And I think after discussion with some folks, encourage it instead of support is probably the best thing to say for a County. If the County wants to encourage certain things from the State we're good at trying to encourage the State, I'm not sure how effective we are sometimes. But if anybody has any other comments on that, and Mr. Hokama, I wanna acknowledge the presence of Mr. Hokama, he's here. I think that's the tact we should take when we go through this. If you look at Page 8-13, Line 5, it says support the development of palliative care services and hospice. And we all agreed on yeah, we can support the development, but after thinking about it without any objection, I'd like to change the word from support to encourage.

COUNCILMEMBER BAISA: No objection.

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COUNCILMEMBER COCHRAN: Sorry where is, what item is this? 8-13?

COUNCILMEMBER BAISA: Yup.

COUNCILMEMBER COCHRAN: What item?

COUNCILMEMBER BAISA: I don't know exactly which number.

COUNCILMEMBER COCHRAN: Sorry, Chair?

CHAIR COUCH: Yes.

COUNCILMEMBER COCHRAN: Can you bring me up to speed exactly what item is this? I know its 8-13.

CHAIR COUCH: Eight dash thirteen, Line 5, revised strategy 2C.

COUNCILMEMBER COCHRAN: Line 5...okay, thank you.

CHAIR COUCH: Okay. Then you go to 8-14, I'm sorry 8-15, -13, Line 9, revised Strategy 2D. Where it says the Planning Department says support the establishment of inexpensive, non-emergency medical transportation for Lanai residents who are hospice patients within the State of Hawaii to return to Lanai. Members, this was a very interesting discussion I had with a member of the CPAC, I think, over there. He said he put that in there because his father who was a 90-year resident of Lanai had a condition that he had to be air medevacked off to Oahu and where it was found it was gonna be terminal and so he wanted to go to hospice back on Lanai and there was no transportation available. Air Medevac wouldn't do it 'cause it wasn't an emergency, airlines wouldn't do it because he's been classified as a hospice patient. They won't take hospice patients, and I believe there was one, you know, he looked all over the place and found one way of getting his dad back but it was prohibitively expensive, around two or three thousand dollars so that's why that item was put there. I'm not sure what we can do other than what we can encourage some breaks from the airlines or say hey look, if we get a doctor's note and we take full responsibility of the patient or something like that, so I think I'm fine with changing the word to encourage the establishment of inexpensive non-emergency transportation. If anybody has any other suggestions I'm wide open for that. But that was a kind of, kinda hit close, you know, it kind of hit home certainly to that gentleman and to anybody who says they wanna get their loved ones back to their, you know, to their home if they have to go off. You can't go on a boat. I mean there was a lot of stuff that just prohibited him from coming back so any comments on that, Members?

COUNCILMEMBER BAISA: I support your idea.

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CHAIR COUCH: Okay. So we're gonna change that to encourage the establishment. Okay consensus?

COUNCILMEMBERS: Consensus.

CHAIR COUCH: Okay. Page 8-13, dash...Line 17, revised Strategy 3. And Strategy 3 says ensure that there is adequate funding for social and mental health services, including foster care. Planning Department suggests to say support efforts to provide adequate funding for social and mental health services, including foster care. Some of those things we can do so I'm fine with leaving support in there. Members, any concern with that? Consensus? Okay. I don't hear any non-consensus so I'm gonna assume consensus if I don't hear anything. Page 8-13...

COUNCILMEMBER HOKAMA: Chairman?

CHAIR COUCH: Yes, sir. Mr. Hokama?

COUNCILMEMBER HOKAMA: You know, I just want us to be clear. We can be supportive but this is not within the domain of the County.

CHAIR COUCH: None of this?

COUNCILMEMBER HOKAMA: Well, basically this is by State Constitution, a State responsibility. Okay and well, so at the Federal level right now, I don't know what ACA can or cannot cover in this particular areas. But, you know, we can be as encouraging as possible.

CHAIR COUCH: So you prefer the word encourage...as opposed to support?

COUNCILMEMBER HOKAMA: Well, I'm gonna say what can we do to force it, we cannot force it.

CHAIR COUCH: Do we not fund some mental health?

COUNCILMEMBER HOKAMA: Discretion or ...*(inaudible)*...

CHAIR COUCH: Disconnect...

COUNCILMEMBER HOKAMA: But we're not required to fund.

CHAIR COUCH: Okay. Okay. Chair Baisa, you?

COUNCILMEMBER BAISA: I agree with Mr. Hokama. You know, some of this is definitely not in our purview, but it's okay for us to try to help where we can. And that should be discretionary at our discretion.

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CHAIR COUCH: Okay. So encourage then. Without objection, we'll do encourage. Consensus. Page 8-14, Line 12...on Policies, Number 1. It says support improved accessibility to medical, dental, and vision care...and encourage, I wanna change support to encourage. Consensus? Okay. Page 8-14, Line 14, and again it says support the expansion of public health programs, services and facilities that support family planning and the special needs of children, elderly and immigrants...encourage the expansion. Mr. Hokama, you okay with that? That one, I know that one's a tough one.

COUNCILMEMBER HOKAMA: Just takes taxes, Chairman.

CHAIR COUCH: Yup. So changing the word to encourage, consensus?

COUNCILMEMBERS: Consensus.

CHAIR COUCH: Okay. Page 8-14, Line 18. It says, the suggested change is to support the long-term integrity of medical and emergency medical facilities and services with adequate funding for staff programs and capital improvements. Again encourage the long-term integrity, encourage the...Line 18, Page 8-14...yeah, encourage the long-term integrity, that's fine, encourage will work. Consensus?

COUNCILMEMBERS: Consensus.

CHAIR COUCH: I know you guys all wanna get to Chapter 9, I know we got to get through 8 first. Page 8-14, Line 22, and it says support the development of an eldercare infrastructure system, including health and social programs for the elderly, services and facilities for 'aging in place' as well as palliative care services and hospice facilities for the dying. We do a lot of that already. I'm fine with leaving support there. Except for the Budget Chair may rather see encourage...Mr. Guzman?

COUNCILMEMBER GUZMAN: I'm sorry, Chair, to put this out but, you know, I wanna, I, just a clear explanation as to it sounds as though you're shifting from encouraging to support, support to encourage. Is there a degree, so you're --

CHAIR COUCH: The degree is--

COUNCILMEMBER GUZMAN: --saying that encourage is a lesser degree than support and who are we encouraging?

CHAIR COUCH: We're encouraging the State when it's a State function. If it's something that we do and it could be our function, if it's not as Ms. Baisa and Mr. Hokama said --

COUNCILMEMBER GUZMAN: Okay, okay, so.

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CHAIR COUCH: --if it's not discretionary then if we, it's something that we actually do then I'm fine with support.

COUNCILMEMBER GUZMAN: Okay, okay.

CHAIR COUCH: Does that make sense?

COUNCILMEMBER GUZMAN: That makes a clear line there. Okay, very good.

CHAIR COUCH: And I think these are some of the things that we actually do so I'm fine with support. But I defer to the Budget Chair, on this one.

COUNCILMEMBER HOKAMA: You know what, Mr. Chairman. I would just say that I don't have a problem keeping these community requests in a overall plan for guidance for the island. I think this will also help our State Legislators --

CHAIR COUCH: Right.

COUNCILMEMBER HOKAMA: --understand the needs of the island. So I don't have a problem placing it in a document that we can refer to for assist the State in how the island would like to be viewed and treated from a State perspective. So from that point I'm very supportive. I just want, you know, the County to know that at the end of the day it will come down to what the County can afford to pay.

CHAIR COUCH: Exactly. Mr. Guzman?

COUNCILMEMBER GUZMAN: So, Chair I would encourage you to somehow put that language in here that there's a clear line between what is support and encourage. So that there's --

COUNCILMEMBER HOKAMA: In the definitions.

COUNCILMEMBER GUZMAN: --oh yeah, in the definitions.

CHAIR COUCH: Okay. We can do that.

COUNCILMEMBER GUZMAN: Okay. Thank you.

CHAIR COUCH: Okay. So consensus on saying support development of eldercare and infrastructure --

COUNCILMEMBERS: Consensus.

CHAIR COUCH: --consensus, okay. Page 8-14, Line 27...it says, the old language was provide and support the provision, I'm sorry provide and support short-term and long-term nursing care on the island. Certainly that is a State function. The Planning

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Department says support the provision of, and I wanna change support to encourage the provision of. Any questions if not consensus?

COUNCILMEMBERS: Consensus.

CHAIR COUCH: Okay. Page 8-14, Line 30. It says support the provision of social services for immigrants...any...and we do that.

COUNCILMEMBER BAISA: We do?

CHAIR COUCH: Even though that's almost a Federal function, isn't it? But we have a whole Department called Immigration Services. So I'm fine with leaving it with support. Budget Chair?

COUNCILMEMBER HOKAMA: It's something the County's been doing from the late '60s if I recall correctly, to help mitigate issues of, you know, some of our new residents in the County if I can say it that way, Mr. Chairman. You know, for Lanai it helped tremendously our Filipino community. I know through MEO's efforts we have helped the Hispanic community greatly. And I think that has helped to ease transitioning of becoming contributing residents of this County. But then again, Chairman, we provide what we can afford.

CHAIR COUCH: Okay, moving right along, we're almost done with Chapter 8, 8-14, Line 33. That says, it's been changed to support the provision of social services for children and then youth. We do that as we, I mean though many of our nonprofits so I'm fine as leaving that as support. Members, consensus?

COUNCILMEMBERS: Consensus.

CHAIR COUCH: Okay. Page 8-14, Line 36. It says support activities to provide adequate emergency sheltering for family intervention needs. And again a lot of this we do so I'm fine with support. We do that through many of our nonprofits and, Mr. Budget Chair?

COUNCILMEMBER HOKAMA: I think if you ask the community CDFL the Coalition for a Drug Free Lanai has done great work. They've leveraged every dollar the County has supported them with, with other grants and donations, so for Lanai I believe it works well and it helps the community fight those issues of young and old alike regarding whatever it be drugs, alcohol, physical abuse, mental abuse, so I can be very supportive, Chairman.

CHAIR COUCH: Okay, great thank you. I'm sure Mr. Guzman encourages that. Alright, Page 8-14, Line 39. It says support the provision of alcohol and substance abuse treatment services. We do that in spades I'm sure. Again, CDFL and other.

COUNCILMEMBER BAISA: Lots of others.

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CHAIR COUCH: Lots of other ones. So, consensus?

COUNCILMEMBERS: Consensus.

CHAIR COUCH: Page 8-14, Line 42. Alright, we're getting down to the bottom here. Support the continuation of social services for victims of domestic violence, child abuse and neglect, and sexual abuse. And again we do that again quite a bit so I'm assuming consensus on that one?

COUNCILMEMBERS: Consensus.

CHAIR COUCH: Okay, Page 8-15, we're in the table now, the Action table. Item 8.21, it says assist with the development of a master, of a master or strategic plan for health care services on Lanai. And the lead agency is DHHC which is our Housing and Human Concerns and there's a long list of other agencies, partner agencies that are involved. Any questions, consensus on that?

COUNCILMEMBERS: Consensus.

COUNCILMEMBER HOKAMA: Chairman?

CHAIR COUCH: Yes, Mr. Hokama?

COUNCILMEMBER HOKAMA: I would say this would be something great for us to maybe remind our State Legislators that there is a State health functional plan that they should maybe update and use that opportunity as a way to assist all islands regarding a master plan for health care especially with the physical issues that the system is currently facing.

CHAIR COUCH: Oh yeah and it's timely as well.

COUNCILMEMBER HOKAMA: So for me it's a big thing, Chairman. 'Cause whatever happens to Maui Memorial will impact not only Lanai Hospital but Kula Hospital.

CHAIR COUCH: Yeah.

COUNCILMEMBER HOKAMA: And so for this County's ability to provide care to our residents, it's a very top priority for me.

CHAIR COUCH: Okay. Do you want stronger word in there, words in there?

COUNCILMEMBER HOKAMA: I think we, we'll see how the State responds. I think Speaker Souki has been very supportive of our proposals and our issues we bring up to the House, and I think the Senate will be responsible also, but I would like to us to try and work collaboratively than confrontationally at this time.

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CHAIR COUCH: Okay. Thank you. Item Number 8.23 it says assists with the preparation of a Master Plan for the Lanai Community Hospital and related medical facilities. So and at again DHHC, Housing and Human Concerns and then on the other side a long list of partners. Consensus on that?

COUNCILMEMBERS: Consensus.

CHAIR COUCH: 8.24, it says assist with the activities and projects that improve and enhance short-term and long-term nursing care services and facilities on the island. The lead agency would be DHHC and State DOH and a long list of others on the partners. Consensus?

COUNCILMEMBERS: Consensus.

CHAIR COUCH: Okay, we're on Page 8-16 now. Action table 8.5, Item Number 8.26. Assist with the development of palliative care services and hospice facilities for the dying. And again that was part of the policies so I'm guessing that action is fine. Unless I hear any otherwise we're going to have consensus?

COUNCILMEMBERS: Consensus.

CHAIR COUCH: Okay 8.29, it says continue to work with other organizations to maintain funding for the network of services for alcohol and substance abuse. Again DHHC is the lead agency and State Department of Health and CDFL are listed as the partners. Consensus?

COUNCILMEMBERS: Consensus.

COUNCILMEMBER HOKAMA: So, Chairman?

CHAIR COUCH: Yes, Mr. Hokama?

COUNCILMEMBER HOKAMA: For .27, .29, .30, you want to retain the word ensure...because this is all, the main lead agency in my perspective is the State and --

CHAIR COUCH: And I'm fine with that.

COUNCILMEMBER HOKAMA: --just to ensure that the State does it.

CHAIR COUCH: But we also through DHHC do a lot of that as well.

COUNCILMEMBER HOKAMA: Correct but I won't do the State's job.

CHAIR COUCH: Okay. So you'd rather say...assist with the funding and support?

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COUNCILMEMBER HOKAMA: I think we should make it so that, you know, I don't have a problem with the County doing what we can. But I don't want, you know, a misconception that we're assuming certain things from the State. It's very clear in the Constitution what they're responsible for.

CHAIR COUCH: So do you have any suggestions on what you wanna say there other than maybe assist, well, assist might imply that we will, even though we do.

COUNCILMEMBER HOKAMA: Are, well, that's what maybe, you know, we need maybe some further discussion on, because I mean we can say ensure funding and they State can say yeah, we gave you, you know, \$10,000 even if you needed \$100,000. But we gave you funding so we ensured funding might not be adequate funding but we gave you funding, that doesn't help the program or the needs on the island.

CHAIR COUCH: Yeah and I'm sure, you know, as far as that's concerned I don't think that any of the agencies that do this including our nonprofit agencies here and our departments have adequate funding even if we had all the funding that we could give 'em it's, a lot of it is not adequate.

COUNCILMEMBER HOKAMA: If I may --

CHAIR COUCH: Yeah, please.

COUNCILMEMBER HOKAMA: --with, you know, the Committee's indulgence, I would ask our Deputy Corporation Counsel, how would you view the word ensure, guaranteed funding, mandated funding? How would you give us this afternoon your thoughts, Mr. Hopper?

MR. HOPPER: Thank you, Mr. Chair. As with everything in the Plan, funding responsibilities are going to be contingent upon the County passing its annual budget and appropriating money, and that would be for this Council or any future Council. So nothing in the Plan is going to force the funding. Having said that, if there's a concern that ensure is going to lead to a statement that would pave the way for a change in responsibilities you could certainly look for a different wording. I mean there's a myriad of different options I think available to the Council in this type of policy language if members are uncomfortable with that language.

COUNCILMEMBER HOKAMA: Well my thing, Chairman, is, you know, there's gonna be eight other plans after Lanai.

CHAIR COUCH: Yup.

COUNCILMEMBER HOKAMA: And we need to be consistent in all plans.

CHAIR COUCH: I'm...

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COUNCILMEMBER HOKAMA: Maybe the Deputy Director of Planning may give us a recommendation, Mr. Chairman, if you would allow?

CHAIR COUCH: Yeah that's fine, I was gonna to suggest encourage funding and support of child welfare but. Ms. McLean?

MS. McLEAN: Thank you, Chair. I had a similar thought again with keeping in mind that the lead agency for this responsibility is our County Department of Housing and Human Concerns. Something like encourage adequate funding for the child welfare and social services. That would be DHHC asking that of the Council during budget and also asking the State, it doesn't limit it to where the funding would come from. But it puts a responsibility on them to encourage adequate funding.

COUNCILMEMBER HOKAMA: Okay. Thank you, thank you.

CHAIR COUCH: Okay so.

COUNCILMEMBER HOKAMA: I have only one logistical concern, Chairman. Session will end before we conclude budget. And I really don't need every single agency that doesn't get their funding from the State to come to the County thinking we're gonna help every program.

CHAIR COUCH: Right, right.

COUNCILMEMBER HOKAMA: It's not gonna happen I can tell you that.

CHAIR COUCH: I agree with you. Alright, so.

COUNCILMEMBER COCHRAN: Chair?

CHAIR COUCH: Yes, Ms. Cochran?

COUNCILMEMBER COCHRAN: I don't wanna really toss this out there but I during other plan items in, you know, going to the Maui Island Plan it was the whole may and shall wording that made it either teeth or no teeth to a type of action or policy. I mean I don't, may, shall, you know, if that applies here, you know, 'cause we're tossing around the encourage, support, ensure, those three words that are, some are stronger in saying yeah we are and others are like well we could or could or may or may not.

CHAIR COUCH: Well and I know the concern of the Budget Chair and my concern as well is the, a lot of these are State functions.

COUNCILMEMBER COCHRAN: Right.

CHAIR COUCH: And we can't shall on State functions because we can't tell the State what do, as much as we'd like to.

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COUNCILMEMBER COCHRAN: And that's why the may, I mean we may or may not, it's like is it okay with us, we will if not then we're not. It's but again it's that wordsmithing stuff that we all love to do.

CHAIR COUCH: Yes, I know.

COUNCILMEMBER COCHRAN: Just comments.

CHAIR COUCH: So Members, on Number 8.27 in your, in the Plan, the suggestion from Mr. Hokama and my suggestion as well is to change the word ensure to encourage where it says encourage funding and support of the child welfare and social services network and auxiliary support services including foster care. We have consensus on that?

COUNCILMEMBERS: Yes.

CHAIR COUCH: Okay, his also, also is comment for 8.29, Planning had kind of the same idea as him on that one. It says continue to work with other organizations to maintain funding for the network of services for alcohol and substance abuse. So that's broad enough that we can work with the State and continue to maintain our funding as well. Is that broad enough for you, Mr. Budget Chair?

MR. HOKAMA: Uh-huh.

CHAIR COUCH: Okay. So, Members, consensus on that one?

COUNCILMEMBERS: Yes.

CHAIR COUCH: Okay. And then Mr. Hokama had 8.30 instead of saying ensure, support say encourage support and funding for the network of services for domestic violence, sex assault, and families in crisis. So consensus for encourage?

COUNCILMEMBERS: Consensus.

CHAIR COUCH: Okay, great. Last one for Chapter 8, 8.31, the new wording is participate in the development of an integrative, collaborative network to address the health care needs of the community and moving DHHC as the primary lead partner, I mean lead agency and the State DOH and all the other partners listed above as partners. So do we have consensus on that?

COUNCILMEMBERS: Consensus.

CHAIR COUCH: Great...speak up.

COUNCILMEMBER HOKAMA: Mr. Chairman?

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CHAIR COUCH: Yes, Mr. Hokama?

COUNCILMEMBER HOKAMA: I wouldn't mind if the Committee would consider as partners or under the lead County, the Council on Aging. It seems to be working quite much better than I had anticipated. There's a lot of interested, concerned Lanaians that now participate, you know, we just approved the or confirmed the nominee of Valerie Janikowski for the Council of Aging and then with the help of veterans like Nancy Tamashiro and others, Maggie Masicampo, you know, we've got a good group of Lanaians that can give a good perspective of the needs of our island elderly components.

CHAIR COUCH: Members the suggestion was to, I'm thinking partners since you should only have one lead agency usually I would think. Department, is that right? Under partners that we put Council on Aging on almost every one of those. Except for maybe 8.27, 8.28.

COUNCILMEMBER HOKAMA: I just want, Chairman, I, my point was just trying to get that and to ensure that Lanaians get to participate.

CHAIR COUCH: Yup. And I'm fine with that. Where appropriate I guess we'll put Council on Aging in those partnerships. Members, any concerns with that? Okay. Alright, now we're on Chapter 9, this is the big one.

MS. McLEAN: Chair?

CHAIR COUCH: Yes.

MS. McLEAN: Sorry, before we go there, just one very minor edit.

CHAIR COUCH: Okay.

MS. McLEAN: On table 8.5, item 8.29 where DHHC was added as the lead agency, we just need to strike it from the partner column that's all.

CHAIR COUCH: Oh, okay.

MS. McLEAN: Thank you.

CHAIR COUCH: You got that Jordan? Members, consensus on that?

COUNCILMEMBERS: Consensus.

CHAIR COUCH: Done, alright, Chapter 9, we're gonna go with the Planning Department to give us an overview of what's in Chapter 9 and what some of the issues are and the highlights.

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MS. JORGENSEN: Thank you and good afternoon, Chair and Councilmembers. I'm Mary Jorgensen with the Department of Planning, and Chapter 9 is Land Use, one of the key chapters within the document and one of the ones that both the CPAC and the Planning Commission spent a lot of time on. So it has in the beginning it provides background and a key part of that is the existing conditions to know what is the currently on the ground and what type of development is there, and then it goes into what are the future uses of the land that are possible. One piece that was added between the CPAC and when the Lanai Planning Commission reviewed it, was the Land Use Planning principles and standards. This is required by 2.80B and would guide the decisions of how the development would occur within the area. There's also a section that is called Future Conditions - Planned Growth, and in 2.80B Lanai island is not required to have Growth Boundaries but we are required to show where the growth areas will occur. And these are shown in the Plan as conceptual planning phase or the pre-design proposals that were brought from Pulama, Lanai and the community discussed them and we'll go into those in depth further or later on. There's also a Table 9.3 that gives a lot of the details in terms of what those growth areas are, what kind of land use, uses are within them, the different categories and designations and the acreage for each area. And as in previous chapters, there's a section on Issues and Strategies. Some of the key issues where that most of the island is in Interim zoning. There's always a concern about ecological lands being lost or degraded as well as the cultural lands and archeological sites. And then there was discussion in CPAC about project districts. What was the status of certain agreements and the existing Code doesn't allow at this time mixed-use residential. But during the Lanai Planning Committee at commission process we added mixed-use residential, and they agreed to have that for all of the, all three of the residential areas. So that will have to later on will require being entered into Code. And there is again goals, policies, and actions within the Chapter. So to highlight a little bit of what was changed between the CPAC draft and what the Planning Commission added, we did as, made, the Department made the recommendation for adding the new table of land use planning principles and standards. We also filled in where it was required by 2.80B to have some sort of statement on what is the sequence of the new development and that's in the future conditions on Page 9-3. And one of the key things on the sequence is providing housing in a timely manner, and the, during testimony at the Planning Commission, CPAC members recommended that a statement would be added, that the CPAC predicated their decisions on the availability of significant additional water sources for the future development proposals, and the Planning Commission added that to Page 9-4 and again the mixed-use residential land use designation was given to the residential expansion areas which have a common name of Lanai City expansion area, Manele Mauka, and Kaumalapau residential. So that highlights the differences. Thank you.

CHAIR COUCH: Any comments from Ms. McLean?

MS. McLEAN: No comments. Thank you, Chair.

CHAIR COUCH: Okay. Thank you. Alright, Department and Members, I have a couple

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questions that were brought up by Staff, and it's important to figure out how we're gonna deal with this. One of the things that we wanna talk about is how does the Department handle the fact that the technical studies predated Pulama's purchase. Is there any difference in the technical, would there, did the purchase make any difference in the technical studies?

MS. JORGENSEN: One of the studies was with John Knox did the economic study for both Lanai and Molokai. And he did come to the meeting, one of the early meetings of the CPAC and discussed that study and the early proposal by Pulama Lanai. And at that time, he said a lot of what was in the study was still very much relevant. Other studies that we used which were that came out of the General Plan for Maui were for those in infrastructure and those were already Lanai was included in there. But they were 2003 studies that were used for the General Plan. So those may need some update. There isn't for transportation. There wasn't a detailed study. So I think in terms of the technical studies that they were still relevant and that at the time that specific development proposals are brought forward would be when you could have additional information brought that would relate to the more specific site design for that area.

CHAIR COUCH: Okay. Members, any comments, questions on that? And the other, Mr. Hokama?

COUNCILMEMBER HOKAMA: So as a follow-up Chairman to regarding that comment on the 2003 studies in possible need for update. When are we gonna make that determination for the update?

CHAIR COUCH: Department?

COUNCILMEMBER HOKAMA: Can I ask us for move that forward next year, this budget cycle?

MS. JORGENSEN: The County of Maui infrastructure assessment update of 2003, those systems like roadways, drainage, water, wastewater, telephone, electrical system, the, those all could be addressed, you know, as development proposals come within these growth areas. The growth areas are giving a general land use designation and so the specific needs for transportation, street standards, water availability in particular. Those could be brought forward in studies that would be required of the site design.

COUNCILMEMBER HOKAMA: Okay. I can see it from that point of view. How does the County prepare our finances for our required services? Whether it be Police, Fire, sewer, when do we get the studies and those financial updates to figure out how we're gonna fund? Because I can tell you now the mood in DC is that we're not going to get Federal dollars. So how we gonna pay for all of this things? So when do we get those updated numbers, so we can financially plan the County's long-term needs?

MS. McLEAN: Our community plans have typically before the recent changes with 2.80B

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have typically been land use plans. And the technical studies were really to paint a big picture on which specific land use changes were made. They weren't necessarily intended to guide every department in all of its planning. And while we have now formed a new Implementation Division where we're tracking Maui Island Plan and now community plan implementation and we do send out surveys to the different departments to find out what kind of progress they're making. It really is up to each department to determine how they're gonna submit their proposals to Council for their budgets. We don't expect them to use these technical studies only...

COUNCILMEMBER HOKAMA: So at this point there's no coordinated plan?

MS. McLEAN: Not through the community plans.

COUNCILMEMBER HOKAMA: It's every agency?

MS. McLEAN: Not through the community plans.

COUNCILMEMBER HOKAMA: Well, you know, the Chairman just brought up Page 9-4, under 9.5A mixed-use. what is my concern. where is it?

CHAIR COUCH: We're not quite there yet.

COUNCILMEMBER HOKAMA: Okay, Mr. Chairman.

CHAIR COUCH: But if, you jumping ahead a little bit. I know it but if it's in, germane to the questions you're asking regarding...

COUNCILMEMBER HOKAMA: Oh Chairman I'm gonna keep hammering the point that, you know, one of the things the communities and districts gonna be asked is dependent on funding.

CHAIR COUCH: Right.

COUNCILMEMBER HOKAMA: And until we get one financial component tied to the plan, how does Council then come up with a comprehensive smart plan to prepare finances for many things, like sewers? We got to start replacing the sewers okay. Not only expand the system. We got to start replacing it okay. And the Feds paid 80 percent when we reconstructed. There is no 80 percent from the Feds. Water is gonna need to be, you know, replaced and improved throughout the County. How we gonna pay for that? We're gonna need more police stations, more fire stations, more planning inspectors, zoning inspectors.

CHAIR COUCH: Well, a lot of that is in, is certainly in this one is Chapter 13, the implementation. And we went through that whole thing for the Maui Island Plan last term and that is where a lot of the rubber will hit the road is saying okay, what do we wanna go first, in what order, you know, high priority or low priority. And I think it

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behooves us to start looking at that at least in the Maui Island Plan for when we do budget and if this is passed before budget then also this one.

COUNCILMEMBER HOKAMA: Thank you, Chair.

CHAIR COUCH: Thank you. Alright, the last question I had was for do you have any State agency comments on the Lanai Community Plan Update? You do have some County agency comments that you just handed out. Members, you got the County agency comments here. And do you have any State agency comments that...I know some of the State and County agency comments have been incorporated in your changes.

MS. McLEAN: Give us just a second please, Chair.

CHAIR COUCH: Sure.

MS. McLEAN: Chair, with the original draft before the CPAC draft, we did send that to a variety of State agencies. After the Planning Commission draft which is what we're working off of, we sent that to a number of County agencies, but we did not send that to State agencies again. So we don't have any current comments on the Planning Commission version. Mostly because there weren't substantive, I shouldn't say substantive, there weren't extensive changes between the two.

CHAIR COUCH: Okay. But you do have the State agency comments for the...

MS. McLEAN: From the first time around, yes.

CHAIR COUCH: First time around? Can we get those for as far as just for background for our binders. So that if Members wanna take a look.

MS. JORGENSEN: We had a number of, what we had from Department of Land and Natural Resources, DAR, the Aquatic Resources. They came to a meeting but we didn't have, they didn't provide written.

CHAIR COUCH: Oh they didn't provide written, okay.

MS. JORGENSEN: Yeah so that...and we might have some from the Department of Transportation. I'll check on that.

CHAIR COUCH: Nothing from DOH? 'Cause that last section we went through is mainly DOH stuff.

MS. JORGENSEN: Not that I know of.

CHAIR COUCH: Okay. Alright, so Members, this is now the Land Use section and to remind you we have in the gallery we have several people from Pulama Lanai and in the on Lanai we have several members of the CPAC I believe. And I'm not sure, I can't

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remember if somebody from the Planning Commission. But they're in, on Lanai. So if we need to ask them questions for resource, either Mr. Matsumoto or I think Mr. McOmber's over there, and Mr. Ruidas and Ms. Kaye are available for resource if we need them. So don't hesitate to ask for them to come up or to be present on the phone. Okay. Let's start on Land Use. This is a very important Chapter. I will still go through what the Department recommends. Because there are so few changes between what the Planning Commission and the CPAC suggested which is kind of refreshing, it should be currently straight-forward. So let's start, Page 9-2, Line, Lines 2 to 4, the Department, what it reads now for the public is Lanai City is the island's population service center. There's a shortage of housing within the town. Three large projects are planned at the northwest edge of Lanai City to address...of Lanai City. It's probably better to read it from here 'cause all the markings out. They have to address these needs: 1) the expansion of Department of Hawaiian Home Lands, DHHL subdivision, 2) the County's Lanai City Affordable Housing Project, and 3) the Department of Education's expansion of the Lanai Elementary and High School campus. And that's Map 9.2. The Planning Department suggested to remove the sentence there is a shortage of housing within the town. That's one of the first changes that they've suggested. I'm wanting to check with the Department as to why that has been removed. Because I think that's true.

MS. McLEAN: It goes hand in hand with the following addition of the projects planned at the northwest edge of Lanai City to address the island's housing shortage and school expansion needs.

CHAIR COUCH: Okay, so it's not...

MS. McLEAN: We just felt that was a cleaner way --

CHAIR COUCH: Kind of a semantics kind of thing. Okay.

MS. McLEAN: --to say it.

CHAIR COUCH: Alright, Members, let me read what they suggest. They suggest taking out that line and then say three large projects are planned at the northern, northwestern edge of Lanai City to address the island's housing shortage and school expansion needs. These projects include and then they list the projects that are on, and there's no changes in that. Is everybody okay with that change in the language, it's fairly straight forward? Mr. Hokama?

COUNCILMEMBER HOKAMA: I'm trying to understand why we would take out what is the problem, the shortage of housing?

CHAIR COUCH: And I agree with you on that.

COUNCILMEMBER HOKAMA: That's the reason why they're gonna, the proposal is some of the development of projects, to take care the housing.

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CHAIR COUCH: But the next sentence says three large projects planned in the northwestern edge of the city to address the island's housing shortage. That's there, they are just kind of cleaning up the order of the words.

COUNCILMEMBER HOKAMA: Well, I rather just shoot it straight between the eyes and put it up front. There is a shortage of housing on the island, period.

CHAIR COUCH: Yup. And I'm fine with leaving that sentence in and incorporating the other two changes. Is that?

COUNCILMEMBER BAISA: I agree.

CHAIR COUCH: Any consensus on that? Leaving that sentence in, Mr. Hokama. The, there is a shortage of housing within the town?

COUNCILMEMBER HOKAMA: I would say on the island.

CHAIR COUCH: On the island. Okay. There's a shortage of housing on the island.

COUNCILMEMBER HOKAMA: Because I, well, we're gonna reach it. But I'll be upfront, you know, I for one think Kaunalapau is a smart project.

CHAIR COUCH: Okay.

COUNCILMEMBER HOKAMA: It's something the community has talked about and supported from the '60s. So that is something I can and that's not the city, Kaunalapau was a community by itself.

CHAIR COUCH: Yup.

COUNCILMEMBER HOKAMA: So I would rather say there's a shortage of housing on the island.

CHAIR COUCH: On the island. Got that, Jordan?

MS. McLEAN: Chair?

CHAIR COUCH: Yes?

MS. McLEAN: I can comment on that and I have no issue with however the, however strong you want these statements to be. If that were changed to say on the island then it wouldn't be accurate to say three projects are planned at the northwestern edge of Lanai City to address housing needs. 'Cause that reference was specific to the town. So to address housing --

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CHAIR COUCH: Some of the islands has --

MS. McLEAN: --housing needs island-wide we would list other projects in there just to make, you know --

CHAIR COUCH: Okay.

MS. McLEAN: --to broaden it and that's fine if you'd like to do that.

CHAIR COUCH: How about changing the word island's to town's housing shortage and school expansion? 'Cause that's what those three projects are for, is that correct? You okay with that Department?

MS. McLEAN: So we'd leave the sentence there is a shortage of, or the sentence would say there's a shortage of housing --

CHAIR COUCH: On the island.

MS. McLEAN: --on the island and then three large projects --

CHAIR COUCH: Three large projects are planned with the northwest, western edge of Lanai City to address the town's housing shortage and school expansion.

MS. McLEAN: Sure.

CHAIR COUCH: Mr. Hokama?

COUNCILMEMBER HOKAMA: I'm not that picky, Chairman.

CHAIR COUCH: Okay.

COUNCILMEMBER HOKAMA: I just need it to be the way it is.

CHAIR COUCH: Okay.

COUNCILMEMBER HOKAMA: What really is on the island.

CHAIR COUCH: Alright. So with consensus we'll continue on?

COUNCILMEMBERS: Consensus.

CHAIR COUCH: Alright. Same paragraph and then we to go to, way to another couple pages. The last sentence says in addition, the project districts have required agreements and conditions that may need action to fulfill Maui County Code Chapter 19.70 and 19.71 requirements or subsequent ordinances (see appendix 9.1). Comments from the Department as to why they wanna strike that sentence? Actually

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that same paragraph, it's the last sentence.

MS. McLEAN: We are proposing to add that as a new policy... it something to the effect of that as a policy. And we wanted to actually not have those Code sections as an appendix, because there were some revisions to the ordinance. We just felt it could be confusing or misleading down the road if there were future amendments to those ordinances --

CHAIR COUCH: That's true.

MS. McLEAN: --having them as an appendix if they wouldn't necessarily stay current.

CHAIR COUCH: So basically you're saying that, that's been moved to a policy or an action?

MS. McLEAN: Yes.

CHAIR COUCH: Okay. Members, okay with striking that sentence because it has been moved? Mr. Hokama?

COUNCILMEMBER HOKAMA: I understand the Director's comment regarding the specific of the Chapter in the Code. However I think it's important for anyone reading this plan knows that there are conditions of approval that must be complied with. Compliance, required compliance, that I want to make sure is in the document. 'Cause without those agreements there would be no zoning and no potentially no projects.

CHAIR COUCH: And I believe they said they're moving that to a policy if we...

COUNCILMEMBER HOKAMA: Well I don't have a problem, you know, in policy but I don't have a problem reminding it in narrative, upfront narrative. Because that is the facts. Without those conditions, agreements, there would be potentially no projects.

CHAIR COUCH: So.

COUNCILMEMBER HOKAMA: Project districts I take that back. There might not be no project districts, and we may be still growing pineapple today.

CHAIR COUCH: Okay. But we're trying to leave out the, actually we can leave out the appendix. Are you okay with saying in addition the project districts have required agreements and conditions that may need to action to fulfill Maui County Code --

COUNCILMEMBER HOKAMA: Required compliance, that require compliance, that's what I want it to say. The required compliance, not may need action. What does this mean the Planning Department is gonna propose revisions to the project district ordinance to remove conditions of approval?

CHAIR COUCH: Or add, I don't know, that's a good question.

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COUNCILMEMBER HOKAMA: Be careful what you open up, it means the whole ordinance opens up.

CHAIR COUCH: Yup.

COUNCILMEMBER HOKAMA: Be careful of what you ask for.

MS. McLEAN: Just to complete the...there, what's in existing action that's not proposed to be changed in any way, it says work with landowners to review project districts in Maui County Code Chapters 19.70, 19.71 and subsequent ordinances to determine if actions are needed to meet requirements. And that's an action for the Planning Department.

CHAIR COUCH: That's pretty strong.

COUNCILMEMBER HOKAMA: You know, there could be a recommendation action but, you know, narrative I really want it to say compliance with those conditions that Council approved.

CHAIR COUCH: Okay.

COUNCILMEMBER HOKAMA: I mean what good is our conditions of zoning if we're not gonna have compliance?

CHAIR COUCH: Understood. Do you have any suggested wording for that?

COUNCILMEMBER HOKAMA: You know, I would say I would maybe put something that the landowner shall put forward a time frame of compliance, a time table to make compliance. Because for me compliance will determine whether or not I will support future requests. I'm tired, and I'm saying this company is but on this time we've deadbeat developers who never fulfilled their conditions of a zoning approvals and they're skipped already, okay. I'm not gonna let that happen to Lanai. So I want strong language.

CHAIR COUCH: Alright. So we will hold off on this one and see if Mr. Hokama can come up with some good language that I would be willing to insert there to show...some strong language to show that they need to fulfill the conditions. So if you wouldn't mind working with Planning on that and next time we come we can throw that in. 'Cause I know Ms. Cochran has some language that she wanted to throw in on, or some partners she wanted to throw in on some tables so.

COUNCILMEMBER HOKAMA: Mr. Chairman, if, you know, and again if the Department is planning to make adjustments then just tell us straight forward. Because I can tell you when we go back to Lanai, we're gonna get a lot of comment about this.

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CHAIR COUCH: Sure.

COUNCILMEMBER HOKAMA: Changing the ordinance.

CHAIR COUCH: Right. Ms. McLean?

MS. McLEAN: Sorry, I'm sorry if my statement maybe I didn't say it properly. The Department isn't initiating any changes to those two chapters, I'm just, what I meant was if its included as an appendix and changes are proposed whether it's by Council or the applicant or whoever and those gonna through and that, those ordinances get amended then the Community Plan is gonna have outdated, an outdated appendix. That was my only point.

COUNCILMEMBER HOKAMA: Okay, okay. Understand, understood.

CHAIR COUCH: Yes.

MR. HOPPER: Just wanted to clarify, Mr. Chair, that of course any conditions of zoning that are recorded on projects that have already been approved are going to apply regardless of what the community plan would state, they would be separately applicable and could only be amended or changed by the Council. Now the Department would oversee enforcement authority over them. But unless the Council makes a change to them, a statement in the community plan or no statement in the community plan would not affect those conditions. Now there could potentially be statements in the plan that would affect future land use and other issues like that. But as far as existing conditions that are recorded on the property, the plan itself is a separate type of a document. And those conditions would remain in place unless they would be altered by the Council. No one else besides the Council through Council action would have the authority to alter those conditions.

COUNCILMEMBER HOKAMA: Chair, Mr. Chairman thank you. I appreciate Mr. Hopper's comment on that. I would just request that you have your Staff consider that'd be part of a paragraph or two, be placed in the Committee report. Stating that, I would ask for your consideration, Chairman. Thank you.

CHAIR COUCH: Did you catch all that Mr. Molina?

MR. MOLINA: Just to clarify for the record. That's to insert language relating to compliance with existing zoning conditions?

COUNCILMEMBER HOKAMA: Right and only Council can change.

MR. MOLINA: And that Council has authority over the zoning conditions.

COUNCILMEMBER HOKAMA: The Plan can not in any way change existing ordinances.

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CHAIR COUCH: Yup. Okay and you'll work with the Department and Corp. Counsel. Thank you. You okay with that, Mr. Hokama?

COUNCILMEMBER HOKAMA: Thank you, Chairman.

CHAIR COUCH: Members, are you okay with adding that?

COUNCILMEMBERS: Yes.

CHAIR COUCH: Okay. Since unfortunately, Mr. Hokama is not a voting Member and he can't make a motion. Okay. Let me write that down. Alright, we're on Page 9-4, Line 40, but before we get there, look at Line 9-3, and the Land Use Planning Principles and Standards, I think they're pretty good. But, you know, Members if you have any suggested changes now's the time to make 'em. Okay.

COUNCILMEMBER HOKAMA: Chairman?

CHAIR COUCH: Yes, Mr. Hokama?

COUNCILMEMBER HOKAMA: Just for the Committee's background information, I would like to share one of the concerns of the Committee from the '80s through the, then to the current update of the '90s, 1996 update. The community's, the existing community's concern was always about creating separation by a class, I don't know if that's the right word, but it was a concern that the development should not make it so that only the brownies live in the city and everybody else lives in the project districts or the beach project district, okay. We're too small a community and too small and to be divided in what I would say the pre-union days of the island, you know, I went through that segregation, okay. Up-camp, down-camp, whatever we wanted to call it those days. We have efforts that can make a whole island to be one community, and I would not like to see the projects by us allowing certain type of what do we call, not Lanai friendly type of development. 'Cause for Lanai it's a very different situation. That I don't want it to become a difference of workers in one area and non-workers in another. Like I said, we went through that Bloomfield Brown era and pre-union days. I will not let that happen to Lanai again. Okay. So I just share that, that the standards are critical to maintaining what Lanai is and who we are, as Lanaians. We're part of Maui County but we're unique and we take pride in that uniqueness, Chairman. And so I would ask the Committee to take that into consideration during its deliberations and voting. Thank you.

CHAIR COUCH: Okay. Any other comments on that Page 9-3? Okay, 9-4, one quick change, the bottom of the Page, 9.5E, like, Elle, do you wanna help me out with that one? There's so many different ways you can pronounce that I think. Which, Riki?

COUNCILMEMBER COCHRAN: Paliamano.

COUNCILMEMBER HOKAMA: Paliamano.

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CHAIR COUCH: Paliamano. Okay, fine, I was gonna go another way and Paliamano. Depends on where you put the emphasis.

COUNCILMEMBER HOKAMA: That true, that's true.

CHAIR COUCH: Okay. That says approximately 280 acres of natural landscaped linear park and drainage along the Paliamano Gulch. It used to say 275. Any, what was, I mean it's extra 5 acres, is that did they add that or was that just a wrong number?

MS. JORGENSEN: That was a difference between the number that was on the map and what was in the table so --

CHAIR COUCH: Okay.

MS. JORGENSEN: --we went with the correct area, land area that was on the map.

CHAIR COUCH: Alright. So, Members, consensus?

COUNCILMEMBER HOKAMA: Chairman?

CHAIR COUCH: Yes, sir.

COUNCILMEMBER HOKAMA: My concern with this one if I can just ask the Committee to go up to Line 14.

CHAIR COUCH: Which is in 9.5A, Mixed-Use Residential.

COUNCILMEMBER HOKAMA: Right. What is the Department's understanding of who's gonna move the potential sewage treatment facility? Was it your understanding that the community is considering the County to move the sewage treatment plan? Or is this the landowner's request for how they would like to see some of the lands configured for development?

MS. JORGENSEN: Yes, this is Mary Jorgensen. And the landowner when they were...

CHAIR COUCH: Speak up a little bit 'cause we got folks on Lanai that need to hear you too please.

MS. JORGENSEN: Oh the landowner said, all these descriptions are general descriptions of a concept, and when they were discussing the Lanai City expansion, they said if they developed in the area of the sewage treatment plant then one possibility would be to move it to the north of Paliamano Gulch. So that was a proposal and to that they would do that as part of that development of the expansion area. But all of these as you look at those descriptions, they're conceptual plans and says that on Line 9. That they give the idea behind where the request for a certain land use designation. They're

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all pre-design, nothing's on paper in terms of a site design. So they were descriptive.

COUNCILMEMBER HOKAMA: Okay.

CHAIR COUCH: And we have those Maps here if you wanna take a look at. Actually we probably should go through each one. It's real quick if you're.

COUNCILMEMBER HOKAMA: Well I don't have a problem for the Committee to see where is existing and where is the conceptual proposed.

CHAIR COUCH: Right. So if we could take a look at Map 9.5A, Mixed-Use Residential Lanai City Expansion. There we go.

MS. McLEAN: Chair? If I could make one very minor edit on this section that Mr. Hokama just pointed out. The reference to sewage treatment plant and sewage treatment facility should probably be the WWTF which was referenced --

CHAIR COUCH: That's fine.

MS. McLEAN: --just to call it a Waste Water Treatment Facility --

CHAIR COUCH: Yeah.

MS. McLEAN: --which is the appropriate term.

CHAIR COUCH: That's I mean, Members, no problem with that, right?

COUNCILMEMBER HOKAMA: No.

CHAIR COUCH: That's standard throughout the, we've been doing that already so go ahead. So Mr. Hokama, this is the mixed-use residential and several other areas. Jordan, can you point out 5A?

COUNCILMEMBER HOKAMA: And if Ms. Choteau, maybe give us some reasoning for the potential relocation please.

MS. JORGENSEN: The reason I believe they proposed relocating it is because of needing the land area if it was approved by the County Council to have the affordable housing and the new proposed housing be designed as one community then it would be in, cover of what you see there in that salmon covered area and they would need that it, all that land area to have the affordable housing integrated into new housing that they were proposing.

COUNCILMEMBER HOKAMA: So you go from a oxidation pond which under our department is the best run division I mean the island is the best utilization of reclaimed water 100 percent. This would go to a R1 treatment facility from an oxidation pond program?

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CHAIR COUCH: Which by the way, Members, Jordan has highlighted the existing treatment plan I believe. And he's going to eventually here show us where the new one is proposed, potential proposed new one. So go ahead, Mr. Hokama, sorry.

COUNCILMEMBER HOKAMA: No, no. I mean when the County and the community decided to build it, one of it was 'cause cost so when oxidation it's in the low part so it's all gravity fed. So I'm just wandering when, you know, the conceptual word is relocating, I'm thinking what, where are we relocating and how much more money is it gonna cost me, us Lanaians to pay in sewer fees.

CHAIR COUCH: Jordan, just put an arrow I believe that green arrow as to where there looking at replacing or moving it to. Is that further downhill or?

MS. JORGENSEN: I believe it was further downhill in the green area of agricultural.

MR. MOLINA: Mr. Chair?

CHAIR COUCH: Yeah.

MR. MOLINA: Yeah I don't have any specific sites but it was mentioned that it would be located across the gulch and so that green strip near the arrow is where the gulch area is roughly located.

COUNCILMEMBER HOKAMA: Why would a County put a treatment plant potentially in the view plane of a sunset of a Koele Lodge guest?

CHAIR COUCH: And again that's I guess that was proposed by I think Pulama, I don't know who proposed that.

MS. JORGENSEN: Yes, Chair. That was proposed by Pulama Lanai when they were describing the conceptual plan for that area that that would, one choice would be during the site design if they needed that particular area to move the sewage treatment plant. And part of the concept for all these is to have a very sustainable new technology so there are options to locate now treatment plants right within a community. But they aren't, they don't have that specific type of design at this point, they were just discussing concepts.

COUNCILMEMBER HOKAMA: You know, thank you for that, I appreciate that. Still comes us, down to us figuring how to pay for things. That was my concern regarding the potential movement and who is gonna foot the bill 'cause I know we gonna end up with the operational bill.

CHAIR COUCH: Okay. And Members, I believe everybody here was at the site inspection there and saw kind of where that area is. Okay the 9.5B the Tennis Academy Park. Again this is very conceptual and may not even happen. But that's the part of the

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blue is it not?

MS. JORGENSEN: It is in green.

CHAIR COUCH: Oh I'm sorry.

MS. JORGENSEN: Right above the waste water treatment that was just shown.

CHAIR COUCH: Gotcha. Mr. Hokama, any comments?

COUNCILMEMBER HOKAMA: Well, grass takes water. I don't know if this is gonna be a grass tennis academy or a non-grass surfaces, but.

CHAIR COUCH: They left sewage treatment plant right where it was you got some good R1 water right there.

COUNCILMEMBER HOKAMA: Well that's what they need to irrigate Challenge at Koele, for the Experience at Koele course, Mr. Chairman. 'Cause they cannot use potable water.

CHAIR COUCH: Right.

COUNCILMEMBER HOKAMA: So.

CHAIR COUCH: Okay, Members, next is 9.5C Gateway Park. It's a 16 acre site that will expand the existing undeveloped park at the junction of Manele Road and Kaunalapau Highway. This park will provide an attractive gateway entrance to Lanai City. That's the green down below, Ms. Jorgensen?

MS. JORGENSEN: Yes, that is, that's right at the lower edge of the development area. No, much more to your right.

CHAIR COUCH: Oh, we have Vanna now.

COUNCILMEMBER HOKAMA: Yup, right there.

MS. JORGENSEN: That's correct.

CHAIR COUCH: Okay. Members, you got some, a letter from DHHL I believe and I believe they're talking about that area. Is that right, Mr. Hokama? Is that there?

COUNCILMEMBER HOKAMA: Yes, the intersection of Kaunalapau and Manele Road.

CHAIR COUCH: Right. They wanted to make it commercial and it shows in here Gateway Park. Mr. Hokama, you have some comments on that?

COUNCILMEMBER HOKAMA: Well the community has always talked about the park and

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that area that is used by our Buddhist Church for our annual community's bon dance requirements and for I would say moderate action-type of activities. Even I used it as a kid. It's something, I think it's something worthy for us to be supportive of for a Gateway Park.

CHAIR COUCH: As opposed to the commercial?

COUNCILMEMBER HOKAMA: Well I, you know, I don't, my issue with Hawaiian Homes is I don't think they understand how the State got that 10 acres. That was through a Land Use Commission condition of approval for reclassification, and it was designated to the Department of Land and Natural Resources for total community island benefit. Not just for a specific department or a segment of our community. It was for the total community's benefit. I don't know if DLNR communicated well to Hawaiian Homes or how they got the land and what the intent was. And I'm not sure that their proposal fits within what the community expects out of that 10 acres that the State got through its condition of reclassification. So I don't have a problem not designating commercial and forcing Hawaiian Homes to come back to the community and explaining why it's in the community's interest to support their request.

CHAIR COUCH: Okay.

COUNCILMEMBER HOKAMA: Because unless they do that I won't be supportive, Chairman.

CHAIR COUCH: Okay. Alright 9.5D, University, approximately 524 acres are proposed for a new university and research institute on the western edge of Lanai City Expansion. The proposed acreage reflects the intent to reserve enough space to achieve an attractive campus design. And that's, that blue, is that right, Ms. Jorgensen?

MS. JORGENSEN: Yes, that's correct.

CHAIR COUCH: Mr. Hokama, any comments?

COUNCILMEMBER HOKAMA: Which blue, Chairman?

CHAIR COUCH: The big blue on the left, no, on the left, that big huge blue area.

COUNCILMEMBER HOKAMA: That one...I'm hoping that, you know, their analysis and projections, their pro formas work, Chairman. 'Cause I think this is something potentially great to provide a variety of potentially good-paying jobs and employment for the island and being able to have our young people stay on Lanai or in the County, that wants to make Lanai their home with opportunity. So I think they have a chance for some clean employment opportunities that I wish them very well and hopefully successful.

CHAIR COUCH: Okay. Alright, so those, and then we already talked about the Paliamano Gulch Park and we're gonna go on break here just a little bit, we only have a couple

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more things. So the next table only has just changes in numbers based on what the acreages on the map reflect. Total acres on Lanai City is 1,486 instead of 1,476. The linear park drainage is, goes from 270 to 280. And then down at the total at the bottom, total acres goes from 2,500 to 2,510. Without any objections we will accept those changes.

COUNCILMEMBER BAISA: No objections.

CHAIR COUCH: Okay. Alright I tell you what, let's break here because we still have other maps to look at. They haven't, the Department hasn't suggested any changes, but we, it still, this is the Land Use portion. So we wanna go through each one and get some comments from the representative, and so we're gonna go on a 10-minute break, we'll be back here at 3:15. And please make your way back so we can hopefully finish this off today. So this meeting is in recess. . . . *(gavel)* . . .

RECESS: 3:04 p.m.

RECONVENE: 3:20 p.m.

CHAIR COUCH: . . . *(gavel)* . . . Will the Planning Committee meeting of February 5th please come back to order. Okay. Members, we are back. We are on Page 9-6, looking at Map 9.5F Rural Residential and I'll explain some of that. It's a rural residential area as proposed adjacent to Koele Stables. The 50 acre area is located between Keomuku Road and--and it's just the type is small I'm--Kopolihua [sic] Road. It will be served by a proposed extension of Fraser Avenue for additional road access. This rural area is intended to provide larger lots than the lots within Lanai City, and to allow farming. Lot sizes could range from one-half acre to ten acres under the current Maui County Zoning Code for Rural lands. Jordan, do you have that up on the map? That's the blue, I believe that's the green.

MS. McLEAN: The light blue on the top.

CHAIR COUCH: The light blue on the top of the map. Mr. Hokama, comments? We were there, that's where we did our site visit. We stopped, we were up there and parked up there.

COUNCILMEMBER HOKAMA: I would say, Mr. Chairman and the Committee members, that general area having a, you know, more mauka across the road was at the I would say over the last maybe 30 years, the previous landowners had considered that as an expansion of residential for community consideration and also for some that might have wanted to upgrade their current housing style that they currently maintain so. I think it's great, I would love to have Lanaians given an opportunity to have some of what I would call the better view plane areas of the island.

CHAIR COUCH: Yeah, the view is killer from up there.

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COUNCILMEMBER HOKAMA: And I just hope that, you know, Pulama can see and hopefully make some of that truly affordable for Lanai residents as a way to expend their potential for upgrades in housing units.

CHAIR COUCH: Okay. Members, any comments, questions on that? Okay, the next item is 9.5G, film studios, 22 acres of light industrial land will be used for film studio facilities. The warehouse type structures will be sited to prevent the buildings from being visible from Manele Road. For the proposed development areas described above...okay, that's future. So that is going to be down as that kind of maroon purple, down on the lower right-hand corner. Is that right?

MS. JORGENSEN: That's correct.

CHAIR COUCH: Mr. Hokama, comments?

COUNCILMEMBER HOKAMA: Was there any consideration for the Miki Industrial area for this type of facility, you know, what is the advantage of this site area for this type of warehouse structures type structures?

MS. JORGENSEN: I think they, Pulama Lanai was thinking of a different type of use that would have a closer connection with Lanai City. Where down on Miki Road it was a mix of light and heavy industrial. So it would be where there probably wouldn't be as many trips into town from the Miki areas, there would from this site. So they thought it would be a separate use from the heavy industrial.

COUNCILMEMBER HOKAMA: Chairman?

CHAIR COUCH: Yes, sir.

COUNCILMEMBER HOKAMA: I would ask you and the Committee if you would indulge my request and have either maybe Mr. Matsumoto or Ms. McCrory to come forward or their consultant to come forward for some questions on this specific consideration please.

CHAIR COUCH: Okay, Mr. Matsumoto? Would you prefer the podium or up here? Either way for you, okay.

COUNCILMEMBER HOKAMA: Thanks for being here. So isn't that currently where your administrative building is, Mr. Matsumoto?

MR. MATSUMOTO: No, the area where it's outlined for the studio is in a different location.

COUNCILMEMBER HOKAMA: Oh, okay I was looking at the other proposed lot.

CHAIR COUCH: Yeah. No. It's down, now the big red arrow.

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COUNCILMEMBER BAISA: There's the arrow. Yeah. Where's the ending?

COUNCILMEMBER HOKAMA: Oh 'cause so that is...is that to go to the old ____ farm area, the wells, and the wells in that area?

MR. MATSUMOTO: Approximately so, I think you would recall this as the hillside that we used to refer to as ____.

COUNCILMEMBER HOKAMA: Right.

MR. MATSUMOTO: That's the area, general area.

COUNCILMEMBER HOKAMA: Okay, so it's on the bottom or on the top?

MR. MATSUMOTO: On the bottom.

COUNCILMEMBER HOKAMA: On the bottom.

MR. MATSUMOTO: So to address your first question.

COUNCILMEMBER HOKAMA: Okay.

MR. MATSUMOTO: The reason that we chose to not locate that in the industrial area is because of the noise from the airport.

COUNCILMEMBER HOKAMA: Okay.

MR. MATSUMOTO: So obviously a sound stage the disruption would be a critical issue.

COUNCILMEMBER HOKAMA: Okay. Well, you got water, you got power in the area, you know, the land's been cultivated and plowed over many times. So I support the concept, Chairman, it's something that I had tried to, had hoped we could have already gotten established on the island five years ago when we had a consideration before Council. That would probably have given us additional economic boost and another employment activity so...you know, I don't see this as a major water intensive required proposal so I can be very supportive. I think technology and the ability of getting our young people in the schools, interested in media and digital media options is good stuff for our island. So I'm happy that the companies are willing to move forward with this concept. Thank you.

CHAIR COUCH: Thank you. Members, too you also have these maps in your books if you wanna get even closer look. But we're going up there for the viewing audience. Alright.

COUNCILMEMBER HOKAMA: One more question please, sir.

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CHAIR COUCH: Yes, sir.

COUNCILMEMBER HOKAMA: Twenty-two acres, that is a viable studio site, Mr. Matsumoto? Or would you need potentially more land or this is already enough so that you would be, you could expand within the 22 acres?

MR. MATSUMOTO: So we believe that's enough acreage to have adequate space. Keeping in mind that, that would be the base of their operation and then they would look to different sites on the island as potential on-location sites to use for filming as well.

COUNCILMEMBER HOKAMA: I think Lanai offers the County a great opportunity, Chairman. Because one of the good things about Lanai, a major landowner is the level of security, you can give those sensitive companies that needs some proprietary confidentiality kept. That the company can offer that as an attraction, why we look at Lanai as the ability of the security abilities to be provided so. I think it's a good idea.

CHAIR COUCH: Whose phone was that? Somebody's phone, alright. So next map and Mr. Matsumoto, you might as well just stay there 'cause I know this one's gonna be a tough one. Map 9.6, Jordan, this is the Halepalaoa Area.

COUNCILMEMBER HOKAMA: Not bad.

CHAIR COUCH: Did I get that right?

COUNCILMEMBER HOKAMA: Yeah, pretty good.

CHAIR COUCH: Thank you. This area is a conceptual plan includes proposed new development located along the eastern coast in the general are of Halepalaoa Landing, former Club Lanai site, and extending south towards, Kikoa Point. The Halepalaoa Area proposes a new destination resort within adjacent rural residential area and two beach parks. A permanent open space buffer with border, will border the proposed development areas to prevent urban expansion. The new resort and residential area will require development of suitable road or coastal access. Development in this area will require site design such as green infrastructure methods that reduces sediment and other pollutant run-off into adjacent coastal waters. The area also contains abundant cultural and archeological resources that should be inventoried and protected as required by HRS Chapters 205A and 343. Members, we had a very strong testimony in your Chair's opinion on this site. And I'd like the company and I'm probably gonna call on Mr. McOmber and Ms. Kaye, one of the two or Mr. Ruidas, we'll figure out who yet. It's my understanding from testimony and from other people discussing it that, that area was kind of left over when Manele came in. When Manele was given its okay by the community, they said leave the east side alone for us to do our gathering and, you know, our cultural stuff. So that was the agreement back in the '80s and now there was some complaints about that agreement not being met. So Mr. Hokama first and then we'll go to Mr. Matsumoto.

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COUNCILMEMBER HOKAMA: Chairman, if you would allow, I would prefer Mr. Matsumoto give his comments.

CHAIR COUCH: Okay.

COUNCILMEMBER HOKAMA: Because things have occurred since they've discussed between the Community Advisory group and the Planning Commission.

CHAIR COUCH: Okay.

COUNCILMEMBER HOKAMA: They made some corporate decisions and I would be interested if he had some additional comment he could share this afternoon.

CHAIR COUCH: Okay. Mr. Matsumoto?

MR. MATSUMOTO: So this idea was put on the map, basically we started this two years ago. And we have had a lot of time to think and review about what is the best use of the area. So in our mind now the potential use for that area could be something much smaller, something much more humble and not include any kind of a residential component. So if we were to come back and start this process all over again, we probably wouldn't be asking for this much land or changing the use designation to this degree. We'd probably be thinking more along the lines of just keeping the area as, in as like condition as possible. Finding a use that would be much more lightly use of the land. Like for example what is referred to as glamping, where it's tents that are used as opposed to a having permanent structures in place. That would be much smaller acreage required for that type of a use.

CHAIR COUCH: Mr. Hokama, and then I do wanna go to the folks on Lanai, 'cause I wanna hear what the especially the CPAC had to say. So you guys on Lanai figure out who is the best to speak up on that. Preferably, a CPAC member. Okay, Mr. Hokama.

COUNCILMEMBER HOKAMA: I think Mr. Matsumoto, I was happy to hear the adjustment because definitely we heard on Lanai last week almost everyone brought up water regarding the islands future. I think even Mr. Matsumoto had some comments regarding water regarding how to move forward for the island's betterment. Yes, I can recall 1983, you know, the landowner at that time was preparing to move zoning forward, and the County came up with the first two project districts which is Koele and Manele. The companies was concerned and concentrated on the Manele Hulopoe area. That was always the spot for the development of ocean-related programs, regarding hotel development. And in the '70s when the State went through its Statewide land use reclassification, at that time Hawaiian Pineapple Company, Castle and Cook asked for this urban designation as a potential site and it was granted by the Land Use Commission. But the community worked with the landowner and I would say to get Manele Hulopoe there was this agreement 'cause I worked for the landowner at that time, that would leave the north shore alone for the continued recreational and cultural uses for the community, whether it would be hunting,

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fishing, cultural practices, and interesting enough even from the days of Maunalei Sugar Company. It's interesting that every commercial endeavor on the north shore of our island has not been able to make it for whatever reason. I would say yes, this is an area of great cultural sensitivity. Kahea Heiau, we have unique fish ponds. I believe there is still cut kuleana lands in the area. There's remnants of the old sugar cane engine buried in the kiawe forest. There's a Japanese immigrant cemetery close by. So, yeah I would not like to see these develop and of course for me, Chairman and Members, you know, we've always talked and during budgets of stretching our services into areas --

CHAIR COUCH: Oh yeah.

COUNCILMEMBER HOKAMA: --that for whatever reason from a County's standpoint maybe didn't make as much sense as from a development standpoint. But I just ask the Members to take in, if we allow things to happen here to stretch a government road, first responder requirements, it's gonna take a lot more energy and a lot more resources to get the job done for a very small group of people.

CHAIR COUCH: Agreed.

COUNCILMEMBER HOKAMA: And so I just want you to take that into consideration. Why I always bring up the financial component regarding this plans, is that at the end we're gonna have to figure out how to pay to protect that area. And it's one of my concerns. Because I'm gonna have to ask the whole County to help us pay for those things not just Lanai. So that's my comment and I'm glad that, you know, Mr. Matsumoto was very candid last week, he says, you know, without the water they're not going to move forward, he understands the water situation. I understand the water situation, and that is why maybe one of the updated studies, Mr. Chairman, that can help us. The landowner and any other interested party that wishes to make Lanai a better place is potentially the need to have an updated sustainable yield from the State Commission on Water Resources.

CHAIR COUCH: Okay. Members, without objection I'd like to call on the folks in Lanai. I wanna know what the CPAC was thinking when they discussed this and what their discussions were and what their thoughts are on this at this point or at least a member of the CPAC. So who do we have that's gonna be speaking?

MR. McOMBER: Ron McOomber.

CHAIR COUCH: Okay, Ron.

MR. McOMBER: You know, this is amazing to me that we've been through this whole thing and when Pulama presented their grandiose plan for Lanai as we started our CPAC situation, the landing over there was one of their components and every one of us looked at each other and said you've got to be kidding. This got to be one of the worst places that you could ever spend your money on. And up until right now, we were

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sitting there wondering why would they, anybody do that. Kurt as a person has been born and raised here and has raised his whole family here. He knew but he had to do what his bosses were telling him to do. It just goes to show you that eventually they're gonna come to their senses. A lot of this stuff that we saw laid in front of us and look the airport's already gone. This is now gone. We were mesmerized by the amount of money that was put in front of us that they were gonna do this, and this, and this, and this, and we really and the one that really got us probably more than anything else was, there is no desal plant for whatever reason that culminated there is no desal plan at this time.

CHAIR COUCH: Well...

MR. McOMBER: Now there's no desal plan, it's not gonna work.

CHAIR COUCH: Mr. McOmber, the question I have is, you know, you're saying that the group didn't really like that idea. Why was it left in the Plan?

MR. McOMBER: Well, we didn't like it because it was their plan and we just let ride because we watched it go through. How are we gonna stand up as a CPAC and fight Pulama through this whole thing? We just most of us looked at each other and said this too shall probably go by the wayside. But look how long it's taken. It's taken almost a year and a half before this has come to fruition. This is not the last thing that we will see fall in this development I tell you right now. But this area is very sacred. It's very, very, very important to the Lanai people for recreation. And it's just a shame but that they would do that to that area. So we went through it as hunters. We went through it as conservationists. We went through it as community people and we tried to work with 'em. But nothing they put out there really made any sense to us. And so we just let it go through and the fruition and the fruit of our sitting back and doing nothing has come to the end of it today. And thank you very much.

CHAIR COUCH: Okay. Thank you. And Members and Department too, 'cause it's gonna be up to you. I'm sorry I have to look through the microphone there. It's gonna be up to you to help instruct the CPAC, any CPAC members, Community Plan Advisory Committee members, that this is, something like this it's their kuleana to say hey look, if the community doesn't like it, doesn't matter who proposed it. You got to let us know that the community doesn't like it so. I would encourage the Department to encourage the CPAC to not let things ride like this. Because that was what was surprising to me is that the CPAC said yeah, go ahead and then the Planning Commission as well said go ahead. So usually those are advisory committees to you and this body here. And what we see looks like that they're okay with that, so...

MR. McOMBER: Mr. Chair, Mr. Chair?

CHAIR COUCH: Yes?

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MR. McOMBER: Let me tell you that the vote was taken on that item down there, and there was three members that voted against it completely at the offset. We were three out of however many people were there. But there were three of us that voted against this completely.

CHAIR COUCH: Okay. So it was a split.

MR. McOMBER: It did not go through 100 percent. There were three people that voted against it. Butch...

CHAIR COUCH: Well, it doesn't matter who it was so.

MR. McOMBER: Oh no, but there were three of us. This did not go through a 100 percent by any means. If you look at the minutes you'll see that, that's what the indication was.

CHAIR COUCH: Okay. Thank you. Thank you, Mr. McOmber. Alright, Members, hearing a lot of this.

MS. McLEAN: Chair, excuse me?

CHAIR COUCH: Yes?

MS. McLEAN: Can I respond please?

CHAIR COUCH: Yup.

MS. McLEAN: I think that we give appropriate direction to the CPAC and to the Planning Commission. As Mr. McOmber just stated, they voted on it. We believe or actually CPAC members did testify at Planning Commission as well to share their thoughts on it. And absolutely it's up to the CPAC members and the Planning Commission members to vote how they choose. One thing I would note though is because something like this is so significant I think there is value in it being presented to the Council for discussion. I'm not saying it, you know, if the CPAC had voted against it and Planning Commission would have voted against it, it obviously wouldn't be in the Plan. But the Council wouldn't have had that opportunity to discuss it. And we don't wanna see things coming up with last minute requests being made by a landowner, you know, we've seen that in the past with community plans. And it ends up being kind of a scramble and so, you know, the votes were taken and they were as they are, but nonetheless there is value in the Council having the opportunity to discuss it and to hear from the landowner.

CHAIR COUCH: Thank you. Ms. Jorgensen?

MS. JORGENSEN: Thank you, Chair. I would just like to add that this was presented to the CPAC as part of a total picture of what was needed for economic development. That

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the, to have a third resort at this location was presented as being necessary to have a diversity in the hotel experience so that you would get the economic development needed to support some of the other proposals on the island. So it was like a systems approach. You have to have certain things and it's not where you can take one part out, and so there was discussion and not everyone liked everything about each piece of the proposal. But I think in the end they did vote and decided to keep it in at the CPAC and in the Planning Commission.

CHAIR COUCH: And what, thank you for that. Was there discussion on the cost of as Mr. Hokama said, County you know, the road, either County maintenance of the road or County building of the road and also, County services, you know, if there's, was there expectations of Police or a Fire station over there, or were they, everybody willing to be okay with however long it takes to get over there on a halfway decent road? And then, what about water? What about sewer? I mean there's a lot of things that if something like that were to go in that may be expected by the County to be provided. So and I don't know how much and maybe this is for Corp. Counsel how much the County would be obligated to provide anything in that general vicinity since it's so far away from any of the services we have now.

MS. JORGENSEN: We did discuss it quite a bit, concerns about whether there'd be fire or police and there would be a requirement for some police services. Pulama, Lanai said they would, that they would be providing it. I think at one time we talked about the funding being where they would provide under Policy Number 7, that the development agreement would provide fiscal neutrality for the County. So the tax revenues would balance out any costs for police and fire services but if it was in a remote area like that. The costs of that road, there is dispute of whether that's a County road or a State road, and it was something that we did not resolve during this planning process but we do have an action in there to clarify that as to who is responsible given that is not a paved road. And so again it is one of those that depending on what the final site development proposal would be, that that would determine the costs, the specific costs, and at that time, conditions could be put on in terms of lessening the expense perhaps for the County.

CHAIR COUCH: Thank you and again I guess my question is to Corp. Counsel, you know, if we the County say, you know, if you wanna build that out there and go by boat or however you wanna get there, County's gonna leave that alone. If we allow for something to be built out there are we obligated to provide services? Police, fire, sewer, water, road?

MR. HOPPER: Mr. Chair. I think you should consult with Police and Fire Departments on that particular issue. As far as roadways, unless the roads would be dedicated to the County they wouldn't be County-owned or maintained roadways, they'd be, they would be private roadways. It's a clearly unprecedented situation I think as far as having a new police or fire force, but if, hopefully that they had been consulted as part of the process to determine what would happen there. Of course this is very conceptual at

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this point, and normally things like that do get refined during the Change in Zoning process.

CHAIR COUCH: Right. I guess my question is more in a liability side. If we say okay, company, you can build there and you build the resort there and there's a 100 people staying at the resort, do they have a reasonable expectation of, you know, any kind of services from the County, and if something happens and they didn't get those services would we be liable for anything?

MR. HOPPER: Mr. Chair, I'm very hesitant to give advice regarding the County's liability in open session, and again this is the first time I've been asked this question. So I think something in the future could be arranged for an executive session --

CHAIR COUCH: Sure.

MR. HOPPER: --if the Council wished to have this as part of the plan.

CHAIR COUCH: Okay. Thank you and we may have to prepare for that. And I understand that. Thank you, Mr. Hopper. Members, comments on this? I mean this is gonna be the one we're gonna talk about for a bit, I have a feeling. Now Mr. Matsumoto intimated that there's gonna be something similar to a glamping which is glamour camping, which is something like Ms. Cochran would enjoy. That's what it's called glamping where they, you know, it's kind of like a hotel but it's in a tent. But you have all the services so and I want to...

COUNCILMEMBER HOKAMA: So, Chairman?

CHAIR COUCH: Yes, Mr. Hokama?

COUNCILMEMBER HOKAMA: For the Committee's understanding, this would be something what the Molokai Ranch had tried to do with --

CHAIR COUCH: Similar, yes.

COUNCILMEMBER HOKAMA: --Maunaloa project?

CHAIR COUCH: Uh-huh. And I wanna acknowledge the president, presence of Chair White.

COUNCILMEMBER WHITE: Aloha, Chair.

CHAIR COUCH: Thank you.

COUNCILMEMBER HOKAMA: Promoted.

CHAIR COUCH: Alright.

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COUNCILMEMBER COCHRAN: Chair?

CHAIR COUCH: Ms. Cochran?

COUNCILMEMBER COCHRAN: Thanks. I yeah, I'd like to glamping or whatever you're calling it. But at tentalows came to mind, Mr. Hokama, also in reference to your --

CHAIR COUCH: Yeah.

COUNCILMEMBER COCHRAN: --your explanation, but this kind of reminds me of in the Honolua area, Lipoa Point during the Maui Island Plan and GPAC process. Where you had people, developer, landowner wanted to do, they had this grand master plan and there were good parts to it, and there were others that clearly communities stood up and said no way. And through the process, the idea for community to this body which I wasn't currently on at the time was if we don't want it, don't put it on the map. Because granted it's conceptual it's something that maybe, maybe not, it'll change throughout, you know, discussions and deliberations, but I think community really said we just don't even wanna have it there to begin with as just even conceptual. So I mean I'm not speaking on behalf of Lanai, the Lanaians but it sort of, you know, rings kind of, resonates sort of similar to the whole Lipoa point idea at the time, and I heard from Mr. Kahoohalahala, his testimony and then Mr. Hokama's today. So it sounds like a very special place and needs to be treated as such. And I hear the developer say, hearing it too and downsizing, saying well, let's be less impactful to the area. So, you know, I just had those comments 'cause it reminded me of the whole Lipoa thing.

CHAIR COUCH: Right and Members, I also was taken aback when I heard Mr. Kahoohalahala's remarks as well. But as you heard from the Planning Department, two sets of community groups had a discussion, yes, they weren't a 100 percent in one way or the other, and it is on the map through two sets of community groups. So we have to kind of look at that too. It's just interesting how that panned out. Mr. Matsumoto looks like you wanna say something. Oh, okay. So Mr. Matsumoto, you know, the brown area is that already or even the Department, oh Mr. Guzman, sorry.

COUNCILMEMBER GUZMAN: Thank you. Before you move on, Chair, I just, I wanted to note a significant I guess a remark that Mr. Hokama had mentioned about a contract agreement --

CHAIR COUCH: Right.

COUNCILMEMBER GUZMAN: --about the development of Manele and the subject matter over there in terms of concessions that they weren't supposed to build. I'm interested to see whether that still in effect or what, where is that, its contract law now that we're talking about contract law that's what we're dealing with so all this other stuff is irrelevant if that contract is still binding if that's what we're talking about. That's, I heard something about an agreement.

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CHAIR COUCH: It's my understanding that it was kind of a mutual agreement that, and correct me if I'm wrong, Mr. Hokama, or actually if you could explain.

COUNCILMEMBER GUZMAN: And with that is there, in that agreement is there water terms within that agreement?

CHAIR COUCH: Mr. Hokama?

COUNCILMEMBER HOKAMA: Chairman, thank you. You know, I'm not sure if we put everything in writing, you know, 'cause part of the discussion that time also was what we called the peninsula or the area between Manele Small Boat Harbor and Sharks Bay. 'Cause at one time the proposal was for four to five hotel towers. And that's what's, where we would, it would have, was proposed to be built for towers. The current site was viewed for a Kona, was it Kona Inn, the cabana type, Mr. White, or Kona?

COUNCILMEMBER WHITE: Kona Village.

COUNCILMEMBER HOKAMA: Kona Village, the other concept was Kona Village, where the current hotel, currently sits about a 150 detachable units. Because if the resort did not work out the company's plan was to subdivide and sell that as housing, potential housing. That was the '80s. That was also part of the plan to make a manmade lagoon in Hulopoe Bay. Okay, from the '54 plan. There are plans of, but we only owned the flooding area of the blue rock within the current Hulopoe Park area, that was supposed be a lagoon with a pagoda in the center for restaurant and business activities. Okay, so this plan has gone through a lot of changes. Well, part of the agreement was how we got to where we are today was they would give up the peninsula, move certain things away from above the Small Boat Harbor and leave the north shore alone. And that's how we got here today. But I'm not sure we've put everything in writing.

CHAIR COUCH: Right and that's Mr. Guzman's questions.

COUNCILMEMBER HOKAMA: Some is of course with the County through conditions of zoning. But there are other documents that, that then landowner, not Pulama Lanai, that the landowner at that time I think entered into a executed document with Lanaians for Sensible Growth. And I'm not too sure what is the, how the County will look at that document in regarding standing. But that was an executed document between the then landowner and this organization representing certain interests for the island and that I know document exists. So you, we may if it's pertinent to the discussion and --

CHAIR COUCH: Absolutely.

COUNCILMEMBER GUZMAN: Chair?

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COUNCILMEMBER HOKAMA: --prior to decision making maybe we can ask for those documents, Chairman.

COUNCILMEMBER GUZMAN: May I request that, that specific contract document or agreement.

CHAIR COUCH: If it still exists absolutely. I don't know who would have that. Would that be Planning?

COUNCILMEMBER HOKAMA: I think you can ask Mr. Gima or Mr. McOmber or I don't know if Ms. Kaye or Mr. Ruidas. But I'm sure they are very aware residents of this document, Chairman.

CHAIR COUCH: Mr. Hopper?

MR. HOPPER: I just have to note this may if you're talking about agreements where the County of Maui is not a party, a document would not be binding on the County of Maui. And that is a very important distinction to make.

CHAIR COUCH: Yup.

MR. HOPPER: Because I know that there's been, there is litigation where the County is a party to in, it's currently in the Intermediate Court of Appeals that involves conditions of zoning for the Manele project. That does not dictate in this case the designation of this area unless there are County agreements. The County has the ability through legislation to designate areas in the community plan based on the authority given to it by the State and the authority given to it by the County Code. If there are conditions of zoning those are in place again. They are independent of the community plan. Those are conditions of zoning that the Council or previous Councils have imposed on a land area through ordinances that are still in effect and exist independent of the community plan. So I wanted to make that clear 'cause this issue has come up before. If there are private agreements where the County is not a party those will not be binding on the County. And that's an important distinction to be made.

COUNCILMEMBER GUZMAN: Yeah but they would be binding on that landowner.

CHAIR COUCH: Which was a different landowner at the time.

COUNCILMEMBER GUZMAN: Well it all depends on if they have signed it in their succession. That would apply to their parties of interest down the line. So I still would request if I could get a copy of that document.

CHAIR COUCH: If we know where that might exist. I guess Mr. Hokama might.

COUNCILMEMBER HOKAMA: Ask the resource people, Mr. Chairman.

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CHAIR COUCH: Anybody on the, of the resource folks in Lanai there, have any idea where that document like that might exist?

MR. McCOMBER: It's incorporated in the MOA between the Lanaians for Sensible Growth and Castle and Cook.

CHAIR COUCH: Is there a actual document?

MR. McCOMBER: Yes, it is. It's a legal document.

MS. KAYE: The document I think he's referring to...I'm sorry, this is Sally Kaye, was actually recorded and is, does bind successors and assigns.

COUNCILMEMBER GUZMAN: Okay, that answers my question. But can I get a copy of it?

CHAIR COUCH: Yeah, we're just trying to figure out how to get a copy. We'll work on that.

COUNCILMEMBER GUZMAN: Thank you.

CHAIR COUCH: Thank you.

MR. McCOMBER: We're not ashamed of it, we'll get you a copy of it.

CHAIR COUCH: We'll work with Staff on getting in touch with you over there and getting the document.

MS. KAYE: Okay.

CHAIR COUCH: And again keep in mind that if it isn't between, if the County of Maui isn't involved, even though it goes with the land, Mr. Hopper, what happens with that?

MR. HOPPER: Again if the County's not a party it has no authority with respect to the agreement. The agreement would be enforceable by the parties to the agreement.

CHAIR COUCH: Okay.

MR. HOPPER: Again this is an important distinction.

CHAIR COUCH: Yup, very important. So we'll take a look at that. Mr. Hokama?

COUNCILMEMBER HOKAMA: Chairman, hearing the request of the Committee, I would ask the Committee at this time to defer this specific portion.

CHAIR COUCH: Yup.

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COUNCILMEMBER HOKAMA: And if we can move on --

CHAIR COUCH: Yup.

COUNCILMEMBER HOKAMA: --because I think we gonna need more time to work --

CHAIR COUCH: To take a look at that.

COUNCILMEMBER HOKAMA: --specific requests.

CHAIR COUCH: I agree. Members, without objection we'll skip that map and go to area Airport Area Map 9.7. No objections?

COUNCILMEMBERS: No objections.

CHAIR COUCH: Okay. Airport Area Map 9.7, the airport area conceptual plan's goals are to improve the experience of flying into Lanai by improving transportation facilities and to consolidate industrial uses. Now it's my understanding, okay yeah, Mr. Matsumoto?

MR. MATSUMOTO: Yes.

CHAIR COUCH: You look like you had a question.

MR. MATSUMOTO: Oh, no. I'm just paying attention to what...

CHAIR COUCH: Oh okay, okay sorry. It's my understanding if you look at Map 9.7 area 9.7A airport enhancement. The airport enhancement of present airport facilities will add approximately 46 acres to the existing airport to increase lift capacity of Lanai airport with a runway enhancement of 500 feet for a total runway of 5,500 feet. In addition, facilities to assist airplane operation and an anticipated increase in air transportation will include a new taxiway and hanger area, including a fueling station. And Mr. Molina, do you have a, where, which portion is that just the, 'cause there's a few things, that's just the kind of grey area, oops, the grey area, yeah?

MS. McLEAN: The expansion areas are the grey areas that are outside the blackout line.

CHAIR COUCH: That are, oh, I see okay and then down there?

MS. McLEAN: The blackout line is existing, and then what's outside the blackout line is the new.

CHAIR COUCH: Then the runway extensions up, okay. Okay, Members, any questions, Mr. Hokama, comments?

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COUNCILMEMBER HOKAMA: I was just gonna ask Planning if they got any comments from State DOT Airports if we extend towards the city, the existing city...you know, the alignment goes straight into the city for potential takeoffs and if kona, potential approaches. Was there any concern from Airports or the Federal agencies regarding flight plans and approaches and noise decibel issues for the existing community regarding this consideration? Especially with the proposal to expand the cities more southwards towards the airport.

MS. JORGENSEN: I believe in the 1998 plan, there was a concern about noise and any expansion that would go toward the city, and part of, originally there was a proposal for a second runway. And part of the reason after looking at the needs of that compared to the technology for newer airplanes is that they can take off basically in the same area, a larger capacity plane, and so it would not increase as I understand the impact to the city in terms any more than like older airplanes that were using the runways.

COUNCILMEMBER HOKAMA: Okay. If I can ask Mr. Matsumoto, Chair?

CHAIR COUCH: Sure.

COUNCILMEMBER HOKAMA: What was from your company's perspective, what kind of aircraft were you folks viewing, you were looking at besides Island Air's props, corporate jets, and maybe a, you know, some other type of aircraft that we currently, does not serve the island, Mr. Matsumoto, that you're looking at this 500 feet extension?

MR. MATSUMOTO: So we're just looking at the, what you just went through, the list you went through. So the size of aircraft that Island Air currently is flying and Ohana Air, and private jets. So this added 500 feet would accommodate the largest private jet craft at this time. So we were not considering like larger aircraft like 737s or 767s or anything like that.

COUNCILMEMBER HOKAMA: Okay. Well at one point when Castle and Cooke used Kenny Rogers to help market and get support, his private jet was a 737. So I mean, you know, depending on the individual and their personal wealth.

MR. MATSUMOTO: Right.

COUNCILMEMBER HOKAMA: You know, you may have some of those that have big aircraft. This fuel station, that is something your company's proposing to do, 'cause I can see the benefits for the County regarding at least for Fire Department for more on-time on-island needs than coming back here for refueling, and having less on-time for Lanai so. Can you give us some comment on the fueling component please?

MR. MATSUMOTO: Yeah, so our thought was to, in order to help service the clientele, the private jets, that could be bringing guests to the island, in addition to that we would

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create services for the aircraft. So a terminal as well as fueling station would be available, and that fuel could be available to either emergency craft helicopters that come over to help fight wild fires and such. So which, as you know, currently if they come over there, they have to actually haul their own fuel over from Maui.

COUNCILMEMBER HOKAMA: Okay. These things could happen before the extension or this is all dependent on the extension itself, Mr. Matsumoto?

MR. MATSUMOTO: You know, we haven't really discussed that as an option. But I suppose they could still be done without the extension. But the extension is an important part of the overall safety for that airport. I think the State DOT would actually do a study and determine that.

COUNCILMEMBER HOKAMA: Okay. The hanger and everything that would be, your idea would be a private hanger area for private planes?

MR. MATSUMOTO: That's correct.

COUNCILMEMBER HOKAMA: Okay. So that would be a Pulama development.

MR. MATSUMOTO: Correct.

COUNCILMEMBER HOKAMA: Okay, okay. I hope you much success with the school system. Because I would love to see our Lanai people get the jobs regarding the, in this aviation sector so, you know. I'm okay, there's no other concerns with Miki Basin Industrial and anything else that we may need to be aware of? And I just bring that up because when we were, the County was looking at relocating the solid waste site and looking at the old quarry that your company owns, one of the bumps in the road was State Airports. So I just bring that up if they gave you any indication that they might be a bump in the road for you?

MR. MATSUMOTO: As far as the establishing the use there, when we went through the planning process, we did look at the zones around an airport and what the FAA would allow. There are restrictions and so they would apply, but we don't envision the uses in this area would conflict with the FAA's requirements for use in the area. So our objective here in creating the, this park, light industrial, heavy industrial park is to just open up opportunities that don't exist today. And then this supplies my recollection from serving on the previous CPAC and how there was a need to move things from within the city. So this would become an opportunity to have a home for those operations that currently exist inside of the city.

COUNCILMEMBER HOKAMA: Okay.

CHAIR COUCH: Okay. And pardon me for interrupting, you're still talking, your question was the airport affecting the uses of the expansion of the airport.

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COUNCILMEMBER HOKAMA: They're abutting each other Chairman, you notice?

CHAIR COUCH: Right, yeah.

COUNCILMEMBER HOKAMA: The Miki Industrial and the airport.

CHAIR COUCH: 'Cause yeah, we haven't gotten to Miki Industrial area yet. But as far as Mr. Hokama's question is concerned with the expansion, the uses in the abutting areas are fine with the FAA?

MR. MATSUMOTO: Correct.

CHAIR COUCH: Okay. Alright, now we'll move on to Section 9.7B Miki Basin Industrial Area. The existing industrial uses on Miki Road will be expanded in a proposed industrial area of approximately 200 acres, divided into approximately 100 acres each of light and heavy industrial. Light industrial uses In Lanai City will also be moved and consolidated in this area. It will also serve as a staging area for shipments from the harbor to be distributed to closer to town. And I know, Members, we just did a Change in Zoning I believe last term some time.

COUNCILMEMBER HOKAMA: Yes, yes.

CHAIR COUCH: And I noticed that when we went by there the other day, they were already putting up a fabric structure. That's the general vicinity is that correct, Mr. Hokama?

COUNCILMEMBER HOKAMA: Yeah. I would ask Mr. Matsumoto if he can give the Committee an update on compliance for that zoning approval --

CHAIR COUCH: Okay.

COUNCILMEMBER HOKAMA: --regarding the Miki Industrial, please, Chairman.

CHAIR COUCH: Mr. Matsumoto?

MR. MATSUMOTO: You're referring to the?

COUNCILMEMBER HOKAMA: The subdivision and, you know, your, I think one of it was to subdivide?

MR. MATSUMOTO: Correct.

COUNCILMEMBER HOKAMA: I think the conditions and I don't know if we had a time clock on your offering of the lots.

MR. MATSUMOTO: Yeah, so the subdivision is in for approval. So we're just going through that process right now. And once that is received then we can make the lots available.

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There is a time that those lots are to be sold exclusively to residents. So that clock doesn't start until we put the land up for sale.

COUNCILMEMBER HOKAMA: Okay. And when you say subdivision are we talking about County subdivision process.

MR. MATSUMOTO: Correct.

COUNCILMEMBER HOKAMA: So it's within our agencies now?

MR. MATSUMOTO: Correct.

COUNCILMEMBER HOKAMA: And how long has that request been in our?

MR. MATSUMOTO: Oh, I'm sorry, I'm being corrected, it's not in the County.

COUNCILMEMBER HOKAMA: Oh, okay. Well, that made me feel much better.

CHAIR COUCH: So what is that building that's going up there?

MR. MATSUMOTO: That is, those are warehouses that's gonna be on our property. So the portion that we're using is not the portion that's gonna be set aside for sale.

CHAIR COUCH: Okay. Mr. Hokama.

COUNCILMEMBER HOKAMA: If my recollection is correct, I believe State Transportation had a parcel of land within the airport parameters as part of the land use reclassification, and I thought at that time the State intent was to assist airports and harbors with potential refrigeration components and consolidation components. So has that changed, Mr. Matsumoto?

MR. MATSUMOTO: I'm not familiar with that.

COUNCILMEMBER HOKAMA: Okay. Well, the last thing I knew was that divisions within the Department were at odds, Harbors and Airports. But if I recalled I though airports had a 10-acre, 15-acre site from the previous landowner, regarding reclassification.

MR. MATSUMOTO: I'm not aware of that, it may have been already incorporated into the State's property at the airport. I don't recall seeing that in terms of any legacy issues that were left behind.

COUNCILMEMBER HOKAMA: Okay. This area that you've shared with us that's gonna be for potential freight consolidation and movement between the city and the harbor. That would include refrigeration components and you would look at--how you call that--instead of container but, you know, skip-load type of freight movements for the private sector and the residents. Nothing to do with the government?

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MR. MATSUMOTO: We could consider doing something like that so what you're referring to is the way the freight is delivered to Lanai today is basically not containerized, so it's a long process for the commercial vendors to offload. And perishable products are, you know, left to potential damage so more efficient system would be to have the consolidation in Honolulu and containerize shipping over to Lanai. And this could become a site for that to become a distribution point. So a deconsolidation point.

COUNCILMEMBER HOKAMA: Okay. You would also look at building storage and warehousing components in that industrial area also, Miki Basin?

MR. MATSUMOTO: Yes.

COUNCILMEMBER HOKAMA: So then potentially you and our other businesses could have the advantage of potential discounts of larger purchases for, because of the bulk, the ability to order by bulk, instead of just a pallet full?

MR. MATSUMOTO: Yes, the potential would be there.

COUNCILMEMBER HOKAMA: Okay. Thank you. Thank you, Chairman.

CHAIR COUCH: Okay, Members, any other questions on these two maps? Okay. Next is Manele Mauka Area Map 9.8. And 9.8A is Mixed-Use Residential - Manele Mauka, the conceptual plan proposes approximately 105 acres, with approximately 83 acres for primary residential use, with some commercial, and amenities such as neighborhood parks and a community center. Manele Mauka will be close to Manele Bay Resort and Hulopoe Bay, and have a variety of housing types, with some ocean views with a compact walkable neighborhood with single and multi-family units, including housing for seniors. Manele Mauka is located south of the junction of Manele Road and Kaupili,--did I get that right, yup--Road, with open agricultural lands bordering both roads to retain views. Road access will initially be via Manele Road and Kaupili Road; Hulopoe Drive will be opened at a later time to connect to the Manele Project District. To service the Manele Mauka community, approximately two acres of commercial land are proposed. This is anticipated that the businesses will reduce the number of trips to Lanai City for gas, groceries and similar service needs. Approximately 20 acres of neighborhood parks will be located in the Manele Mauka Mixed-Use Residential area. The neighborhood parks will contain a community center and the reservoir on the outer, eastern edge. Mr. Molina, we have that up? Oh, good. Mr. Hokama, comments?

COUNCILMEMBER HOKAMA: I was gonna ask Mr. Matsumoto, for the 83 acres of residential, what does that convert to potential in residential unit counts?

MR. MATSUMOTO: I don't recall but I believe there was a chart included that actually addresses that and...

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CHAIR COUCH: And, Members, it's the brown area up there, orangeish area up top. Not that area, there.

MS. McLEAN: On Page 9-6 of the Plan, there's a table for Manele Mauka the Mixed-Use Residential on, oh, I'm sorry, no, no, this is acreage, I apologize.

COUNCILMEMBER HOKAMA: Okay. Well, we can get that later, Chairman. If Mr. Matsumoto does not have it readily accessible I can wait.

CHAIR COUCH: Okay.

COUNCILMEMBER HOKAMA: My concern with this proposal again I would hope the projects we look at would be something that enhances and, you know, solidifies and makes, and strengthens existing businesses, Members. Why would I not want that residents in this proposed area to go to the Pine Isle Market, Blue Ginger's, and Canoes. I mean how many businesses can we really sustain and make it a profitable, viable enterprise for Lanai businesses? There comes a point where, yeah, it sounds nice but...I rather have one successful business than three businesses suffering and losing money. And that is why in the past the banks split up the smaller islands, Bank of Hawaii, First Hawaiian. The old airlines split up the islands, Hawaiian Air and Aloha Airlines. Because they knew the markets couldn't handle both of them in small areas. Both of them would suffer and eventually service and the communities impacted would not be served well. I think it's a good lesson from the old business days. So that's my concern. And again, you know, I can understand Kaunalapau, I can have some sense of the expansion close to Manele PD for this one. I got my concerns about who we really doing this for. And I don't think it's for Lanaians.

CHAIR COUCH: Members, Mr. Matsumoto?

MR. MATSUMOTO: So when we proposed this we were not thinking about doing this as speculative or trying to attract non-residents. So this was purely thrown out as an idea for alternative locations, and the way the discussion got started was all the housing currently is located in one spot. You don't have choices on Lanai. It is in the more moist elevation. There's one, just one view plane. So the idea here was to offer something that could be become a residential alternative for people who work, live and work there on the island in a drier climate, possibly even closer to their work place, and that's purely all this was intended to become. So we would not want to try to turn this into a speculative activity. And then to your comment about the businesses, I think it's a good comment. The spirit of the language I think that was put in there with the both the CPAC and the LPC was, you know, if you're trying to create sustainability and you don't wanna have people drive too far. And that's really all that was trying to address was the convenience and limit the amount of driving on the island.

COUNCILMEMBER HOKAMA: And I appreciate your comment, Mr. Matsumoto. But we're being asked to consider those same type of amenities with services for Kaunalapau. I

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don't think the island can support that many small areas. And I don't see the population growing that it will be supportive of those things. You know, so, you know, it's a concern of mine, you know, my thing is success builds success and failure breeds more failure so I don't want failures, Chairman. But, you know, I'll be open and again we'll be taking this back to Lanai. They, you know, the Committee is hearing my thoughts and why I feel a certain way and I'm sure we'll get additional feedback from the island so --

CHAIR COUCH: Okay.

COUNCILMEMBER HOKAMA: --I won't make a final decision yet, Chairman.

CHAIR COUCH: Let me ask the Department how heavily was this discussed at the LPC, Lanai Planning Commission?

MS. JORGENSEN: It was discussed quite a bit, all these residential areas. There was support at the CPAC and the Planning Commission for it. They liked the idea particularly by if it had the diversity for being a place with more sun and warmer for the senior housing, and that would, that was one of the things that appealed in terms of the proposal to both committees. The largest concern that I remember hearing from the community was having this visibility along the road and having it set back and incorporated into the landscape where you couldn't see it so much. And having the road connections so that you would have linkages down to both the work places for those that worked at Manele and those that worked up in Lanai City to make sure that there was and as well because of the road maybe in the future connecting over to the airport. They saw this one in particular as being pretty central to different job locations.

CHAIR COUCH: And do you recall the vote on that one?

MS. JORGENSEN: Oh yes, they voted on each of the, of these that are, each individual one they voted separately on them.

CHAIR COUCH: Right. Would you recall the vote?

MS. JORGENSEN: No, I don't. Yeah, I would have to look into the meeting notes and the minutes for to know how they voted on that.

CHAIR COUCH: Okay.

COUNCILMEMBER HOKAMA: Was the, oh Chairman, if I may please?

CHAIR COUCH: Go, ahead.

COUNCILMEMBER HOKAMA: Thank you. Was the senior housing more about Lanai's aging population and transitional type of housing for them?

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MS. JORGENSEN: I think they were thinking of the same sort of housing that's in Lanai City for seniors. That's, that type of housing where and for the residents and the aging population. That's how it was discussed at CPAC at least, I don't remember if it was discussed at the Planning Commission. I don't recall that.

COUNCILMEMBER COCHRAN: Chair?

CHAIR COUCH: Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you. And infrastructure and water for this project is readily available, is that reservoir next door being, gonna be utilized for this, is that the plan?

MR. MATSUMOTO: The reservoir next door is actually the non-potable water. So like I said anything that would be proposed would have to be, you know, we'd have to have the water to do this first so. The location there is basically, it's the closest to any kind of infrastructure in that area. So that's the reason why we spotted it there, you know, there would be some water available. So for this type of residential development to move forward. But it's not something that we have firm plans to do today. So in other words if this was approved, it's not like we're gonna go out there tomorrow and start the process for entitlements.

COUNCILMEMBER COCHRAN: Okay. Thank you. Thank you, Chair.

CHAIR COUCH: Thank you. Members, any other comments...any suggestions?

COUNCILMEMBER HOKAMA: Defer.

CHAIR COUCH: Alright, defer. Any objection, to deferring any action on that one?

COUNCILMEMBERS: No objections.

CHAIR COUCH: Okay. Alright, we're down to our last map. The Kaunalapau Area Map 9.9, the Kaulama, I'm sorry the Kaunalapau Area conceptual plan creates heavy industrial and residential areas along the Kaunalapau Highway above the harbor. Okay.

MS. McLEAN: Chair, I'm sorry. There was also the Rural Residential on the Manele map.

CHAIR COUCH: Oh, I skipped, I'm sorry, yes, 9.8B Rural Residential, due west of the Manele Project District and above Poopoo and the coastline, 76 acres is proposed as rural residential housing. For proposed development areas described above, okay that's so that is that area right there, the blue area, okay. Mr. Hokama?

COUNCILMEMBER HOKAMA: Maybe if Mr. Matsumoto can give us some comment on how his rural development within the Manele Project District is going and what type of

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remaining acreage or percent of acreage he has left within the current project district boundaries.

MR. MATSUMOTO: The sales within the project district have been very slow since the inception of the project. I believe just under 50 percent of the land at Manele project has been sold.

COUNCILMEMBER HOKAMA: So what would, you know, a reasonable sales philosophy forecast would you feel that, you know, give yourself a cushion you feel that the current PD you would exhaust the current PD and give yourself, you know, a buffer, 20 to 25 years.

MR. MATSUMOTO: Twenty years.

COUNCILMEMBER HOKAMA: Five to ten, you know.

MR. MATSUMOTO: Twenty years.

COUNCILMEMBER HOKAMA: Over 20 years, okay. And you, and it would just be an extension of the project district for this request, Mr. Matsumoto?

MR. MATSUMOTO: Yeah and to, just to kind of enhance the reason this is there. I think you have, I want to try to identify a map that would help me but maybe the Staff can assist. So in the process of looking at the maps, there are areas in the southern coastline that are already designated rural residential. And they are separate, far apart from the existing project district. So what we had suggested doing was to basically swap the designations, move the designation from where it is today and then put it closer to the project district and in exchange turn the rural residential designation in that area into open space.

COUNCILMEMBER HOKAMA: Okay, okay. I understand your ideas. Okay, I'm fine, Chairman.

CHAIR COUCH: Okay. Alright, Members, we have one more map, it's the Kaunalapau Area although it is 4:30, I think, I anticipate maybe 10, 15 more minutes if you're okay with that, if not we can. If I can keep three of you for 15 minutes I'm good.

COUNCILMEMBER COCHRAN: Yeah, sorry I got a car to pick up and I'm, I got to figure out what time --

CHAIR COUCH: Okay.

COUNCILMEMBER COCHRAN: --their office closes.

CHAIR COUCH: No worries, we're gonna recess this meeting to 9:00 a.m. on Thursday February 12th and we'll pick up right here at the --

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COUNCILMEMBER HOKAMA: Chairman?

CHAIR COUCH: Yes, Mr. Hokama?

COUNCILMEMBER HOKAMA: Can we just finish this 'cause for me this is real, this one is a no-brainer, this one makes a lot of sense to me.

CHAIR COUCH: Okay.

COUNCILMEMBER COCHRAN: Okay...that's fine.

CHAIR COUCH: If you're fine with it, Members, if you're fine with it?

COUNCILMEMBER COCHRAN: That's fine.

CHAIR COUCH: Okay, real quick. I read it already, essentially we got the map up, Mr. Hokama, give us your comments?

COUNCILMEMBER HOKAMA: This at one time was a very active community, you know, even Mr. Matsumoto got to enjoy Kaunalapau Camp. This was mostly for the workers and employees that with *...(inaudible)...* or the Dole barge system during our pineapple days. I think what is being requested that is smart on the landowner's part, and I would hope the State agencies would make use of this consideration. And I would love to see the Kaunalapau community get reenergized and reactivated again. Because it was an important part of the island.

CHAIR COUCH: Okay. We have, Members, 9.9A which is the Ocean Resources Heavy Industrial area, about 10 acres, heavy industrial land can you tell us a little bit about that, Mr. Matsumoto?

MR. MATSUMOTO: So the, one of the things that the island needs is more layers of economic opportunities. So we had discussed setting aside some land close to the ocean that could perhaps allow Lanai to participate in industries like aquaculture or even marine sciences and research. So that's the purpose of asking for that designation.

CHAIR COUCH: Okay. Then lastly 9.9B, Mixed-Use Residential. The concept proposes creating a mixed-use residential area on approximately 50 acres of land above the harbor and south of Kaunalapau Highway. There will be ocean-view residential lots, limited neighborhood service commercial, a community garden/farm, and neighborhood parks. The development will be sited to reduce visibility of buildings from the highway and to retain view corridors from the highway to the coast. Mr. Hokama?

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COUNCILMEMBER HOKAMA: Again, Chairman this is for me a smart request, I see great potential with ocean-related options on the road. For me, you know, the amount of people that go off to the K-Buoy off Lanai, you know, I don't know why Lanai couldn't make businesses to sell them ice, gas, for extended fishing requirements, you know, so maybe as a way to be a broker of fish activities so I'm --

CHAIR COUCH: Seems like a no-brainer then?

COUNCILMEMBER HOKAMA: --plus it's a one way for the County and to assist Lanai in maintaining the Kaumalapau, it is the lifeline for the island, period, you know. And I'm gonna do what I can to protect that area. Thank you.

CHAIR COUCH: Okay. Members, any concerns on that? Leave that one in? Ms. Cochran?

COUNCILMEMBER COCHRAN: No, yeah, thank you, no concerns but sorry, the heavy industrial ten acres Mauka of the project did you, what would that be slated for, what was that concept for that use?

CHAIR COUCH: That's what he was talking about the --

COUNCILMEMBER COCHRAN: Oh okay --

CHAIR COUCH: --aquaponics.

COUNCILMEMBER COCHRAN: --'cause I okay the other down below the six acres off the harbor itself.

MR. MATSUMOTO: That's just recognizing the existing uses.

COUNCILMEMBER COCHRAN: The existing uses and so I guess I'm taking the lead from, Mr. Hokama of course. But I guess when I first had initially looked at the map, I, my concern was residential below a heavy industrial type use area. And what were gonna be the uses and is that gonna impact I mean a loud noisy emissions and what have you upon this residential below? With you know prevailing trades and what have you. So if it doesn't seem like a, you know, a negative impact then all good and yeah. Thank you.

COUNCILMEMBER HOKAMA: We only got barge service once a week currently, you know, it's a big way from 20 hours a day, 7 days a week when pineapple was operating. So to me the noises can be mitigated well, Ms. Cochran. But I think, you know, what Pulama would like to do in there, you know, makes sense for the islands benefit. So I can be very supportive.

COUNCILMEMBER COCHRAN: Very good. Thank you, Chair.

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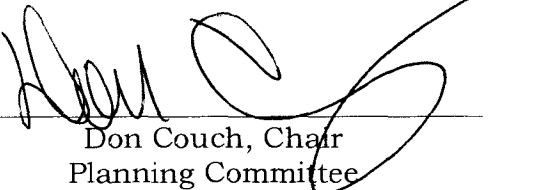
CHAIR COUCH: Okay. Thank you. So, Members, let's stop there. We've got just Issues and Strategies, there's only a couple of changes. But it's a good time to stop and then we'll go pick this up 9:00 a.m., Thursday. Members, on Lanai there's, we're gonna recess so there will be no testimony. But I would like to see if, Denise, you can have somebody there at 9:00 if somebody wants to be there for resource. Just let Jordan know whether or not you'll have somebody there on Thursday, the 12th. Okay, Denise?

MS. FERNANDEZ: Okay, will do.

CHAIR COUCH: And thank you very much, Mr. McOmber, Mr. Ruidas, and Ms. Kaye, for hanging in there and being available for resource. Members, thank you for hanging in. Take a look. We should finish it up on the 12th and the intent of the Chair is to get a draft of what we've all discussed, maybe hit a couple of the deferrals and then go back to Lanai, get them a chance to testify on it and make our, I intend to make the actual passing of it over on Lanai if at all possible prior to Budget. We're looking for that so look for a polling date and with that, this meeting is in recess. . . . *(gavel)* . . .

RECESS: 4:35 p.m.

APPROVED BY:



Don Couch, Chair
Planning Committee

pc:min:150205

Transcribed by: Jean Pokipala

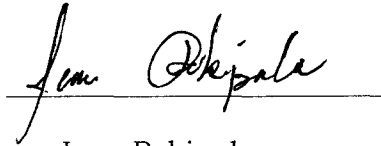
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CERTIFICATE

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

DATED the 2nd day of March, 2015, in Wailuku, Hawaii

A handwritten signature in cursive script, appearing to read "Jean Pokipala", is written over a horizontal line.

Jean Pokipala