

**LANA'I PLANNING COMMISSION
REGULAR MEETING
FEBRUARY 17, 2016**

APPROVED 04-20-2016

A. CALL TO ORDER

The regular meeting of the Lana'i Planning Commission (Commission) was called to order by Vice-Chair Stacie Koanui Nefalar approximately 5:18 p.m., Wednesday, February 17, 2016, in the Lana'i Senior Center, Lana'i City, Hawaii.

A quorum of the Commission was present (See Record of Attendance).

Ms. Stacie Koanui Nefalar: Start the meeting at 5:18 p.m. First on our agenda for February 17, 2016 Lanai Planning Commission is public testimony. Do we have a list? First for public testimony, John dela Cruz. Okay, John left. Next, Victoria Larson. Okay, she left. David Theno. State your name.

B. PUBLIC TESTIMONY - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed unless new or additional information will be offered.

Mr. David Theno: My name is David Theno. I am a resident of the Terraces at Manele. The address is 63 Awehi Way, and my wife and I, Jill, are here in support of Pulama Lanai's proposal to be able to host events on the golf course, on the driving range, and on the, I guess, it's the 12th green, yeah. Anyway, somewhere down there on the sunset area. We have been on the island for six years, and lived down there, and we have witnessed and been present on a number of events held on the driving range. With the provisions that are put into the proposal, we think it's certainly an acceptable use and we applaud and welcome the use of those facilities for that. Any questions?

Ms. Koanui Nefalar: No. Thank you.

Mr. Theno: Okay. Thank you.

Ms. Koanui Nefalar: Next for public testimony, Ron McOomber. Okay. Ron left. Tom Roelens. Okay, Tom will go when the agenda item is up, agenda item is up. Hector Rubio. No Hector. Oh, Hector.

Mr. Hector Rubio: So my name is Hector Rubio. I represent Four Seasons as Director of Catering and Comp Services. Aloha everyone. I'm here to ask for your support for the approval of the Conditional Use Permit for the special events on the golf course. Right after -- we just got a CO now, and an incredible renovation of the resort. Basically we have a new resort on the island. And as we embark with our goal of creating exceptional experiences for all of our guests, having this permit is something that is very necessary for us. We are in an environment where customers coming to Hawaii from other destinations are looking for anything that is

unique or anything where something extraordinary can happen. In the current state of the event spaces that we have, we are in the luxury market looked at one of the rest with just basically having indoor space to use, in addition to the luau gardens. So being able to do events there is very, very important. We are currently competing with hotels in other locations. Our own sister property that is about to open in Oahu will have the use of a beach to do events. Disney's Aulani Resort, next door to them, also has that type of setting for doing events. Princeville, the St. Regis, has a sea side lawn where they can do events. These are the things that make these locations special in the collection of luxury hotels. We don't necessarily have that in order to stand out and be able to compete head and head with them. At the end of the day, part of the goal and what this will cost also is that customers can be here for longer time, and in turn, that will create more revenue for the resort. But not only that, but more importantly, increase the hours that our staff can actually work on a weekly basis, and also enhance the local community and the economy. Thank you so much.

Ms. Koanui Nefalar: Thank you Hector. Next up is David Green.

Mr. David Green: My name is David Green. I'm a resident of Manele. Thank you for the opportunity to speak. I'm very much in supportive of the Conditional Permit. I'm also the president of the Manele HOA. Sometime ago all the residents at Manele, in proximity to the proposed site received a letter talking about it, and giving us notice. It was quite a topic of conversation and I talked to a lot of the people who have been on Lanai. A lot of our members have come back for the opening of the hotel, very anxious to see it, and very pleased with what they saw. And during that opportunity I found no one objected it at all to having these events in the locations that were mentioned, and with the restrictions on the, on a number of events, and the time that the events had to be over, are very much supportive.

This used to be done by Castle & Cooke for years, and so this is just, I guess, getting legal and, and it hasn't been done for, I don't know, a year and half maybe, some thing like that. And to be honest, we miss that. Every now and then when there's a great event down on the, on the driving range, we drive up to the first tee and kind of watch and see what's going on, so it's a little pre-entertainment. So anyway, we're strongly supportive. I, I, I feel confident that almost all the residents at Manele would be strongly supportive. We look on the hotel as our neighbor. We really missed our neighbor when it was off for repairs, and we're very happy to have it back, and we want our neighbor to be successful and I think it's really important. So I urge you to approve the Conditional Permit.

Ms. Koanui Nefalar: Thank you Dave. Next up, Caron? Caron Green.

Ms. Caron Green: My name is Caron Green. I've been a resident of Lanai for over nine years, wife of David Green, here. And I really just want to second everything that's been said. We want the hotel to be successful. And they have lots of competition. People can go other places. So anything that we can do to help them be unique, and I think that having weddings and events on the 12th tee box and the stunning view from the driving range really is something very special that we can offer here on Lanai. So -- for that reason I would like to second what everybody else has said here, and wholeheartedly endorse the permit. I would also like to

thank those of you who showed up today for showing up. It's very important. I was speaking to Lynn before the meeting began, and the hotel needs our help to be successful. And if you didn't show up today this wouldn't be going to Council. Hopefully you will pass it, and it will go to Council and get there before the budget meetings, and we can hopefully get this done in a more timely manner. If you hadn't come today, and this hadn't gone through today, everything would be delayed, and, you know, we don't need that on Lanai. We want the hotel to be successful, and we want to do everything we can to make that happen.

Ms. Koanui Nefalar: Thank you Caron. Last on the list is Alberta de Jetley.

Ms. Alberta de Jetley: Thank you all so much for being here tonight and making this meeting possible. It was so important that we have a quorum tonight, and I'm so glad you're here. I submitted written testimony because I have a 5:30 appointment, but I did want to stay until -- so I could hear the others speak. The 12th hole of the golf course is just spectacularly beautiful. And to be able to have an event there or an activity there is just going to be so important. Hector has just, in the Catering Department, and he's the person who does all the arrangements for groups coming into the hotel. They come up with up so many different fabulous ideas on how they can present Lanai to their guests. That I think having the ability to have an event at the 12th hole tee box is just going to take us over the top. So I hope you will all support this request and move it on to the Council. Thank you.

Ms. Koanui Nefalar: Thank you Alberta. Is there anyone else who would like to testify who did not sign up? Seeing no -- there's no one else. I'd like to go to the next agenda -- approval of minutes of the January 20th, 2016 meeting. Commissioners, any updates, changes?

C. APPROVAL OF THE MINUTES OF THE JANUARY 20, 2016 MEETING

Ms. Koanui Nefalar: Seeing no changes, can I get a motion to approve the minutes for January 20th, 2016 as is?

Mr. Stuart Marlowe: So move.

Ms. Joelle Aoki: Second.

Ms. Koanui Nefalar: Moved by Stu, seconded by Joelle. Can I get a raise of hands of everyone who agrees? Unanimous.

It was moved by Commissioner Stu Marlowe, seconded by Commissioner Joelle Aoki, then unanimously

VOTED: to approve the January 20, 2016 meeting minutes as presented.

(Assenting: J. Aoki, M. Baltero, S. Ferguson, S. Koanui Nefalar, S. Marlowe)

(Excused: J. Barfield, K. Gima, B. Oshiro, B. Zigmond)

D. PUBLIC HEARING (Action to be taken after public hearing.)

- 1. LANA'I RESORTS, LLC doing business as PULAMA LANA'I requesting a Conditional Permit for the Challenge at Manele Golf Course Special Events to host up to 40 private resort-related special events per year at the golf course, TMK: 4-9-017: 008, Manele, Island of Lana'i. (CP 2015/0005) (C. Thackerson)**

Ms. Koanui Nefalar: Next on the agenda is public hearing for . . . *(Ms. Stacie Koanui Nefalar, Vice-Chair, read the above project description into the record.)*

Ms. Candace Thackerson: So we have the Lanai Resorts doing business as Pulama Lanai as stated for the Conditional Permit at the Challenge at Manele Golf Course. This item is before you for your review because the parcel is located in Lanai Project District One, Manele. And because of that, special events are not permitted uses in these districts, and therefore, a Conditional Permit is required. Just a matter of clarification -- I have one clarification and one correction. So the correction on page 3 of the staff report, I believe...it says under special events one, large corporate sponsor dinners and performances, the third line down it says, these events with up to 1,300 attendees should be 300 attendees. Just as a matter of clarification, that was a little extra, an extra one which is a huge difference there. As a matter of clarification, I also just wanted to add that this permit goes hand in hand with an SMA Permit that the applicant has already applied for the makai events, although that permit is subject to this approval first. So we're just going in an orderly fashion. But I did want you guys to know that the applicant has already applied for that as well.

To not repeat ourselves, I'm going to go ahead and let the applicant do a presentation outlining what the permit entails.

Mr. Mark Roy: Thank you Candace. If it's okay, I'll just move over to the screen because we have a presentation. Good afternoon Vice-Chair, members of the Lanai Planning Commission. My name is Mark Roy with Munekiyo Hiraga. I'd like to start by thanking you all for the opportunity to be here to present this project before you all. We're here representing the land owner applicant for the project, Pulama Lanai. They are the land owner and the applicant for the Conditional Permit application. The golf course operator is the Four Seasons Resort Lanai.

We're here today to request a Conditional Permit to operate 40 -- up to 40 temporary events per year, at two locations on the Challenge at Manele Golf Course. Duration for the permit being requested here is five years. Now this event function as you have heard in some of the testimony today, on the golf course, really does represent an important economic generator for the resort. One that really allows it to meet the needs and the evolving expectations of guests staying in the Manele area.

This is just a simple aerial photo showing the configuration of the existing golf course, and the two event locations that are the subject of the application before the Commission today. We have the mauka -- what's being called the mauka event site, and also a makai event site. The mauka event site is just on the east, the eastern side, north eastern side of the existing clubhouse. I'm pointing it here with the laser pointer. And the makai side, further down towards the shoreline, is on the tee box of the 12th, 12th hole.

This is a simple map showing the two event locations here. We have the mauka event site located here, and the makai event site located here. This slide just simply shows the configuration of the golf course parcel itself. Shaded in gray here is actually parcel eight; is the golf course. And these two event sites are located within the golf course parcel itself.

Parcel eight is owned by Pulama Lanai. It's operated by the Four Seasons Resort Lanai as the Challenge at Manele Golf Course. It's been a golf course for over 20 years. It is located in the State Land Use designation district, the Urban District, and it's designated for golf course use as part of the Manele Project District.

Simply here is a close up aerial photo of the mauka event site. I'm sorry it's a little difficult to make out, but we have the existing clubhouse here on the golf course; and in red here, circled, is the mauka event site. It's about an acre in size, and is used, or will be used, to accommodate larger events, larger corporate events ranging from 75 people to about 300 guests.

The next couple of slides I have here show the existing -- or the configuration of a typical event set up at the site. These are larger events, typically involving sit down dinners with bars -- with a bar and a performance stage. This is one of the larger event set ups and this is one that would be involving a smaller, smaller number of guests. And a couple of photos looking at the mauka site at a typical event set up.

Now moving down to the shoreline area, the makai event site is located on the number 12 tee box of the golf course. This is a more intimate location for smaller events such as weddings or vow, vow renewal ceremonies, as a couple of examples. A smaller location with great views across the ocean for events accommodating between 25 and about 100 guests in size.

As Candace mentioned this location is within the Special Management Area, the makai site. An SMA Assessment application has been filed with the Department of Planning, and it's currently been held in abeyance, or is on hold until the Conditional Permit process is complete -- the application process has been completed.

Again we have here a typical event set up diagram. This again is a more intimate surrounding for smaller events. Here we have a seating configuration with some high top bar tables and a small bar at the rear of the site, with beautiful ocean views out towards the ocean here. This is a typical set up photo giving you an example of a wedding ceremony that would be held in this location.

So in terms of events operations, typical users will be those corporations staying at the Four

Seasons Resort or large groups that book blocks of rooms at the resort that would really like to take advantage of Manele's pristine weather and the excellent views that are available from these sites. Guests will be shuttled or will walk from the resort to the event site. The event site when they are in use will be blocked off from the rest of the golf course and will be secured by security. There will need to be modifications to golf course play which really will vary depending on the complexity and the timing of each individual event.

Event organizers will be held to a high level of responsibility to set up, break down, and fully clean up after each event. Events will be finished by 10 o'clock in the evening so is not to affect nearby residents. Parking, if it is needed, will be available at the existing clubhouse on the golf course. There's about 130 stalls or so available within that parking lot. And, finally, and I think, importantly, event organizers will be required to sign what's called a code of conduct with the Four Seasons Resort Lanai which outlines rules and regulations really intended to ensure that the special events at these locations are held in a manner that is consistent with the Four Seasons high standard of excellence. A few examples of those kind of requirements that would need to be addressed by events operators include needing to show proof of liability insurance, as one example; there being designated or stipulated set up and break down procedures for the event; and also, implementation of health and safety measures to ensure not only the guests but the employees are well protected during the events themselves.

So as Candace had mentioned a Conditional Permit application was filed with the County to request a Conditional Permit to hold up to 40 events at these two locations. A copy of that application was, I believe, provided to Commissioners ahead of this meeting, this evening. The proposed use is not expected to adversely impact the physical or natural conditions of the surrounding area for the following reasons. Firstly, the lands involved are located in the urban district and are not classified as appropriate for agricultural use. The golf course has been in use for over 20 years now, and the special events will be hosted on existing turf areas within the golf course such that there will not be any negative impacts on existing soil conditions in the areas. Secondly, both sites are outside and beyond designed flood zone areas. And thirdly, there are no known native biological resources, or archaeological resources present within or in the immediate vicinity of either of the two sites. And then finally the use of the site for special events will be limited and will be temporary in duration. And as such, there will not be any negative long term impacts on ambient noise or air quality conditions within the surrounding Manele area.

And for these reasons, we're here today to respectfully request the Commission's favorably recommendation of the Conditional Permit request to the Maui County Council. That's the next step in the Conditional Permit application process. The Commission's recommendation would be forwarded to the Maui County Council for consideration. Thank you for your time today, and I would like to now invite the General Manager of the Four Seasons Resort, Mr. Tom Roelens who would like to offer a few words to conclude the presentation. Tom?

Mr. Tom Roelens: Thank you so much. Good evening everyone, distinguished members of the Lanai Planning Commission, Maui Planning Commission, my name is Tom Roelens, General Manager of Four Seasons Resorts on Lanai. Today I'm asking for your support with your

approval of the Conditional Use Permit to hold special events on the Manele golf course. As we embark in our mission to position our resort in a destination as the premiere one in Hawaii, it is a one utmost importance for us to be able to provide clients with as many event venue locations as possible. Currently our corporate social groups represents about 30% of our business. This average yearly percentage is crucial for the success of our new resort, not only from a revenue perspective, but more importantly as a way to guarantee work hours for our teams and employment across all our departments.

The two areas that have been presented under this application will provide alternate outdoor location that enhance our collection of indoor event space. The reality is our customers choose Hawaii not only for its hospitality, the aloha spirit, wonderful people, but also for its beauty and the vistas. And the areas like these become really important when competing with similar resorts in the country but also tourism destinations worldwide. In addition, having these locations in our portfolio venues will enable us to pursue clients that look for destinations where offerings and infrastructure allow for a longer stay which in turn, again, means more hours for our teams, but also more time for visitors to discover the island, discover the town, other parts of Lanai, and truly support the local economy.

Our desire is to hold private events in the forms of dinners, performances, weddings, while also conforming with special requirements and regulations, of course, related to noise, health and safety. We do not anticipate events to have any adverse long term impacts on the environment. Mahalo.

Mr. Roy: Thank you. That concludes our presentation for you this evening. We're happy to answer any questions that the Commission members may have at this time on the proposed request. Thank you.

Ms. Koanui Nefalar: I'm going to open it up for public testimony. Tom, was that your public testimony? Okay. Anyone else wanting to give testimony at this time? Seeing none, Commissioners, any comments?

Ms. J. Aoki: I do have a question. The lighting for the events during the hatching seasons for 'uwa'u, will they be utilizing low, ambient light during, during those fledging times? Thank you.

Ms. Koanui Nefalar: Anyone else? Any other Commissioner? Looking -- seeing there's no more comments for Commissioners, can I get a motion --?

Ms. Marlene Baltero: Before we proceed on this Ms. Chair, I just would like to, just for the record, even though I work with the Four Seasons Resort Lanai, any decision I make with this Conditional Permit may not affect any, any invested interest with my job and any affiliation with company that I may have.

Ms. Koanui Nefalar: Okay. Can I get a motion? Go ahead. Sorry.

Ms. Thackerson: That's okay. The Department recommends that the Commission approve,

recommend approval to the Maui County Council subject to the staff report and recommendations as presented. I think there's eight conditions.

Ms. Koanui Nefalar: Can I get a motion?

Mr. Marlowe: So move to grant the permit as requested. The motion is that we grant the Conditional Permit that has been requested by Pulama Lanai and have it go to Maui County.

Ms. Koanui Nefalar: Can I get a second?

Ms. J. Aoki: I second.

Ms. Koanui Nefalar: All in favor? Unanimous. Pass.

It was moved by Commissioner Stuart Marlowe, seconded by Commissioner Joelle Aoki, then unanimously

VOTED: to recommend approval to the Maui County Council the staff report and recommendation as presented.

(Assenting: J. Aoki, M. Baltero, S. Ferguson, S. Koanui Nefalar, S. Marlowe)

(Excused: J. Barfield, K. Gima, B. Oshiro, B. Zigmond)

E. COMMUNICATIONS

- 1. February 3, 2016 Semi-Annual Report (July to December 2015) submitted by Lynn McCrory, Senior Vice-President of Governmental Affairs, PULAMA LANAI regarding the project irrigation demand associated with the Residential and Multi-Family Development at Manele, TMK: 4-9-017:001, 002, 003, 004, 005, and 4-9-002:049, Manele, Island of Lanai. (95/SM1-015) (95/PH2-001)**

The Commission may provide its comments on the report.

Ms. Koanui Nefalar: Next on the agenda, February 3rd, 2016 semi-annual report . . .
(Ms. Stacie Koanui Nefalar, Vice-Chair, read the above project description into the record.)
Lynn?

Ms. Lynn McCrory: Good afternoon. Lynn McCrory, Pulama Lanai. This is the semi-annual report that we have been giving the Planning Commission for a number of years. We made changes to it a few years ago to present it in graph format rather than give you a sheet of numbers which is very difficult to relate to. This is showing you the last two years so you can see the water that was used at Manele as part of the hotel property, the landscaping, the golf course, the single-family. So it's reporting separately on the brackish water and potable water,

and it shows a pretty consistent standard. If you see an example where one has -- one of the line graphs has spiked, it's usually the result of a leak, especially if it's gone down immediately thereafter. So any questions I can answer, I'll be happy to answer. But, everything looks good.

Ms. Koanui Nefalar: Commissioners, any comments? Okay, seeing no comments. Next on the agenda, workshop on Coastal Zone Management Act Special Management Area Law conducted by Department of Corporation Counsel.

F. Workshop on the Coastal Zone Management Act (CZMA)/Special Management Area (SMA) Law conducted by the Department of the Corporation Counsel

Ms. Richelle Thomson: Thank you Chair. So I'd just like to refer the Commissioners to a handout the -- it looks like a power point presentation that's been printed out. It's fairly brief, and really what I wanted to do today is just give you kind of a broad overview to coastal zone, the Coastal Zone Management Act and Special Management Area Law. There are extra copies on the back table if anybody in the audience would like to follow along.

So shoreline management in Hawaii is subject to both Federal Coastal Zone Management Act and Hawaii's Coastal Zone Management Act which basically mirrored the federal act. They're designed to really guide planning decisions in coastal regions. And the mandates are to protect, preserve, and restore natural resources and historic sites located within those coastal zones. And the guidelines and policies also should be helpful for you in designating SMA boundaries whether you're confirming the existing boundaries or looking at changes to the boundaries.

Going on to page 2, the Coastal Zone Management Act objectives and policies. Those are found in HRS 205A-2 which are also printed out, and that should be -- it's basically a three or four page of the law that goes through the objectives and policies of that act. And they're broken down into various categories. And to my understanding is you're probably going through those categories as you're analyzing the coastal zone on the island and making decisions as to the special management area.

Some of those objectives and policies include recreational resources, maintaining public access to beaches; historic resources within that zone, protecting and preserving those; scenic and open space resources, line of site toward the ocean from roads, things like that; minimizing effects on coastal eco systems such as wetlands and smart development of economic uses, managing that development; and also taking coastal hazards into account and planning, so looking a tsunami inundation zones and managing the development in those types of areas that are prone to flooding or erosions and tsunami activity.

Down on the next slide it's the 1986 Amendment to the Hawaii Coastal Zone Management Act -- govern procedures for determining where the shorelines are located. And shoreline is a legal term. It's defined as the upper reaches of the highest seasonal wash of the wave as evidenced by the edge of vegetation growth or debris left by waves. Of course, on a rocky cliffs, that would

be, you know, a more difficult determination. This is really more on a flat or slightly sloped coastal area where you'd have a debris line or vegetation line. And Lanai, on Lanai, the shoreline setback is 40 feet from the shoreline. So the shoreline is an established line, and 40 feet back from that line you can have no development within that area.

The State Office of Planning -- the State of Hawaii Office of Planning is the lead agency regarding Coastal Zone Management. And I think we'll try to, and if it works out with the schedule -- with Office of Planning schedule and with your schedule, I think it might be a good idea to have someone from that office come out and just have a discussion with you as you're going through your SMA boundary process. The Office of Planning reviews County permitting authorities' implementation of the CZMA and the SMA, and they keep the maps of SMA boundaries including the updates.

So Special Management Area, that law is found in Part II of 205A HRS. And again, it's very similar, the Findings and Purpose for the SMA; special controls on developments within an area along the shorelines. The goal is to avoid losses of valuable resources; protect, access to beaches and recreational areas; and protect, preserve and restore coastal zone areas. So your, your exercise and your endeavor in looking at SMA boundaries really you're going to tailor your analysis to HRS 205A to the objectives and policies that are found in that law.

I just -- the last couple of slides I went through the three types of SMA permits. So you have an Emergency Permit to prevent substantial harm to persons and property; SMA Minor; and then what we general refer to as an SMA Major. The law refers it to as a use permit and those are for substantial -- projects that may have substantial adverse and environmental effects.

Projects that aren't -- don't constitute a development such as construction of a single-family home; the maintenance of existing roads and structures; certain types of subdivisions are exempted from SMA.

And the reason that I put this last slide on here is that it kind of helps you working backwards from -- you're use to seeing SMA Permit applications, and, you know, you've heard all of Corp Counsel's talk about the nexus between the conditions and the law that you're applying. But if you work backwards through that, those conditions support the law, and the law is based on the objectives and policies and the act. So as you're looking at setting the boundaries, you're also going to be looking toward permits that are going to be based on this SMA area, and it should logically flow from the State law.

So you don't hear this probably a number of times in different iterations from all of us as you go through the process, but just to give you a very broad overview of the exercise that you're going through. And that's all I have. Thank you.

Ms. Koanui Nefalar: Any comments or questions Commissioners?

Mr. Marlowe: Yeah, one quick question. How often are the -- how often is all of this under review? Times change, conditions change, and are there updates and stipulations added or

deleted over time? I lived in -- by Haunama Bay in Honolulu and we were there 27 years. The only thing that ever came up about that fabulous place was they wanted to extend the parking lot, over, you know, twice the size because more and more people were using it and that became an item under SMA. So I was wondering how often is this entire review done by the State?

Ms. Thomson: The State law has changed in a few, a few different ways since probably the 1970's. The SMA boundaries on Lanai were set back in the 70's and they have not changed since that time. We have a lot better information now, you know, regarding tsunami inundation, coastal hazards, you know, erosion prone areas, areas that are really specific sensitive. And so, I think, given that it's been such a lengthy period of time it does make sense to, you know, look at all the information that GIS can provide and see whether the lines that have been drawn currently are adequate or whether they need to be modified in some way. So it's not a law that changes very often, and so --

G. UNFINISHED BUSINESS

- 1. Planning Department transmitting a status report memo on the Planning Department's study to amend the Lanai Special Management Area (SMA) boundaries (First presented at the October 21, 2015 meeting and further discussed at the December 16, 2015 and January 20, 2016 meetings.) (K. Aoki)**

Follow-up memo from the Department of Planning provided for the January 20, 2016 meeting.

There may be ongoing community discussion.

Ms. Koanui Nefalar: Commissioners, any -- any more questions or comments? Seeing none, we'll move on to Unfinished Business. *(Ms. Stacie Koanui Nefalar, Vice-Chair, read the above project description into the record.)* Any comments? Any comments or questions about the memo? Seeing none, we have a presentation?

Ms. Kathleen Aoki: Good after -- good evening members, my name, for those of you that weren't at the last meeting, is Kathleen Aoki. Same last name. We're not related, through, yeah. And I am the new division head for the Plan Implementation Division. And, we're here tonight to continue the discussion of amending the SMA boundaries for Lanai. This request, I remember, has, has been made several times over the past few years. So you have me. I have here with me, Peter Graves, who's a GIS Analyst. And as promised in the last meeting we said we would come back at this meeting and gather more input from you on areas of concern, of areas that you might want to look at. I was hoping that there would be more public testimony provided by the community on the kind of concerns that they have. But nevertheless we have Peter here today, and he is a wiz.

And I open it up to you folks on if there's any direction you want me to go through, if you've thought about it. If you haven't or you don't have, you know, a suggestion, I have a suggestion that we could start off with. And the first would be looking at the tsunami inundation area because that obviously is a layer that we have. It's been studied. It's -- you know, something I think that we can rely on to show exactly where our vulnerability is. So if that's okay with you guys we can use that as sort of our first, you know, diving off the board and looking at something that I would suggest the SMA take a look at and be included. So we can start pulling up the --. I don't know if it would help -- do you mind turning off the lights? Thank you. We can see it better hopefully. Yeah that's better.

So this is the current SMA boundary, and the blue is where your tsunami inundation zone is. So as you can see the tsunami inundation zone goes more mauka than the shoreline, than the SMA boundary. So it's in these kind of areas that are first fly by that we would suggest moving that SMA line more mauka to encompass that tsunami inundation zone.

The -- you'll find going around the island what we found was for the most part there's little funky lines over here like this. For the most part, the line as I mentioned last time, the SMA boundary line is pretty generic. It's just based on distance. We would do random measurements and it's anywhere from 450 feet to 550 feet. The tsunami inundation line, as you can see, is very curvy in places like this where you have a gulch or ravine or stream because of the way the topography is the line's going to go further up into that gulch. We can make the SMA boundary either -- I mean, this isn't the only thing we're going to look at so we're going to encompass other items. In places where maybe it goes way mauka like that, and that's the only thing you really want to worry about, you might want to smooth out the SMA line and not make it jagged like that. That would be my recommendation.

Yeah, it's the evacuation zone that's done by the Civil Defense. So, I'm sorry, I don't know the specifics on how they got to that, that line. So in places like this we found -- you know, another thing that you -- another item that you want to look at with the SMA is cultural sites that are along the shoreline, and we want to protect those. So one of our layers had a few cultural sites and as I mentioned in the last meeting, cultural sites are kind of tricky because you don't necessarily want to put them on a map because then people know where they are. By the same token there are things like these that are identified on maps, and in this situation where we started looking at the cultural sites that we knew of that were on the shoreline, they are all within the tsunami inundation area so we're kind of tackling two stones. You know, two birds with one stone. Because if we move that line more mauka to follow the tsunami inundation line, we're also going to be encompassing cultural sites at the same time. So that's a good thing.

We went around the entire island and...for the most part, where we think it might be more sensitive as far as development is concerned, the tsunami inundation line with would, would kind of cover what's important as far as sensitive areas. Along the cliffs, of course, on the opposite side of the island, it's interesting because you have a sheer cliff. So the question becomes how far do you want that line to protect a shoreline that really isn't there because it's a rocky cliff face. For the most part, again, you'll see that it's 400 -- between 450 and 550 feet.

At Manele, we can see there -- it's interesting -- we found it interesting -- I did -- the tsunami inundation area because some it seems kind of high up. Like by the harbor, right there, yeah. I mean, it kind of goes up a little bit. But they've included it in -- for whatever reason they've included it so you could follow that blue line. I'm sorry, you wouldn't follow the blue line because I don't think you'd want to make the tsunami inundation -- I'm sorry, the SMA boundary more makai. So we would suggest keeping it where it is. And you see that it runs kind of right through the hotel, in that area. Along -- keep going further up, Peter. Yeah, okay, right there -- maybe Peter, you want to explain?

Mr. Peter Graves: It looks like the, the time the SMA was done, the line was done, whether they even noticed this or not, this was -- this hadn't eroded away yet. At this point, the SMA, you can't see it as well in this photograph, but it's pretty much, the cliff side has eroded away. So it's not even at the top of the cliff anymore in this particular spot.

Ms. K. Aoki: So again that would be an area that you would definitely want to address because it's not even on land anymore. So further north, I guess -- northwest, you have -- like where Shipwreck beach is, in those areas, you have a lot of sand, sandy areas where we could kind of hone in on and --. And again if we were -- you know what --. What was interesting was we noticed that the tsunami inundation zone ends. So we started looking at Molokai, Oahu, and we, brilliant minds, figured, but we don't know, that maybe that they did that just because of the way a direction of tsunami would hit this island. It may not hit that area because it's protected. Because I just found that it interesting that it ends so --. But in that area there is sort of you have sand and dunes...and dune like features, so perhaps...you know, we move that SMA line a little bit more mauka to encompass that sensitive sand type feature.

The other thing that we quickly looked at but didn't really focus on too much because we -- I wanted to show you this first was the land use map for the community plan update...just to kind of see what your -- and what your zoning is and what your State land use is, and a lot of it is in conservation in that area. And with conservation, State Land Use Conservation, you don't need an SMA Permit when you do something in the State Land Use Conservation Area. Not that that means you shouldn't protect it with an SMA line because you could have a State Land Use, you know, District Boundary Amendment one day in the future. But I just found that interesting. So all that -- all the white, yeah? Yeah, all the white is State Land Use Conservation, so...it's outside our jurisdiction anyway. But, again, that doesn't mean you shouldn't put in an SMA boundary; just be conscience of that. And then the green is ag? Green is ag.

So that's what I came with. Do you guys have any questions or --?

Ms. J. Aoki: I know one of the questions that came up a couple of years back was in retrospect to the, the SMA boundary being examined is sea level rise and the presentation that was done regarding sea level rise, and you know, the rising temperatures of the ocean. So would -- would you happen to have an illustration of what is anticipated with that sea level rise based on the information we've been provided through that workshop that you could maybe given us a comparison, an overlay, just so the Commissioners can see what that looks like?

Ms. K. Aoki: We don't actually have a layer. What I -- and this is good because this is the kind of stuff that I want to know so I can go back and work with the shoreline planners, and then probably was Tara. Was it Tara Miller that came and did that presentation with Jim Buika? Yeah. So what we can do is I can talk to her, get her expertise and her opinion, and we could, you know -- say she says it's three feet on this side, and two feet on that side, or whatever formula she comes up with, and we could, we could formulate. Can you do that Peter? Yeah. He's a wiz, so we can formulate an overlay to kind of show where that, that line would be. But I am sorry, I don't actually have a layer right now because I don't think a layer's been created. Because there's still, I think, debate on what number to use. But we could, we could work with her and come back with something.

Ms. J. Aoki: I think that would be very helpful because I think that was how the initial question, or the inquiry came up regarding, you know, reviewing the SMA was based off of that training. And while the sea levels are rising, then we need to take a look at the SMA boundary. A good example is that area which we call landslide is sliding away, right. So it's a very good examination of what's happening. So I think that would be very helpful to see maybe that layer as well.

Ms. K. Aoki: Okay.

Ms. J. Aoki: Thank you.

Ms. K. Aoki: You're welcome. Thank you. Anybody else have any questions, or suggestions, or areas you want us to focus on? I mean, we can, we can pan slowly if you want around the whole island just to show you where the tsunami. Because -- it's kind of far from here, but we zoom in, I don't know, if that's helpful.

Ms. J. Aoki: . . . (inaudible) . . .

Ms. K. Aoki: The harbor?

Ms. J. Aoki: . . . (inaudible) . . .

Ms. K. Aoki: So that's the tsunami inundation zone, and that's your SMA. So your SMA goes way more mauka than the tsunami inundation zone.

Ms. J. Aoki: . . . (inaudible) . . .

Ms. K. Aoki: We'll do it for you right now. 506, 524. I'm sorry, 512. That's right, it's pretty much right around five. There's one place we found it about 450-something, but it basically kind of all looks like that.

Ms. J. Aoki: . . . (inaudible) . . .

Ms. K. Aoki: The SMA?

Ms. J. Aoki: . . . (inaudible) . . .

Ms. K. Aoki: No, the SMA -- the SMA layer has been available for a while, yeah?

Ms. J. Aoki: . . . (inaudible) . . .

Mr. Graves: It's a little bit easier to use Google Earth in the meeting, so I -- rather than our software we use. And also the imagery you can get a lot closer than the satellite imagery we use. So I just imported these GIS layers into Google Earth. It's Google Earth Pro that used to be \$400, now it's free if anyone wants to get. But, so, yeah, I was just able to, very easily put the evacuation zone in here with the SMA. I can do the same thing with our GIS software, but it's just a little more clunky to use than Google Earth. Google Earth is much easier to zoom around.

Ms. K. Aoki: You know, the layers have been available for a while. A lot of the layer, from what I understand, we, you know, there's a State website, yeah, that you can get a lot of the GIS layers from. Yeah, so maybe sort of in this area here where you have more sand, you might want to --. The other thing we might want to look at too is elevation rather than just simply distance. You want to look at elevation and see how high up you're going. You guys know -- I don't know. Is there access to these areas? Yeah? Okay. That where I rely on you and your expertise of what's down there, what does it look like, does it go up high, does it low. You know, is it flat?

Ms. J. Aoki: . . . (inaudible) . . .

Ms. K. Aoki: So I can go back and do the sea level, you know, look at the sea level rise. Is there anything any of the other Commissioners are concerned with?

Ms. Koanui Nefalar: Can I get the lights? Thank you. I'd like to open up to public testimony, or if the public has any questions. Go ahead.

Mr. John Stubbart: I noted that the arch sites that you have reluctance on identifying where some of the arch sites are, archaeological sites, for protection issues. Should -- how would that be for significant sites, how would they be represented or identified so that if we are looking at the SMA to make sure that they are protected on the long term basis. And where would -- how do you go about doing that if you have a reluctance to show it?

Ms. K. Aoki: That's a very good question. They wouldn't be identified on an SMA map. So, in my experience what usually happens is somebody the from the public -- I mean, it just gets talked about. It's not written any where, but it gets talked about. Like, you're just, oh where? That this is there, or that's there, or there's a grave yard there or, you know --. So it will become -- it could become part of the record, but to actually map it is dependent on the agency that may want to do a report on it, or DNLR State Historic Preservation Division. Yeah, but they don't -- but they, they deliberately don't do that because they don't want them disturbed. It's more oral and...it's not written. But sites like the church -- I'm sorry, the sites like the church and things

like that are tangible and you can see, you know, a lot of times, they are identified. So we can work with those.

Ms. Koanui Nefalar: Lynn, you had a question?

Ms. McCrory: Lynn McCrory, Pulama Lanai. Just a couple of things, when we're doing a project, if we're doing an EA or if we're just doing a project, one of the things that we have to do is an archaeological survey. And within that survey, anything that is a site is identified. And depending on what it is, it could be a small stone chip that was used to scrape skin or bones or something like that, it's then identified as coming from that site. And you have whole plans that say what to do with it. When the plans go into SHPD, which is the State Historic Preservation, they are then numbered. So they show up on all of the State maps that you can see -- this is Site P-129 -- and you can go to an index and you can see what the site is and what it's going to be. So there's a great deal of information already available. The other ones that are kind of up and down, you'll find that one of the things that we're doing is we are going and putting signage up in front of things so that people can see what it is and understand what it is. And that is equally as important because you don't want them just trampling through these sites, but you want them to understand that they're very precious and we're trying very desperately to preserve them. So that, that's the first point I wanted to make.

The second point I wanted to make was while the County does not have any permit processes that deal with State conservation land, the State does. It's called a Conservation District Use Permit. And if you think that some of the County permits are fun, you ought to see what that takes to get one of those. So when you're looking to do something on conservation land, there's a state process. You have a great many more requirements, and a great many more things you can do because the land is zoned conservation for a reason. It's zoned because they want to keep it out of development. They're not looking to build, you know, 6,000 square foot houses. As example, there's conservation land if you were building a house on it, it can't be bigger than 3,200 square feet. Can't. Just cannot. So, you can't have extra buildings on the property. So there's a whole range of different things like that. So understand it's not just County, which is what she said, there's no permit. But there's no County permit, but the State permit is there.

Ms. Thomson: Thank you. I know sometimes this gets a little bit confusing with some of the overlaps of the law too. So regarding historic resources and cultural resources, they're protected in different ways under a different state law than county laws also. So Chapter 343, the Environmental Impact Law, that has, that has impacts on historic and cultural resources, and archaeological resources. The SMA, what you're looking at now, is really historic resources located near the coastal areas. Chapter 60 is -- that's more where SHPD's territory comes in when they have jurisdiction over looking at projects that implicate historic properties and historic resources. So there are many different overlays of law that protect cultural resources and historic resources. What you're focused on would be historic resources in the coastal area.

As far as, you know, what, what you want to take a look at, you know, next, sea level rise could be something to look at. If you take a look at that handout that I passed out, the Chapter

205A-2, that has the objectives and polices of the coastal zone management program. And you might find some areas that would be kind of natural like coastal hazards, like coastal eco-system, you know, identification of any wetland areas which I'm not aware of coastal wetland areas on the island of Lanai of whether or not there actually are any. But beach protection, so those areas that have white sand beaches, I think that might be a natural area to take a look at when you're looking at both -- you could look at it through tsunami inundation, but also look at it just here, here's a very important beach and where is the protection line. Does it need to be higher elevation, is it good where it's at? So you could, perhaps, use that as an exercise too. Just some, some ideas, if you look at that list, you may be able to pick out a couple of topic areas that you'd like to tackle next.

Ms. Koanui Nefalar: Anyone else wanting to give public testimony? Seeing none. Commissioners, any questions or comments?

Ms. J. Aoki: I think based on those questions, I would like to see if possible a SHPD map or some type of documentation of any environmental assessments and/or archaeological studies that have been conducted that may be mapped already so that way --. And it doesn't need to be an overlay on this map that would be too much work for you. But if we could have that map provided separately then we could at least have that as information to be able to make a better decision.

Ms. K. Aoki: So what I'm hearing is any EA's conducted within the shoreline area...or where cultural sites. Because there could have been cultural sites that were -- I mean, this is totally hypothetical, okay -- but there could be cultural sites say that were found at a development up in Lanai City which is not going to be useful for this exercise because you're not in the shoreline area. There could be EA's done --. I mean, SHPD has maps with numbered sites on it. Okay, so I can check with SHPD then.

Ms. J. Aoki: And I think the purpose of that is I wouldn't -- I would personally not like to see the SMA line being set 50% right through a cultural site, you know.

Ms. K. Aoki: Definitely. Right.

Ms. J. Aoki: It would be better to go around it or, you know -- it would be good to see where we're moving that line, and to make an educated determination on where that line exactly is going to be, and if we're going to do elevation or measurements, so that might be helpful to the Commission members. And I don't think it overlays necessarily, but just so they can see it's large study area that they may want to take into consideration.

Ms. K. Aoki: Okay. I can start researching that.

Ms. Koanui Nefalar: Commissioners, any other comments or concerns? Seeing none. Kathleen, how long would it take you to get that information? Would it be ready for next month's meeting?

Ms. K. Aoki: My gut says no because working with SHPD, unless its improved in the last 2 ½ years, takes time to get information back from them. So, I would say no at this juncture having to do this research for the island and working with SHPD.

Ms. Koanui Nefalar: What about sea level rise or would any of that information --

Ms. K. Aoki: Right. The sea level rise, again, I would have to talk to Tara see what her schedule is like and, you know, come up with something. I mean, she works for Planning, but she also is a UH Sea Grant employee, and teaches, and does all kinds of stuff, so she's not solely just assigned to Planning. So I would have to see what her schedule, you know, what she could come up with. She's working with two entities, so I don't want to -- I'd rather under promise than over deliver.

Ms. Koanui Nefalar: Okay, thank you.

H. DIRECTOR'S REPORT

1. Open Lana'i Applications Report as distributed by the Planning Department with the February 17, 2016 agenda

Mr. Clayton Yoshida: Yes, the Department has circulated the open Lanai application report, if there are any questions. We are currently processing a number of applications from Pulama Lanai, and some short-term rental home permit applications. Once the Council finishes dealing with the amendments to the short-term rental home ordinance, which there's another meeting before the Planning Committee, tomorrow morning.

2. Agenda Items for the March 16, 2016 Lana'i Planning Commission meeting

Mr. Yoshida: If there aren't any questions, our next meeting is scheduled for March 16th. We really don't have any public hearing items ready to go before the Commission. We are processing -- the Council is very active in introducing amendments to the Zoning Code, and probably in April we will have three of these Council Resolutions. One is to allow for short-term rentals at the Ailailoa project in west Maui. Then you got the Council Resolution on composting in the County Ag District. And then there's another Resolution regarding Agricultural Tourism introduced by Don Gusman and his Economic Development and Agriculture Committee. So -- and then, I think, we probably might be ready with the Lanai City three houses. So, you know, we may give the Commission a break. Though, the Council will be here on March 12th, so the community, I'm sure, will be at that meeting on Saturday, March 12th, to talk about the Community Plan Update. It's a public hearing and projected first reading on the Community Plan Update. So this -- yeah, what time? I don't know, Lynn, what time is the public hearing on the 12th? I think the Council is here for the day. Yeah, and then the meeting will be at --

Ms. McCrory: . . . (inaudible) . . .

Mr. Yoshida: So this, this may or may not be Commissioner Aoki's last meeting as her term ends on March 31st, 2016. But we'd like to thank Joelle for all of her input. During her years on the Commission, we went kind of on a transition from one major land owner, Castle & Cooke Resort LLC to Pulama Lanai, and, you know, all of the various applications that came forth. And then we had the Council introduce the short-term rental home legislation, and the Department proposed some amendments, so the Commission commented on some of the amendments to the short-term rental home legislation. So we'd like to -- if this is the last meeting for Commissioner Aoki, we'd like to thank her. But, in the April meeting, we invite you to the April meeting. We will do the Council Resolution and we will do the letter from the Mayor suitable for framing and all of that. Thank you Joelle.

I. NEXT REGULAR MEETING DATE: MARCH 16, 2016

J. ADJOURNMENT

Ms. Koanui Nefalar: Thank you Joelle. Okay, seeing there may not be a March 16th meeting, possibly next meeting in April, let's call this meeting adjourned, 6:35 p.m.

There being no further discussion brought forward to the Commission, the meeting was adjourned at approximately 6:35 p.m.

Respectfully submitted by,

LEILANI A. RAMORAN-QUEMADO
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

PRESENT:

Joelle Aoki
Marlene Baltero
Stephen Ferguson
Stacie Lee Koanui Nefalar, Vice-Chair
Stuart Marlowe

EXCUSED:

Jarrold Barfield
Kelli Gima, Chair
Bradford Oshiro
Beverly Zigmond

OTHERS:

Clayton Yoshida, Planning Program Administrator, Current Planning Division
Kathleen Ross Aoki, Planning Program Administrator, Plan Implementation Division
Candace Thackerson, Staff Planner
Peter Graves, GIS Analyst, Plan Implementation Division
Richelle Thomson, Deputy Corporation Counsel