

**HANA ADVISORY COMMITTEE TO THE
MAUI PLANNING COMMISSION
MEETING OF JUNE 30, 2016**

** All documents, including written testimony, that was submitted for or at this meeting are filed in the minutes file and are available for public viewing at the Maui County Department of Planning, 2200 Main St., Suite 315, Wailuku, Maui, Hawai'i. ***

The meeting of the Hana Advisory Committee (Committee) was called to order by Vice-Chairperson, Gale Notestone at approximately 4:1 p.m., Thursday, June 30, 2016, at Helene Hall, 150 Keawa Place, Hana Bay, Maui, Hawaii.

A quorum of the Committee was present (see Record of Attendance).

A. CALL TO ORDER

C. INTRODUCTION OF NEW MEMBER - LEHUA COSMA

Vice-Chair Gale Notestone: The Hana Advisory Committee is called to order. My name is Gale Notestone, I'll be chairing the Committee meeting today, and introducing the members today we have, to my left, Dawn Lono; we have Clayton Carvalho; and then we have a new member, Lehua Cosma, she'd be number four, which makes a quorum; and then to Lehua's right, we have Suzie Esmeralda, and then Jennifer Oana, she's from corp. counsel, and then we're going to start off by public testimony on the two items that we have before us; one has to do with the environmental cleanup of the landfill in Hana, and the other one that has to do with the Tropical Botanical Gardens special use permit. So I would call anybody who want to give public testimony at this time. If you'll come to the microphone, and state your name, and you have three minutes.

B. PUBLIC TESTIMONY

Mr. Rick Ortiz: My name is Rick Ortiz, I'm with Ma Ka Hana Ke Ike, and at Kahanu Gardens, we have -- we will be helping, if they get these permits. The kids of Hana will be helping to build this structure, and we had the pleasure to help them on a previous project, and it was really a great project for us and for them. It was a win-win. I believe that they -- they're not like an outside entity coming in. It was given to them by the community. This land, it's very important land, as we all know, and I think that they are doing a great job of caretaking it, and respecting it in every way. Their stewardship is very pono, and their staff is all local people, basically. So I would, from our organization, we would like to support this project. Thank you. Any questions?

Vice-Chair Notestone: Any questions from the council? Thank you, Mr. Ortiz. Any other public testimony? Yes, sir? If you'll state your name.

Mr. Lokewe Lono: Aloha kakou. My name Lokewe Lono. Well, it's pertaining to the heiau. To me, that place is special. Rick talked about the kids going inside there, and just by reading this, there's a lot of agriculture, things -- you going be digging inside there. Now, you don't know what you come up with. The land there is special to me because I was raised in that area, and my father also worked there, and, to me right now, with the proposal, I say no. I don't want that because, I work the National Park for a few years, and during then, we had probably about half-a-million people down there at the National Park. Today ...(inaudible - due to technical difficulty)... thank you.

Vice-Chair Notestone: Thank you, Mr. Lono. Any other testimony on either of the items? Thank you. Please state your name.

Ms. Shalina Manrique: Aloha. My name is Shaline Manrique. My grandpa is Francis Lono. And I don't agree with what's going on. That is a sacred ground. I was born and raised there 28 years, and I say no. Thank you.

Vice-Chair Notestone: Thank you. Any questions from our -- any questions? Anybody else, public testimony?

Ms. Dawn Lono: Chair?

Vice-Chair Notestone: Ms. Lono.

Ms. Lono: I would just like to ask if we could leave public testimony open until after the presentations on both of the items so that if anybody comes up with a question based on the information that is presented or has some comment based on the information that is presented, then they'll have an opportunity. If we could leave public testimony open, that would be greatly appreciated. Mahalo.

Vice-Chair Notestone: Thank you for that, Dawn. Asking for any other testimony at this time. Okay, the testimony at this time is closed until after the presentations. And first off, we have Mr. Stewart Stant.

Ms. Jennifer Oana: Wait. Hold on

Vice-Chair Notestone: Oh, standby. You have to excuse me. It's my first time chairing this. So first we have to approve the minutes.

Ms. Lono: You already did that, yeah, introduce Lehua?

Vice-Chair Notestone: Yeah, I introduced Lehua. We need approval -- a motion to approve the minutes from May 2, 2016 meeting. Do I have a motion from the Committee?

D. APPROVAL OF MINUTES OF THE MAY 2, 2016 MEETING

Ms. Lono: I'll move to approve the minutes of May 2.

Vice-Chair Notestone: Dawn Lono moves to approve the minutes.

Mr. Clayton Carvalho: I will second.

Vice-Chair Notestone: And do we have any discussion or corrections from the minutes?

It has been moved by Committee Member Lono, seconded by Committee Member Carvalho, then unanimously

VOTED: to approve the minutes of the May 2, 2016 meeting.

Vice-Chair Notestone: It is unanimous. The minutes are passed. Okay, moving on to the next item, that would be item E, which is a public hearing, and the first item we have is the -- from the Department of Environmental Management, we have a Mr. Stewart Stant. Is he in the house? No?

Ms. Oana: We have Mike Miyamoto.

Ms. Lono: Mike Miyamoto.

Vice-Chair Notestone: Oh, Mike Miyamoto. Oh there you are. Okay. He'll be representing Department of Environmental Management. Is that correct?

Vice-Chair Notestone read the following agenda item into the record:

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

- 1. MR. STEWART STANT, Director of the DEPARTMENT OF ENVIRONMENTAL MANAGEMENT requesting a Special Management Area Use Permit for the proposed clean-up and closure of the inactive Makai Hana Landfill at TMK: 1-3-006: 012 (por.) and 007 (por.), Hana, Island of Maui. (SM1 2016/0001) (K. Scott)**

Ms. Oana: Chair, if I can just make a correction, the TMKs is 1-3-006:012, a portion of that, and 1-3-006:007, and that's a portion of that as well.

Vice-Chair Notestone: Thank you for that clarification. So, yes, sir?

Mr. Keith Scott: Keith Scott, with the Planning Department to begin the presentation.

Ms. Lono: I can't hear you.

Vice-Chair Notestone: Yeah, speak up to the mike and in the microphone.

Mr. Scott: Yeah. Keith Scott, with the Planning Department.

Vice-Chair Notestone: Hi, Keith.

Mr. Scott: To make the presentation.

Vice-Chair Notestone: Sure. Go ahead.

Mr. Scott: Okay. So the application under consideration is a special management area use permit for the cleanup of the Makai Hana Landfill. The active landfill is west of Waikoloa Road. The inactive Makai is on the east side of Waikoloa, and the surrounding land is currently vacant.

The standards for reviewing and SMA or special management area permit are within your report. And at this time, Colleen, from Munekiyo Hiraga, will begin a presentation of the details of what's being proposed.

Vice-Chair Notestone: Thank you very much. Do we have any questions for that gentleman?

Ms. Colleen Suyama: Good afternoon. I'm Colleen Suyama, with the firm of Munekiyo Hiraga. Also with me, from our firm is Gwen Rivera, and also from the Department of Environmental Management, we have Deputy Director, Michael Miyamamoto, we also have the project engineer, Elaine Baker in the audience, and our engineering consultant is A-Mehr, Inc., and we have Ali Mehrzarin here.

We do have handouts that have been circulated to the Advisory Committee. We also have extra copies on -- next to Suzie for anybody in the public who wants a copy of the handout. And based upon the handout, on page 3 of the handout, shows an overall location map of where the Hana Landfill is located. It's on the makai side or ocean side of Hana Highway. A more descriptive is on the presentation board to my left. On the left, we have Waikoloa

Road going down to the landfill site. On the ocean side is the closed Makai Hana Landfill, that's in blue. And the active landfill, where apparently is on the mauka side of Waikoloa road. So that's an orientation of where the project is.

The project is -- the Makai Hana Landfill is in the state conservation district, while the rest of the landfill is in the state agriculture district, and for that reason, besides getting a special management area permit, the County of Maui, Department of Environmental Management, will also be filing a conservation district use application with the Board of Land and Natural Resources.

For your information, it's our understanding that the Makai Landfill was closed around 2003, and the current landfill or active landfill was opened in -- somewhere in 1979, I believe. The request we're here for today is to request a special management area permit for the cleanup of the Hana Makai Landfill.

The purpose or the reason why the County of Maui is doing this is that since the closure of the landfill in 2003, the Hana Landfill or the Makai Hana Landfill does not meet federal and state regulations, environmental regulations, and to put that into compliance with federal and state environmental laws, the County of Maui needs to cleanup the existing closed landfill, and that's all that this request is at this point is to the close the existing landfill, and what they're proposing to do - sorry - is what they're going to do is they're going to be removing all of the waste that is currently in the closed landfill, they're going to clean that waste out, and whatever can be salvaged, such as scrap metal, that is going to be set aside to be used -- to be sent to a recycling center. The rest of the waste will then be transferred to the active Hana Landfill, so that's what this application is for. The work will also be done in three phases. And once the work is completed, the existing Makai Hana Landfill would be grassed, landscaped with grass, so it will look, basically, what it looks like today, which is just an open field area.

In terms of the process of what's happened with this project, on January 23, 2016, the County of Maui filed the final environmental assessment, or what they call the "finding of no significant impact," determination with the Office of Environmental Quality Control. That document was published in their environmental notice. Then on February 22, 2016, the environmental challenge period without any appeal being filed against the environmental assessment. Then on March 1, 2016, the County of Maui filed the special management area permit with the Planning Department. On April 12, 2016, the Maui Planning Commission designated the Hana Advisory Committee to conduct this public hearing today.

During the environmental assessment review process, we received 19 comment letters during the EA preparation process; 6 of those letters were no comment letters from state and county agencies; 5 were standard comment agency letters that we received; and 7 of those letters were specific agency comment letters regarding the draft environmental

assessment. We also received one community comment letter. All of these letters were addressed or responded to in the environmental assessment and included in the final document.

At this point, I would like to turn it over to Ali Mehrazarin, and he'll describe the three phases of the proposed work.

Mr. Ali Mehrazarin: Good afternoon. My name is Ali Mehrazarin. I'm the corporation engineer with the State of Hawaii, and I'm the engineer in charge of this project for both the investigation and the cleanup, and I'll be the one certifying the work at the end for Department of Health approval. The project, as we mentioned --

Vice-Chair Notestone: Excuse me, sir?

(A recess was called at 4:30 pm, and the meeting reconvened at 4:50 pm, due to technical difficulties)

Vice-Chair Notestone: Okay, we'll get started again. And for the minutes, whoever is doing the presentation, please speak loudly. Ali, when you come up, talk as loud as you can, I guess. And again, our apologies. So we'll move forward, and you have the floor.

Mr. Mehrazarin: The active landfill is over here, and this the inactive landfill, and it's basically what it has is about -- after the 10 feet of trash, placed in the bottom of the previous hole, and it has about 1 to 2 feet of dirt or soil on top of it and it's heavy -- it has a very heavy vegetation at this time. The heavy vegetation over the landfill means a very healthy trash under it because there's oxygen and ...(inaudible)... so what we're going to do is we're going to start excavating this area, 6.4 acres, we're going to excavate it in 3-acre increments, starting from the top to the bottom. Normally, the excavation is done from bottom to top if it's regular construction; because this trash, we're going to do it from top to bottom so that if it rains, even though we're going to cover the trash as we excavate, but there will be no runoff, and we will pump that water off, and we will use it as dust control in the landfill. So this trash gets moved very slowly, over time, one year for each phase, it will get moved to this area, and it gets covered as a regular landfill activity. And at the end, it would basically expose the bare ground under the trash, we will test the soil to make sure it's clean, and then we will survey the bottom, and there's also archaeological surveying just to make sure everything is ...(inaudible)... and then we'll vegetate it, and it would basically come -- get back to what it was before the trash was placed inside of it. And it's one of the most cleanest landfill projects that anybody can do so the project area will be a nice clean one.

Ms. Lono: Do you know what the nature is of the items that are in that landfill now?

Mr. Mehrazarin: Generally, when it started, it was household trash from the area until 1979 when this part was opened up. Again, we did -- I'm going to explain a little bit more. When the -- on the top, between maybe '79 to 2003, is a cleaner material. When people thought it was harmless, they put it over here, like vegetation, green waste, and ...(inaudible)... materials. So the way we kind of know was or I know what's in there is that we pot holed around the landfill to find the limit of where the trash was, so we find the trash and the dirt, and we map that, and surveyed it, and that's how we know it's 6.4 acres. And using that activity, then we can see how much dirt is on top of it, what dirt is in between, what is -- what the material is, and, generally, it's not -- it's not a heavy trash that sits on this.

Ms. Lono: So the -- all of the cars, and tires, and batteries, and everything that was collected in that area --

Mr. Mehrazarin: Before 1979, possibly some of that is in there.

Ms. Lono: No, after 1979.

Mr. Mehrazarin: After, I don't think it's there.

Ms. Lono: Yeah. I'm sorry, but I've been here a long time, and, you know, up until -- I don't know when they actually closed and cleaned that up, maybe 2003, I don't know if Roxanna knows, 2006, that was full of cars, and tires, and batteries, all in that area. I know that they hauled some of it out, but do we know that none of it ever got buried in there because my understanding was that there was some of it that got buried.

Mr. Mehrazarin: Yes. Yes. But when I said no, when we use the word "battery," I basically say probably not, but cars are there.

Ms. Lono: Right.

Mr. Mehrazarin: We found a lot of cars and equipment right here, and that also, if you look at the drawings, we have it clouded, and we say there are cars, we couldn't -- excavators could not find the edge or under it, so we don't really know what is behind those cars, but batteries we did not see, we did not find, but cars yes, tires yes, but those are generally called "inner scraps" it doesn't really produce carbon and is not decomposing. Some people think it's clean, but regulatory point of view is all of that is trash. Once it goes to the landfill, it's trash.

Vice-Chair Notestone: So is the -- is the county, being not in compliance, are they to be fined for this? Will they be fined?

Mr. Mehrazarin: First they will get a violation, and yes they will get fined if they don't comply with their requirements. Yes.

Vice-Chair Notestone: And how soon do they have to have this completed before they get fined?

Mr. Mehrazarin: It think -- I don't want to speak to the permit part of it, since I know some of it, I can tell you and they can correct me, okay, if they don't get it into compliance, they're already on notice, they bring it to compliance, we are working with you, and they have approved the plans to clean it up, and if they don't do it, then it will go to the next step and they get another letter, and then start the process. First is the permitting department at DOH, and once it goes out of their hands ...(inaudible)... enforcement, and the enforcement would do the fines.

Vice-Chair Notestone: Has there been a project like this done anywhere else?

Mr. Mehrazarin: A project to remove trash, yes. All the time.

Vice-Chair Notestone: That's buried with earth?

Mr. Mehrazarin: But for this purpose, no. Not -- I haven't done it. This is very unique. Most clients will not go through the expense and the effort to move all the trash. This is a very environmentally responsible way and most of my clients, they do not go through that.

Vice-Chair Notestone: Any my last comment, at this point, is there are inspection wells or inspection sites in that area for contamination that's drilled into the ground. Is that correct?

Mr. Mehrazarin: There are ground water monitoring, and they have been monitoring that, and based on what I know that they all have been clean so far, and once we clean -- once we remove the trash, we will leave them there.

Vice-Chair Notestone: So being that they're all clean, just curiosity, why not just leave it?

Mr. Mehrazarin: We could. That's one of the options, but that's not the option that the DOH has been notified or agreed, and that's not the option that the county has taken, wants to ...(inaudible)... or to do at this time.

Vice-Chair Notestone: Alright, last question. Once you stir up the area, as there's no sand, a friend of mine told me, hey, well, you know, when you see a pile of dog feces, once you stir it, it becomes more stink.

Mr. Mehrazarin: Yes.

Vice-Chair Notestone: So is there a possibility that once you start stirring that up, that it becomes more toxic.

Mr. Mehrazarin: More toxic, no. It is what it is. And once we clean it completely off, and put it properly, landfill it in the landfill area, then it's -- that's possible.

Vice-Chair Notestone: So anyway you look at it, this has to be done, otherwise, the county's going to be fined.

Mr. Mehrazarin: Something has to be done. The trash between 1993 and 2003, that trash was not supposed to go here because the federal regulations changed, state regulations changed in 1993, and whatever trash is in this area became the noncompliance. Anything before was in compliance. But in that space of time, the regulations changed, and they just changed the ...(inaudible)...

Vice-Chair Notestone: Thank you. Anybody else has a comment or question? Lehua.

Ms. Cosma: Real quick. So the -- this project is not going to impact beach activity and such or because it's close to the shoreline?

Mr. Mehrazarin: In it's water, no. In the long term, it's actually going to improve the conditions because we're going to clean it up, bring it back to natural conditions; any runoff from the area will be natural as it was ...(inaudible)...

Ms. Cosma: Thank you.

Vice-Chair Notestone: Anybody else?

Ms. Cosma: No questions from me.

Vice-Chair Notestone: Okay. Thank you. So we do -- I see we have a question from the audience, once we're completed with the testimony, you can come up and bring up your point. Does this complete the presentation?

Mr. Mehrazarin: Any other questions? Yes.

Vice-Chair Notestone: Any other questions? Dawn.

Ms. Lono: The only curiosity I had was about how far is the edge of this landfill area that's going to be cleaned out to the ocean.

Mr. Mehrazarin: It's -- this line right here, which is permitted, is I believe 250 feet from the edge, and that's how the existing permit was written, we have to say the property is more, but the limit are 250 feet.

Ms. Lono: Okay. Thank you.

Vice-Chair Notestone: Anybody else?

Ms. Suyama: I'm the concluder.

Vice-Chair Notestone: Okay, you're going to --

Ms. Suyama: Of the presentation. Some of the mitigation measures, you know, was mentioned by Ali already that's being proposed is there will be archaeological monitoring of the project; there will be construction best management practices, you know, doing the things we talked about, taking care of the storm water runoff so it doesn't go into adjacent properties or into the ocean; there's also going to be, like he said, after all the materials have been removed, there will be soil testing to make sure that there are no more contaminants that are in the soil left; and then there are existing ground monitoring wells, that will be continuing after the project is completed. Also, after this hearing tonight, what we're asking in terms of the next step is a recommendation from the Hana Advisory Committee; once that recommendation is made, it will be taken to the Maui Planning Commission, and the Maui Planning Commission will take final action. And as noted, because it's also in the conservation district, we will be filing a conservation district use permit application with the Board of Land and Natural Resources and one of the reasons, it's a matter of timing when the application is filed, because the Board of Land and Natural Resources, before they take action, one of the things that they make sure that you have complied with the Coastal Zone Management area regulations, and one of the ways of compliance is to obtain a special management area permit. And this concludes our presentation, and we thank you for taking your time out to come to this hearing so that we can have this hearing. Thank you.

Ms. Lono: I have a question before you do that.

Vice-Chair Notestone: Ms. Lono has a question.

Ms. Lono: I probably should have asked this of you, kind sir, what -- where are they going to get the materials that going to replace what you are taking out? Is that coming from the cinder pit?

Mr. Mehrazarin: It does not get replaced. It goes back to the natural bottom and that's -- it's just empty.

Ms. Lono: So it's going to be a big hole?

Mr. Mehrazarin: Well, it's not a big hole. It's about 10 feet deep, and it already slopes, it slopes down very gently down to this direction, we're going to put berms in there as we cleanup so it's going to slow down the water and -- but it will come and drain out and percolate.

Ms. Lono: Well, will they -- they grade it? I mean if you take out 10 feet, you know, you're digging a 10-foot hole, you're not just going to leave it that way, right?

Mr. Mehrazarin: We're going to leave it just -- we're going to expose the bottom as it was, sloping like this, we're going to expose the bottom and put a BMP, best management practice, put drainage and controls, and then we're going to grass it. So it's going to go back to what it was before any trash was placed here.

Ms. Lono: So then what you're telling me is that it was a big hold and we filled it up?

Mr. Mehrazarin: Yes.

Ms. Lono: So we didn't dig down and bury stuff.

Mr. Mehrazarin: No. No.

Ms. Lono: It was a big hole, and it got filled up, and then we put stuff on the top of it later on.

Mr. Mehrazarin: Correct. Correct.

Ms. Lono: So now --

Mr. Mehrazarin: We're just going to empty --

Ms. Lono: You're going to empty out the big hole that was already there --

Mr. Mehrazarin: Yes.

Ms. Lono: And leave it that way.

Mr. Mehrazarin: We're going to empty what they put in there and just leave it the way it was before 'cause they did not excavate, it was already hard rock ...(inaudible)... under it, and it cannot be excavated any further. And based on the records, they did not excavate down. They just built it with materials.

Ms. Lono: Okay. Thank you.

Vice-Chair Notestone: Any other questions? Clayton.

Mr. Carvalho: I noticed that it was three phases, but I didn't see a completion date, or maybe I missed it. Sorry.

Mr. Mehrazarin: It's basically about a year for each one, so once we get all the permits and start construction, then it would take about three to four years to get it done, and then it's probably another year of certification, and approval, so the project will be completed and done say in about three to five years.

Mr. Carvalho: And no real break in-between phases?

Mr. Mehrazarin: The break is if it's raining, there will be no activity. So imagine we put a berm around the landfill so no water can get into the area, and so we are working daily, if the weather is good, in a very small area, digging that up, and covering it with the plastic and tarps that no water can get in, so if it's raining, it would stop. And when it's not raining, the weather is good, they come back and dig another part of it. So every day or every few days, they will find a clean bottom, and it gets certified, and they move to the next little area. So over where it's -- it's going to go very slow, and over one year, we will finish the 2 acres. And then we come back and do the same with the next phase, and next phase ...(inaudible)... everything is back to natural.

Vice-Chair Notestone: That's a long time. Anything else? Okay, I'd like to open it up to public questions ...(inaudible)... this is our microphone now so just speak loudly. And your name?

Mr. Hashimoto: My name is Mr. Hashimoto and I got a question. What they going do with that area that they going dig all out, and then putting it back? And only pine trees are growing down there. Is there something wrong with the pine trees? It's been growing for years now. So what they going to --

Ms. Oana: Excuse me? There's no questions to the applicant. You can give your public testimony and comments.

Mr. Hashimoto: Okay. Okay.

Ms. Oana: They can't answer your questions.

Mr. Masu Hashimoto: ...(inaudible)... and is it no good, the pine trees? Is it going to harm our bodies or something? I don't know. So we just wasting the money to do that. They'll take it away. Put it back. ...(inaudible)... whatever the pine trees.

Vice-Chair Notestone: Thank you, Masu. Anybody else?

Ms. Myrna Costello: I have a question but I may not get an answer.

Vice-Chair Notestone: Could you state your name?

Ms. Costello: My name is Myrna Costello.

Vice-Chair Notestone: Thank you, Myrna.

Ms. Costello: I threw a lot of garbage in that area in the past, but my question is: If it's not good and it's gotta be taken out of there, where is it going? Where are they taking it to? Are they taking it to the mauka landfill, which is just across the road. It's no good over here, but it's okay over here? I mean that's for my own curiosity that I need to ask the question.

Vice-Chair Notestone: They are going to put it to the other side.

Ms. Lono: It's a legal landfill, the other side, the one on the makai side is not legal, so that's why they have to move it out of the area that is not legal and they have to put it into the area that is permitted and is legal.

Ms. Costello: Okay.

Ms. Lono: And it's not necessarily because the material, correct me if I'm wrong, is bad or contaminated or anything, it's just that the rules changed with EPA, it was no longer allowed to be a landfill, we continued to use it, so now they're saying, okay, you guys gotta go clean it up or we're going to fine you. So it's mostly, like he said, household trash except for that one area that's got the cars in it. So that's what I was trying to clarify too.

Ms. Costello: Yeah, but they took that away, right?

Ms. Lono: They took most of the cars away, but there are still cars in there and tires.

Ms. Costello: I wonder if another option is make that area a landfill by putting in the soil and like they did with the mauka side. No? It's not an option?

Vice-Chair Notestone: It's not. Thank you, Myrna. Anybody else to testify?

Ms. Lono: I just have one more thing. Oh, go ahead.

Vice-Chair Notestone: Please state your name, Mr. Kalalau.

Mr. Samuel Kalalau: Good evening, Hana Advisory Committee, everybody from Munekiyo Hiraga, Maui Planning Department. My name is Sam Kalalau. I'm the closest living resident to that landfill, right on the Waikoloa, the bay. I think we should support this proposal ...(inaudible)... they're here to clean it up. They're not here to destroy anything else. You know, the other concerns that I had was that they're going to ask the DLNR and get a landscaping plan for the landscaping, and I'm just hoping that if they could put some of the native plants that was growing there that -- the pine trees, they're going to come up anyways, but nothing grows under the pine trees because the leave are so ...(inaudible)... you cannot do nothing underneath, but there was a lot of native plants growing in those areas right there in Hana. I know there was a lot of concerns. I worked for the county almost 30 years, and when I was working for the county, we opened that landfill, the Makai Landfill. We did not dig any big holes, like one on the mauka side. It was just left flat; it was just stacked up. As far as the batteries and stuff, it was all out every time they had a big amount. The junk cars was piling up there but nothing went deep down in the ground here. Everything else was on the up side was a big hole. I also worked in the Central Landfill when they first opened that landfill and started using the ...(inaudible)... when it was a big hole in the ground. Today, it's one of the highest mountains in Kahului. You know, let's hope that this one doesn't come like that. I think in the future, the county should have a transfer station, it'll be more financial, it's be easier for this community, I think this community is going to grow, we have other people moving in here, building homes and stuff that ...(inaudible)... it's either we developing the landfill that can handle the rubbish that goes there or ...(inaudible)... thank you very much.

Vice-Chair Notestone: Thank you, Mr. Kalalau. Anybody else? Okay, we'll close the public testimony on this. Oh, can I get a motion to close on the --

Ms. Lono: I move we close public testimony on this item.

Mr. Carvalho: I'll second.

Vice-Chair Notestone: Mr. Carvalho second. So the motion pass.

Ms. Lono: All in favor.

It has been moved by Committee Member Lono, seconded by Committee Member Carvalho, then unanimously

VOTED: to close public testimony on agenda item E.1.

Vice-Chair Notestone: Okay, we'll move to the next item.

Ms. Lono: No. We gotta finish this one. I think this is where we go to the recommendations.

Vice-Chair Notestone: Colleen, would you like to comment on what you just heard from the public?

Ms. Oana: Colleen, did you want to comment on anything?

Ms. Suyama: No.

Ms. Lono: So we should have Clayton come up and go through the recommendations.

Vice-Chair Notestone: Yeah. Okay, Clayton.

Ms. Lono: Go through the recommendations, Clayton?

Mr. Scott: Okay, thank you.

Ms. Lono: Somebody.

Mr. Scott: The Planning Department does recommend that you approve the proposal and it's subject to four standard conditions and nine project specific conditions, which in the report. Thank you.

Vice-Chair Notestone: Moving on. Dawn.

Ms. Lono: On recommendations, I was actually thinking along the same lines as Sam, and it just says in here that you're going to put grass but --

Mr. Merhazarin: Native grass.

Ms. Lono: Native grass.

Mr. Merhazarin: Correct.

Ms. Lono: But only grass, not any other kind of plants, any kind of native plants? What is native grass?

Mr. Merhazarin: Basically, exactly what he was mentioning, don't bring something from outside. Use what is customary for the area. So that's why we're going to be ...(inaudible)... so it will be very similar to any other area, similar to what's been used before. It would not be Bermuda grass. It will be native Hawaiian vegetation.

Ms. Lono: Okay, can we make a recommendation that that be added to these recommendations that --

Mr. Carvalho: That can be a condition?

Ms. Lono: Yeah, that it be a condition that native plants and grasses be used. Only native plants and grasses.

Mr. Merhazarin: Basically, it's native seeds. That's what they do. And then they --

Ms. Lono: Not GMO. Okay, so I'd like to make that recommendation if anybody wants to second.

Ms. Cosma: I second that recommendation.

Vice-Chair Notestone: Lehua second. All those in favor?

Mr. Carvalho: Well, we will vote --

Ms. Lono: Well, we gotta vote on it.

Mr. Carvalho: Vote on the approval with condition included.

Ms. Oana: Okay. How about maybe wait for that until a motion -- the motion would be to, if it is to approve, the motion would be to adopt the Planning Department's report and recommendation prepared for our meeting as its findings of fact, conclusion of law, and decision and order, and authorize the Department of Planning ...(inaudible)... and you add a 14th condition.

Ms. Lono: But before we can make that motion, and say it in that way, we have to decide among us if we are going to support that, so we just --

Ms. Oana: You just can make the motion, and then have a discussion, and then vote on it.

Ms. Lono: Right. Okay, so we have a 14 right now, which would be to use the native plants and grasses only. Only native plants and grasses. Okay. Alright.

Vice-Chair Notestone: So have the motion.

Ms. Oana: No motion yet.

Ms. Lono: No motion. She just wants us to do it all at one time.

Ms. Oana: Clayton, you want to make a motion?

Mr. Carvalho: Oh, to approve the --

Ms. Lono: Yeah, I made a motion.

Ms. Oana: Oh, you made a motion?

Mr. Carvalho: Oh, she made -- yeah.

Ms. Lono: For to add that. Not the motion to do the whole thing. We haven't discussed it yet. We're just putting our other recommendations in right now.

Ms. Oana: Okay.

Mr. Carvalho: Yeah, and I will second.

Vice-Chair Notestone: And Clayton second.

Mr. Carvalho: Do we have to go through all four ...(inaudible)... should we vote on all four and -- or should we just vote on this ...(inaudible)...

Ms. Lono: Well, unless somebody else has another condition to add. That's what we should ask if anybody has another --

It has been moved by Committee Member Lono, seconded by Committee Member Cosma, then unanimously

VOTED: to add the 14th condition that only native plants and grasses be used.

Mr. Carvalho: Then we need to make another motion to vote, to actually vote on the recommendations.

Ms. Lono: On the recommendations as provided by the department.

Mr. Carvalho: Yep, as well as our condition.

Ms. Oana: Including the 14th condition.

Ms. Lono: Unless anybody else has anything else.

Vice-Chair Notestone: Does anybody else -- our panel has any other conditions? So if I could have a vote on the existing recommendations from the Planning Commission and make a motion to pass.

Mr. Carvalho: I'd like -- yeah, then a motion to recommend approval with condition 14 as voted on by the Advisory Committee. I will present the motion.

Ms. Lono: As presented by the Planning Department.

Ms. Oana: Yeah, can I restate that for you?

Mr. Carvalho: Okay, yeah.

Ms. Oana: Motion to adopt the Planning Department's report and recommendation prepared for the June 30, 2016 meeting as its findings of fact, conclusion of law, and decision and order, along with the new condition 14, and authorize the Director of Planning to transmit said written decision and order on behalf of the Committee.

Mr. Carvalho: I'll make the motion.

Vice-Chair Notestone: Who seconds?

Ms. Cosma: I'll second that motion.

Vice-Chair Notestone: Lehua seconds.

It has been moved by Committee Member Carvalho, seconded by Committee Member Cosma, then unanimously

VOTED: to adopt the Planning Department's report and recommendation prepared for the June 30, 2016 meeting as its findings of fact, conclusion of law, and decision and order, along with the new condition 14, and authorize the Director of Planning to transmit said written decision and order on behalf of the Committee.

Vice-Chair Notestone: Motion passed. Very good. Thank you very much.

Mr. Carvalho: Thank you.

Vice-Chair Notestone: Okay, next item, the final item is Kahanu Gardens.

Vice-Chair Notestone read the following agenda item into the record:

2. **MR. MICHAEL OPGENORTH of the NATIONAL TROPICAL BOTANICAL GARDENS requesting a State Land Use Commission Special Permit in order to construct and operate a visitor center with a gravel parking lot and landscape planting without irrigation at the entrance to Kahanu Garden in the State Agricultural District at 650 Ulaino Road, TMK: 1-3-002: 039 (por.), Hana, Island of Maui. (SUP2 2016/0003) (R. Quigless)**

Mr. Clayton Yoshida: Thank you, Mr. Chairman. We have Staff Planner, Ryan Quigless, presenting the department's report.

Vice-Chair Notestone: Okay, Ryan.

Mr. Ryan Quigless: Aloha. Good evening, Committee Members. My name is Ryan Quigless, with the Maui Planning Department -- my name is Ryan Quigless, I'm with the Maui County Planning Department, staff planner and landscape architect. I'm here this evening to introduce the Kahuna Gardens proposed project for the visitors center at the National Tropical Botanical Gardens.

As stated earlier the project's address is 650 Ulaino Road, TMK: 1-3-002:039 in Hana. The zoning for the property is agricultural for county, state, and Hana Community Plan. At this time, I'd like to direct the attention to the consultant, Jordan Hart, from Chris Hart & Partners, to expand on the description and answering questions that you might have. Thank you.

Ms. Lono: Are we supposed to see that?

Mr. Jordan Hart: Let me try and turn it. I had it setup before the mike went out so I tried to move it closer in order to be able to be heard by you better, so let me try and ...(inaudible)... in the meantime, I'd like to bring up Mr. Chipper Wichman, who's the director of the National Tropical Botanical Gardens, to talk a little bit about the prospects of the project and the history of how this evolved. In the meantime, I'll be juggling ...(inaudible)... so, Mr. Wichman?

Mr. Chipper Whitman: Thank you.

Vice-Chair Notestone: Please state your name, sir.

Mr. Wichman: Yeah, my name is Chipper Wichman, and I'm the President and CEO of the National Tropical Botanical Gardens, and I'm thrilled to be able to be here with you, and I want to bring you into the context of my presentation, the comments that Donald and Shalina made earlier in the public comment period. My first visit to Kahanu Gardens was 1976, as an intern. Each time I worked with Uncle Blue and Piilani Lono in terms of helping to begin creating the garden. We acquired the property in 1972, from the Kahanu Matsuda family and the Hana Ranch, and then in 1974, purchased the parcel that the subject application is about today, where the visitors center is. So 1976, when I got there, it was still very rough with picking up rocks from the field, it was formerly ranch lands, prior that, cultivated by Kaeleku Plantation. As part of my evolution as my 40th year working for the organization, in 1997, I was asked to become the director of Kahanu Gardens, and at that time, we oversaw the completion of the restoration of Piilani Hale Heiau, which is, in my opinion, the most sacred site in all of Hawaii, so it's, what Donald was talking about is absolutely right, I mean it's second to none in terms of wahi kapu, okay, as well as wahi pana, so when the heiau was -- the restoration was finished in 1999, I felt we did have an obligation to do world class planning to take care, to malama this sacred site, and that planning process took us until 2004, which was completed, and this is the plan. It was produced during that process. Involved in that process was extensive outreach to the native Hawaiian community because this is a site of significance to all native Hawaiians. So we held an `aha, the first `aha was in Kahului, which we invited acknowledged kupuna and practitioners from throughout the pae`aina, that process they elected four recognized practitioners to represent the larger Hawaiian community in the planning process and that included Sam Ka`ai, Charley Keau, Aunty Hoku Holt-Padilla, and Aunty Pua Kanahela. They worked with us throughout the entire process to ensure that the plans that was developed would be pono, and it would not infringe upon the sacred nature of the site, including the concept of a kahu group that would oversee cultural practitioner protocols and access to the site as well as access to malihini and visitors that would be interested in coming to visit the site. So that -- I wanted to address that in the context because Donald wasn't aware of that part of the planning, it's not really stated in the materials that they presented to the council here for review, so because I developed that plan, I thought it would be great for me to be able to be here this evening, actually I live on Kauai, and I'm glad, Dawn, that you for letting us know the road closure was canceled because we do gotta catch a flight out this evening. So -- but I wanted you to know that the plan for a visitors center has existed since 1974. We updated that with the Kahanu Matsuda family but, more importantly, I wanted to say that, over the years, Uncle Blue, Francis Lono, was our kahu of the site and everything we did in terms of planning for that within our staff was reviewed and did not proceed without his blessing, and so Uncle Blue, of course, has passed on, and today we have, you know ...(inaudible)... is she still here? She had to leave. She's our

cultural specialist, but we do take that kuleana of stewardship very seriously. The plan that we have here envision, and we have been running towards -- you know, we've been open to visitors from when we started, but always our vision was to do a better job especially in educating people about the sacred nature of the site - what's pono, what's not pono, what is appropriate behavior. A lot of people, you know, ended up with we call it the ... (inaudible)... you know, they think that you come to a sacred site, you pick up one rock, you wrap it with one ti leaf, and that's your ho`opuku. They don't realize when you're dealing with historic sites like this, you're actually dismantling the site to make your ho`okupu and it's not -- it's not, so educating people is critical. We saw the visitors center a key piece in the first line of educating people as they enter the property, which is why the visitors center is located up in the front there, it's located in a area that was heavily disturbed through plowing by Kaeleku Plantation, subsequently converted into pasture, and so that that big grassy area, right when you come in that's over there, you can see that in the pictures, we chose that site because there's the least chance of disturbing any archaeological features because it's already been so disturbed over the last hundred -- more than a hundred years, and in addition to that, we had archaeologists deeply look into the site and survey it, so we are confident that our design requires minimal land disturbance in the footings of the building; probably the biggest thing would be the septic tank that needs to go into the ground, and the leach field, all of which should be within the zone of disturbance that occurred during the plantation era. So we take that part of it very seriously. To the other part of what Donald was suggesting, and I realize, when he made those comments, they're so appropriate because our plan doesn't talk about how many people we're planning to bring to there, we're talking really about the physical structure, the environmental impact, and the rest of it, you'll notice the structure itself is really small, so it's not like a visitors center designed to run half-a-million people through there. We would be very happy to have a condition imposed upon us by, as a recommendation, by yourselves or others, of capping it at 30,000 people a year. You know, we're not looking at running hundreds of thousands of people through there, but we want to do a quality job with the visitors that do come. And in fact, the National Tropical Botanical Garden has five sites; all of our sites have historic and archaeological features. Our garden on the north shore of Kauai, Limahuli Garden and Preserve, we impose the same 30,000 cap as well as that Allerton Garden, which is where Queen Emma's home is on the island of Kauai, so we believe it's a viable number that gives us, you know, enough room to educate plenty people, but not turn it into a Disneyland or, you know, kinda what Donald was implying. So I just wanted to be sure that in the even those are issues that you, as the advisory council, are concerned with, we, as the steward of that site, want to be the leader in that effort and are willing to impose those constraints upon ourselves. So I'm happy to ask -- I wanted you to know, first of all, the background that in fact behind this proposal is a document that was completed in 2004, after six years of work, including a three-day `aha here in Hana, where we had it up at the ranch manager's house up above the store, and spent considerable time down on the property looking at, you know, how do we do this in the most pono way so -- and because Mike, our director, is relatively new and Uncle Blue

has passed, I felt I had an obligation to come tonight from Kauai to -- to share with you, you know, my mana`o on this and my personal experience, so let me stop there since he get his screen -- but if you get any questions for me, and then I'll stay as late as we can but --

Ms. Lono: What time do you need to leave?

Mr. Wichman: We need to probably leave here, you can drive in pretty fast, but probably 6:30-quarter to 7 'cause boardings at 8:30 so, and we gotta return our rent-a-car, but I think we get plenty time.

Ms. Lono: Yeah.

Mr. Wichman: Yeah. It's only 5:30 now. So any questions?

Vice-Chair Notestone: Yes, Lehua?

Ms. Cosma: Mostly a comment.

Mr. Wichman: Yes.

Ms. Cosma: First I wanted to thank you and your staff for doing a wonderful job at Kahanu Gardens. One of things that I admire about it, our keiki here in Hana, they get educated, they go down on the field trips, and I like that they learn how sacred this area is and, not only our Hana kids, but we now the Kulia I Ka Pono.

Mr. Wichman: Yes.

Ms. Cosma: And it's the Kamehameha program that we offer our beautiful `aina for the kids to come and learn, to be educated. But it's a beautiful place, and when I first read this proposal, I, too, was like I was hoping it was not by the heiau.

Mr. Wichman: Yeah. Yeah.

Ms. Cosma: And it's not, and so I'm comfortable with that, but I also respect Uncle Blue Lono, and may he rest in peace, he was a highly loved, you know, kupuna, and so with that being said, I want to thank you and your staff, and Mike. You guys doing an awesome job.

Mr. Wichman: Thank you. Thank you. And you know, we were down there today with the kids from Kulia I Ka Pono and that site holds the power to really educate not only our kids, but also visitors to Hawaii about our culture and how to respect wahi pana, you know, we've been dealing with all kind stuff like Mauna Kea, you know, there's all these issues

that if more people understood those core values, I think we'd have less of that kind of controversy, you know. So I'm sorry. I should stop ...(inaudible)...

Ms. Cosma: Okay. Thank you.

Mr. Wichman: Any other questions or --

Ms. Lono: I don't know if it's an appropriate question for you or who, but you know about how many visitors go down there currently per year?

Mr. Michael Opgenorth: Currently, a good day is maybe like 60, like I think we had --

Ms. Lono: 60? 6-0?

Mr. Opgenorth: Yeah. If we have 80 on a day, that's amazing, like that's a lot of people as far as --

Mr. Wichman: Yeah, so it's minimal.

Ms. Lono: And that's mostly vehicles, not vans and stuff.

Mr. Wichman: It's independent visitors.

Ms. Lono: Yeah, not the buses, the tours vans and buses.

Mr. Opgenorth: We rarely -- the buses come through periodically but -- oh, I'm sorry, I'm Mike Opgenorth, I'm the Director of Kahanu Gardens. We probably get buses maybe once a week, and they're usually like the 15-passenger van size ones. We don't have any large, you know, Robert's buses that come through, very seldom.

Mr. Wichman: And to be completely honest, I doubt we, you know, especially with our imposed limit, I doubt we'd ever really welcome that 'cause if we did that, then you're exclude the independent traveler, which is really -- what we're looking for is the quality experience. My experience with the buses, they're looking for a clean bathroom, something to eat, and they want to do in and out. You know what I mean? They want to do it 15, 20 minutes, and we're looking for somebody who really -- we've looked at the market before and we call the guys that some our site "wizards." You know what? They want to come, check out Hasegawa's General Store and go back and play golf in the afternoon in Wailea. We're looking for the guys that come and spend the night in Hana because that's a different demographic. If you're going to spend the night in Hana, you're looking for the real deal. That's the ones we like come down there.

Ms. Lono: Thank you.

Mr. Carvalho: That's why the numbers say 60 to 80 people, so 15 to 20,000 people a year.

Mr. Wichman: Yeah. We figure about like halfway to where we kinda would like to be, yeah. So, you know, if at some time in the future we hit the 30, and then, you know, we come back again, we go through the long process. We're all into community process because we -- I mean this is something, like Aunty Lehua was just saying, that we want the community to be understanding and be part of it, and so we're a resource for the community.

Vice-Chair Notestone: Any other questions?

Mr. Wichman: Okay. I'll be here for a while if you guys ...(inaudible)...

Vice-Chair Notestone: Thank you, Chipper.

Ms. Cosma: Thank you.

Mr. Hart: Now to bore you to death with the land use planning component. My name is Jordan Hart. I'm a planner with Chris Hart & Partners. I'm helping Kahanu Gardens process their special use permit and then also the special management area minor permit, which is anticipated to be an administrative review by the Department of Planning. So you just met Mr. Chipper Wichman and Mike Opgenorth, I'm Jordan Hart.

The land use designations for the property are agricultural, on all levels, state agricultural, community plan, and county zoning. It's also outside of the urban grown boundary for the Maui Island Plan. This is a location map of the project site on Ulaino Road. Unfortunately, to the right of this is an aerial photograph, and what you would be seeing is this is ...(inaudible)... mauka parcel. There's another parcel between the National Tropical Botanical Garden and there's a third parcel further makai, which is where the heiau is located. You can see the parcels better here. So the visitors center is right in this vicinity here, proposed.

Ms. Lono: Wait, wait, wait. Go back. Sorry.

Mr. Hart: There will be other diagrams, but it's proposed to be here. But there will be other diagrams. This map shows the state land use designations, so the dark green is conservation, that's, fortunately, the heiau parcel, and then the two mauka parcels are completely agriculture. The agriculture district is the reason we're doing the state land use commission special use permit. This would be Maui Island Plan's directed growth boundary map, and so as you can see, there's no urban growth proposed in this area at

all. You have the airport here, which is actually a small town designation, which is lower than the urban, and then there's some rural here, but this project is no time proposed to be in the urban district. This is the community plan for Hana. This property is designated agriculture here. These are character photographs of the area. Ulaino Road. Ulaino Road as you're proceeding towards the project site. The entry to Kahanu Gardens. This is what's serving as the existing visitors center/orientation center, which is really not adequate to provide the education component, as Mr. Wichman was talking about. Not a lot of people can get in there, there's not opportunity to display artifacts, provide information, provide classes. This is the portion of the project site where you're driving down makai, down the driveway, and you would begin to drive into the proposed area, the visitors center which is located here. This is an aerial photograph of the visitors center proposed location. The existing check-in is approximately here.

Mr. Wichman: Jordan, could you go back?

Mr. Hart: Yes.

Mr. Wichman: So the big grassy area was the sugar field, right, so that's why it's ...(inaudible)... I just wanted to point that out.

Mr. Hart: While we're discussing that, there was an archaeological assessment prepared, it was submitted to SHPD, we're waiting for SHPD's comments on that, and it's part of this process that ...(inaudible)...

Ms. Lono: Yeah, I was curious as to why it wasn't in here or included.

Mr. Hart: Without getting into a lot of details, basically, SHPD is shifting staff right now. The person that was there for a long period of time is leaving and they're somewhat behind on commenting on projects at this time. As noted, the lawn which is proposed for the visitors center, and this would be, I believe, roughly the exit driveway from the visitors center area.

So this is the visitors center layout. The main existing driveway that's here. This is the first driveway entrance that I was showing. Proposed parking. Kahanu Gardens is proposing to develop it into gravel parking, which is consistent with the Hana Community Plan which calls for basically rural feel, rural character of development. It would be nice if there was specifically a recommendation for approval of that. Another component that's being proposed is that the county requirement for one tree per five stalls be allowed to be installed without irrigation. There's no irrigation existing on site, adequate rainfall, but the county code does call for irrigation, which means that if it wasn't included in the approval, they would have to install an irrigation system for the proposed trees, which would be completely unnecessary. So basically 12 stalls, plus one ADA stall. There's an ADA ramp

on the makai side of the project site. The overall building is approximately 1,600 square feet; approximately 800 square feet indoors, and approximately 800 square feet of covered lanai area. There is one small kitchenette, and a restroom for its employees and staff. This is a floor plan of the facility. This is an entryway here; ADA disability ramp; restroom here. This will be the main area, which would have displays, information, merchandise being sold, and then this back room here is where classes would be conducted.

This is an elevation of the project or the structure, kind of a plantation style architecture designed to be open air to take advantage of breezes and views as well as provide generous shading with the covered lanai. These are alternate angle views. This is the makai foundation and ADA ramp. Also mentioned by Mr. Wichman, there's going to be limited excavation associated with the project. It's a post and pier structure, so it'll just be the concrete blocks. There is a requirement for the septic system so that will be excavation, and that'll be the limitation of the excavation. There will be, potentially, minor grading as well for the parking lot area in front of the facility.

Ms. Lono: What is the cesspool capacity?

Mr. Hart: I don't know the capacity on top of my head.

Ms. Lono: That's pretty important 'cause that determines the --

Mr. Opgenorth: Dawn, the size of the septic tank is 1200 ...(inaudible)...

Ms. Lono: But the leach field?

Mr. Opgenorth: 30 by 6 feet.

Ms. Lono: 30 by 6 feet? But do you know what the capacity is? What capacity that --

Mr. Opgenorth: I have to double-check. If I could add about the restroom, the restroom is intended to not be the main restroom on the grounds, so mostly an employee restroom for those who are working at the visitors center. We have a beautiful facilities that ...(inaudible)... couple of years ago, so when people check-in at the visitors center, you know, we let them know about, you know, what to expect, what they're going to, they can go down to the grounds and there is another restroom that we would, you know, try to guide them to, but in case that somebody does have an emergency or, you know, you need ...(inaudible)... we're happy to let them use that restroom, and it is designed for ADA access.

Ms. Lono: Okay, thank you.

Mr. Hart: One thing I would like to also add to that is that we're in building permit review at this time, so we're getting comments from the State Department of Health who are reviewing the septic system, so it's going to be sized towards the context of the use ...(inaudible)... proposed for it, which is for staff.

Ms. Lono: Oh. So --

Mr. Hart: But to reiterate what --

Ms. Lono: I hear what they're saying about it being -- about it being for staff, and I understand there are other restrooms, but in reality, people are going to be using that restroom besides the staff so --

Mr. Hart: And understanding that, one of the other, you know, benefits of a septic system is that it gets pumped as well, so if it becomes a situation where it's filling up, Kahanu Gardens can have it pumped and easily refreshed and refilled again.

Mr. Opgenorth: But, Dawn, I think it's being sized appropriately ...(inaudible)...

Ms. Lono: If you're thinking about 30,000 people a year, should it be sized for 30,000 people, or maybe half, 15 and 15, or something like that, you know, just to not pudge the situation and have it be inadequate because we've seen too many experiences here with a lot of septic systems that go kaput, so it would be really good to be realistic about it and not end up with a problem down there like we've had in so many areas, and not just here, but, you know, up at the ballpark, I mean it's just been a nightmare with septic systems.

Mr. Wichman: I was talking to Mike about that.

Mr. Opgenorth: We sized it so that we restrict for staff use, for the need, if we have the need.

Mr. Wichman: Part of that component of that building is also for educational use. If you get kids over there doing -- you know, having a class, they gotta go; they gotta go - they gotta go, right now? So --

Ms. Lono: Yeah, it's just -- that's my concern is that we just be realistic and not end up with a problem down there in the future.

Mr. Opgenorth: So the size of the septic tank is the same that was installed down at the current public restroom, so it is a pretty substantial tank.

Vice-Chair Notestone: And how often do you pump that?

Mr. Opgenorth: We haven't had to do it yet. We installed it 2013, but it's probably going to be coming up in the next six months to a year ...(inaudible)...

Vice-Chair Notestone: It's been there for about three years and you haven't pumped it?

Mr. Opgenorth: We haven't. Not yet. Yeah.

Ms. Lono: You don't have to. If it's leaching properly, you shouldn't have to do it.

Mr. Hart: ...(inaudible)... facility so I think it's probably going to take less than a normal household septic system would.

Ms. Lono: Well, and it's important and, I don't even know if it's appropriate to say this, but it's important that nothing gets put down that toilet except toilet paper and waste, and that appropriate receptacles be installed to make sure that nothing else be gets in there 'cause that's what has happened in the other ones is, you know, women go in and they use their -- use it to dispose of their sanitary items and it's just not okay. It'll screw it up faster than anything. So just having the proper receptacles in the bathrooms to make sure that that's something you dispose of and not have to go down the -- into the system.

Vice-Chair Notestone: I have a question. The distance from your proposed structure to your restroom that's existing, how far is that?

Mr. Opgenorth: Approximately, it's over a thousand feet. Yeah, it's pretty far.

Vice-Chair Notestone: Pretty far.

Mr. Opgenorth: Yeah.

Vice-Chair Notestone: It's a long run if you gotta go.

Mr. Opgenorth: But they do have another option. Some people start at the top of the garden and they like to walk the entire thing down to, you know, the heiau, and the ocean, or, you know, near the ocean, but some people like drive down and if they want to drive to the current public restrooms, it only takes two minutes to get their in their car, and that's at, you know, five miles an hour.

Mr. Wichman: And we're doing half of our capacity already, and we got no bathrooms closer, right, so I mean this will be a 100% improvement over the existing situation.

Vice-Chair Notestone: Is there a reason you didn't plan public restrooms in that structure?

Mr. Hart: In which -- in this structure here?

Vice-Chair Notestone: Yeah, in your structure.

Mr. Opgenorth: So we wanted to keep this as low-impact and, you know, tight as possible, and we have beautiful restrooms that are down on the grounds there, you know. We feel ...(inaudible)... and so having something that's kind of, you know, it's not adding too large of something to this project we thought was the right thing to do, and that's why it's going to be something, it's going to be available, but not, you know, advertised. You know, it's going to be ...(inaudible)... visitors center. As, you know, the versions as being from previous, you know, designs for visitors centers, this is small and that's the idea is to keep all this but still be effective in educating everybody who comes to the gardens who doesn't even know what they're about to experience. Right now, the kiosk that people see right when you enter, it's a very short conversation often, you know, there not as much education as we would like, and so sometimes you don't have people, you know, not doing exactly what, you know, is culturally appropriate or even ...(inaudible)... stuff like that, so this visitors education center is going to be a good way to really connect ...(inaudible)...

Ms. Lono: Thank you.

Vice-Chair Notestone: Thank you, Mike.

Mr. Hart: So that's, you know, basically ...(inaudible)... the education is the purpose of the center, and so it's greeting all these people as they're coming onto the property, and then informing them of what's happening on the property so that they can have a better experience, so they can also understand what they're seeing and what's they're interacting with, and then this is, obviously, a nonprofit organization, so there would be an opportunity for them to sell refreshments and merchandise to help with the maintenance and perpetuation of the this facility.

Ms. Lono: Can I ask a question about that?

Mr. Hart: Sure. Sure. Refreshments. Are those going to be limited to the prepackaged things and you're not going to be processing or anything down there 'cause that was assessed in this whole report.

Mr. Opgenorth: Yeah, so the only things that are going to be available are from the site ...(inaudible)... like, you know, our dried mamaki tea, right?

Ms. Lono: Right.

Mr. Opgenorth: Things like that. Or maybe have ulu for sale if we have extra ulu or, you know, raw agricultural products that were approved to sell, not any packaged stuff.

Ms. Lono: Yeah, things you grow on the property. Thank you.

Mr. Hart: And so what I'm going to get into now is, basically, the criteria for obtaining a special use permit in the context of the state agricultural district, and so the first component is that it's not contrary to HRS 205 or HRS 205A, it has to be within the ...(inaudible)... of the Planning Department who assess the provisions of HRS 205 and 205A, the county code...(inaudible)... the project is not contrary to its objectives, and the primary context is it's an unusual but reasonable use for the agricultural district. The desired use would not affect surrounding properties. Our position is that it would not. It's basically a continuation of the existing use that's occurring on the site as a botanical garden, which is currently operating around the surrounding properties. It would not unreasonably burden public agencies to provide roads, streets, sewer, water, drainage, school improvements, and fire protection. It would not. Again, it's the continuation of the existing use. We were talking about septic systems that are going to be provided to all of those places that are being accommodated through our building permit review process where the various county agencies review and verify the proposed accommodates all the current county and state standards. Unusual conditions, trends, and needs have risen since the district boundary rules were established. I would say that they have significantly. Notably, the National Tropical Botanical Garden has established itself at Kahanu Gardens. It's become one of the largest collection of breadfruit trees in the Pacific.

Mr. Wichman: In the world.

Mr. Hart: In the world as well as the extremely significant historic site, the Piilani Hale Heiau, and so it's a great opportunity for education for people from Maui, people from Hana, as well as around the world. And then the land on which the project site is proposed is, generally, unsuited for agriculture, it has been in sugar cane cultivation in the past, but that didn't ultimately prove that is not be viable for the long term, but the majority of this parcel is actually under agricultural cultivation, so in that context, I would say this is somewhat of an accessory use to the existing agricultural use and, therefore we do meet this criteria.

Ms. Lono: Alright, can you go back to that?

Mr. Hart: Sure.

Ms. Lono: I'm a little bit confused. So that's saying it's generally unsuited for uses permitted within the district...(inaudible)... well that's not true.

Mr. Hart: To get into it a little further, the soil classification for the project area for this location is C.

Ms. Lono: ...(inaudible)...soil classification

Mr. Hart: I apologize. In the context of this criteria, the soil classification is irrelevant ...(inaudible)... so I understand, living in Hana, it's completely understandable, the things you grow there, but in the context of filing for a special use permit, for a use that is completely appropriate and with ...(inaudible)... with the community, going through the process of explaining how it complies with those rules, we really believe that it does, the Planning Department is providing a recommendation for approval, they've interpret that our explanation on how it complies with those rules, so we feel that it is appropriate for this location ...(inaudible)... and provided for in the Hawaii Revised Statutes.

Ms. Lono: I guess this is hard for me to wrap my brain around the fact that you're doing agriculture down there excessively and to say that it's not suited, it's kind of misnomer, so do you really have to say that in order to get this permit through, or can we say that, you know, it is a -- it is suitable for agriculture but in order to do whatever they're trying to do, they need to have this accessory use or something? But to just outright say it's not suited, that doesn't match.

Mr. Hart: Well, I agree with you that the majority of the property is under agricultural cultivation, and so this specific area is not in cultivation --

Ms. Lono: But that doesn't mean you can't do it on there.

Mr. Hart: It doesn't mean it can't be --

Ms. Lono: Anyway, I guess it's not a big deal but it just kind of is a little -- it tweaks my brain a little when I know that it's just being said in order to promote the outcome rather than promoting the truth in conjunction with something to promote the outcome.

Mr. Hart: In the context of promoting the truth, that's why I would go back to the state's soil classification for the area, which C, which is the primary beneficial soil classifications are A and B, and C is the third, and so, basically, if it's not A and B lands, and so in the context of generally unsuited for commercial agriculture, it is appropriate to say that. The soil is quite stony, it's not -- it's not readily conducive or convenient to production -- to productive commercial agriculture in that location. As Mike was noting, they do sell agriculture on the site, so, you know, you can grow things, that doesn't ...(inaudible)... but is it conducive to commercial agriculture in the context of the State of Hawaii's broader land use rules, I think it's not, and I think this would be on the market of agricultural lands which is completely

appropriate for education, community use, considering there's still some things going on on the site.

In conclusion, we find that the proposed site is appropriate, the proposed use is appropriate, consistent with the existing state and county laws and regulations for obtaining this permit. We request a recommendation for approval.

Vice-Chair Notestone: Any questions for the presenter? We are open to public testimony if anybody would like to come up and comment. Yes, ma'am? State your name, please.

Ms. Jan Elliott: My name is Jan Elliott, I live in Hana, and I'm a member of the Board of Directors with the National Tropical Botanical Gardens. I have been involved with Kahanu Garden, basically, my entire life. I first went there as a child when there was nothing but cane grass and hala trees covering everything, and my father was instrumental in -- in the National Tropical Botanical Gardens becoming the stewards for this property, and I've seen it develop over all these years of life into what it is now, and I really feel that this visitors center is a good next step for the development of Kahanu Garden and I just wanted to let you know that I feel very strongly about Kahanu Garden, about the community of Hana, I've worked with Chipper Wichman for many, many years now and I have confidence that this is the right thing to do.

Vice-Chair Notestone: Thank you, Jan. Anybody else public testimony? Okay, nobody.

Ms. Lono: Public testimony. Did you want to say something, Ipo? No?

Vice-Chair Notestone: Okay, motion to close public testimony?

Mr. Carvalho: Motion to close public testimony.

Vice-Chair Notestone: Clayton motioned.

Ms. Lono: Second.

Vice-Chair Notestone: Dawn seconds.

It has been moved by Committee Member Carvalho, seconded by Committee Member Lono, then unanimously

VOTED: to close public testimony for agenda item E.2.

Ms. Lono: Mr. Chair, could we take a five-minute break, please?

Vice-Chair Notestone: We're going to recess for five minutes, and then we'll continue.

Ms. Lono: Thank you.

(A recess was called at 5:57 p.m., and the meeting reconvened at 6:08 p.m.)

Vice-Chair Notestone: Thank you for your patience. Do we have any -- so, Jordan, you're done with your presentation?

Mr. Hart: Yes.

Vice-Chair Notestone: Do we have any questions for him from the --

Ms. Oana: Does Ryan want to say something else?

Vice-Chair Notestone: You want to do a closing? Could you come over here?

Ms. Lono: Just so we can hear you.

Vice-Chair Notestone: And our microphone is the little thing right here.

Mr. Quigless: So in conclusion, the Maui County Planning Department recommends the project -- the proposed project for approval. What I'd like to do in addition to that right now is give you a little bit of the criteria that we analyzed the project so that we can shed a little light on how this heavily this project was screened for appropriateness ...(inaudible)...

So the project was sent to several government agencies for comments. The agency responses have been addressed by the applicant are included in the report. All of the no comment responses have also been included. The review and analysis of the proposed project conditions is offered in the following conclusions: That the proposed project is in conformance with goals, objectives, and policies of the Hawaii State Plan; the state land use commission special use permit; the agricultural uses existing; the County of Maui 2030 General Plan, the Countywide Policy Plan; the Maui Island Plan; and the Hana Community Plan.

Now with respect to the Hana Community Plan, I'd like to let you know some of the areas that where we heavily scrutinized the project. Cultural resources. It passed through the identification, the preservation, and protection of historically significant areas, sites, and features, and we found that it was encouraging to the community to establish stewardship of historic sites.

As far as social infrastructure, through preserving and enhancing the property for community gatherings and events. It passed. Urban design, it was shown to preserve the low-rise character of the area, the scale of the community, along with preserving the central view corridors. And with respect to the Hana Design Guidelines, the specific site location, rural character, the scale of the ...(inaudible)... height, architectural details and ornamentation, and the color palette that was chosen for the building.

As of now, June 29, 2016, the Planning Department has received one letter of support, Exhibit 19 in your report, one email expressing concern regarding this matter, the email response from the project consultant is also included as Exhibit 20.

So those are a few of the criteria to let you know that the project is really under heavy scrutiny and we understand that it's historically significant, it's the largest heiau in the state, and worthy of protection.

Do you have any other questions for me at this time?

Vice-Chair Notestone: No. Anybody else? Thank you very much. I do have a question for Jordan. As for access by a fire truck, you know, that area looks very wooded in that, you know, around that where it used to be cane, what's your proposal for fire access?

Mr. Hart: Well, we did -- so we're in the middle of the building permit review process, and about a week ago, we received a comment letter from the Fire Prevention Bureau, and they're comment was relating to access and, basically, onsite fire protection proposals relating to access and water in the area, and so right now, the project's civil engineer is reviewing the Fire Department comment letter and it will be our responsibility to come up with an acceptable solution to the fire protection issue. I'm sure there's a number of options, but not being a civil engineer myself, I'm not going to talk about what he might propose, but suffice it to say that the Fire Protection Bureau will have to review and accept our fire protection proposal before we can get a building permit for this project, and all of that, assuming that we get a recommendation for approval of course from the Hana Advisory Committee, and a permit from the Planning Commission and receive a building permit.

Mr. Wichman: That letter also directly -- we gotta address access for the fire trucks so ...(inaudible)...

Vice-Chair Notestone: So as for telephone service, you have that at that location?

Mr. Opgenorth: We do have a land line for the project.

Vice-Chair Notestone: And your electricity for the project?

Mr. Opgenorth: We plan to use solar.

Vice-Chair Notestone: And you'll have a battery system?

Mr. Opgenorth: Correct.

Vice-Chair Notestone: And where's that going to be located?

Mr. Opgenorth: So the batteries are going to be within the building within -- kind of through the education --

Vice-Chair Notestone: Could you point on the --

Mr. Opgenorth: Yeah ...(inaudible)...

Vice-Chair Notestone: Thank you, Mike.

Mr. Opgenorth: This is the area where the batteries are going to be, but the backup generator will not be in this building. We want to make sure that there's no hazards there and so this room is also designed to have ...(inaudible)... and so that, you know, there's no overheating or anything like that going on with the batteries, but we will have ...(inaudible)... a generator that will be covered and a small little building, accessory building just to keep it covered ...(inaudible)...

Vice-Chair Notestone: You have a proposal for the type of generator?

Mr. Opgenorth: We looked at some options, something that's going to match the amount of power that's used with this, it'll probably be, I think, something around -- we have a 6500 on it right now that I think we're going to use ...(inaudible)...

Vice-Chair Notestone: Thank you, Mike. Any other questions?

Ms. Lono: Well, you mentioned a couple of things and I have some suggestions that and I have an overall request, and I would like to ask if, before we approve this, if we could do a site visit with appropriate protocols before we pass this, to see it on the ground, to be there with our kupuna, to do a culturally appropriate approval of this, and that's something that's just been on my mind throughout this day and inspiration that kind of came this morning, and I've been thinking about it all day, wondering if it's a brain thing or a na`au thing, but it's really coming from here, so if we vote to do that, if we vote to do a site visit, then we'd have to, you know, have another meeting here, and then continue on this process. So I don't know if we want to talk about some of these details because I totally

think it should be a gravel or grass lot parking lot, and not an asphalt paved parking lot, and so we would need to put that condition in. Is that correct?

Mr. Hart: I think that, yeah, they need a recommendation. Yes.

Ms. Lono: Yeah, as an addition to the conditions. So the gravel parking lot and then, just because of what the place is, and it probably goes without saying, but just 'cause we're not all going to be here forever, to say that the -- and in the planting of trees and stuff will be native -- of native in nature from the area.

Mr. Opgenorth: Right. So our plan of that area, I know this says there's not going to be irrigation because in our continued plantings, what would be appropriate for that place, you know, surrounding the garden is the largest hala garden in the state right, and so we want to enrich that environment. And part of what we're doing right now at Kahanu Garden is working on a management plan for Kahanu Garden so we certainly plan on having appropriate plantings.

Ms. Lono: Yeah, especially in that parking area, you know, you have to put some trees in and so I just wanted to --

Mr. Wichman: Can I just make a suggestion that in your recommendation include native Hawaiian plants and Polynesian introduced plants because, technically, ulu is not a native tree, it's a Polynesian introduced tree, and as you know, ulu is part of our ...(inaudible)...

Ms. Lono: Well that's already there so --

Mr. Wichman: No, but we may add some ...(inaudible)...

Ms. Lono: So Polynesian introduced.

Mr. Wichman: Yeah, so I think it's, in the context of a cultural site, you want to be able to plant ...(inaudible)...

Ms. Lono: Okay. So I thought we should address those two things. The other thing that I'm very curious about is the SHPD report, and do you have any idea when that's going to come through?

Mr. Hart: I don't. We've been following up with them consistently.

Ms. Lono: You're not the only one.

Mr. Hart: And so, no, they won't tell us when they'll finish it or things like that. We're trying, obviously, we want -- we would want to have their letter to show everybody, you know, that their supportive of the project. So, no ...(inaudible)... There were a few things that you mentioned ...(inaudible)... things you were talking about from the report, is that appropriate, Chair?

Vice-Chair Notestone: Oh, I'm sorry.

Ms. Lono: He wants to respond.

Vice-Chair Notestone: Yes, go ahead.

Mr. Hart: Thank you. One of things that I would like to bring up in the context of you being supportive of the gravel was that there was also the mention of not being required to install irrigation, if that could also be discussed in the context of the parking lot, I think would be very helpful to Kahanu Garden. I also wanted to backup, you know, we were talking about the criteria for the special use permit and said those things kind of bother you, some of the background to that which kind of bothers me is that if Kahanu Garden only wanted to do retail and concessions in a thousand square-foot building, they could do that without the special use permit. The trigger for the special use permit is the educational uses. And so, you know, it would have been very easy for them to say we don't need to do education, let's just, you know, collect some revenue, but they're going through this process because they want to have the ability to do the education use onsite. So in the context of bureaucracy and how the approval process works, I think that that's also good food for thought of why we're here presenting this to you. The final thing that I wanted to add is that I understand there's a proposal for a site visit, so this might be a little premature but I want to bring it up since we're talking about these things, the department recommends a three-year time frame for the special use permit, and I'd just like to ask for consideration for something like five years. It takes a lot of effort for a nonprofit to engage a consultant to -- a team of consultants to ...(inaudible)... come here and ask for this permit, and so if they could get some more time so --

Vice-Chair Notestone: Thank you, Jordan. And thank you for that comment about the special use permit being more education. That's very important. That's great. Go ahead.

Mr. Wichman: I was just going to say, in terms of -- I know we're waiting for the SHPD letter, but the main archaeologist that worked on it back in the '90s was Yoshihiko Sinoto ...(inaudible)... we used his son, Aki Sinoto, and Eric Tamori. Eric Tamori was the SHPD archaeologist at the time overseeing the restoration of the heiau. They came out. They did their site work, you know, so everything that went to SHPD was clean, but they're just backlogged down there.

Ms. Lono: Yeah.

Mr. Wichman: Yeah, so anyway, I just want you know that the archaeological work was done and who did it because, for me, that's really important, people have a lot of ...(inaudible)... in this project.

Ms. Lono: Right.

Vice-Chair Notestone: He had a question. You want to come?

Mr. Peter Gaffney: Just a statement.

Vice-Chair Notestone: Yeah, come, come. Just to let you guys know -- oh, Peter Gaffney.

Mr. Gaffney: The gravel driveway ...(inaudible)... have one cement stall for the ADA. At least one.

Vice-Chair Notestone: Thank you, Peter.

Ms. Lono: Well, I would like to make a motion that we defer approval on this until --

Ms. Oana: Can I -- just hold on for a bit. Clayton and Ryan, I think I know what's coming up regards to the site visit, where are we on timing with regards to this permit being approved if we don't act in a certain time or this Committee doesn't act in a certain time, to get to the Planning Commission a certain time? Is there any affect on --

Mr. Yoshida: Typically, by the Planning Commission rules on practice and procedure, they're supposed to make a decision within a 120 days after the application is deemed complete, which is sending a notice to the applicant making them aware of the public hearing date and requesting that they send out notice to the neighboring property owners. So that was sent out probably in mid-May.

Ms. Lono: But are those notices legal? It's all been done legally at this point?

Ms. Oana: So I think Clayton's saying that when the notice was sent out that the department deemed it, not approved, but --

Ms. Lono: What notice?

Ms. Oana: The public notice. So when that's sent out, the department found that this was ready to go, and so I think that's the triggering date. With regard to whether the notice was valid, I don't know if it was ...(inaudible)... so they will be having a public meeting -- public

hearing at the Maui Planning Commission. So what we're interested in now is when the department had this application ...(inaudible)... and that's the triggering date for this time period and if the Maui Planning Commission doesn't act within that time period, the application is deemed approved.

Ms. Lono: Without conditions? Well, we want some conditions, you know, on there but -- so what is that date, Clayton? Do we have time? If it was mid-May, this is June, that's 45 days --

Mr. Wichman: How soon can you come on your site visit? There's Sunshine Law, right, so you gotta ...(inaudible)...

Ms. Oana: No, it would either be -- it would probably be a public meeting --

Ms. Lono: Yeah.

Ms. Oana: Then we would start the meeting there --

Ms. Lono: It would be a public site visit, the we would have a public meeting just like this to finish.

Mr. Hart: Excuse me, you don't want to do a special meeting? It'll only take seven days ...(inaudible)...

Mr. Wichman: You want to come next week? You're invited. You can eat with the students from ...(inaudible)...

Ms. Lono: Oh, wait. We have to have department --

Ms. Oana: Coordination. So I just bring that up so, you know, you make a motion for a site visit and then we run out of time.

Ms. Lono: Well, if we make a motion for a site visit, then hopefully the department has the timing information, and we can plug everything in accordingly, and have a site visit within the appropriate time frame. It's a make it work moment I guess.

Vice-Chair Notestone: Can we make a condition on the --

Mr. Yoshida: I guess if you want to do a site inspection, and then have a meeting, like we did for the Kawaipapa quarry --

Ms. Lono: Right. Yeah.

Mr. Yoshida: I thought that we could, if we can find a place, see if we can do it in about three weeks from now.

Mr. Wichman: Can we have the meeting on site?

Mr. Yoshida: July 19?

Mr. Wichman: Can we have the meeting at the garden?

Ms. Lono: The 14, 15, or 18 are dates that I would like to recommend, the 18th is a Monday.

Mr. Yoshida: Well, I guess that's a Molokai Planning Commission meeting day.

Ms. Lono: And then we're only going to have it this time, we're not going to cancel it?

Mr. Yoshida: Well, some of us are involved with staffing the Molokai Planning Commission, like Suzie --

Ms. Lono: What about the 14th or 15th?

Ms. Oana: I'm not available on the 15th.

Ms. Lono: What about the 14th? Oh, the 18th then. I thought you said the 18th was Molokai Planning Commission. The 18th.

Mr. Yoshida: The 18th?

Vice-Chair Notestone: It's a Monday.

Mr. Yoshida: Yeah, I think we'll -- that will be fine if we can find a place.

Ms. Lono: That would be an awesome date to be able to have it.

Unidentified Speaker: What date?

Ms. Lono: The 18th. That's the last day, yeah, and the ohana will be here.

Ms. Cosma: And can the meeting be held at Kahanu?

Ms. Lono: The public hearing part.

Mr. Yoshida: What time do you folks want to have the site visit?

Ms. Lono: Whatever works.

Mr. Hart: I think whatever ...(inaudible)...

Ms. Lono: Sunrise would be really good but I know you guys probably don't wanna do that. I mean that, you know --

Mr. Carvalho: What was like the --

Ms. Lono: Yeah, so it's really kind of --

Mr. Yoshida: 'Cause like with Kawaipapa, we would have to setup the room, either we have the site visit, come up setup the room --

Ms. Lono: Right.

Mr. Yoshida: And have the meeting.

Ms. Lono: Yeah. That's what --

Mr. Yoshida: Setup the room --

Ms. Lono: Well, we go do the site visit say 2:00, and, you know, it probably won't take more than an hour, and then convene at 4:00 to continue and finish the meeting.

Mr. Yoshida: That's fine if we can get a quorum.

Ms. Lono: Okay, to talk about quorum, are all of you guys available, Lehua, Clayton, Gale, on that date, the 18th?

Ms. Cosma: I'm available.

Ms. Lono: Okay, so you got four of us right here committed. So can I go ahead and -- can I go ahead and make that motion then to have a site visit on the 18th?

Ms. Oana: Well, I'm not available July 18th. I don't know if I can get somebody to cover me. I just cannot say at this time.

Ms. Lono: Can you let us know tomorrow? Can we make that -- can we plan it for that and you guys gotta go back and do what you need to do back at the department and confirm everything, and then let us know tomorrow?

Ms. Oana: And if it's a no, I can't get anyone to cover.

Mr. Hart: Let me ask another question. Would it be possible for the Committee to make a decision that there will be a scheduled site visit, so the vote is establishing it's going to happen, and then separately you guys can establish a date that will work for everybody just so we can --

Ms. Lono: Yeah, we'd like to recommend the 18th, but if it doesn't work, then we'll ...(inaudible)...

Mr. Hart: I understand. Right, like and continued on availability of corp. counsel ...(inaudible)...

Ms. Oana: And then, basically, we'll just ...(inaudible)...

Ms. Lono: And just talking about scheduling, for me, and I definitely want to be able to be there, the 20th I'm leaving to go to the Mainland for the rest of the month so that ...(inaudible)...

Mr. Carvalho: We should have Scott.

Ms. Lono: Huh? No. I want to be there.

Mr. Carvalho: Okay. No, I mean before that.

Ms. Lono: Yeah, but --

Mr. Carvalho: Before then, if it's on the 18th, we should also have Scott so we would have above bare quorum.

Ms. Lono: Yeah. So I mean I know you can't schedule it around just so that I can be there but it's pretty -- it's important to me, so if we can do it on the 18th, so I'll just make a general motion that we have a site visit prior to our final recommendations and decisions as soon as possible.

Vice-Chair Notestone: Do we have a second?

Ms. Cosma: Second.

Vice-Chair Notestone: Lehua seconds.

Mr. Carvalho: I kind of wanted to put in the record that it doesn't seem like, as a bare quorum, we're going to agree either way today so the site visit is the best option and I would prefer a site visit.

There being no further discussion, the motion was put to a vote.

It has been moved by Committee Member Lono, seconded by Committee Member Cosma, then unanimously

VOTED: to have conduct a site visit of the proposed project site prior to final recommendations and decisions.

Vice-Chair Notestone: Unanimous.

Ms. Lono: So in the effort to try to streamline things and be as prepared as possible, should we go ahead and add these to the recommendations, or should we just wait and do that at the next meeting, you know, the gravel and the no irrigation and the native Polynesian --

Ms. Oana: Since there's not going to be a final decision today anyway, just wait.

Ms. Lono: Okay.

Mr. Carvalho: And we're going to add to our quorum --

Ms. Lono: Right.

Mr. Carvalho: On that date anyway.

Ms. Lono: Okay.

Ms. Oana: So what we can do today here is just defer this to the next agenda meeting date, which will include a site visit. Is that okay, Clayton?

Mr. Hart: One question on procedure. Is it necessary to open the special meeting in order ...(inaudible)... scheduling like that?

Ms. Oana: No, I don't think so. I want them to agendize it and then ...(inaudible)...

Mr. Hart: Okay. Thanks.

Ms. Lono: I would like to make a motion that we defer our decision on this until the next scheduled meeting.

Mr. Carvalho: I will second.

Vice-Chair Notestone: Clayton seconds.

It has been moved by Committee Member Lono, seconded by Committee Member Carvalho, then unanimously

VOTED: to defer the item until the next scheduled meeting.

Vice-Chair Notestone: Motion passed.

Ms. Lono: Thank you.

Mr. Wichman: Yes, mahalo. I no can come on the 18th but thank you for giving me a chance for ...(inaudible)...

Ms. Lono: Thank you so much for being here. It was very, very helpful and it made my heart feel a lot better about a lot of things, so I really, really appreciate that.

Mr. Wichman: She thought is was like the visitors center right in front of the heiau and so I think there was misunderstanding.

Ms. LONO: I never thought that but, you know, but I appreciate it. Thank you very much.

Vice-Chair Notestone: I think that brings up to a close.

Ms. Lono: No, we gotta do our Director's Report.

Vice-Chair Notestone: No, I mean --

Ms. Lono: Oh yeah, this part of the meeting.

Vice-Chair Notestone: This part of the meeting.

Ms. Lono: Thank you.

Vice-Chair Notestone: Thank you. So next up we have the Director's Report.

F. DIRECTOR'S REPORT

- 1. Scheduling of other Hana Region Applications**
- 2. Discussion of Future Hana Advisory Committee Agendas**

Mr. Yoshida: Yes, thank you, Mr. Vice-Chair. We have polled the Committee regarding a meeting on August 30 to have a public hearing on the Woessner bed and breakfast application ...(inaudible)... Uakea Road, and the two council resolutions on the short-term -- short-term rental home ordinance, so the council did pass Ordinance no. 43-15, consisting of amendments to the short-term rental home ordinance, they still have a few other amendments they want the ...(inaudible)... and possibly we may have a short-term rental home permit application but that depends if the applicant is ready with ...(inaudible)... so that's on August 30, and then we have two other applications that probably will be scheduled after that, one is William ...(inaudible)... for a change in zoning ...(inaudible)... and the other one is from our Public Works Department for the ...(inaudible)... bridge replacement project SMA, so those two will come ...(inaudible)...

Ms. Lono: Okay.

Vice-Chair Notestone: That's good.

Mr. Yoshida: That's all we have to report.

Vice-Chair Notestone: Thank you, Clayton.

G. ADJOURNMENT

Ms. Lono: Motion to adjourn.

Vice-Chair Notestone: Motion to adjourn.

Mr. Carvalho: I will second.

It has been moved by Committee Member Lono, seconded by Committee Member Carvalho, then unanimously

VOTED: *to adjourn the meeting at 6:34 p.m.*

Respectfully submitted by,

SUZETTE L. ESMERALDA
Secretary to Boards & Commissions

RECORD OF ATTENDANCE

Present:

Gale Notestone, Vice-Chairperson
Clayton Carvalho, Jr.
Lehua Cosma
Dawn Lono

Excused:

Ward Mardfin, Chairperson
Linda Clark
Scott Crawford

Others:

Clayton Yoshida, Planning Program Administrator, Current Division
Keith Scott, Staff Planner
Ryan Quigless, Staff Planner
Jennifer Oana, Deputy Corporation Counsel