

# **ENVIRONMENTAL, AGRICULTURAL, AND CULTURAL PRESERVATION COMMITTEE**

**Council of the County of Maui**

## **MINUTES**

**June 4, 2019**

### **Council Chamber**

**CONVENE:** 1:31 p.m.

**PRESENT:** VOTING MEMBERS:

Councilmember Shane M. Sinenci, Chair  
Councilmember Tasha Kama, Vice-Chair  
Councilmember Kelly T. King (in at 1:37 p.m.)  
Councilmember Alice L. Lee  
Councilmember Michael J. Molina  
Councilmember Tamara Paltin  
Councilmember Yuki Lei K. Sugimura

**STAFF:**

David Raatz, Substitute Legislative Attorney  
Carla Nakata, Substitute Legislative Attorney  
Wesley Crile, Substitute Legislative Analyst  
Nicole Siegel, Committee Secretary  
Stacey Vinoray, Committee Secretary

Zhantell Lindo, Council Aide, Molokai Council Office (via telephone conference bridge)  
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)  
Mavis Oliveira-Medeiros, Council Aide, Hana Council Office (via telephone conference bridge)

**ADMIN.:**

Richelle Thomson, Deputy Corporation Counsel, Department of the Corporation Counsel  
Karla Peters, Director, Department of Parks and Recreation (EACP-27, 28)  
Lisa Almeida, Parks Permit Officer, Department of Parks and Recreation (EACP-27)  
Annalise Kehler, Planner, Department of Parks and Recreation (EACP-28)  
Michele McLean, Director, Department of Planning (EACP-28, 9)  
Jordan Hart, Deputy Director, Department of Planning (EACP-9)  
Rowena Dagdag-Andaya, Director, Department of Public Works (EACP-9)

**OTHERS:**

Toni M. Davis, A3H, Executive Director  
Theresa Marzan, Napili Canoe Club, Vice-President  
Greg Howeth, Lahaina Divers Inc., President  
Steve "Bear" Keahi

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Nori Tihada, Napili Canoe Club, Paddling Coach  
Tiare Lawrence  
Mike Tihada  
Colin Delos Reyes  
Eugene Tihada, Napili Canoe Club  
Anuheha Naki  
Morgan Montgomery  
Vernon Kalanikau  
Makalapua Kanuha Bancaco, Napili Canoe Club  
Roselle Bailey  
Kalei Kauhane  
Junya Nakoa  
Kekai Keahi  
Kaimana Brummel  
Susan Dils, Lahaina Canoe Club  
Walker “Boy” Kawika Crichton, Lahaina Canoe Club,  
Vice-President/Keiki Coach  
Maila Crichton, Lahaina Canoe Club  
Lanea Crichton, Lahaina Canoe Club  
Brasil Ruiz-Cockett, Lahaina Canoe Club  
Kupono Smith-Dapitan, Lahaina Canoe Club  
Megan Miller, Lahaina Canoe Club  
Kasey Toulze, Lahaina Canoe Club  
Christian Clarion, Lahaina Canoe Club  
Shadd Blando, Lahaina Canoe Club  
Sydney Snyder, Lahaina Canoe Club  
Lani Kane, Kahana Canoe Club  
Kesa Stoddart, Kahana Canoe Club  
Katie Folio, Lahaina Canoe Club  
Cameron Jacome  
Archie Kalepa  
Faavae Maluia  
Jeremy Stoddart  
Jeremy Delos Reyes, Lahaina Canoe Club  
Levi Delos Reyes  
Aina Kohler  
Ehukai Keomaka, Lahaina Canoe Club  
Francisco Jimenez Salgado, Kahana Canoe Club  
Danielle Kuck, Kahana Canoe Club, Board Member  
Kapali Keahi  
Kelli Keahi  
Strider Kernick  
Shannon I`i

Others (95)

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**PRESS:**      *Akaku: Maui Community Television, Inc.*

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CHAIR SINENCI: . . . *(gavel)* . . . Aloha kakou.

AUDIENCE: Aloha.

CHAIR SINENCI: And welcome to the Environmental, Agricultural and Cultural Preservation Committee meeting. It's June 4, 2019 and it's 1:31 p.m. I'll ask the meeting to come to order. I'm Shane Sinenci the Committee Chair. But before we progress, may I ask that everyone silence all cell phone ringers and other noisemaking devices please. Thank you. Introductions, we wanted to introduce Committee Vice-Chair Tasha Kama.

VICE-CHAIR KAMA: Aloha, Chair.

CHAIR SINENCI: Aloha. Member Tamara Paltin.

COUNCILMEMBER PALTIN: Aloha, Chair.

CHAIR SINENCI: Aloha. Member Alice Lee.

COUNCILMEMBER LEE: Konnichiwa, Chair.

CHAIR SINENCI: Konnichiwa. Member Mike Molina.

COUNCILMEMBER MOLINA: Aloha, Mr. Chairman.

CHAIR SINENCI: And Chair King.

COUNCILMEMBER KING: Aloha, good afternoon.

CHAIR SINENCI: Aloha. From the Department of Corporation Counsel, we have Ms. Richelle Thomson, welcome. And from the Director of Parks and Recreation, Ms. Karla Peters, aloha, and also Ms. Lisa Almeida, aloha. As far as Staff, we have Mr. Wesley Crile, Nicole--where's Nicole--Siegel, thank you. We also have, who else we have, Carla Nakata, and Stacey Vinoray, welcome. Okay. So, at our District Offices, we have Mavis Oliveira-Medeiros in Hana, Ms. Denise Fernandez at our Lanai District Office, and Ms. Zhantell Lindo at the Molokai District Office. Today, everybody, we have three items, EACP-27, Prohibiting Commercial Ocean Recreational Activity at Hanakao`o Beach Park, EACP-27, Cultural Designation for Hanakao`o Beach Park, and EACP-9, Sustainability and Restoration of Traditional Hawaiian Fishponds. For testimony, for individuals testifying in the Chamber, please sign up at the desk just outside the Chamber door. If testifying from one of the remote testimony sites, please sign up

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with District Office Staff. Testimony will be limited to the items on the agenda today. Pursuant to the Rules of the Council, each testifier will be allowed to testify for up to three minutes per item. When testifying, please state your name and the name of any organization you may be representing. Pursuant to the Rules of the Council, if you are a paid lobbyist, please inform the Committee. We established a connection to the Council District Offices. And today, because we have so many testifiers today, if some of the children wanted to come up as a group, you may, and just come down to the mic. You just have to state your individual names for the record. Okay. So, Staff, can we call the first testifier to the podium?

MR. CRILE: Chair, the first to testify is Toni Davis, on behalf of A3H, and followed by Theresa Marzan, of Napili Canoe Club.

**. . . BEGIN PUBLIC TESTIMONY . . .**

MS. DAVIS: Aloha, Chair Sinenci, Vice-Chair Kama, and Members of the Committee. Thank you for this opportunity to testify. My name is Toni Marie Davis, and it's been my honor to serve as the Executive Director of the Activities and Attractions Association of Hawaii for 22 years. More than half of our members operate within Maui County, and Maui CORA operators are some of the smallest owner operator, many of which have been in business for over 25 years. And I respectfully ask that you defer this bill as it's not complete. There's two viable solutions that I can see. The first is to amend the bill to address the displaced companies and note that they will be permitted to another suitable County park. And the second is to bring the stakeholders together, the canoe club, the commercial activity permittees, the lifeguards and the residents that use the park to come up with solutions for real issues. The second of these is more challenging, but will bring the community closer, as opposed to being at odds, and bowing down to harassment and anti-commercial sentiment. It's the better solution, as it respects the large amount of resources spent to set up our current County park permitting system, which addresses capacity, environment, and user group impacts. I was very surprised by this bill. I used to be a paddler for many, many years. And having been a paddler, I know that there's a lot, a huge downtime between morning and night practices, and I know that the scuba people that are permitted there, they park, they walk across the beach, and they're underwater most of the time. Granted, my canoe club was not, I was Malama Ula and Kihei Canoe Club. Kihei Canoe Club, then Malama Ula, which I think now is Wailea. But Hanakao`o is a big park, lots of parking, lots of space. So, I didn't understand what the problem was. So, I called Parks, lots of different numbers at Parks, nobody returned my calls. There's no way to call the canoe clubs. Napili's the only one that had a phone number and it was disconnected. So, I look forward to hearing your testimony and understanding better. I did called Tamara, Councilperson, who I so grateful for your candor and your time, and I also spoke with a few operators. And what I was told and what I came up with is that there's a small number of individuals that have been harassing commercial operators and their guests. Police were called several times as these people threatened physical harm. Many of the operators have chosen to go elsewhere to avoid bullying,

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and this anti-commercial sentiment is a reflection of a larger problem. The current ratio of visitors to residents, which exceeds the Maui County Plan, please do not penalize these few businesses as a result of a much larger issue, while also bowing down to inappropriate behavior. This bill will force permitted businesses out of business. Government's role is to enable growth and vitality for all. These are small, small operators. Visitors in an unorganized, unsupervised capacity cause an increased conflict detriment and safety --

CHAIR SINENCI: Wrap up.

MS. DAVIS: --hazard, whereas, with a commercial operator, there's a supervised entry into these areas. Rules can be recited, guests can follow-up. There's an opportunity to teach, educate respect for the environment, and culture. They pay --

CHAIR SINENCI: Thank you.

MS. DAVIS: --usage fees for the County, the privilege to use this park. They also watch over and protect these resources while existing customers and non-customers. Thank you so much. I'm sorry I went over.

CHAIR SINENCI: Thank you, Ms. Davis. Members, any questions for Ms. Davis? Seeing none, thank you for your testimony.

MS. DAVIS: Can I state one other thing? I included in the packet, the Department of Health brochure at the front. Thanks.

CHAIR SINENCI: Thank you. Staff, our next testifier?

MR. CRILE: Next testifier is Theresa Marzan, testifying on EACP-27, followed by Greg Howeth.

MS. MARZAN: Aloha, my name is Theresa Marzan, I'm also the Vice-President of Napili Canoe Club. I'm originally from Oahu where commercial activity has basically taken over the entire island. But when I moved to Maui in 1992 and joined Napili Canoe Club, it was what helped me create long-lasting relationships. At 12 years old, I remember our coaches making us swim out all the way to lanes three and four to do a swim test where we had to tread water for 30 minutes. Imagine 20-plus kids in the water. Now, that is nearly impossible to do. You have tourists on their standup boards that don't know what they're doing, that rent from the Hyatt and other companies. You have scuba divers who don't necessarily use proper flag or safety protocols everywhere in the area, not to mention, the little jetty boats zooming at high speeds back and forth to take out tourists to the jet ski platform or their parasailing trips, and numerous boats going by for their sunset cruises. There's so many selfish acts from these outside commercial businesses that don't necessarily help take care our beach. This is what needs to be eliminated from operating at Hanakao`o Beach Park. We need to, and we're going to protect one of the last beaches on the west side

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where our children, especially mine, love to go to. This is where we practice our Hawaiian culture, through outrigger canoeing. This is our beach, and please don't take it away from us. It's where our community raise our children, it's where our children first learn how to swim, fish, dive, paddle canoe, and so much more. This beach needs us. It needs our children who are the next generation. We need to protect this beach because one day our children will be able to teach their children all the cultural things that I have learned there. Mahalo for your time.

CHAIR SINENCI: Mahalo, Mr. Crile? Members, any questions for Ms. Marzan? We have a question for you, Ms. Marzan. Member Paltin?

COUNCILMEMBER PALTIN: I just wanted to clarify, you know, this bill up, it won't do anything for the Hyatt SUP rentals --

MS. MARZAN: Right.

COUNCILMEMBER PALTIN: --it's specifically for commercial ocean --

MS. MARZAN: Commercial, yes.

COUNCILMEMBER PALTIN: --recreational, that the County gives out. So, I didn't want to have a misunderstanding.

MS. MARZAN: Yes, thank you.

COUNCILMEMBER PALTIN: Okay. Thanks.

CHAIR SINENCI: Thank you. Before we go on to our next testifier, can we hold our applause until the end? Thank you. Mr. Crile?

MR. CRILE: Our next testifier is Greg Howeth, testifying on behalf of Lahaina Divers Incorporated, to be followed by Steve Keahi.

MR. HOWETH: Thank you for the opportunity to testify today. My name is Greg Howeth. I'm the President of Lahaina Divers. We're a scuba diving company that was founded in 1978 in Lahaina, and we've been operating in the beaches and in our Hawaiian waters ever since. There's a couple of issues that I have with the bill. I think that when we're talking about community-based solutions, it's usually best if the community actually gets together. I recognize there's an awful lot of activity happening, and I think as it's already been pointed out that there may be some issues that aren't going to be addressed in what's being done here. But there are things that the Parks Department can do right now with regard to time constraints on permits, things of that nature, to allow certain times during the day because I think as, my daughter paddles and normally her practices are either in the morning or in the afternoons, during the midday not so much. One of the things we also need to keep in mind is that our CORA services, they're not just for visitors. Scuba diving is a little bit

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different than any other ocean recreation activities in that you can't just go buy scuba equipment and teach yourself. You can't go with your friends and have a friend teach you. You must go with an instructor. You're dealing with life support equipment, and as such, you need professional training. That's slightly different than surfing, standup paddling, and the other ocean recreation activities that are currently governed under the CORA permits. Being also a charter boat captain, we're very cautious and recognize the number of people and the activities around Canoe Beach and I do think that we need to look at potentially talking with both either the Army Corps of Engineers and the Coast Guard about extending our lanes. I've seen my daughter paddling, I've seen, well we have the chase boats that are going with the paddlers, we've also had private recreational boaters who don't understand coming in really close to where our kids are doing the exchanges and things like that. By extending some of those water lanes further out into the ocean, I think we can get a better buffer zone between boating activities, which is what you're I think also trying to address, though not with this bill because the boating activities that happen off Kaanapali Beach are governed under the Department of Boating and Ocean Recreation. So, I just wanted to put some solutions and some suggestions. But as I think it's been echoed from Toni, I would ask that you keep in consideration what it might mean to put some of these businesses out of business when you're talking about activities that don't just serve visitors, but also serve our kamaaina. Mahalo.

CHAIR SINENCI: Mahalo, Mr. Howeth. Members, any questions for our testifier? Seeing none, thank you for your testimony. Mr. Crile?

MR. CRILE: Our next testifier is Steve Keahi, to be followed by Nori Tihada.

MR. KEAHI: Aloha, guys. They call me Bear; everybody knows me by Bear. I know Shane, how you doing, bro?

CHAIR SINENCI: Bear, aloha.

MR. KEAHI: I've been paddling since 1974. I've paddled with this certain club for 28 years. We moved so many times because every time a hotel build up, we get kicked off that beach, get another hotel build up, kicked off that beach. Canoe Beach is the last resort. It's basically like the wild, wild west now. All the commercial guys come down there because it's the easiest access for them. I know DOBOR gives the license from, I think it's from Kihei down to, what is that, Kapalua? They have all that area to use or utilize as for diving purposes. All we ask is this small little area. I know County does...supposedly canoe paddling is a Hawaii sport, right? We are not supported by anything. You guys pay for skateboard parks, baseball fields, football fields. And then, this is the only sport that from the grandkids to the great grandparents paddle the same sport in the same day. All we ask is for this little spot that we don't have to worry about kids paddling to divers, standup boarders, or anything else like that. It's the safety for both sides, the public or the commercial guys, and for the kids. That's all we ask for is that. And it's plain and simple, straight up that's what we need is that small area. That's all I get for say. Thank you.

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CHAIR SINENCI: Mahalo, Mr. Bear.

MR. KEAHI: How's it going.

CHAIR SINENCI: Members, any questions? Seeing none, thank you for your testimony. Mr. Crile?

MR. CRILE: Our next testifier is Nori Tihada, testifying on EACP-27 on behalf of the Napili Canoe Club, followed by Tiare Lawrence.

MR. N. TIHADA: Aloha, Chair, aloha, Council, aloha everybody in the Chamber. My name is Nori Tihada. I'm a coach at Napili Canoe Club, as well as resident of Lahaina. First of all, I just going go into a little history following up on what Bear talked about. Lahaina Canoe Club was founded in the late '50s, Kahana mid '70s in Kahana, the Naleieha family, and then Napili Canoe Club in 1976. At that time, Napili Canoe Club was in Napili Bay, Kahana Canoe Club was right where Pohailani is now. During that time, and they, we were there for several years and we eventually got pushed out due to the resorts and stuff. So, from Napili Bay, Napili Canoe Club went to Honolua Bay, which turned into a reservation, then went to Flemings, then went to Canoe Beach, through the reconstruction of Canoe Beach moved to Mala and then moved back to where we are now. Same thing with Kahana, they moved several areas and they're at Canoe Beach too now, along with Lahaina. Like Bear said, this is the last place we have. All we asking is to keep what we have left. We not asking for anything more. As a resident of Lahaina, we seen, and I seen our town go from two lanes with no streetlights, to the first streetlight on Lahainaluna Road, to what we have today. A lot has changed, a lot has changed in Lahaina. And what we have now, what we have left is Wahikuli Beach, Sandbox along with Canoe Beach. For our canoe paddlers, but more importantly our community, yeah, to go down and not worry about any commercial activities, not...okay, this is the whole situation. We got pushed out already from the hotels. Understand that we do get jobs from the hotels. But we cannot go to Kaanapali anymore. We cannot go to Napili anymore. We cannot go to a lot of areas in Lahaina. There may be beach access, but there's no parking. So, we limited to Wahikuli Beach, Sandbox, Canoe Beach, Launiupoko if you get one south swell there's no way you can get in there. So again, the tourist industry, which we aloha, we aloha everybody. They have everything else. We cannot, if I wanted to make a first birthday, I cannot go to Kaanapali. I'm limited, we're limited. With that said, I one coach, I always ask, tell our children this, there's three types of people in this world, and the kids going smile when I say this, people who make things happen, people who watch things happen, and people who wonder what happened. I choose to be the person that makes things happen. And my question to them, is who are you? Looking at you guys, obviously in your position, you guys people who make things happen. Please pass this bill. Aloha. Thank you.

CHAIR SINENCI: Mahalo, Mr. Tihada. Members, we have a question. Mr. Tihada? He ninau. Nori, Member Kama has a question.



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VICE-CHAIR KAMA: Thank you, Chair. Thank you, Mr. Tihada, for being here. Can you help, I'm not familiar with the area out there but can you tell me what are some of the activities that go on out there that you're referring to?

MR. N. TIHADA: At Canoe Beach you're talking about?

VICE-CHAIR KAMA: Yes.

MR. N. TIHADA: Well, you get scuba diving going on, you get paddleboards going on. We even get spear divers now coming down to the beach, get kayaks, and that's just to name a few right off the top of my head. Again, we seen this beach go from basically nobody really going down there because they had all these other beaches to go to. But now, we, the local people, and when I say local, I speak amongst everybody, it doesn't matter what color you are. We feeling like we getting squeezed out. So, now the question is, what do we do, you know, at this point in our life, if we just sit back and do nothing, then my thinking is, we just as fault as the person trying to ruin our beaches watching these things happen. So, I think it's time for us, all of us we're at the point where we gotta try and save what we have left.

VICE-CHAIR KAMA: Chair, if I may again?

CHAIR SINENCI: Follow-up.

VICE-CHAIR KAMA: So, are you saying that there's some things that should go on down there like the paddling, the kayaking, and those types of activities, but the commercial activities should go?

MR. N. TIHADA: What I'm saying is whoever supports this bill, we have no interest in personal gain, personal monetary gain I'm talking about. It's for us as a community to go down and just enjoy the beach. That's what I propose. To me, anybody going down there with one personal monetary gain to personally gain something out of it, I'm against, commercially.

VICE-CHAIR KAMA: Chair, one last question please? Thank you. So, would you deem this place as an appropriate or inappropriate place to have commercial activities?

MR. N. TIHADA: Inappropriate.

VICE-CHAIR KAMA: Thank you. Thank you, Chair.

CHAIR SINENCI: Thank you. Mr. Tihada, Mahalo for your testimony.

MR. N. TIHADA: Mahalo, thank you.

CHAIR SINENCI: Mr. Crile?

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MR. N. TIHADA: Can I say one more thing, one last thing?

CHAIR SINENCI: Quick.

MR. N. TIHADA: One last thing. I just like give one shout out to the Parks Department, Director Karla Peters, they doing one good job. Get one big difference in the outreach towards the community and the canoe clubs. Aloha.

CHAIR SINENCI: Duly noted. Thank you. Mr. Crile?

MR. CRILE: Our next testifier is Tiare Lawrence, testifying on agenda item number 27, to be followed by Mike Tihada.

MS. LAWRENCE: Aloha, Chair. Aloha, County Councilmembers. Mahalo for scheduling this today. I wanted to testify in support of ECP-27 [sic] and 28 today. My name is Tiare Lawrence. Encountering a statement stated by Ms. Toni Davis talking about solutions, this is a solution. Getting this park designated as a cultural park is the solution for Lahaina. I want to rewind back to 1992. I was nine years old and I'll never forget Uncle Bear, who was here earlier, picking me up in his Ford, his flatbed at Grandma \_\_\_\_ house loading up a bunch of us kids and going to the beach for my first time and jumping in that waa for the first time. I will never forget that. It was a profound moment for me coming from the childhood that I had and uncle guys picking me up, taking me down there. I will never forget that. Uncle Eugene Tihada, sitting behind me, teaching me how to steer, teaching me everything I know. Fast forward 27 years later and I've barely missed a season since. It is who I am. Paddling has been engrained in me. And if it wasn't for them, I don't know where I would be today. Having that cultural connection, that sense of place, giving me a place where I felt quality in my life because I had a purpose, I had a connection, I was in a waa. It just felt so good to be on the ocean. I will never forget that. But, you know, the gentleman earlier had mentioned, what would it mean to lose business? What would it mean to every child in this room if they lost their identity and their sense of place? To me, that outweighs profit over anything else. In a day, in a time when our quality of life has been diminished, we see mental health affecting a lot of the young generation especially. I mean, it's, we've had this conversation over the past week, how I think a lot of what we're seeing today is because of that quality of life, is because we don't have that sense of place as strong as we did 20 years ago. So, I want to bring that to the table. I want to bring that to the table because it's important that these kids have a place where they can connect to their kupuna. I know for me, when I'm at Hanakao`o and I smell the kukui nuts, sometimes stink, but I feel at home. The sound of the shells breaking up in the shoreline, I feel at home. And it's something that maybe people who not maa to that experience can't really relate. But it means so much to me when I smell that and when I hear that. Bottom line is commercial activity should remain in resort areas. We've lost our, we've lost too many places. We've been pushed out, Wahikuli Beach for example, I was there two months ago. The parking was totally taken up by rental cars and me being niele I was, I walked down

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the beach and I asked the tourist where you guys staying, are you guys staying in a hotel? No, they're staying in vacation rentals at Wahikuli. So, that's another issue that we have to address because that's also hindering our space down there. I wanted to bring that, and I also wanted to, sorry, I was testifying on two agenda items, so I get six minutes.

CHAIR SINENCI: Mr. Crile?

MS. LAWRENCE: A kipuka, a kipuka is after a lava flow it's, you know those little islands you'll see in the middle of lava flows. It's like an oasis, it's a sign of new life, of growth. To me, being from Lahaina, being from the west side, Hanakao`o, Wahikuli Beach Park was my kipuka, and Lahaina Harbor when the waves was good, was my kipuka. It was my oasis. And so, you know, I just want you guys to recognize how much more people from the west side needs to be displaced. I grew up on the west side, I moved out when I was 19 years old because, I mean, even back then, the thought of me paying rent there versus Upcountry was, it just made more sense for me to move. And so, I just want to bring that to the table in strong support of a cultural park designation, and I also want to mahalo Parks Director for your community outreach and always being so willingly to answer questions. So, mahalo nui for scheduling this today.

CHAIR SINENCI: Mahalo, Ms. Lawrence. We have a, I have one question. Are the State canoe races held at Hanakao`o?

MS. LAWRENCE: Yes, it is. We have thousands of people that show up every, it's about every seven years is when it comes to Hanakao`o.

CHAIR SINENCI: Every seven years. Okay. Thank you. Any other questions? Seeing none, thank you.

MS. LAWRENCE: Mahalo.

CHAIR SINENCI: The Chair wants to recognize Member Sugimura.

COUNCILMEMBER SUGIMURA: Good afternoon, thank you.

CHAIR SINENCI: Mahalo for joining us. Mr. Crile, we'll take one more testifier and then we'll go to our neighbor districts.

MR. CRILE: The next testifier is Mike Tihada testifying on EACP-27.

MR. M. TIHADA: Aloha, Councilmembers, aloha Committee Sinenci, Chair Sinenci.

CHAIR SINENCI: Aloha.

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MR. M. TIHADA: My name is Mike Tihada, born on Maui, raised in Lahaina. I'm here today in support of prohibiting commercial activities at Hanakao`o Beach Park, Canoe Beach. My ohana and I have been part of Napili Canoe Club, and I have been part of the canoe culture since the age of five. I've seen a lot of changes growing up on this very beach, some good, some not so good, the not so good, commercial activities. This creates problems for people just trying to go to enjoy the area. I like to see Hanakao`o exist as an area where locals can go to enjoy without having to deal with private companies who occupy the facility for their own personal gain, profits. The companies that tend to think that they have more privileges over the general public because they have these permits. I understand that the Maui County depends on tourism industry. But just north of Hanakao`o is the Kaanapali area where we, the locals, are not welcome. Simple solution let the commercial activities that we, the daily beach users do not want at Hanakao`o, and simply move it a short mile north to the area where we, the local people, are not wanted and welcomed. Hanakao`o and Wahikuli Beach Park are the last beaches in Lahaina that we have. We have been kicked out of everywhere like everybody said. This is the last beach. Due to tourism and community, sorry, commercial activity. This is our last beach. This is the frustration. I am here not for myself. I am here for our keiki, our future generation. If we do not fight now, our keiki will have nothing. They will not have a home. We owe it to them. Thank you.

CHAIR SINENCI: Mahalo, Mr. Tihada. Members, any questions for the testifier? Seeing none, thank you. Can we go out to Ms. Mavis Oliveira-Medeiros in the Hana District?

MS. OLIVEIRA-MEDEIROS: Aloha, Chair. This is Mavis Oliveira-Medeiros from the Hana Office. There is nobody here waiting to testify.

CHAIR SINENCI: Thank you. Ms. Denise Fernandez from the Lanai District Office?

MS. FERNANDEZ: Good afternoon, Chair. This is Denise Fernandez at the Lanai Office, and there is no one waiting to testify.

CHAIR SINENCI: Mahalo, and finally Ms. Zhantell Lindo, Molokai District Office? I believe we've lost connect. We'll contact her via e-mail. Mr. Crile, our next testifier in the Chambers please?

MR. CRILE: Next to testify is Eugene Tihada, excuse me, next to testify is Colin Delos Reyes on EACP-27, to be followed by Eugene Tihada.

MR. C. DELOS REYES: Aloha everybody in here and out there. My name is Colin Delos Reyes. I am here, actually kind of morphing from 27 into 28 with my testimony. Like everybody's been saying, everybody's been pushed out, yeah? And what I want to talk about is that legacy because the legacy before that is Hawaii wouldn't be here if it wasn't for canoeing. Nothing would be here. That is the beginning of Hawaii is the canoe. We are perpetuating that culture by having canoes at Canoe Beach. There is no place else, in Lahaina that's it, in the town. You gotta go miles out there. Like they saying, we get 100 yards of beach maybe at Canoe Beach. And if you walk down you

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can go two miles all the way to Black Rock, lots of room for commercial activities out there, nicer reef too, by the way, scuba divers. Okay. Other than that, I want to see the beach protected, become a cultural designation because of the legacy for our keiki, the whole Lahaina Town. I had to move, too expensive to live in Lahaina, but I go there every day. I work at Lahainaluna, I spend my summers there all the time. Okay. Because I love the community, I love the kids, I love the culture. I made the best friends I ever had from paddling. I meet people from all over the world, 'cause they come down there to paddle. Okay. And, you know, there's other things that go on. Not only did you paddle, you learn from each other, we communicate with each other, we learn to collaborate, we learn to have solutions, make solutions. There's lots of enlightenment over there 'cause people discuss all kinds of issues. You wouldn't believe the things people talk about there from green environment, you know, green energy and all these different things, and I want to see that protected 'cause that's really all we have left over there. I want to see the cultural designation made. And the legacy I want to talk about is the legacy you're going to give to our kids in the west side. You going give them the legacy of us always having this sort of Damocles over our head 'cause we gotta move all the time, or are you gonna take that sword away and give us the cultural designation so we have this place for our community? That's all I have to say.

CHAIR SINENCI: Mahalo. Members, any questions for Mr. Delos Reyes? Seeing none, thank you. Mr. Crile?

MR. CRILE: Next testifier is Anuheia Naki, testifying on EACP-27, to be followed by Morgan Montgomery.

MR. E. TIHADA: Howzit, everybody. Anyway, I'm not much of a speaker. In fact, you going hear a lot of pidgin out of me. Anyway, I was born and raised in Lahaina. I was born Lahaina Hospital 1943. I'm probably the second oldest guy in this whole area. Anyway, and I went to Lahainaluna High School, graduated, went in the Army '61, 1961 to '64, one Army Vet, anyway. In those days we had to go, yeah, whether we get drafted, yeah? But I volunteered, I was with the 7<sup>th</sup> Ala Wai Company at that time. Anyway, I'm for the bill that Tamara Paltin introduced and whatever my son said, and my nephew said, I agree with them 101 percent 'cause, like I said, I seen Lahaina from no had nothing, no even had one hotel in Kaanapali when I went in the service. And when I came out of the service then had Royal Lahaina and Sheraton. I seen Lahaina has changed. And like they say; we've been pushed in the corner. Before when you go down the beach with your family, the next person is 50 yards away from you that's too close. They tell you, you invading my space, brah. You know what I mean? But now, whoa man, they sitting on your lap. But that's how it is yeah? That's the way it is. But at least what we trying to do, at least get one small section for us locals that our kids can paddle safely without hitting on scuba diver that pop his head up when you going with one canoe which weighs 40 pounds. Hey, watch out for the guy, whoa boy. And that's what we gotta go through, watch out for the standup paddler, you might run him over, kill him. So, anyway, I think this bill is great. Thank you very much. Bye.

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CHAIR SINENCI: Mahalo. Members, any questions for the testifier? Seeing none, Mr. Crile?

MR. CRILE: Yeah, just a correction. We just heard from Mr. Eugene Tihada. And next up is Anuheha Naki.

MS. NAKI: Aloha, my name is Anuheha Naki. I'm here to support Canoe Beach so that it stays the way that it is. Paddling canoe is very important to me and it is part of who I am as a person, and I can say that for many people who are here today. I have learned so much about the ocean, especially at Canoe Beach. Please allow this kind of learning to continue. Mahalo.

CHAIR SINENCI: Thank you, Anuheha. No questions? Mr. Crile, next testifier.

MR. CRILE: The next testifier is Morgan Montgomery, to be followed by Vernon Kalanikau.

MASTER. MONTGOMERY: Aloha, my name is Morgan Montgomery Junior, and I am here, and I support this bill. It is important to me that Canoe Beach stays in the hands of the community. I've learned so much about the culture and respect through paddling. I love going there, and I want the same for the people after me. Please protect Canoe Beach for me and all the people that will come after me. Mahalo.

CHAIR SINENCI: Thank you. Next testifier?

MR. CRILE: The next testifier is Vernon Kalanikau, to be followed by Makalapua Kanuha Bancaco.

MR. KALANIKAU: Yeah, we all related. Yeah, so, good afternoon, Councilmembers, and Chair. I'm here to talk about that, the Koieie Fishpond actually, but under this agenda that you have brought for today. So, I just want to read this, what I read on the agenda, sustainability and restoration of traditional Hawaiian fishponds. And in the description, there's a line that says, sustainability and restoration of traditional Hawaiian fishponds. The reason why I reading that is because I asking the County Council how you folks define the traditional Hawaiian fishpond in restoration and sustainability? So, think about that. I think it's important that we be careful how we move on with this agenda. The next thing is explain, you know, so, Hawaiian fishpond is fully sustainable, you know, cultivating the limu, the fish, and everything else that belongs in the fishpond. It's not a place for recreational use and commercial use. That is not what the fishpond is meant to be. Unfortunately, there's DLNR and the foundation to that fishpond that has a lease agreement, which was just renewed, and the shibai about this agreement, there's language in there that I want to find out what Hawaiians include certain languages and word in there that has commercial and recreational use in one fishpond. You guys seen my post on Facebook that that fishpond, Koieie was opened up by certain cultural practitioners that you guys all maa to in Lahaina said, came our moku, opened that fishpond, Lahaina went bust their okole for help rebuild our fishpond. Now, it's open two sides so the canoe tours can go

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in and out of that canoe...fishpond. So, I working on that. We get one meeting at the whale sanctuary Monday, 6:00 to 7:30 and I asking the foundation and certain cultural practitioners to that fishpond to show up. They no show up, no matter to me 'cause they need to, the public need to know about these things. Recently, I just talked to standup paddleboard yoga classes, they just got one permit a month ago from County and DLNR to do yoga in the fishpond. So, the girls never like continue because they call me, uncle, what should we do? I tell no, no, you guys still function, that's not you guys fault. We gotta get to the root of this on the State level and the County level. The other thing that foundation, their intent was never to do a full restoration to that fishpond. It was one educational component for one nonprofit. But I get plenty more to say, but my time's up.

CHAIR SINENCI: Thank you, Vernon.

MR. KALANIKAU: Yeah, mahalo.

CHAIR SINENCI: You mentioned Monday, is that June 10<sup>th</sup>?

MR. KALANIKAU: Yeah, at the whale, yeah, June 10, Monday 6:00 to 7:30. I basically got all these questions for this foundation and cultural practitioners that part of this fishpond, it's a, I mean, it's a tourist trap. It's a kiddy pool, that's what it is. And their intent was never to do full restoration. It was an educational component for that nonprofit. So, we need to correct that.

CHAIR SINENCI: Thank you. Members?

MR. KALANIKAU: So, the commercial and residential, recreational use, that's the key word for this agenda, yeah today, and sustainability and all that. Mahalo.

CHAIR SINENCI: Thank you. Any questions for Mr. Kalanikau? Seeing none, --

MR. KALANIKAU: Mahalo.

CHAIR SINENCI: --mahalo. Mr. Crile?

MR. CRILE: Next testifier is Makalapua Kanuha Bancaco, to be followed by Roselle Bailey.

MS. BANCACO: Aloha mai kakou. Chair Sinenci, mahalo for this opportunity and our County Councilmembers. I appreciate the opportunity to come and speak on behalf of my grandchildren. Hele mai, over here, come, come, maa. And I am in support of the proposal for the cultural designation for the park of Hanakao`o, aka, today they call 'em Canoe Beach. Mahalo. Hoi waa, we talk about paddling canoe. Hoi waa is nohona. It is the way of our life. And he waa he moku, he moku he waa is a very popular saying for many voyagers, those who have participated with Hokulea, with Hikianalia, and our waa, our double-hulled canoe, and that's Mookihaopiilani. Right behind me, these are my grandchildren, Kahoopiihula--store for the record--and this is

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Kelii Tihada...Keliikoa Tihada, and Kanani O Na Alii Tihada. They are the grandchildren of the, one of the founders of Napili Canoe Club. So, I stand with them for their voice to support. To support hoe waa. So, mahalo to, for this opportunity to come and speak. That they not only learning hoe waa, they're learning life. What I mean by life is you gotta know how to lash the canoes together. So, they're learning mathematics. They're also learning sustainability. They're learning preservation. They're learning conservation. They're learning collaboration. And they're learning unity as a community. So, it's much more than just being at Canoe Beach. They are learning values so that canoe paddling molds them into adults, prepare them for their adult life is, so it's so much more. I've heard this from one of the crew members of Hokulea is, you know, going on Hokulea and you're in the middle of the ocean, that canoe will define who you are as a person. So, I am in support of hoe waa, and my community of Lahaina and Hanakao`o. So, please mahalo, mahalo to all of you. Mahalo.

CHAIR SINENCI: Mahalo makalapua. Any questions for the testifier, Members?

MS. BANCACO: Mahalo.

CHAIR SINENCI: Seeing none, Mr. Crile?

MR. CRILE: Our next testifier is Roselle Bailey, testifying on item number 27 and 28, followed by Kalei Kauhane.

MS. BAILEY: I'd like to make a correction to my name. It's Roselle as in Michelle. Bailey's correct. `Ano`ai ke welina ia `oukou. I cannot say aloha, because aloha is a two-way street and governance is not forming this street of aloha. It is a one-way street. Let me read what Thomas Jefferson said. I know of no safe depositor of the ultimate powers of society but the people themselves. And if we think them not enlightened enough to exercise their control with a wholesome discretion of choice, the remedy is not to take it from them, but to inform them their discretion by education. This is the true correctiveness of abuses of constitutional power. And as Americans, we are functioning under constitutional power. You've heard many things here, and I thought I'd say that. However, listen closely to your constituents. The first thing you must do is take care of the aina. The aina is not just land, it is the ocean. We, as the Pacific people are in the middle of it, and we depend on that ocean. We take care of it; it will take care of us. Then plant a garden, your garden are your people. Your people are being pushed back farther and farther from their one hanau and their cultural practices. It makes my eyes cry when I go to Lahaina, sorry if I get emotional, and the only beaches they have to camp is from the Pali over to Launiupoko and that is just a tiny little strip which everybody crowds. And Hanakao`o is, as my parents said, for fishing. I come from Lahaina, but I live in Paukukalo. And Hanakao`o, Mister, the past Tavares had given that historically to the Canoe Clubs to build there and practice their culture there. I was part of that blessing and it is a crime not to put the Hawaiian people where they belong. You have several processes to run though, land use, the Feds, the State, finally the County. But on top of that is the monarchy laws



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which the usurpers took to make it their own and you are not following it. And therefore, you have an unhappy Hawaiian people who were never unhappy. They work the land, and the working of the land, the aina, also educated their people. Think about this. Hawaii was the most educated population country in the world, and the healthiest, and the best navigators in the world. And where are we now? Thank you.

CHAIR SINENCI: Thank you, Ms. Bailey, for your testimony. Mahalo. Do we have any group testifiers that want to come up as a group? Seeing none, okay. Mr. Crile?

MR. CRILE: Our next testifier is Kalei Kauhane, followed by Junya Nakoa.

MR. KAUHANE: Kalei Kauhane. Mahalo \_\_\_\_ for that beautiful, whoa man, so we not saying aloha, we say howzit kakou. Wow, okay, so, I am here to speak and say I am in support for the, what is that called?

CHAIR SINENCI: Prohibition.

MR. KAUHANE: Yeah, yeah, cultural designation of Hanakao`o, which is more than just a place for us where we go, hang out, pulehu, have a good time, hoe waa. That is our children's educational house. That is where we educate our children not just on small little tiny canoes, but also the big canoes come to Hanakao`o where our small kids get for go on top, they anchor right outside and have, you know what I mean, we get for go on top there and teach 'em that kind stuff. Now, where you stay, oh there you are, what year you said, '92, 70 something, 3,000 years I've been here, try that one? Okay. Whoa, that upset me. Anyway, another thing about Hanakao`o, it is the only place that on Maui we can hold one fake State canoe regatta. That's the only place where we can hold one on Maui. That's the only place will accommodate that much people. But anyway, shoots, mahalo.

CHAIR SINENCI: Mahalo, Kalei.

MR. KAUHANE: Any questions? Anybody?

CHAIR SINENCI: Any questions, Members? Seeing none --

MR. KAUHANE: Alright. Mahalo.

CHAIR SINENCI: --thank you for your testimony.

MR. CRILE: The next testifier is Junya Nakoa, followed by Kekai Keahi.

MR. NAKOA: Howzit, Junya Nakoa. The solution is pretty much is, you know, Kaanapali, I work over there every day and that's where all that commercial business should be anyway. Okay. 'Cause I just surprised that DLNR not here. They should've been here. Okay. 'Cause Canoe Beach should be protected anyway with this swim buoy's

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that no more already, the egress, degress [sic], and all that kind stuff, the, can control all this commercial activities and all that kind crap. But the solution is go Kaanapali, leave Canoe Beach alone. You guys can fix that by making this bill go through. Yeah, Canoe Beach, leave 'em alone. The scuba divers and all that commercial kind activities guys like that, they no respect the place like we do. I mean, like all these other guys was saying, we always getting kicked out, we gotta move here, move there, whatever. Kaanapali we get kicked out over there because of the hotels. And yeah, that's one other whole subject. The whole hotels, we give up so much stuff for the hotels where they're supposed to have housing and all that kind stuff never happen and they like take all our beaches and all the kind stuff. We no can park over there. Canoe Beach is where we can go. Get plenty mana, like everybody was saying. But you guys can just, the solution is, no more commercial activities over there, zero. I no care if you get permit or whatever, just get out. Just leave that for the Canoe Beach, like dat for the canoe paddlers. I suck at paddling so I no paddle. But make 'em for these guys. Serious, all that commercial stuff stay in Kaanapali, I work over there every day and I see the stupid things, the stupid kind stuff these guys do. We no like 'em come in Canoe Beach, leave it in Kaanapali. So, yeah, so, fix the problem. Just make this damn place one commercial free zone, you know, just keep 'em culture. Shoots, mahalo.

CHAIR SINENCI: Mahalo, Mr. Nakoa. Members, any questions? Chambers, I will remind you to refrain from clapping. We want to hear from everybody. Thank you. Mr. Crile?

MR. CRILE: Next testifier is Kekai Keahi, testifying on items number 27 and 28, to be followed by Kaimana Brummel.

MR. KEAHI: Howzit. My name is Kekai Keahi. Maybe we should bring some perspective to what we talking about, yeah? For you Councilmember who may be not from places like Kihei and West Maui where there's designated resort areas, what you guys gotta understand is, when you go home to your house if you not from those areas, no more the tourist already. We gotta live with them 24/7, 356 days a year, 57, 58, 59, 400 days a year, whatever you like 'em. Okay. We no more one retreat from tourism. So, if you look at the cumulative effect on the population in these areas is very stressful. Okay. Also, bring perspective is before I was one paddler I was of the ocean. My father took us fishing. Our family is from the ocean. Right in front Canoe Beach used to be a main fishing grounds for Mala Village that used to be one fishing village that used to be in the area. Back when I was young, I remember a tour operator who wanted to operate the jet skis, filed for a permit, got one permit right on the fishing ground that these, the Mala Village people depended on. And I remember going up and down with boats, walking the beaches with signs, blocking off Mala Wharf with my uncles and my father them protesting. And guess what? The State sided with this one person who wanted for hold a commercial business and shut down an entire fishing village. Go to Mala now, how much families from that area is still there, maybe one handful. The rest had to leave, sold their place and left, one entire fishing village, that's a cumulative effect. Now we're talking about Hanakao`o. You know, what this wahine was saying, she trying for paint you one picture that is not honest. Oh, they

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only here in the mornings, they only here in the afternoons as if local people not there during the middle of the day? We there all the time, we there all the time. So, it's not just one canoe team you guys gotta get that clear, yeah? And the other thing is when she's referring to us as the people who use the park is the canoe people only during these times, she almost referring to us as of not, we not part of the community. We are the community. And then, she's saying that we need to talk to the community? We are the community. And to put a face, yeah Miss, to put a face to the bully, here I am. I am the guy. And for those of you up here going testify later, you guys are bullies too. Come testify and let them know. Put one face so she can see us. We the bullies. 'Cause when you push back to one place where you have no place to go, expect that, expect that. Now, I just was looking on my phone and I was mapping 'em out how far, Ukumehame to Honokohau, 25 miles shoreline. Okay. We no use, oh I get six minutes yeah, 'cause I doing two yeah? . . . *(inaudible)*. . . put green. We no can use Ukumehame to Launiupoko. No more water, no more bathrooms. It's, you can go there, but it's not one place that you like go. Kaanapali, they no like locals over there. They really don't like locals there. Try go there, and as soon as they see the color of your skin, they calling security, do you belong here? My boy just harassed the other week. Okay. Now, it's not a big place like she says, again, she painting the wrong picture. The beach is only about 100 yards long. As Colin said, if you look at the whole Kaanapali Beach area, that place is huge. We asking for 100 yards. I hate to be here begging to give a dog a bone. But that's what we fighting for. In fact, you know what, let's add to this thing, let's add Wahikuli Park. That's another place that locals lose that's only 100 yards long. They also get scuba divers over there, scuba divers over there. When the County issue a permits to this businesses, they feel that their permits supersede our right to be there and they actually come up to you and tell you, you guys shouldn't be around here when scuba divers in the water, you see the flag you must stay away. Bruddah, we been there. We seen that. So, it's one cumulative effect of believing in a resort destination area like West Maui, South Maui, it's growing up every day, you know like grow up fighting your whole life. But you have to because you gotta try save 'em for your kids. And for my grandkids, guess what, I no more grandkids yet, so what I fighting for, my grandkids that is to come. I no like, I never come into this and wanted to fight my entire life. But I saw the people in line fight to try and preserve what we get. They all the old folks now, we taking the lead now. And I looking at my boy and I telling my boy brah, going be your turn soon. That's not one, that's not the quality of life we like for our people in Lahaina where you gotta struggle and ask for one bone from the County just so we can have one beach that is 100 yards long. Is that too much to ask, 25 miles of west side beach, we asking for 100 yards. They get the best, they get all the best beaches, they get everything they want, and that's not enough? And they act like we putting them out. We the ones, we had to move like Uncle Eugene said, and Nori and everybody. We the ones was forced to move last time. She probably wasn't even here when that stuff was happening, yeah? So, you guys, you guys say you guys here from the '70s and whatnot. Brah, my family came here on a canoe 2,000 years ago. That's my lineage. That's my heritage. But you know what the heritage of our young kids is now without that beach. We like to say we descend from kings and chiefs. But look at our people now. Who they descend

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from? Drug addicts, people in jail, that's what we get now. That's our future? That's who we descend from now.

CHAIR SINENCI: Mahalo, Mr. Keahi. Members, please keep applause down. Thank you. Before we begin, or continue, can I just remind everybody just to address your testimony to the Members in the Council. Thank you. Mr. Crile?

MR. CRILE: Next testifier is Kaimana Brummel, testifying on item number 27, to be followed by Susan Dills.

MS. BRUMMEL: Aloha auinala, Councilmembers. My name is Kaimana Brummel, here testifying as an individual today. I'm a lifelong paddler, a resident of Wailuku, born and raised in this moku. I was raised on the shores of Kahului Harbor, and in my '20s I worked as Executive Director of Hawaiian Canoe Club. We are recipients of County grants. We are also a lessee at Hoaloha Park. While I no longer work at Hawaiian Canoe Club, I'm still a paddler there. I'm now married to a canoe paddling coach, go figure, and my son recently participated in his first regatta, marking the fifth generation of my ohana to race. I'm here to voice my full support of prohibition of commercial ocean recreational activities at Hanakao`o. And while I was raised at Kahului Harbor, I have spent a significant amount of time at Hanakao`o and I've always been keenly aware of the tight paddling community that is there. I grew up hearing the names of the Lahaina paddling families, Paoa, Keahi, Naleieha, Palakiko, Tihada, Pali, and Delos Reyes. These ohana and countless more has spent their time, shared their ike, perpetuated traditions, and touched thousands of lives through outrigger canoe paddling. This is who they are, and this is what they do. They are not capitalists, they're cultural practitioners, they are coaches, and they are community builders. See, the thing is when you do something in the same place over and over, you compound mana in that place. Decades of paddling mana have accumulated at Hanakao`o. It is a place of refuge for keiki. It is where adults stay physically, and culturally, and spiritually fit, connected to ancestors, to the ocean, and to each other. Digging a little deeper, as Tiare eluded to, I recently had conversations with a group of community leaders who are concerned about the mental health and well-being of men in our community. We are worried about them, and the data supports from a 2017 study of kane health by the Office of Hawaiian Affairs. It validates what we feel. Native Hawaiian men report higher rates of depression disorders than men Statewide. But what does this have to do with canoe paddling? Well, we need to maintain those places and those spaces for men to gain clarity, connect to their kupuna, cultivate positive self-identities, and remain accountable to positive influences. As a lifelong paddler, I know a canoe club, the waa, and the ocean is that place for many men. So, I urge you to support EACP-27. Let's keep these places of mana free from conflicting interests and goals. In this case, designate Hanakao`o free from commercial ocean recreational activity. Mahalo for your consideration.

CHAIR SINENCI: Mahalo, Ms. Brummel. Members...seeing none.

MS. BRUMMEL: Thank you.

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CHAIR SINENCI: Thank you. Mr. Crile?

MR. CRILE: Our next testifier is Susan Dils, testifying on EACP-27 on behalf of the Lahaina Canoe Club, followed by Brasil Ruiz-Cockett.

MS. DILS: A little shorter. Aloha e, Council Chair. Still not so good, is this better? Okay. Alright, my name is Susan Dils, and I am a member of the Lahaina Canoe Club and I support EACP-27. I have not lived here very long, only since 2015. When I and my family decided to move here to Maui, it wasn't for the shave ice, it wasn't for the snorkel expeditions, or the resort living and sunset cruises. We moved here because out of all the places we have lived in the world, this is true, sorry, nowhere else feels more like home than Maui. There is such a strong sense of place here, a sense of community, and from the very beginning, we felt drawn to be a part of it. This sense of place that I'm talking about is what makes Maui unique. It is created by the land and the mountains that I love so much, by the ocean that nourishes the island, and by the people whose history and culture do so much to promote the connection between land and sea. Since moving to Maui, I have sought to connect with the land by volunteering with organizations like Maui Cultural Lands. To explore my connection with the ocean this year, I decided to join the Lahaina Canoe Club. I have not been disappointed, not one bit. I believe it was on day two of practice that one of our coaches began by talking about why the club exists. Spreading his arms wide to face the ocean and the canoes, he said, we teach you this, and then he turned facing the land and the community to respect this. That is why I joined the club and that is why they coach. He's right, I have learned so much, not just about paddling, but about Maui. I am learning the history, the culture, and the values that are important to our society here. I am making friendships with not just my club members, but with people from the clubs that share our beach. On the west side, the three clubs may be competitors, but we are family too. We look out for each other, we encourage each other, we talk story after we pull the waa ashore. We do this all in the presence of our ancestors whose graves overlook the beauty of the sea. We do this in the presence of our children. The sense of community here is strong, and if I feel it, a 53-year-old non-Hawaiian who has just started paddling, imagine the impact this beach is having on the minds of our keiki. That is really why we are here today. We are here to fight for the preservation of a beach that is important to promoting the values and community to our keiki. We are fighting for them to see how the three, land, ocean, and people, form the trifecta of Maui no ka oi. I have more to say in my written testimony, many examples of how I have seen commercial encroachments affect not only paddling practices, but celebration of life ceremonies and just the general, it doesn't happen just once or twice, it happens constantly. Thank you.

CHAIR SINENCI: Thank you, Ms. Dils. Members, any questions? Seeing none, thank you.

MR. CRILE: Our next testifier is Brasil Ruiz-Cockett, testifying on EACP-27 on behalf of the Lahaina Canoe Club, to be followed by Kupono Smith-Dapitan.

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MR. RUIZ-COCKETT: Excuse me, could we do it as a group --

CHAIR SINENCI: Yes, you may.

MR. RUIZ-COCKETT: --for Lahaina Canoe Club?

CHAIR SINENCI: Does everybody want to come up and say their names? Mahalo.

MR. CRICHTON: Aloha, my name is Walker Kawika Crichton, also known as Boy Crichton. I'm these kids' head coach, keiki head coach, and Vice-President for Lahaina Canoe Club. I'll have each one of 'em say their names so that each one of their names can be taken down for testify.

MS. TOULZE: Aloha mai, my name is Kasey Toulze.

MR. CLARION: Aloha, my name is Christian Clarion.

MR. CRICHTON: Nice and clear so they hear you and they write 'em down.

MR. KEOMAKA: Aloha, my name is Ehukai Keomaka.

MR. CRICHTON: This is Maila Crichton, my daughter.

MS. MILLER: Aloha, my name is Megan Miller.

MR. SMITH-DAPITAN: Aloha, my name is Kupono Smith-Dapitan.

MR. BLANDO: Aloha, my name is Shadd Blando.

MS. CRICHTON: Aloha, my name is Lanea Crichton.

MS. SNYDER: Aloha, my name is Sydney Snyder.

MR. RUIZ-COCKETT: And my name is Brasil Ruiz-Cockett.

MR. CRICHTON: Like I said, I am the keiki head coach for Lahaina Canoe Club. This is my haumana. We gotta remember also that Canoe Beach is also our school. That is our puuhonua, that is our city of refuge not only for myself and my peers, but also for these kids that's gonna come up and my place one day. I need them to know exactly the full extent of what it takes to be a coach down there at Canoe Beach. In order for do that, I do not need any other small businesses in my way to make this more and more of a headache. We already as coaches, we already get headache. I love these kids with each one of 'em, all the same, no different from my own kids. And I want what's best for them. And I understand, I understand, we all gotta live in peace and harmony, yes, but we really need to understand that one of our uncles passed away at that beach setting up lanes because of business. He got run over by a commercial

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owned boat because they when cross our lines, because they when cross the flags. And you know what we got out of that? Sorry. That was it. No more, enough already. We had enough. And I'm always down at that beach if anyone has any questions. Trust me, I always at that beach. I clean, I'm also the County steward for that area, so I'm always there. Nobody came up to me and asked me any questions about how we can get along. So, I say that with pride from Lahaina Canoe Club all the way from Big Island, that's where I'm from, from Kona side. And I'd like to say, thank you guys for having us today. Mahalo.

CHAIR SINENCI: Mahalo. Members, seeing none. Thank you for your testimony.

MR. CRICHTON: Thank you.

CHAIR SINENCI: Mr. Crile?

MR. CRILE: Next testifier will be Lani Kane testifying on EACP-27 on behalf of the Kahana Canoe Club, followed by Kesa Stoddart.

MS. KANE: Hi, my name is Lani Kane. I think everybody basically said everything that you all need to know. Thank you for having us and I'm actually from the Big Island from Kau and I've been here for 25 years. I'm a, I was a paddler. I paddled for years and I just enjoy going down Canoe Beach. I support the bill of de-commercializing. I just think that these businesses that they're raised differently. Like for us, you know, if you see one party going on, you not going just go into the party where stuff is going on and just, you know, lay your stuff down without like, I don't know where I'm going with this. But this, something happened down there, the whole bullying thing. It was something to do with those, along those lines, you know what I mean, like we're having a party, hanging out, everybody enjoying each other. They came in right in the middle of our party, you know, dropped their stuff, started washing off their things and then this whole thing like escalated, something escalated. And I just feel like it's because they're raised differently, or their mindsets are different, and they don't understand like what we go through. So, yeah, that was just my part of what I'm here for. Thank you.

CHAIR SINENCI: Mahalo. Any questions? Seeing none, thank you. Mr. Crile?

MR. CRILE: The next testifier is Kesa Stoddart testifying in EACP-27 on behalf of Kahana Canoe Club, to be followed by Cameron Jacome.

MS. STODDART: Hi, my name is Kesa. I paddle for Kahana. It's just my second year. This is my daughter Lyla and my niece Kini and they also paddle along with my son and Kini's brother. I was gone for a while living on the mainland, born in Wailuku, raised in Lahaina. And I never thought in a million years that I would have to come up here today to try and save a beach in Lahaina. That is the only beach we have left to go to. If you guys don't make this, don't designate this for a cultural place, basically what's going to happen is it's like a big classroom that's getting knocked down. All of these

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kids, if you have never been to a practice and seen hundreds of kids out in the canoes, on land rigging boats learning everything, that is their classroom. They come there three days a week, on Saturdays. If you have not been, this is not going to be an educated vote. You need to come to a practice. You need to see what happens. You need to see what everyone's doing. It's almost embarrassing that I think someone said it earlier, like I wonder what happened. What happened? But now is the time, enough is enough. I mean, we're all here because we've had enough. There's no place else to go. I remember you used to be able to walk from Honokowai all the way to Canoe Beach and there was only the Kaanapali hotels. It was kiawe trees all the way down and now it's all gone. And I saw every single stop light go in except for Lahainaluna. But you're knocking down a classroom. You have to pass this bill. It's enough is enough. That's all. You want to say anything? You want to say anything? Okay. That's it.

CHAIR SINENCI: Thank you. Thank you for your testimony. Mr. Crile?

MR. CRILE: The next testifier is Cameron Jacome testifying on item agenda number 27, to be followed by Archie Kalepa.

MR. JACOME: Howzit, I don't really have much to say that hasn't been said. I think it's just, it's interesting that it comes to this, you know, I've definitely never been in this room before with all these, I don't know, people, smart people, I guess. It's so simple. It's just a simple thing. For me at least I look at it as the biggest thing that we have down at that beach is, and the biggest thing that anyone learns in canoe paddling is respect before any technique, before anything respect is number one, yeah? So, this kind of falls into a place where it's so disrespectful to make us take time out of our day to come down here to fight for something so ridiculous that is black and white, you know what I mean? So, you have families down there, you have every occasion from wedding, to birthday, to funeral, to I mean, just anything that you do in your life is down at that beach, yeah? I mean, there's no, we can only go Wednesdays, we can only go at three o'clock. It's all day every day, yeah? And that's just the basic simple stuff, right? Nobody is down there to collect a dollar from anybody. It's just all love, yeah? So, when this comes in and, like Lani, she's kind of stumped on what to say, I know what she was trying to say. But when you're living your life down there, and especially not me, I've only been here a short time. But for people who have generation, generations been here and done so many things throughout their life down there and then you have somebody who's making a dollar come in and like she nicely said, you know, in a disrespectful way, you know, you're going to try, it's not going to work, you know. So, as I figured he was saying earlier, if you separate, you know, you make things work and you give them the whole 99 percent of what's available and give us the 1 I think things are going to be fine, you know. And it's just how it should be. It's just, it's not difficult, it's so simple. And it's hard to have everyone explain the same thing over and over again. And from what I know, it's usually another meeting, another meeting, another meeting and everyone's got kids, everyone's got a life, and you know, we come from Lahaina, we gotta come over here fight. Luckily, it's on Maui



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instead of Oahu. But still yet, it's basic simple stuff, you know. So, please save the beach, yeah?

CHAIR SINENCI: Mahalo for your testify. Mr. Crile, next testifier?

MR. CRILE: The next testifier is Archie Kalepa, testifying on EACP-27, to be followed by Faavae Maluhia [sic].

MR. KALEPA: Good afternoon, Chair, Council. I'm going to ask you guys a question. Does the benefit outweigh the cost? When I look at these kids and what I see is I see benefit. I see the benefit in the three clubs that exist in West Maui and when we talk about preserving that park as a cultural park, and I truly see practice. I see the coaches, I see guys like Eugene, they're really out there teaching the kids about place and the importance of place which is so important to our youth because if you don't know who you are, you don't know where you come from. And some of you kids paddling may not realize the importance of what's happening today. What you need to understand is this is your place and you need to protect your place because these people have been driven out of their place and it's really sad to see. It's really sad to see. Where are we going? Where are we going as a people of Hawaii? You have a chance to make a difference. But I'm going to say this to the canoe clubs, you guys need to get a hold of your State Legislature and this is only part of the battle. The other battle is on the ocean side. You guys need to create a bill that preserves Hanakao`o Beach Park, the ocean side of that, for cultural recreation, canoe paddling. It's the only way you're going to be able to protect this place. Because I'm going to tell you right now, those guys that want this place for commercial operation, they're going to go and they're going to talk to their legislators to help them find a way. But you gotta beat them at their game. One day, just like your coaches said, you'll be up here. You're going to be fighting for the next generation and how important that is because if we don't understand what that is, we're heading down a road of destruction. So, I want everyone to understand, especially the Parks Department and the Parks Director that please, take the proper steps to preserve place. And I encourage all of you to take a day and step away from your chair and go down and visit the canoe clubs and see what's really happening and going on. Thank you.

CHAIR SINENCI: Mahalo, Mr. Kalepa. Any questions for Mr. Kalepa? Seeing none, thank you for your testimony. Mr. Crile?

MR. CRILE: Next testifier is Faavae Maluia testifying on item agenda number 27,

MR. MALUIA: Aloha.

MR. CRILE: --followed by Jeremy Stoddart.

MR. MALUIA: Aloha, my name is Faavae Maluia I'm for, with Lahaina Canoe Club and I'm also the member of the Hui o Waa Kaulua, the only voyaging canoe club in Maui. I was helping building that canoe, and proud being a member of it. My only request is

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keep our culture alive, and the only way we keeping our culture alive is through canoe. And, you know, I'm Samoan, the culture, Samoan and Hawaiian culture, we don't have any written thing down, this is how you do it, we teach everything by listening and by talking to the kids, and that's how we do our culture. So, my request is keep our culture alive. Keep Hanakao`o Beach for the Hawaiian culture and that's all my request. Thank you.

CHAIR SINENCI: Mahalo, Mr. Maluia. Seeing none, our next testifier please?

MR. CRILE: Next testifier is Jeremy Stoddart, followed Jeremy Delos Reyes.

MR. STODDART: Aloha, my name is Jeremy. I don't really have a whole lot to add, it's pretty much all been said. But I do want to say I'm relatively new to the canoe club and canoe culture in general. But in the short time that I've been involved, I see the value, the cultural value not only to my family but to the place and to Hawaii in general. And I think that Canoe Beach is an invaluable resource to this living Hawaiian culture and I just want to say that I believe commercialization is a direct threat to that living culture and that's all I wanted to say. Save the beach.

CHAIR SINENCI: Thank you, Mr. Stoddart. Any questions? Seeing none, Mr. Crile, how many more testifiers do we have in the Chambers?

MR. CRILE: We have nine.

CHAIR SINENCI: Nine more? Okay. Who's our next testifier?

MR. CRILE: The next testifier is Jeremy Delos Reyes testifying in EACP-27, to be followed by Levi Delos Reyes.

MR. J. DELOS REYES: Howzit gang, how's everybody doing?

CHAIR SINENCI: Good.

MR. J. DELOS REYES: Come on you guys? My name is Jeremy Delos Reyes. I represent Lahaina Canoe Club. I'm the Co-President, I'm the Adult Head Coach, I'm also a schoolteacher of 18...19 years at Lahainaluna High School. I teach the wood shop. I am one of those bullies, bullies which nobody has come to talk to us about. By the way, I'm speaking on two items. So, six yeah gang. I want to talk about a couple of things. The problems that we face every day with dealing with scuba divers crossing. I get pictures, social media, yeah, herds of scuba divers in the parking lot. No more permits and I'm not bullying. I just asking, may I see your permit. Oh, what the hell are you doing? That's their response. I just asking. The last group that I asked had over 60 people right there, tourists with three instructors I'm assuming, yeah, probably with the bruddah up there, I don't know. But they never like show me one permit. Second thing, standup paddlers, hey, we get into it yeah because they are, they right in our lanes gang and they think they get the right-of-way. I know this is

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not concerning standup paddling, but that's what we dealing with. We dealing with jet ski's going around. We dealing with the boats. In fact, we had one EIS about the Save Hanakao`o movement. And as that lady came to speak with us, she represented the EIS company I believe, boats going left and right telling kids get out of their way, not going at wake speed, they making wakes out there. So, you like talk about safety, where is it? Right now, the three canoe clubs we represent, this season alone over 280 kids. So, Mr. Molina right here, he was my teacher in middle school, yeah? As Mr. Molina can recall, I wasn't probably the best student out there. But I tell you what, if wasn't for all the uncles that get at the canoe clubs, your life would've been worse, way worse. So, you think about the 270 kids that we get, and you guys banking on us community members, me as one teacher I bank on the community members to help us raise these kids. And you guys take, if you guys deny this bill, you guys taking away that resource. That's how horrible that idea is. If you allow commercial activities to go through, you taking away one classroom. Brah, that's not six minutes yeah?

CHAIR SINENCI: That's your first three. Go ahead, you have a second three.

MR. J. DELOS REYES: Oh, okay. Councilmember, shoots, sorry yeah gang, Sugimura, your niece she's, she participates in soccer. Do we take of canoe paddling like we take care of any of the other major sports? That's why I believe one of the uncles when say, or one of the testifiers said we don't, you guys don't put anything, you guys don't put in anything to canoe paddling. Regatta season, long distance yeah, gotta get money, get fundraisers and this and that. What do we put in for regattas for our kids up here? What does the Council put in? Me, I don't know, so, if you guys can answer that right on. You talking about two testifiers that's against this bill. I like know what is their profit margins for their business. 'Cause every year canoe clubs, we fighting for dimes, nickels, and pennies. And these guys, they worried about cutting into their profit. We trying to survive. We trying to give outlets to our kids, yeah? We trying to teach adults, newcomers here, one better way to get maa to our lifestyle. I been in one canoe since I was three years old, yeah? Uncle Eugene, if he still here, he remembers my father putting me between his feet while he was paddling, yeah? Some of my best friends is up here, Mike Tihada, Kekai Keahi, all of them. We all grew up together. All of a sudden, now look all of us, we all in charge. We're all taking these leadership roles. Hopefully we can pass 'em on to our kids. But these entities, they no see that. They see dollar bills. It's your guys' job to protect what is ours and what is on this island, not for the few people, not for the rich that's part-time people here. It's for all of us. Commercial activities shouldn't happen. Where do we have? You guys all heard this already. But what do we have? We no more nothing, gang. Ever since the Festivals of Canoes, yeah, I take great pride in teaching my kids, just one small portion, to build canoes. And in fact, in 2004, I had one student who got accepted and enrolled to MIT. And on his acceptance letter he told the committee the greatest thing he ever accomplished in his life at that point was building one canoe, MIT gang, and his greatest accomplishment was building one canoe. I taught four kids already how to rebuild canoes. I have two classes right now that's building one sailing canoe. You going take away this opportunity if you guys deny this bill. You going take away all

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opportunities from all these kids, all these kamaainas, everybody, you going kill that. If was me, I ask for the all West Maui. But we only asking for one small beach. So, I hope you guys make the right decision. Mahalo for your time, gang. Aloha.

CHAIR SINENCI: Mahalo, Mr. Delos Reyes. Members, we have a question from Member Paltin.

COUNCILMEMBER PALTIN: Thanks, Jeremy, for being here. I just was wondering if you can elaborate when you was saying dimes, nickels, and pennies, what is some of the expenses that canoe clubs are responsible to cover?

MR. J. DELOS REYES: So, the canoe clubs, speaking on the limited experience that I have, we have to cover a liability insurance which is probably at minimum a million-dollar policy, then we have to cover trailering, we have to insure our trailers for any type of events 'cause we have to haul canoes to and from, used to be Kihei but now it's just Kahului and Lahaina. Then, we have to fundraise to pay entrance fees. Every race we gotta pay per race, any kind of disqualification we have to pay fines. If we are lucky enough and all the clubs have had success and has success, if we are lucky enough to travel to States and qualify crews for a state race, now we have to cover travel expenses, hotel, food, entry fees, deliveries for canoes, maintenance of canoes. Lahaina Canoe Club, we lucky we get one high school that the teacher he help 'em paint and redo the canoes, yeah? But what about Napili, Kahana? Hawaiian Canoe Club, they get plenty money. But all these other clubs, we all gotta fundraise, every single club.

COUNCILMEMBER PALTIN: Thank you. So, that brings me to my next question. As far as commercial activity and fundraisers, is fundraisers something that you're okay with at Canoe Beach? And how would you distinguish between commercial activity and fundraising?

MR. J. DELOS REYES: So, I going tell you guys that's not my place, that's not my decision to make as one entity or one representative, yeah? Unlike other entities who said we do not collaborate, we do collaborate. And so, I couldn't answer that decision from one entity alone. We would have to agree with all the clubs with the community, yeah? But as far as commercial activity, if you making one profit, no club in the west side, I cannot speak for any other clubs, but no club on the west side is making profit. We don't have any paid coaches or anything like that. So, we not putting money into pockets. We just covering expenses, that's it. And if we lucky enough, through private donations or some sort, we actually offer, so, you guys are aware, we offer our paddlers, our youth paddlers that graduate high school, we offer them scholarships. And I'm pretty sure all three clubs on the west side offers that. And I know for a fact I believe all three clubs offer that. So, as far as when you asking about fundraising, that is, I not going answer that on me alone, that's not for me for answer. Any other questions, gang?

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COUNCILMEMBER PALTIN: Just about special events, regattas, you guys okay with that at Canoe Beach?

MR. J. DELOS REYES: True canoe paddling, yes, of course.

COUNCILMEMBER PALTIN: Okay.

MR. J. DELOS REYES: Automatic.

COUNCILMEMBER PALTIN: Just double checking.

MR. J. DELOS REYES: Last thing, again, to add to that regatta question that's why, just to make it clear, if somehow we lose Canoe Beach, there is no State race on Maui anymore, that's it. There's no any other approved course on Maui. So, in previous Administrations, when they closed down the other beach parks, before the State race was kind of suspect. I just wanted to say that. That's all, yeah.

CHAIR SINENCI: Thank you, Mister...

MR. J. DELOS REYES: Any other questions? No? Mahalo, oh sorry.

CHAIR SINENCI: Oh, we have one more from your ex-teacher.

COUNCILMEMBER MOLINA: Thank you, Chairman. Aloha, Jeremy. And first of all, you know, I think you're selling yourself short when you were a student. You're a great guy, and I know you're probably inspired by Mr. Kunimitsu in the wood shop, and Mr. Mitake.

MR. J. DELOS REYES: Was you too.

COUNCILMEMBER MOLINA: But thank you for, you know, taking a leadership role in the community and you've seen the changes over the years when I was teaching back in the late '80s at Lahaina Intermediate. You mentioned about the scuba divers, the standup paddlers and all that. How much has it grown, I mean, I'm sure it existed way back then. But since that time from your day back in intermediate school until now, how much of a concern has it become now?

MR. J. DELOS REYES: To what I remember, there was no, never have standup paddling back then. Always had the jet ski's because honestly, we used to play chicken with the jet ski boats that come in, yeah? Yeah, you like us move, go ahead bang us. Scuba, I no remember seeing scuba down there. So, this 1974 stuff, I no remember seeing scuba down there 'cause nobody wanted to be at that beach. How much has it grown? It's grown exponentially. I couldn't even give you guys a number. On one given day during the summer when the jet ski operator, that jet ski boat is going in and out, the launching boat is going in and out of Canoe Beach at least 20 times a day. So, that's 20 times a day at wake speed now, they're putting people in harm's

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way, not just our kids, but people. Scuba divers, at the times that I've seen, we dealing with two to three companies just from when I am there at that moment. Now, you're dealing with jet ski guys that every day at least three times a day, certain jet ski riders they go out of bounds and they coming and infringing in our area. So, it has grown more than exponentially to answer your question directly.

COUNCILMEMBER MOLINA: Okay. Thank you, Jeremy. Thank you, Chair.

CHAIR SINENCI: Thank you. Mahalo...

COUNCILMEMBER PALTIN: Chair, can I, one more question, sorry.

MR. J. DELOS REYES: Shoots.

CHAIR SINENCI: Okay. One more question and then the Council will take a quick break after this one.

COUNCILMEMBER PALTIN: Okay. And not saying that it's a bad thing, but in your years of paddling, can you, have you seen growth in the paddling too? Like was MIL a thing when you were younger?

MR. J. DELOS REYES: So, in high school, when we was in high school and since Councilmember Molina went kind of give away my age, there was no such thing as MIL paddling back in the day. And I think MIL paddling started I believe in 1999 or 2000, somewhere around there. Our secretary right now was the first ever gold medal crew from Lahainaluna, the one and only crew. And so, it started I believe 2000, 1999, but it never happened. Back in the day, I think Napili Canoe Club, as a child when I used to, younger when I was paddling with them, I think we had like six canoes. Now, Napili Canoe Club has I believe every day on the water at least 12 canoes. Kahana has grown exponentially. I believe they put out eight canoes at practice every day. Lahaina Canoe Club, you know, we up and down, but this year we started off with seven boats in the water. We ended up with two, but hey, we started off with seven. So, it has grown. It has grown tremendously and it's not going to go away. So, now, you thinking about putting everybody in one playground that's only 100 yards, everybody. And it's not gonna happen. And you know what, through that, you going have frustration.

COUNCILMEMBER PALTIN: And also, distance season, one-man season, was that when you were young as well?

MR. J. DELOS REYES: There was no one-man canoes. If had one-man canoes, had one canoe builder that built it just for themselves. There was no such thing as these one-man canoes. Maybe had four-man canoes back then, but that was still rare. Long distance season was just Molokai Channel. Now, we get one race every weekend. So, after regatta season, there's a break and then there's pretty much a long distance race every weekend and it culminates with the Molokai Hoe. So, you talking about

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fundraising, there's the funds, you talking about one small window as was mentioned earlier, oh canoe clubs, they only in the morning or afternoon, this and that. We pretty much year-round because after long distance season happens, now there's one-man season. So, anyway, any other questions, gang?

CHAIR SINENCI: We have one more. Member Sugimura?

COUNCILMEMBER SUGIMURA: Yeah, thank you. So, I was just wondering, the, I love your enthusiasm by the way, you must be a great coach and teacher.

MR. J. DELOS REYES: Tell that to my kids.

COUNCILMEMBER SUGIMURA: I wonder, the commercial activities that are there, do they participate in supporting the kids or do fundraisers to help you?

MR. J. DELOS REYES: Not that I'm aware of.

COUNCILMEMBER SUGIMURA: I just wondered if there's a give and take.

MR. J. DELOS REYES: Not that I'm aware of. In fact, last season I took my kids out and I had to really bite my tongue because the scuba divers, what they use is they use our lanes as markers yeah because, so, I really don't know 'cause I learned on my own I never get, you don't have to learn professionally, you need to do certain distances yeah when you scuba and you get certified. So, they tie off their buoys to our lanes. So, now their buoys is floating between our flags. I personally cut off three buoys cause they not supposed to be attached to our flags. So, as far as them giving back, not to our club, not to the other club in Kahana when we was there, not to Napili. So, as far as I know, none of these commercial activities give back. Yes, their member might have paddled, yes some of these people might have paddled. But do they give back to the clubs, the community? No. It's all about profit.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR SINENCI: Thank you. Thank you, Mr. Delos Reyes. One more.

VICE-CHAIR KAMA: Thank you, Chair.

CHAIR SINENCI: You're a popular testifier.

MR. J. DELOS REYES: A lottery, yeah?

CHAIR SINENCI: Yeah, Member Kama?

VICE-CHAIR KAMA: Thank you, Chair, and thank you for being here. So, do you know if anyone from the community has had any conversations with anyone from the commercial development community?

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MR. J. DELOS REYES: I cannot answer that question. I haven't, me personally and my canoe club, we haven't. Nobody's come to us. I have tried to engage with them, especially when they show up in the parking lot with no permits. But I have not gotten a response from anybody, on my club, again, I'm not speaking for the other two clubs. But for us, no, we haven't.

VICE-CHAIR KAMA: Thank you.

MR. J. DELOS REYES: Thank you.

VICE-CHAIR KAMA: Thank you, Chair.

CHAIR SINENCI: Thank you.

MR. J. DELOS REYES: We're good? Mahalo yeah, gang.

CHAIR SINENCI: Mahalo, thank you.

COUNCILMEMBER KING: Yeah, I just got...I got...wait, I got one more question.

CHAIR SINENCI: Oh, we got one more question. Chair King?

MR. J. DELOS REYES: Whoa, roger.

COUNCILMEMBER KING: Boy, you're really popular today. Mr. Delos Reyes, so, I just wanted to make sure, so we don't have unintended consequences, so, when you're paying fees to, for the canoe races, is that to a nonprofit organization?

MR. J. DELOS REYES: It is, it is to MCHCA, Maui Canoe Racing Association and in fact...

COUNCILMEMBER KING: And they wouldn't be viewed as a commercial activity?

MR. J. DELOS REYES: No.

COUNCILMEMBER KING: Okay.

MR. J. DELOS REYES: No. So...yeah, anyway.

COUNCILMEMBER KING: I just wanted to make sure there weren't any unintended consequences.

MR. J. DELOS REYES: Yeah, all good, all good.

COUNCILMEMBER KING: Thank you, Chair.



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CHAIR SINENCI: Thank you. Mahalo for your testimony.

MR. J. DELOS REYES: Whew, right on gang. Pass the bill yeah?

CHAIR SINENCI: Members, we've passed our mid-mark. We're going to take a quick break, ten minutes we'll recess, and we'll be back in the meeting at 3:23.

VICE-CHAIR KAMA: Chair?

CHAIR SINENCI: Meeting is now recessed. . . .(gavel). . .

**RECESS: 3:13 p.m.**

**RECONVENE: 3:25 p.m.**

CHAIR SINENCI: . . .(gavel). . . The EACP meeting please come back to order. It is 3:25, June 4, Tuesday. Thank you for your patience. Mr. Crile, let's continue with testimony. How many testifiers do we have left?

MR. CRILE: Chair, we have nine.

CHAIR SINENCI: Nine more testifiers?

MR. CRILE: The next testifier is Levi Delos Reyes, testifying on EACP-27, to be followed by Aina Kohler.

MR. L. DELOS REYES: Aloha, I'm Levi Delos Reyes, and look, I know you guys is County, you guys gotta think about, you know, what, who do you hurt more, what's better, you know, the people or businesses and all of that. But who's going to get hurt more by this? Look, these guys, the scuba guys, their stuff, it fits in the back of a white van. They can drive that stuff anywhere. One canoe is over 40 feet long, over 400 pounds. Where do we put that? Where else can we go? And with all these people in the water it's dangerous. These things with people in them are 1,000 pounds. They go flying. Somebody's coming up from the water, they may not look all around them. But if they come up and their head gets hit by one of those canoes, brah, it's either our insurance is gonna take care of that, or you know, we could get sued. Brah, and these clubs, they can't survive getting sued like that. These guys going cost so much money and look, this scuba guys they can what, this is true, the permit goes from Kihei to Kapalua. I do canoe tours. But I do it just off Airport Beach. They could go there, places where there aren't thousand pounds of, you know, canoe flying across the water where their customers could get hurt or we can get hurt and it's like, brah, I think really it is, they want to stay there but they have other places to go. They have all these options. They can go to...there's two miles down to the right of that beach, they can even go to Wahikuli Beach. But not Canoe Beach, we need that beach because that's the only place we can really put our canoes. Is there really any other good beach that's going to have a spot for how many dozens of canoes? I mean, you guys have seen it brah. It goes from the sand all the way back to almost the street

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sometimes. And we've got canoes up in the storage houses and stuff too. We don't got anywhere else to go anymore. We need this spot. It's for us and I get it, like they want to go there, they want to have the scuba dives. But they have other places with different reefs, all this kind of stuff. They could just go. They got options. We really don't. And really that's all I got to say.

CHAIR SINENCI: Mahalo for your testimony. Members, any questions? Thank you. Next testifier please?

MR. CRILE: Next testifier is Aina Kohler, testifying in EACP-27, to be followed by Ehukai Keomaka.

MS. KOHLER: Aloha everybody. My name is Aina. A lot of good points made, a lot of great points. But one of the things that is kind of sums it all up is--get off--how can we pass on a cultural tradition to future generations without a designated place to do so? Okay. I'm gonna say that again. So, I'm going to rephrase it actually. How can we pass on a healthy spiritual cultural tradition for future generations without a designated area to do so? The fact that it's not already one is pretty amazing to me, and the fact that it's not a priority is pretty amazing to me too. When you paddle, just like any sport, when you paddle, when you surf, when you learn sports, you're not just learning how to play the sport, you're learning life lessons. You're learning how to deal with others. You're learning how to work together. You're learning that there's a community that people that care, that people that support you. And it's just so much more than just paddling. It's handed down from generations and generations. Not my personal family, but I take it very personal because I have family that are in, you know, that are related, that are bloodlines of those family. And I am now, I am a part of that family. So, it's one of those things that we're fighting for now because if we don't, it's gonna die. Once something's gone, it's gone. We're not asking for, like Jeremy said, the whole west side, you know, it's a small bit of it, a small bit for a very healthy cause. Another thing, question, is how do we take care of Maui people? Maui people, if we're looking at monetary sampling, Maui people are the ones that take care of all the tourists that come in. And how are we supposed to keep visitors happy if we're not happy, if we don't have the tools to make ourselves happy, if we don't have our playgrounds that make us happy? One of the things, if we legally make this a cultural designated park, there's not, it's going to be legally so that we can go up and say, you know what, it's illegal for you to do this here. There won't be beefs, there won't be scraps, there might be, okay, a few, but only for disrespectful, you know, but that's a thing that comes with it. But if it's legally deemed ours, in Lahaina, for the people of Lahaina and whoever else of the island that come and share it with us. We don't want, we're not saying no tourists allowed, no nothing, but it would be ours and we'd be proud to make it ours. And we already keep it clean, we already take good care of it. But if we had it legally ours, it'd just mean so much more and so that this can't happen again, write in a clause that this won't ever happen again 'cause the fact that we're here doing so, is kind of a sad thing and it doesn't seem like a priority. So...

CHAIR SINENCI: Mahalo, Ms. Kohler.

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MS. KOHLER: I get 20 seconds, or is it over time?

CHAIR SINENCI: That's, it's over time.

MS. KOHLER: Okay.

CHAIR SINENCI: Thank you. Members, do we have any questions for Ms. --

MS. KOHLER: Any questions?

CHAIR SINENCI: --Kohler?

MS. KOHLER: Just think about, my sister said --

CHAIR SINENCI: Seeing none --

MS. KOHLER: --a car driving through a soccer field is like a canoe, or like those boats zooming in and out, you know, driving through our kids playing in the water there. And I have a commercial business.

CHAIR SINENCI: Thank you.

MS. KOHLER: But yeah.

CHAIR SINENCI: Mahalo for your testimony.

MS. KOHLER: Okay.

CHAIR SINENCI: Thank you for being here. Mr. Crile?

MR. CRILE: Our next testifier is Ehukai Keomaka, testifying on EACP-27 on behalf of the Lahaina Canoe Club, followed by Francisco Salgado.

COUNCILMEMBER PALTIN: Oh, I think he went with the group of kids.

CHAIR SINENCI: Okay.

MR. CRILE: Okay.

COUNCILMEMBER PALTIN: He already . . .*(inaudible)* . . .

CHAIR SINENCI: Okay. Next testifier?

MR. CRILE: Next testifier is Francisco Salgado, EACP-27, on behalf of Kahana Canoe Club, to be followed by Danielle Kuck.

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MR. SALGADO: Good afternoon everyone. I am here on behalf of Kahana Canoe Club. I've paddled for 13 years of my life. I'm originally born from Mexico. I'm an immigrant that came here to Hawaii. If it wasn't for paddling canoe and the whole culture that comes with it, I would not have found a place here on the island. I would not have learned the culture, the way of life, and everything that comes with it, sustainability, respect, love. It's pretty much the essence of Hawaii. It's what makes Hawaii who we are, it's a mixing pot, and Kahana Canoe Club is a great example of that. The fact that it's not a, the fact that that beach is not protected legally like the other beaches like Baldwin Beach Park, Cove Park, Kalama Beach Park, part of the CORA rule, prohibit, part of the CORA rules establishment it kind of makes me wonder why is Canoe Beach so different than all these other beaches that are in that prohibition for CORA? I would like to know, and I would like to ask you guys that. Also, one more thing I would like to add is, how would you guys feel, as part of Councilmembers, right now, if you guys do a decision that's going to affect not only just a community, but that community affects the island. Everything has a chain of events. If you guys misplace a community, how is that gonna affect everyone else? My question, what I want to let you guys know is how do you guys, as County Councilmembers, feel because it's your responsibility right now. You guys have the power to say, to make this a legal place to do business, or an illegal place to do business. Do you guys want to protect everything, the heritage, everything, all the values that this place has and invokes, or do you guys just want to throw it away? That's pretty much all I have to say.

CHAIR SINENCI: Thank you. Thank you for your testimony. Any questions? Seeing none, Mr. Crile, please call the next testifier.

MR. CRILE: Okay. Next testifier was Danielle Kuck.

CHAIR SINENCI: Ms. Kuck?

MR. CRILE: She left; she may have left. Next testifier is Kapali Keahi testifying on EACP-27.

MR. KEAHI: Aloha, my name is Kapali, from Lahaina as well, standing in solidarity with the rest of my community over here today urging the Council to designate, give the cultural designation for Hanakao`o, Canoe Beach, stopping the commercialism that's happening in that area. I think the commercialization is affecting not just the, you know, canoe culture but the, just the culture on the ocean, period, because you get fishermen that are affected by it too. You can be diving, you can be casting one line off the shoreline, these standup paddle boarders, they going be running into your line, I mean, it's happened to everybody who fishes on that coastline over there between Wahikuli and Canoe Beach and Kaanapali. So, even if you diving, a lot of these guys are, a lot of these guys who coming with their standup paddle boards, they running into divers, you know, and that's, you know, over the years growing up in Lahaina, we see all the changes, of course, that's where we from. We see all the changes. We grew up experiencing all of those different types of changes that is happening to our place. And we have a good sense of place, you know. But that doesn't mean that we've

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grown accustomed to it, that we've grown like, you know, used to, to it, that we accept it. We do not accept that kind of stuff. In fact, we have a lot of animosity towards the commercialization of the places that we hold dear to our families and to our loved ones, you know. So, you know, we look upon it and we think about it and, you know, we always, you know, they kind of have a, you know, they kind of interfering a lot with our, with the way of life that we like to enjoy. And so, our quality of life is always, you know, second to what this commercialization is happening in Lahaina, you know. So, I'd like to see that the Council can at least support our community in this effort, help protect this area for the ocean culture in general. Anyways, mahalo. Thank you very much.

CHAIR SINENCI: Mahalo, Mr. Keahi. Members? Seeing none, mahalo for your testimony. Mr. Crile?

MR. CRILE: Next testifier is Kelli Keahi, testifying on EACP-27, followed by Strider Kernick.

MS. KEAHI: Hello, everybody. My name is Kelli Keahi. I have been part of the west side paddling community between Kahana Canoe Club and Napili for the past 20 years. I'm pretty much married into the sport. I just would like to say that it is so, so very important that we do recognize that outrigger canoe paddling is the State sport. And with that said, Canoe Beach is their practice field. And have you ever seen businesses go onto a football field and start conducting business, or on a baseball field, or on a soccer field, and many other areas as well. Do you see commercial activity? So, it's so important to make sure that our practice field is protected from that. And as a parent, I've sat back, and I've watched so many kids over the years that have come out of these clubs and they have just really blossomed into some really vital members of our community here and have been up here today testifying as well. And I just hope that you all recognize how important it truly, truly is to keep Canoe Beach for cultural practices, and I hope that you guys really take a long look at, don't let these businesses come into our practice fields. Thank you.

CHAIR SINENCI: Thank you, Ms. Keahi. Members...seeing none, Mr. Crile?

MR. CRILE: The next testifier is Strider Kernick testifying on EACP-27, to be followed by Shannon I'i.

CHAIR SINENCI: Okay.

MR. CRILE: Shannon I'i testifying on EACP-27 and 28.

MS. I'I: Hi, my name is Shannon I'I and I'm, sorry, speaking on behalf of Zeke Kalua. Aloha kakou, I write to you today in support of countless generations of families that utilize Hanakao'o Beach Park for canoe paddling and gathering with their families and friends. Much testimony has been given regarding the amount of beach that is accessible and available for commercial activity in West Maui but little focusing on true beach access that is consistent, sorry excuse me, consistent with the use of

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generations of canoe paddlers. It should be clear at this point that there is only one place that is safe for canoe paddling in West Maui, and that place is Hanakao`o Beach Park. The commercial operators will find additional places to conduct business, that is the case with profitable business, but what about canoe paddlers? There's no additional venue that provides a safe environment for this activity and those who teach this life skill. This gathering place for those who love this cultural activity is so much more than 100 yards of beach space. It is a learning environment and a living example of practice applications in the lives of so many. The focus on the fulfilling of this communication is to destroy commercial opportunities for those in the business but it is to ask that they consider relocating to one of the many additional areas within the West Maui community that can suffice for their needs. Hanakao`o is and always has been the area of canoe paddling activity. How can thousands of people that grew up with this tradition be told that they should accept what is happening as to correct this area? The community has already been through so much with the threat of development near this area with the proposal from the State EUTF compounding the density at the already existing Kaanapali. It is morally wrong to look at the request to prohibit common commercial activity at Hanakao`o. Anything other than that is in the best interest of the community. There are many examples of how can, how we can create better students in schools, and in turn, create young prominent contributing members of society. And in closing, it starts with having the classroom to do that. Mahalo for your support of the community's request to you today. Please act today.

CHAIR SINENCI: Mahalo, Ms. I'i. Members, any questions for the testifier? Seeing none, thank you. Mr. Crile, was that our last testifier?

MR. CRILE: That was the last testifier.

CHAIR SINENCI: Thank you. Is there anyone else in the Chambers that wanted to testify? Seeing none, Ms. Siegel, have we heard from our Molokai District Office?

MS. SIEGEL: . . .*(inaudible)*. . .

CHAIR SINENCI: Okay. Nothing there. Okay. Thank you. Members, if there's no objections, I'd like to close public testimony.

COUNCILMEMBERS VOICED NO OBJECTIONS.

**. . . END OF PUBLIC TESTIMONY . . .**

CHAIR SINENCI: Thank you.

**EACP-27 PROHIBITING COMMERCIAL OCEAN RECREATIONAL ACTIVITY AT  
HANAKAO`O BEACH PARK (CC 19-195)**

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CHAIR SINENCI: Okay. So, Members, our first item, EACP-27 is to prohibit commercial ocean recreational activity at Hanakao`o Beach Park. The purpose of this bill is to amend Section 13.04A.290, of the Maui County Code, to eliminate new commercial ocean recreational activity or CORA permits at Hanakao`o Beach Park. Councilmember Paltin, as the Member introducing this legislation, would you like to provide some opening remarks?

COUNCILMEMBER PALTIN: Sure thing, thank you, Chair. I introduced this legislation, you know, mainly because I've known about the situation at Canoe Beach for many years. I worked in the area for about 17 years and, you know, it was brought actually to my attention by a CORA permit holder who had an encounter and I felt like he came to me with a solution and asked for his permit to be moved to Ukumehame. And you know, knowing the situation with the canoe clubs and having a good opinion of Ms. Peters, we set up a meeting with the Director, her staff, and the CORA permit holder and found out that there was no scuba at Ukumehame allowed. And she can correct me if she's wrong, if I'm wrong, but she said, you know, if we are able to add Hanakao`o to the list of prohibiting CORA permits, that they would be able to do a one-time relocation for the CORA permit holders that are assigned to that beach, or requesting that beach and, you know, there was a little bit of sadness or hard feelings in a way that they felt that, you know, perhaps they were letting the bully win and they thought that, you know, folks were telling them that they don't belong there based on a racial basis. But for me, I worked there many years and I remember an occasion back in 2014 when a bunch of the canoe club members brought to my attention a news article in the *Lahaina News* where, you know, Auntie Patty Nishiyama of Na Kupuna O Maui, she had a long standing issue with the jet ski business and the zodiacs yelling at the kids to move every time because they wanted to beach on the shore. And the article written after she had the jet skis moved a little bit more north said that Hanakao`o Beach Park now officially commercial free. And so, with that headline, I think there was a misunderstanding in the canoe clubs that it was a -free beach. But it was only the State permits that weren't allowed. So, this is kind of just, you know, I feel like it's correcting the situation and bringing the County in line with the State designation of commercially free and working with Ms. Peters to accommodate the displaced permit holders. We kind of discussed, you know, having a cultural designation. But it's not anything that has been done to my knowledge before or have a definition. And so, I'm hopeful that Ms. Peters and the leaders of the canoe clubs can work together on what that would mean. And then, I think in this agenda it's only as a discussion item. And once the canoe clubs' leadership and Ms. Peters can define like what a cultural park designation is, and along with the community, then I would support that as well. But at this time, I'm just asking for Hanakao`o to be added to the list of CORA-free zone.

COUNCILMEMBER LEE: Mr. Chair?

CHAIR SINENCI: Thank you, Member Paltin. At this time, Members, we're going to open the floor for questions. We have Ms. Thomson, Ms. Karla Peters from Parks, and Ms. Lisa Almeida to field some questions. Member Lee?

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COUNCILMEMBER LEE: Thank you, Chair. Director, can you, we have various, a number of existing permit holders there now, CORA operators. Could you tell us how many operators are there now, and when will those permits expire, and if there are any illegal operators there also that need to be dealt with as well?

MS. PETERS: Chair?

CHAIR SINENCI: Ms. Peters?

MS. PETERS: Thank you. Thank you, Member Lee. So, currently, right now, at Hanakao`o we have three permitted scuba CORA operators and one kayak. The unpermitted, we do not have a record of that. So, we are working with our Parks Security Officer Program in being able to go out more now that we have a new staff to be able to monitor it at Hanakao`o, as well as the other permitted parks.

COUNCILMEMBER LEE: Okay. So, Director, these four companies, do they all operate at the same time on the same days?

MS. PETERS: Yeah, so, in our administrative rules, they're allowed to operate only during certain times.

COUNCILMEMBER LEE: Every day, or is it just weekdays?

MS. PETERS: It's every day.

COUNCILMEMBER LEE: Every day, seven days a week?

MS. PETERS: Yes, correct.

COUNCILMEMBER LEE: I see, and then, okay, the reason why I ask is 'cause years ago the CORA operators were limited to certain days and certain hours. So, now they have no limits at all?

MS. PETERS: I'm going to defer to Lisa Almeida here --

COUNCILMEMBER LEE: Okay.

MS. PETERS: --she has...

MS. ALMEIDA: Thank you. Thank you, Councilmember Lee. So, there are some restrictions. But as it happens, Hanakao`o has some of the looser regulations. So, Monday through Friday it's 7:00 a.m. to 2:00 p.m., Saturdays it's 7:00 a.m. to 12:00 p.m., Sundays it's 7:00 a.m. to 12:00 p.m., and Holidays it's 7:00 a.m. to 12:00 p.m., other than prohibited holidays that are outlined in the CORA administrative rules.



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COUNCILMEMBER LEE: Alright, does the permit process have the capability, or do you have the capability of transferring these permits to another park?

MS. ALMEIDA: Not currently.

COUNCILMEMBER LEE: Or you could ask.

MS. ALMEIDA: If it's the Council's will --

COUNCILMEMBER LEE: Yeah.

MS. ALMEIDA: --then we could, currently we're trying to adhere to the CORA study capacities, the recommended capacities. But if it's the Council's will, then we can reconsider that.

COUNCILMEMBER LEE: Okay. So, you've never ever run into a situation where you needed to work out some kind of arrangement whereby the permittee was asked to move to a different location? You've never run across that?

MS. ALMEIDA: Not that I can recall at this time.

COUNCILMEMBER LEE: Do you think that these four operators would be open to that kind of discussion? Instead of waiting until their permit expires, you know, ask them now and see if there's another place that they could operate from?

MS. ALMEIDA: We haven't yet had that meeting. But we can have that meeting--sorry Chair--yes.

COUNCILMEMBER LEE: Okay. And you have the floor for now. Thank you.

CHAIR SINENCI: Thank you.

COUNCILMEMBER PALTIN: Point of information.

CHAIR SINENCI: Member Paltin, then we'll go...

COUNCILMEMBER PALTIN: I believe the permits expire on June 30<sup>th</sup> of this year.

VICE-CHAIR KAMA: All of them?

COUNCILMEMBER LEE: Oh, why didn't you say so. It sounded like they have a whole year left or something.

MS. ALMEIDA: No, it expires on June 30<sup>th</sup>, sorry.

COUNCILMEMBER LEE: Oh, okay.

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COUNCILMEMBER PALTIN: And there's not really, I mean, there's nothing written that says that they need to be renewed.

COUNCILMEMBER LEE: Oh, yeah, yeah, yeah. I understand that. I just assumed that, you know, they have these ongoing permits. And I didn't realize that they're going to expire in a matter of weeks, right?

MS. PETERS: Correct, Chair. Yes, Member Lee. So, they'll expire on June 30<sup>th</sup>, and we did talk to that one operator at Councilmember Paltin's Office who did agree to move to Ukumehame, and that's the reason why. So, as part of the process, what we would need to do then, is if the bill passes through Council for the prohibition of Hanakao`o, we would then adjust, or revise our administrative rules which more deeply outlines the process.

COUNCILMEMBER LEE: I see. Okay. Thank you. Alright, sounds very promising then, yeah? This can be resolved without a lot of, you know, discord. Thank you.

CHAIR SINENCI: Thank you, Ms. Lee. Chair King?

COUNCILMEMBER KING: Thank you, Chair. And thanks for being here, Karla. So, basically, is your intention not to renew those CORA permits at Hanakao`o? Or are you waiting for us to do this, and then you won't renew them?

MS. PETERS: Chair?

CHAIR SINENCI: Ms. Peters?

MS. PETERS: Thank you, Chair King. Yes, we're waiting for direction from...

COUNCILMEMBER KING: Action?

MS. PETERS: Yes.

COUNCILMEMBER KING: Okay. I have one question about the proposed bill as it reads on Granicus is it talks about commercial ocean recreational activity being prohibited and it gives a list of parks and Cove Park is on there. But so, is that area, that parking lot area in Cove, that we call Cove is part of the area where they're renting out surf boards and paddle boards and things, those, that's, isn't that commercial recreational activity?

MS. PETERS: Yes.

COUNCILMEMBER KING: Okay.

MS. PETERS: And it's unpermitted and not allowed.

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COUNCILMEMBER KING: Okay. So, you have some enforcement actions to do on that area then?

MS. PETERS: Yes, absolutely.

COUNCILMEMBER KING: Okay. I just assumed they were legal 'cause they seem pretty prolific over there.

MS. PETERS: So, we have our Parks Security Officer Program that we're ramping up and these are the areas that they're going to be targeting and making sure that they can check permits. Same as we're trying to do in the camping areas.

COUNCILMEMBER KING: Okay. And so, you'll, you're confident you can police the Hanakao`o Park area as well? And what would, what does that look like? Because I know it says commercial ocean recreational, but, so, they're , so, they would still allow people to come down there, I mean someone that just has a jet ski and wants to jet ski when it's during the legal months can still do that kind of thing on the beach? I mean, there's still like individual activity, recreational activity as long as it's not commercial?

CHAIR SINENCI: Ms. Peters?

MS. PETERS: Chair, yes, Chair King, that is correct --

COUNCILMEMBER KING: Okay.

MS. PETERS: --as long as it's not a commercial activity --

COUNCILMEMBER KING: Okay.

MS. PETERS: --then that would be allowed.

COUNCILMEMBER KING: And are you able to police commercial fishing activities? Or what does that look like, or is that out of our jurisdiction?

MS. PETERS: So, in the water it would not be our jurisdiction, it would be DOBOR.

COUNCILMEMBER KING: Okay. Just anything that comes off the beach.

MS. PETERS: High-water mark, yes.

COUNCILMEMBER KING: Comes through the park. Okay. Alright, thank you.

CHAIR SINENCI: Thank you, Chair. Mr. Molina?

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COUNCILMEMBER MOLINA: Yeah, thank you very much, Mr. Chairman. I guess question for not only the Director but maybe Corporation Counsel, Ms. Thomson can weigh in on this. You know, first of all, I support the intent of this proposed bill. But I have concerns that the bill may need to be tweaked to strengthen the bill and protect the Hawaiian outrigger canoe paddling only because when looking at the definition of the bill, the Maui County Code, the definition of commercial ocean recreation activities includes kayaking, snorkeling, scuba diving, surfing, kite surfing, Hawaiian outrigger canoeing, and windsurfing. You know, under Section 13.04A.030, it also says it shall be unlawful for any business to conduct a commercial ocean recreational activity without a permit. I think the way the language is, it could be argued by some of the folks that if you're going to restrict commercial operators from operating in there, they could say well, the same thing applies for the canoes because they are nonprofits and they are clubs, and I cite 13.04A.030 definitions it defines business to mean fraternal organization, club, or any other profit or nonprofit entity. That is written in there. So, you know, when we refer to the canoe clubs, well, the outrigger canoes as clubs, so, my concern is, I think we need to consider additional language to strengthen this bill because if we leave the bill as is, we could have the unintended consequences of restricting the Hawaiian outrigger canoeing based on the bill as currently written. So, Mr. Chairman, therefore, at some point I would like to propose some language to strengthen this bill. But I'd like to ask for comments from the Director and Corporation Counsel.

MS. PETERS: Chair?

CHAIR SINENCI: Ms. Peters?

MS. PETERS: Thank you, Member Molina. I would defer to Corporation Counsel for that.

CHAIR SINENCI: Ms. Thomson?

MS. THOMSON: Thanks for that question, and actually Carla Nakata had come up with what may be a fix for that so that the proposed bill, adding so, prohibitions, commercial ocean recreational activity requiring a permit under subsection 13.04A.0300 [sic], subsection A, is prohibited at Baldwin Beach Park, and then you go on with the current proposed draft. So, that might tie those two together.

COUNCILMEMBER MOLINA: Yeah, my intent, Ms. Thomson, as well as Chairman and Ms. Peters is to exempt, you know, the Hawaiian outrigger canoes from this current bill as we have proposed. So, I wouldn't want to see this, passed this bill without some, you know, changes to the language. And so, we end up with an unintended consequence. So, that's my consideration. So, I guess when you deem it appropriate if we have a motion on the floor then I would like to propose an amendment for consideration. Thank you.

COUNCILMEMBER KING: Chair?

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CHAIR SINENCI: Thank you, Mr. Molina. Chair King?

COUNCILMEMBER KING: So, I just wanted to clarify, thank you for bringing that up, Mr. Molina. But the Hawaiian canoe clubs are not required to have CORA permits, is that correct?

MS. PETERS: Chair?

CHAIR SINENCI: Ms. Peters?

MS. PETERS: Yes, that's right. They're not required.

COUNCILMEMBER KING: Okay. And they're not considered commercial recreational activity?

MS. PETERS: No, they're not.

COUNCILMEMBER KING: Okay. So, that, putting that language in would exempt all of them basically because they're not required?

MS. PETERS: Correct, that language change would be necessary to exempt it.

COUNCILMEMBER KING: Okay. It also would exempt any other activity that doesn't require a CORA permit, correct?

MS. PETERS: Correct.

COUNCILMEMBER KING: Okay. Thank you.

CHAIR SINENCI: Thank you, Chair. Any other questions? Member Sugimura?

COUNCILMEMBER SUGIMURA: Yeah, thank you. Some of the testifiers mentioned, I think Archie Kalepa and others mentioned about sea, right, in the ocean, which we don't necessarily regulate. So, how do we move forward to be sure that the testifier said, you know, mentioned the clashing, I guess, of the scuba divers with, you know, the activities of the canoe club. So, how would we entertain that, or regulate that, or help that so it doesn't happen?

MS. PETERS: Chair?

CHAIR SINENCI: Ms. Peters?

MS. PETERS: Thank you, Member Sugimura. So, we did have an inquiry from a representative of DOBOR who is interested in this legislation. So, then we would be able to work with DOBOR, as well as with the community in being able to propose a similar item on their board agenda.

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COUNCILMEMBER SUGIMURA: So, those situations would be prevented?

MS. PETERS: Correct, because we --

COUNCILMEMBER SUGIMURA: Because it would be prohibited?

MS. PETERS: --the County does not have jurisdiction in the water. So, that would be a State DOBOR regulation.

COUNCILMEMBER SUGIMURA: Thank you. Chair, if I could? So, CORA, 'cause I remember this from my first year, that we needed to revise the rules that related to the CORA permits. It's good to hear there's only four for Hanakao`o Beach Park. And this bill says it would become effective on the date of its passage. And the CORA permits that you mentioned are going to be expiring on June 30. So, do we have to do something with the rules, or can we just say that if we pass this bill today and then it goes to, you know, first and second reading through Council that that would be the date. And from that day the CORA permits couldn't operate at Hanakao`o Beach Park? Or would you still stick to June 30 as a general rule for the CORA permit?

MS. PETERS: Chair?

CHAIR SINENCI: Ms. Peters?

MS. PETERS: Thank you, Member Sugimura. So, we would wait until it expired like it's written in the proposed bill. And then, we would have to revise our administrative rules that do indicate the number and types of permitted activities within each beach park.

COUNCILMEMBER SUGIMURA: Very good. I'm going to relinquish the floor. But before I do, I just want to say that I have great appreciation for this park by activities that I've been involved in. I just want to say a big aloha to Jeanne Gonsalves with Napili Canoe Club, and in my past life I did the milk carton regatta and we had like kids, schools that made boats out of the milk carton and Jeanne Gonsalves, Napili Canoe Club, came out in force to help kids. And there were like six boats that were made from the milk cartons the first time we tried it, and we ended up the last time we did it there were like 20 of them. And the canoe club was just awesome, I have the greatest respect for the canoe club in general. And yeah, I guess the Meadow Gold milk carton regatta that was there is not really a commercial activity, but they sure opened up their arms with aloha and I just want to say a big thank you to her and I appreciate Tamara for introducing this bill. I appreciate that a lot. Thank you.

CHAIR SINENCI: Mahalo, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: I look forward to your vote.

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CHAIR SINENCI: Oh, okay.

COUNCILMEMBER KING: Chair?

COUNCILMEMBER SUGIMURA: Call for the vote.

CHAIR SINENCI: Go ahead, Chair King.

COUNCILMEMBER KING: I just wanted to make a point of information because if we are able to pass this out of Committee today, it still needs two Council readings. So, the earliest we could pass it out of full Council, because we have one more meeting in June after this Friday and then one in early, it would be early July. And so, those permits would be expired already, and you wouldn't have to go through whether or not to renew them. You know, as long as it's moving because the June, I think it's 21<sup>st</sup> meeting is the first meeting we could hear it at full Council, and then it needs the second reading. So, I just want to give you that timeline. And I also wanted to appreciate all the folks that came down. And I hope you feel like it was worth it because I think you had an impact. And this is the way things are supposed to work, you come down and you tell us how you feel and the impact it's having on you. And so, I just hope people don't feel like it was a waste of time because some of us who don't live in that area don't, you know, weren't aware of the situation until today. So, I just wanted to honor all the folks that came down and gave us their manao.

CHAIR SINENCI: Thank you. Thank you for that, Chair King. Mr. Molina?

COUNCILMEMBER MOLINA: Yeah, thank you, Chair. I just need a clarification from Corporation Counsel or the Director. Can you cite where it says that canoe paddling does not require a CORA permit, just for my information so I know, I just want to be sure it's in there so we don't pass something and that could be legally challenged by someone else and then undo what we're looking at here today. Sorry to be so nitpicky.

CHAIR SINENCI: Ms. Thomson?

MS. THOMSON: I'm sorry, Councilmember, I missed the first part of your question.

COUNCILMEMBER MOLINA: Yeah, where does it say in the ordinance that canoe paddling does not require a CORA permit, or an ocean rec permit? Like is it Section 13.04A.290, 13.04A.030, so, if you could give me the exact specifics on that?

MS. THOMSON: I understand the ambiguity and the concern that you're expressing. So, going to the definition section of 13.04A.030, I think that the definitions that need to be read in conjunction would be business, also commercial activity. So, commercial activity means an act whereby a person, organization, or entity receives a benefit or a promise to receive a benefit by providing goods or services to another. At any rate, when I read those three definitions together, I think that the result is that you're talking about commercial activity and not non-for-profit or league activity, which is

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permitted under a different type of Parks permit, a general permit is what I understand.

COUNCILMEMBER MOLINA: Yeah, my question, concern about ambiguity again, you could have a lawyer from the other side say hey, you know, it's not specifically saying that. So, we could potentially be challenged, which is why I brought up the proposal to maybe add language to this to strengthen it if our goal is again to exempt Hawaiian canoe outriggers from this bill. So, should we consider a language because again, because of the ambiguity and, you know, people look at laws differently, and then maybe I'm just concerned, an argument could be made on the other side which could be legitimate, which is why I think we should really consider additional language to strengthen it so...

CHAIR SINENCI: Ms. Thomson?

MS. THOMSON: Chair, so, what I'd recommend on that is, you know, we have the bill that's before us today, which is adding one site to the prohibited list. But I agree with you that we should take a closer look at the definitions section and see if there's any ambiguity there that we need to clear up and probably come back fairly quickly with another bill.

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

CHAIR SINENCI: Thank you. Ms. Paltin?

COUNCILMEMBER PALTIN: Yeah, I agree. And maybe it's something that we need to go back to the community about. But I think part of the difference, whether it's a nonprofit or not, I, it's my perception, and I might be wrong and I'm sure my community will let me know, but I don't think they want, I mean, Hawaii outrigger canoes to be entirely exempted because I believe there's not a desire that we take tourists out on canoes for money, it's for like the local community. As one of the testifiers said, there is a place on Kaanapali where you can take the tourists out for money. So, it's more about, you know, building community, learning the culture, strengthening the community than just solely about canoe racing. It's more of a like a not for profit kind of thing, not...you paddle canoe because you love it over there at canoe beach. If you want to make money off taking tourists on canoes, you can, there's other places to do that. And so, I mean, it's not just exempting Hawaiian outrigger canoes, it's taking out the profit part about it. Like, if you're going to paddle canoe at Canoe Beach, it's 'cause, it's because you want to perpetuate the culture or you love it, not just Hawaiian canoe, outrigger canoes can make money by taking tourists out. And one other, I just wanted to ask if the current CORA permit holders for Hanakao`o Beach Park have CORA permits for other locations currently.

CHAIR SINENCI: Ms. Almeida?



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MS. ALMEIDA: Chair, we'd have to go verify. It's my understanding that I believe they all do, but I'd have to verify and confirm.

COUNCILMEMBER PALTIN: They have permits for other locations?

MS. ALMEIDA: Other locations, yes.

COUNCILMEMBER PALTIN: Okay. Thank you.

CHAIR SINENCI: Okay. Any other questions, Members? Chair will entertain a recess for some housekeeping and just for a couple minutes. No objections, if there are no objections?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR SINENCI: Okay. EACP is in recess. Thank you. . . .(gavel). . .

**RECESS: 4:09 p.m.**

**RECONVENE: 4:18 p.m.**

CHAIR SINENCI: . . .(gavel). . . Will the EACP meeting of June 4<sup>th</sup> please come back to order? And we were just, the Chair would like the ask the, what is the purview of this board? Any suggestions?

COUNCILMEMBER KING: Chair?

COUNCILMEMBER LEE: To pass this bill on first reading --

COUNCILMEMBER SUGIMURA: Yeah.

COUNCILMEMBER LEE: --out of Committee.

CHAIR SINENCI: Okay. Members, the Chair will entertain a motion to recommend passage of the proposed bill entitled, A Bill for an Ordinance Amending Section 13.04A.290, Maui County Code, to Prohibit Commercial Ocean Recreational Activity on Hanakao`o Beach Park; on first reading; incorporating any revisions made by the Committee today, and non-substantive revisions; and the filing of County Communication 19-195.

COUNCILMEMBER PALTIN: So moved.

COUNCILMEMBER SUGIMURA: Second.

CHAIR SINENCI: Moved by Member Paltin, seconded by Sugimura.

COUNCILMEMBER KING: Chair?

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CHAIR SINENCI: Discussion on the motion?

COUNCILMEMBER KING: Chair? Chair?

CHAIR SINENCI: Chair King?

COUNCILMEMBER KING: I would like to propose an amendment to the motion so that it would read, commercial ocean recreational activity, comma, or commercial ocean recreational activity requiring a permit under Subsection 13.04A.300(A) is prohibited at Baldwin Beach Park, et cetera, et cetera. So, that would give the distinction of any activity not requiring a CORA permit to be permitted there.

COUNCILMEMBER LEE: Second.

COUNCILMEMBER SUGIMURA: You meant Hanakao`o Beach Park right, I think, did I hear you say Baldwin?

COUNCILMEMBER KING: Well, that's how it starts out, and then it goes through the whole list. So, we would, it would continue on the same as it was before. Hanakao`o is at the end of it. So, it's part of, it's an amendment to the original motion that includes Hanakao`o.

COUNCILMEMBER SUGIMURA: Oh, I see, you're putting it in that paragraph.

COUNCILMEMBER KING: Right, this is the language that was suggested by --

CHAIR SINENCI: Okay. So, we have an --

COUNCILMEMBER KING: --Council Services.

CHAIR SINENCI: --amendment to the bill inserting the language under 13.04A.290 under Prohibitions, commercial ocean recreational activity requiring --

COUNCILMEMBER KING: A permit under sub...

CHAIR SINENCI: --a permit under Subsection 13.04A.300(A), and seconded by Member Lee. Any discussion?

COUNCILMEMBER KING: I think we, Chair, I think that we've discussed this, and the language came from our Council Services to clarify that this, the prohibitions apply to anything that doesn't require the permit. And since the canoe clubs have not required a CORA permit, they would not be affected by this prohibition.

CHAIR SINENCI: Member Molina?

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COUNCILMEMBER MOLINA: Mr. Chair, yeah, I guess I could support this. But again, I wanted to throw out language that I had planned on proposing initially to possibly further close up any potential loopholes that could be challenged legally by, you know, by the other side 'cause we want to, if the goal of this Committee is to ensure that our Hawaiian canoe clubs, outrigger clubs are exempted from this prohibition. I just want to make sure. So, at the appropriate time I'll throw out my proposal. And if the Members want to support it fine, if not, so be it. But I, it's just my concern. I'd rather be, play it overly safe than risk any potential loopholes to make sure that this bill is super clean.

CHAIR SINENCI: So noted. We still need to pass two, out of two Council meetings. So, duly noted. Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. I just wanted to mention too, or discuss that I hope that this is just a first step in a broader discussion of what it means to be a culturally designated park and, you know, to maybe aspire to the same type of lease that Hawaiian Canoe Club and the other canoe clubs at Hoaloha Park have and maybe not exactly the same as we're unique on the west side, but just to get that process started. I think it, that the Administration probably sees that there's a desire to work together towards that end and, you know, at that time, we can, you know, kind of hone in on what the designation looks like, what it means, the definition, and hopefully if there is any unintended consequences or loopholes, they can be addressed during that process.

CHAIR SINENCI: Thank you. Thank you, Member Paltin. Member Sugimura?

COUNCILMEMBER SUGIMURA: I would like to hear what Member Molina had suggested or is trying to suggest.

CHAIR SINENCI: We have an amendment on the floor.

COUNCILMEMBER KING: We have an amendment on the floor.

COUNCILMEMBER MOLINA: Mr. Chair, maybe we can take the, take action on Chairman King's amendment, and then I could throw out the language for a possible --

COUNCILMEMBER SUGIMURA: Okay. So, it wouldn't...

COUNCILMEMBER MOLINA: --amendment to the amended to the amended --

COUNCILMEMBER SUGIMURA: Okay. It wouldn't be in conflict then? Okay.

COUNCILMEMBER MOLINA: --legislation. Yeah.

COUNCILMEMBER SUGIMURA: Thank you.

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CHAIR SINENCI: Okay. So, I'll call for the vote.

COUNCILMEMBER SUGIMURA: Okay. Let's vote.

CHAIR SINENCI: All in favor with the amendment to include language under 13.04A.290 Prohibitions to include requiring a permit under subsection 13.04A.300(A). All in favor say "aye."

COUNCILMEMBERS VOICED AYE.

CHAIR SINENCI: Any opposed?

**VOTE:           AYES:   Chair       Sinenci,       Vice-Chair    Kama,  
                      Councilmembers King, Lee, Molina, Paltin, and  
                      Sugimura.**

**NOES:   None.**

**ABSTAIN:  None.**

**ABSENT:  None.**

**EXC.:   None.**

**ACTION:   AMENDMENT APPROVED.**

CHAIR SINENCI: So, it's seven "ayes," zero "noes." The amendment passes.

COUNCILMEMBER MOLINA: Mr. Chair, I would like to make a motion to amend the amended proposal. Under Prohibitions Section 13.04A.290, I would like this language to be considered by this body and it shall read as follows, this restriction shall not apply to sanctioned Maui County Hawaiian canoe associations or any Hawaiian canoe racing association canoe clubs at Hanakao'o Beach Park.

CHAIR SINENCI: Is there a second?

COUNCILMEMBER SUGIMURA: Second.

CHAIR SINENCI: Motion by Member Molina, seconded by Member Sugimura. Discussion?

COUNCILMEMBER MOLINA: Mr. Chairman, if I could just maybe ask for Corporation Counsel's, or the Parks Director's comments on this. I'm, maybe the previous amendment may cover this concern that I have. So, I'd like to get comment if, at your discretion, Mr. Chair.

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CHAIR SINENCI: Ms. Thomson?

MS. THOMSON: Thank you, Chair. My concern with adding that language in there is that I'm not aware of what those terms actually would mean, you know, if we're actually including or excluding groups unintentionally. So, my recommendation would be to take a harder look at that before passing it. I think that there are a couple other definitions in this Section 13.04A that probably need some work. And so, maybe we can take a look at that, you know, sooner than later.

COUNCILMEMBER MOLINA: Okay. Thank you, Chairman. So, I guess basically what I'm reading from you, Ms. Thomson, is maybe at a future meeting we can further amend this ordinance. So, for today's sake, pass this ordinance out as amended, and then in the future come back to this and maybe tighten up furthermore with language such as this. Am I reading this correctly?

MS. THOMSON: Yes, that'd be my recommendation.

COUNCILMEMBER MOLINA: Alright, thank you. Thank you, Chair.

CHAIR SINENCI: Are you withdrawing your motion?

COUNCILMEMBER MOLINA: So, yeah, for today's sake I guess I will withdraw the proposed amendment and of course, we still, if I'm correct, we'll, assuming it passes out of Committee today, we'll need to have two more meetings at the Council level for this. So, and at that point along the way if any concerns are brought up along the way, then maybe we could consider something like this at the Council level, so. But thank you for letting me have my say on this.

COUNCILMEMBER SUGIMURA: I withdraw my second.

CHAIR SINENCI: Thank you, Mr. Molina. So, we have the main motion with amendments, yeah? Do I need to...

COUNCILMEMBER KING: Call for the question.

CHAIR SINENCI: Okay. All in favor say "aye."

COUNCILMEMBERS VOICED AYE.

CHAIR SINENCI: Opposed?

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**VOTE: AYES: Chair Sinenci, Vice-Chair Kama,  
Councilmembers King, Lee, Molina, Paltin, and  
Sugimura.**

**NOES: None.**

**ABSTAIN: None.**

**ABSENT: None.**

**EXC.: None.**

**MOTION PASSES.**

**ACTION: FIRST READING of revised proposed bill and FILING of  
communication.**

CHAIR SINENCI: Motion passes, seven "ayes," zero "noes." Thank you, Members.

**EACP-28 CULTURAL DESIGNATION FOR HANAKAO`O BEACH PARK (MISC)**

CHAIR SINENCI: Members, we have a second item, the Cultural Designation for Hanakao`o Beach Park. And the Committee had received a miscellaneous communication dated May 21, 2019, transmitting the matter relating to a cultural designation for Hanakao`o Beach Park. Because this subject was referred to the Council through the FY 2020 Budget Committee Report, the Chair will open the floor for any questions from the Members on the issue of the departments, on this issue for the departments. Is there any questions?

VICE-CHAIR KAMA: Chair? I have a question. So --

CHAIR SINENCI: Member Kama?

VICE-CHAIR KAMA: --what does it mean to be a cultural designated area?

CHAIR SINENCI: Ms. Peters?

MS. PETERS: Chair, thank you, Member Kama. And that's a good question. So, what we are proposing to do is work with the community and the clubs in coming up with that plan and what it would mean to be designated, and also in working with them in getting similar to what the Hawaiian Canoe Club, or Na Kai Ewalu, or Laeula at Kanaha is a lease agreement, or license to occupy so that we can all, or we can all be working together for the betterment of the community.

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VICE-CHAIR KAMA: So, does that include a hale?

CHAIR SINENCI: Ms. Peters?

COUNCILMEMBER PALTIN: Point of information. Canoe Beach has three hale and one canoe storage already. So, just kind of, you know, formalizing the arrangement that was only word of mouth in previous decades.

CHAIR SINENCI: Ms. Peters?

MS. PETERS: Chair, yeah, so, I would just like to reiterate that that is what we would like to do. So, taking that, you know, gentleman's agreement, or that handshake that was done years back when the hailes were constructed, and making it more formalized so that it is an agreement between the County and the canoe clubs, and that we can work together like we do with the other entities at the other beach parks.

VICE-CHAIR KAMA: So, what we're doing is we're institutionalizing it? Okay. Legitimizing it? Okay. I get it. Thank you. Thank you, Chair.

CHAIR SINENCI: Ms. Thomson, did you have something to say?

MS. THOMSON: Just on the subject of designating this site as a cultural site, so this body, the Committee could request that the Cultural Resources Commission take up the item and offer you its, you know, advice in terms of either designating it or coming up with a definition for what is a cultural park. So, if there's some advice or information that CRC could provide you, you could also consider that route.

CHAIR SINENCI: Thank you, Ms. Thomson. Mr. Molina?

COUNCILMEMBER MOLINA: Yeah, Mr. Chair, just I would say I agree with Corporation Counsel because sometimes we do send matters to some of our boards and commissions for additional opinions and advisories. So, for me, I think maybe its best we at least get the thoughts and insight of the Cultural Resources Commission, that's why they're there to look at issues, historical issues and cultural issues. So, I would have no objections to sending the matter to the Cultural Resources Commission, get their comments, once their done with their comments it comes back to Committee and then we can vote on the matter at that point. Thank you.

CHAIR SINENCI: Thank you, Mr. Molina. Ms. Paltin?

COUNCILMEMBER PALTIN: I think that's a good idea. But also, just not limit it to us and the Cultural Resources Commission, also the work that the Department and the community and clubs do as well before it comes back to us.

CHAIR SINENCI: Ms. Peters?

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MS. PETERS: Chair, yes, I would agree. And I think the Cultural Resources Commission is a good venue to vet everybody's ideas and bring together a better vision of what we want, how we want to define it.

COUNCILMEMBER PALTIN: Procedural question. Would you work with the canoe clubs and the community first to come up with like an idea of what they're thinking and then go to the Cultural Resources Commission or go to the Cultural Resources Commission first and then go to the canoe clubs?

MS. PETERS: So, we have Annalise from the Cultural Resources Commission, if we could ask her to come down and assist us with that answer?

CHAIR SINENCI: Sure, Annalise?

MS. KEHLER: Hi, good morning, or God, it's like the end of the day, sorry. So, after hearing discussions today I think it would be really important to go to the community first, and then as Director Peters mentioned, use the CRC to kind of vet once we hear ideas from the community.

COUNCILMEMBER PALTIN: Thank you.

CHAIR SINENCI: Thank you, Ms. Kehler. Thank you. So, Members, if there are no objections, I would like to defer this item.

**COUNCILMEMBERS VOICED NO OBJECTIONS.**

**ACTION: DEFER pending further discussion.**

CHAIR SINENCI: Thank you. Thank you for that discussion.

**EACP-9 SUSTAINABILITY AND RESTORATION OF TRADITIONAL HAWAIIAN FISHPONDS (CC 18-166)**

CHAIR SINENCI: Members, we did have a final, I see that we've passed our meeting time and I just wanted to check what the purview of this board is. It's for the Sustainability and Restoration of Traditional Hawaiian Fishponds. And we had Mr. Jordan Hart here to just explain a little bit of the fishponds. What would be the purview of this body?

VICE-CHAIR KAMA: Imua.

CHAIR SINENCI: Thank you.

COUNCILMEMBER LEE: We got one imua and one defer.



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CHAIR SINENCI: Anybody else?

COUNCILMEMBER KING: Chair, was there an intent to kind of have an organized presentation with cultural practitioners?

CHAIR SINENCI: Yeah, so, really quickly, the Committee is in receipt of County Communication 18-166, from former Councilmember Elle Cochran, relating to the implementation of Section 8-15.3(4) of the Revised Charter of the County of Maui, as amended, as it relates to the sustainability and restoration of traditional Hawaiian fishponds. Some of those concerns that Ms. Cochran brought up back then was about stormwater management of roads and culverts near fishpond areas, continue funding toward fishpond restoration, proper equipment usage, labor, and safety procedures, the increased food production, and possibly establishment of a hatchery, restoration of freshwater springs, and to promote educational programs that foster stewardship and sustainability. Ms. Cochran had sent a letter out on August, I believe August 8 to the Planning Commission...Planning Department, excuse me, just to provide a response to the County's permitting processes. So, today we had a, the Hoala Loko Ia permit application guidebook just for the permitting processes of fishponds. And so, the Planning Department was just here to talk about some of these issues.

COUNCILMEMBER KING: Okay. 'Cause no, I just wanted to say I do have to leave soon. I would love to have a full, you know, full discussion, a full presentation on, from the Planning Department, but also from some, you know, practitioners and get some opinion of what restoration really means. So, I don't know if we have time to do that full discussion. And I know Mr. Hart is here.

CHAIR SINENCI: Would the Members prefer to defer this item to a later date? Okay. If there are no objections, I'd like to defer EACP number 9.

**COUNCILMEMBERS VOICED NO OBJECTIONS.**

**ACTION: DEFER.**

CHAIR SINENCI: I did want to thank Mr. Hart for being here, and he's definitely got more information about Hanakao`o now. So, thank you for being here. So, Members, if there are no objections, I think we've covered most of the business today and I'd like to adjourn EACP meeting.

COUNCILMEMBERS VOICED NO OBJECTIONS

CHAIR SINENCI: Okay. Thank you for everyone for being here. Mahalo. The EACP meeting is now adjourned. Thank you. . . . *(gavel)* . . .

**ADJOURN: 4:36 p.m.**

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APPROVED:



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SHANE M. SINENCI, Chair  
Environmental, Agricultural, and Cultural  
Preservation Committee

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Transcribed by: Marie Tesoro

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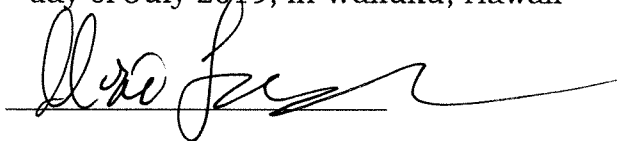
**June 4, 2019**

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CERTIFICATE

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

DATED the 1<sup>st</sup> day of July 2019, in Wailuku, Hawaii

A handwritten signature in black ink, appearing to read 'Marie Tesoro', is written over a horizontal line.

Marie Tesoro