

PURSUANT TO CHAPTER 92, PART I, HAWAII REVISED STATUTES AS AMENDED, NOTICE IS HEREBY GIVEN OF A REGULAR REMOTE PUBLIC MEETING OF THE MAUI PLANNING COMMISSION

AGENDA
([HYPERLINKS TO MEETING MATERIALS ADDED](#))

DATE: MAY 10, 2022

TIME: 9:00 A.M.

REMOTE MEETING LOCATION: Interactive conference technology via BlueJeans
Videoconferencing: **Meeting ID: 601 381 117**

PHYSICAL LOCATION: Members of the public may observe the remote meeting or testify in-person using audio/visual technology at the Planning Department Conference Room, Kalana Pakui Building 250 South High Street, Wailuku, Maui, Hawaii 96793. Note: The Commission Members may not be physically present at this location.

Members: P Denise La Costa (Chairperson), Kellie Pali (Vice-Chairperson), Kawika Freitas, Dale Thompson, Mel Hipolito, Jr., Ashley Lindsey, Kim Thayer, William Greig

A. CALL TO ORDER

Public testimony will be taken when each agenda item is discussed. **Testimony will be limited to a maximum of three minutes.**

To listen to the meeting or provide oral testimony via phone, dial 1-888-748-9073 (toll free) or 1-408-915-6290 or 1-408-740-7256 and enter **Meeting ID: 601 381 117**

To watch the meeting or provide video testimony, use meeting link: <https://maui.bluejeans.com/601381117>

Written testimony can be provided via email at planning@mauicounty.gov or via USPS mail c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Hawaii, 96793. While the Commission requests that written testimony be submitted by noon, one business day before the meeting to ensure distribution to the Commission, testimony submitted after such date and time will still be accepted by the Commission.

Testifiers via video will be called by the Chair to offer their testimony and are asked to mute their audio and video when they are not testifying. Testifiers via video are asked to sign-up using the Chat function providing their names and the item they wish to testify on. Commissioners shall not be contacted by the Chat function; the Chat function shall not be used to provide testimony or comments.

Testifiers via phone will be called by the Chair after video testimony is finished.

Testifiers in the Planning Department Conference Room will be called by the Chair after video and phone testimony are finished.

B. CONTESTED CASE HEARING

1. HONUA'ULA PARTNERS, LLC, requesting Project District Phase II Development approval for Honua'ula, a master planned community comprised of single family and multi-family homes, village mixed-uses, preservation and conservation areas, and recreational/open space areas and related infrastructure improvements on approximately 670 acres in Kihei-Makena Project District 9, located in Wailea, Kihei-Makena, Maui, Hawaii, TMK (2) 2-1-008:056 and 071. (PH2 2018/0002) (A. Cua)

No public testimony will be taken on this matter.

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE COMMISSION TO CONSULT WITH ITS ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE COMMISSION'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES PURSUANT TO SECTION 92-5(a)(4), HAWAII REVISED STATUTES. (Commissioners a separate meeting invite will be sent to you for the Executive Session)

DOCUMENTS FILED BY APPLICANT

Letter from C. Chipchase - PHII 2018/0002 - Settlement Agreement Exhibits

Honuaula Partners Response to Petition to Intervene

Memo in Opposition to Motion for Recusal

Honuaula Partners LLC Exhibit List

Exhibit 11 – Resume of Tyler Fujiwara, P.E.

Exhibit 12 – Resume of Andrea Millan

Exhibit 16 – Resume of Michael F. Dega, Ph.D.

Exhibit 17 – Resume of Jaap Eijzenga, M.S.

Exhibit 20 – Statement of Qualifications for Otomo Engineering, Inc. for Professional Consulting Civil Engineering Services

Exhibit 21 – Resume of William Mitchell

Exhibit 29 – Resume of Thomas Nance

Exhibit 30 – Map of Native Plant and preservation Area/South Preserve Area, Updated Exhibit 1-0 map (submitted to the Commission via email on February 17, 2022)

Exhibit 31 – Drainage Master Plan Depicting Preserved Sites, Features, and Cultural Use Sites North of the NPPA (dated March 14, 2022)

Exhibit 32 – Final Environmental Assessment Piilani Highway Widening Project (Kilohana Drive to Wailea Ike Drive dated May 2012, Volume I of II

Exhibit 33 – Final Environmental Assessment Piilani Highway Widening Project (Kilohana Drive to Wailea Ike Drive dated May 2012, Volume II of II

Received March 17, 2022

Applicant's Rebuttal Witness List

Applicant's Rebuttal Exhibit List

Applicant's Rebuttal Exhibit 34 – Carol Lee Kamekona-SHPD 2022 Permittee List 03

Applicant's Rebuttal Exhibit 35 – Lucienne de Naie_DCCA Business Name Search

Applicant's Rebuttal Exhibit 36 – Robin Knox_QEP Diplomate Roster Board for Global EHS Credentialing

Applicant's Rebuttal Exhibit 37 – Albert Perez_DCCA License Search

Applicant's Rebuttal Exhibit 38 – OECQ Notice

Applicant's Rebuttal Exhibit 39 -Honuaula Animal Management Plan March 22

Received March 18, 2022

Honuaula Partners LLC Response to Intervenors' Motion Reopen Public Testimony

Honuaula Partners LLC Response to Intervenors' Motion to Walk the Land with Commissioners

Honuaula Partners Response to Intervenors' Motion to Allow Discovery and Issuance of Subpoenas

Honuaula Partners Response to Intervenors' Prehearing Brief Relating to Affordable Housing

Received March 21, 2022

Applicant's First Amended Exhibit List

Received April 21, 2022

Certificate of Service – Applicant's response to Intervenors' first request for production of documents

Received May 2, 2022

Honuaula Partners LLC - Amended Witness List, Certificate of Service

Received May 9, 2022

Honuaula Partners LLC - Second Amended Exhibit List

Honuaula Partners LLC - Exhibit 40

Honuaula Partners LLC - Errata re Exhibit 16

Received May 11, 2022

Honuaula Partners LLC - Third Amended Exhibit List

Honuaula Partners LLC – Exhibit 41 Ordinance 3553

Honuaula Partners LLC – Exhibit 42 Ordinance 3554

Honuaula Partners LLC – Exhibit 43 Ordinance 4849

DOCUMENTS FILED BY INTERVENORS

Petition to Intervene

Petitioner's Response to Applicant's response to Petition to Intervene

Motion to Recuse and Continue

Intervenors' Witness List

Intervenors' Exhibit List

Intervenors' Motion to Walk the Land with Commissioners

Intervenors' Motion to Allow Discovery and the Issuance of Subpoenas

Intervenors' Motion to Reopen Public Testimony, or in the Alternative Confirm Public Testimony Will Not be Considered in the Present Proceeding

Received March 17, 2022

Intervenors' Rebuttal Witness List

Intervenors' Rebuttal Exhibit List

Intervenors' Pre-Hearing Brief

Received April 1, 2022

Intervenors' Statement of Clarification

Intervenors' First Request for Production of Documents to Applicant Honuaula Partners LLC

Intervenors' Letter requesting approval of attached subpoenas

Received May 5, 2022

Intervenor's First Amended List of Possible Witnesses

Intervenor's First Amended List of Possible Exhibits

Intervenor's Exhibits 18 – 20

Intervenor's Exhibits 21 – 33

Intervenor's Exhibits 34 – 45

Intervenor's Exhibits 46-47

Intervenor's Motion to Strike Staff Report-Continue Hearing-Exclude Applicant's Improper Discovery

DOCUMENTS FILED BY PLANNING DEPARTMENT

Department of Planning Memorandum In Response to Motion to Strike Staff Report_050922

F. DIRECTOR'S REPORT

1. [Complaint filed](#) against former Commission Chair
(Rescheduled from the 4/12/22 and 4/26/22 agendas)

The Commission may discuss issuing a response

2. SMA Minor Permit Report – **(Report not available due to transition from KIVA to MAPPS)**

This is for notification and review purposes. No action is anticipated.

3. SMA Exemptions Report - **(Report not available due to transition from KIVA to MAPPS)**

This is for notification and review purposes. No action is anticipated.

4. Discussion of Future Maui Planning Commission Agendas

- a. May 24, 2022 agenda items

G. NEXT REGULAR MEETING DATE: MAY 24, 2022

H. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE COMMISSION TO CONSULT WITH ITS ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE COMMISSION'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES PURSUANT TO SECTION 92-5(a)(4), HAWAII REVISED STATUTES.

UNLESS OTHERWISE SPECIFIED BY PLANNING COMMISSION RULE, ANY PETITION TO INTERVENE AS A FORMAL PARTY IN A PROCEEDING BEFORE THE MAUI PLANNING COMMISSION MUST BE FILED WITH THE COMMISSION AND SERVED UPON THE APPLICANT NO LESS THAN TEN (10) DAYS BEFORE THE FIRST PUBLIC HEARING DATE. (Note: The calculation of time for deadlines of ten days or less excludes weekends and State recognized holidays.) THE ADDRESS OF THE COMMISSION IS C/O the DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793. **The deadline for filing a timely Petition to Intervene for an item where the first public hearing date is on May 10, 2022 was on April 26, 2022.**

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES, AND THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE. IN ACCORDANCE WITH THESE RULES MAXIMUM TIME LIMITS OF AT LEAST THREE MINUTES MAY BE ESTABLISHED BY THE COMMISSION ON INDIVIDUAL TESTIMONY. PLEASE NOTE THAT ANYONE WISHING TO PROVIDE ORAL TESTIMONY PERTAINING TO AN AGENDA ITEM THAT IS A "CONTESTED CASE" PURSUANT TO CHAPTER 91, HAWAII REVISED STATUTES, MAY BE ASKED TO TESTIFY UNDER OATH OR AFFIRMATION, AND

MAY BE SUBJECT TO LIMITED CROSS-EXAMINATION IN ACCORDANCE WITH SECTION 91-10(3), HAWAII REVISED STATUTES.

WRITTEN TESTIMONY, WHETHER SENT VIA FAX, EMAIL, OR USPS MAIL SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY NOON, ONE BUSINESS DAY BEFORE THE MEETING TO ENSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

THE ADDRESS OF THE COMMISSION TO PROVIDE WRITTEN TESTIMONY IS C/O DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, HAWAII 96793.

THE LINKS FOR DOCUMENTS RECEIVED AFTER POSTING WILL BE UPDATED PERIODICALLY WHEN TESTIMONY IS RECEIVED, UP TO 12:00 PM ONE BUSINESS DAY PRIOR TO THE MEETING.

Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, and Conditional Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793.

DOCUMENTS RELATING TO THIS MEETING MAY BE FOUND ON THE COUNTY OF MAUI OFFICIAL WEBSITE AT www.mauicounty.gov, UNDER BOARDS AND COMMISSIONS, MAUI PLANNING COMMISSION.

IF YOU REQUIRE AN AUXILIARY AID OR SERVICE OR ACCOMMODATION DUE TO A DISABILITY, PLEASE CONTACT THE COMMISSION STAFF NO LATER THAN THREE BUSINESS DAYS PRIOR TO THE SCHEDULED MEETING DATE AT (808) 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1-800-272-0125 (Lanai)

PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least one day prior to the meeting date. Thank you for your cooperation.
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