

**DISASTER, RESILIENCE, INTERNATIONAL AFFAIRS, AND
PLANNING COMMITTEE**
Council of the County of Maui

MINUTES

June 17, 2024

Online Only via Teams

CONVENE: 9:05 a.m.

PRESENT: VOTING MEMBERS:

Councilmember Tamara Paltin, Chair
Councilmember Tom Cook, Member
Councilmember Keani N.W. Rawlins-Fernandez, Member
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member

NON-VOTING MEMBERS:

Councilmember Alice L. Lee, Member

EXCUSED: VOTING MEMBERS:

Councilmember Nohelani U‘u-Hodgins, Vice-Chair
Councilmember Tasha Kama, Member

STAFF:

Paige Greco, Legislative Analyst
James Krueger, Senior Legislative Analyst
Richard Mitchell, Legislative Attorney
Maria Leon, Committee Secretary
Criselda Paranada, Committee Secretary
Lei Dinneen, Council Services Assistant Clerk
Shelly Espeleta, Supervising Legislative Analyst
Ryan Martins, Council Ambassador

Roxanne Morita, Council Aide, Lāna‘i Residency Area Office
Bill Snipes, Council Aide, South Maui Residency Area Office
Jade Rojas-Letisi, Council Aide, Makawao-Ha‘ikū-Pā‘ia Residency Area Office

ADMIN.:

Bradford Ventura, Fire Chief, Department of Fire and Public Safety (All)
Ryan Otsubo, Fire Battalion Chief, Department of Fire and Public Safety (All)
Christie Trenholme, Deputy Corporation Counsel, Department of the Corporation
Counsel (All)

OTHERS:

Elizabeth Pickett, Co-Executive Director, Hawai‘i Wildfire Management
Organization (DRIP-2(10))

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Testifiers

Testifier 1 (DRIP-2(10))

Mike Moran (DRIP-2(10))

Faith Chase (DRIP-2(10))

(15+) additional attendees

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

CHAIR PALTIN: . . .*(gavel)*. . . Will the Disaster, Resilience, International Affairs, and Planning Committee come to order. The time is now 9:05, and if everyone can please silence their cell phones or other noisemaking devices, that would help our cause. Members, in accordance with the Sunshine Law, if you are not in the Council Chambers, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. Minors do not need to be identified. Also, please see the last page of the agenda for information on meeting connectivity. My name is Tamara Paltin, and I'll be your Chair for today. Our Vice-Chair, Nohelani U'u-Hodgins, is excused at this time. Next up, we have Councilmember Tom Cook. Aloha kakahiaka and 'ia orana.

COUNCILMEMBER COOK: Aloha kakahiaka and 'ia orana, Chair.

CHAIR PALTIN: And Councilmember Tasha Kama let us know that she cannot make it today, so she is also excused. Next up, from the Island of Molokai, we have Councilmember Keani Rawlins-Fernandez. Aloha kakahiaka and 'ia orana.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair. I am at my private residence, alone in my home office, and we currently have no testifiers at the Molokai District Office. Mahalo, Chair.

CHAIR PALTIN: Thank you. Next up, from East Maui, we have Councilmember Shane Sinenci. Aloha kakahiaka and 'ia orana.

COUNCILMEMBER SINENCI: Hey, aloha kakahiaka, Chair, and 'ia orana kākou. Here at my home office, I'm here by myself, and no testifiers in the Hāna District Office. But mahalo, Chair, for willing to swap meeting times. Thank you.

CHAIR PALTIN: Sure thing. And next up, we have Councilmember Yuki Lei Sugimura from Upcountry in her jacaranda purple. Aloha kakahiaka and 'ia orana.

COUNCILMEMBER SUGIMURA: Good morning, everybody, and 'ia oranda [*sic*]. And so, is that how you say it, Chair?

COUNCILMEMBER LEE: 'Ia orana.

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COUNCILMEMBER SUGIMURA: Oh, 'ia orana. Anyway, more importantly, good to see Chief here, and looking forward to hearing about this jet ski and the presentation, of course. But looking forward to a productive meeting. Thanks.

CHAIR PALTIN: Thank you. And our non-voting committee members, we have Council Chair Alice Lee. Aloha kakahiaka and 'ia orana.

COUNCILMEMBER LEE: You're not going to believe this. Of the over 200 greetings that I have catalogued, if you didn't have a greeting this morning, I picked 'ia orana. Yeah, and the reason why is because of all the festivities of last week, and how people were so excited and enthusiastic about reconnecting. So, I...I picked that one, and you did, too. So, 'ia orana, Chair.

CHAIR PALTIN: Almost like we share a brain.

COUNCILMEMBER LEE: I hope not.

CHAIR PALTIN: And Councilmember Gabe Johnson is our other non-voting committee member, and he's not here, but he's welcome to join at any time. This meeting of the Disaster, Resilience, International Affairs, and Planning Committee of the Maui County Council is located on the traditional 'aina of Kānaka 'Ōiwi, who never ceded their sovereignty to the United States. We recognize that Her Majesty Queen Lili'uokalani yielded the Hawaiian Kingdom to the U.S. in duress, under threat of violence, to avoid the bloodshed of her people. We further recognize that Hawai'i remains an illegally occupied nation-state by the U.S., as documented in a 2021 scholarly article for the *National Lawyers Guild Review* by Andrew Reid, adjunct professor of law at the University of Denver Sturm College of Law. Generations of Kānaka Maoli and their knowledge systems have sustainably cared for Hawai'i, and continue to do so. We are grateful to occupy this space and learn the ways in which we can contribute. As a Committee, we seek to support the varied strategies that the indigenous people of Hawai'i are using to protect their land and their communities, and commit to dedicating time and resources to working in solidarity. From the Administration, we have the Chief of the Department of Fire and Public Safety, Chief Brad Ventura. Aloha kakahiaka and 'ia orana.

MR. VENTURA: Aloha kakahiaka and 'ia orana to all of you, Council Chair, and Committee Chair Paltin. Thanks for having us today.

CHAIR PALTIN: Thank you. And we also have Fire Battalion Chief Ryan Otsubo. Aloha kakahiaka and 'ia orana.

MR. OTSUBO: Aloha kakahiaka and 'ia orana. Happy to be here today, and look forward for our meeting.

CHAIR PALTIN: Thank you. And from Corporation Counsel, we have Deputy Corporation Counsel Christie Trenholme. Aloha kakahiaka and 'ia orana.

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MS. TRENHOLME: Aloha kakahiaka and 'ia orana.

CHAIR PALTIN: Our other resource today that we have available until 10:30 is Hawai'i Wildlife Management Co-Executive Director Elizabeth Pickett. Aloha and 'ia orana.

MS. PICKETT: Good morning. Aloha, 'ia orana.

CHAIR PALTIN: Thank you. Members, if there are no objections, I would like to designate the individuals just mentioned as resource persons under Rule 18(A) of the Rules of the Council, given their expertise in their respective subjects.

COUNCILMEMBERS: No objections.

CHAIR PALTIN: Thank you. Our Committee Staff today, we have Committee Secretary Maria Leon, and also Criselda Paranada. We have Legislative Analyst Paige Greco, and Senior Legislative Analyst James Krueger. We also have a Legislative Attorney here for his swan song in this Committee, Mr. Richard Mitchell. This will be his last meeting here with us before moving on to brighter pastures. And we also have Assistant Clerks Lei Dinneen and Jean Pokipala. The agenda for today, we have two items. The first one is Resolution 24-101, Authorizing Acceptance of Donation of Jet Ski [sic] and Trailer to Department of Fire and Public Safety, and DRIP-2(10), Fire Prevention. For each item, we'll take testimony after opening remarks or presentations. And we're having a little tiny bit of technical difficulties, so our Staff will not be able to put the testifier list in the chat, but they will sign folks up to testify as needed.

ITEM 11: RESOLUTION 24-101, AUTHORIZING ACCEPTANCE OF DONATION OF JET SKIS AND TRAILERS TO DEPARTMENT OF FIRE AND PUBLIC SAFETY

CHAIR PALTIN: So, the first item, DRIP-11, there is a presentation from the Fire Department. The reason that I scheduled this item was just to do our due diligence. As you may know, Honda stopped making jet ski back in 2009, so just verifying, you know, the liabilities or issues of accepting older used jet skis, what kind of shape they're in, and what they'll be used for. So, it should be a quick one, and then we'll get on to the main subject of this Committee, which is the fire prevention item. So, at this time, take it away, Chief, for the presentation, and then we'll have testimony right after that.

MR. VENTURA: Mahalo, Chair. Aloha and good morning, everybody. Resolution 24-101, the acceptance of the used Honda rescue watercraft, or currently watercraft, but we were going to change these into rescue watercraft. Just want to go over a few things that we did to take a look at these...this equipment before deciding to accept it. As Councilmember Paltin mentioned, these are older rescue watercraft. They're 2009s, but some of the frontline equipment that we have online right now are 2010s, so they're not far off from what we currently use. And we also did talk to a local repair person who does have parts available for these older Hondas. So, it can be a challenge, but we do have a lead if we need anything moving forward. The good thing is, although these are

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old, these are pretty gently-used equipment because they were basically stored for most of the time, and used on a very rare basis by the donor. If you can go to the next slide here. I'll just go over three things with you folks, the evaluation, the purpose, and how we're outfitting them. So, as far as evaluation, we were able to get our hands on the skis already, and we were able to do sea trials with them. So, we had our cadre take the skis out in the water, and they run basically flawlessly. And they took a look through the skis with the mechanics, as well as the ski and the trailers. And the trailers are 2021s, so that means they were probably put into service in 2022. And so, they're almost, you know, just a couple years old, have very little wear and tear on them. Tires look brand new. Things are in really good shape. So, we did an evaluation of the equipment already. The purpose of this equipment is to utilize in our training program. So, as you know, we have Ocean Safety, as well as Fire, that both use rescue watercraft. And we'll be using this in our training cache of equipment. So, it won't be used on the frontline to respond to calls, it'll be used to train our recruits. We have a Fire recruit class starting this year, and I'm hopeful that we have a second Ocean Safety recruit class starting this year as well. So, we'll be using this as part of the training program. In the recruit class, there's one location we use it, and then we also do continuing education with our training program so that they can stay refreshed and have recency training on the skis. So, that's where the equipment will be placed in our training cache. As I mentioned, our oldest skis that are online right now are 2010 with our rescue company, so, this is still within our usable fleet. The...the skis seem to have a lot of potential still. And then outfitting the equipment, right now they are just watercraft. And in order for us to convert them into rescue watercraft, it does take a little bit of work by our mechanics and our jet ski cadre. And then we'll probably outfit it with an older used sled, which is the board that goes on the back, to do all of the rescue training and rescue work. So, just to keep things in the spirit of shortness, that is what we're doing with the skis, and I'd be happy to answer any questions after testimony.

CHAIR PALTIN: Thank you, Chief. Are there any strictly clarifying questions before we go into public testimony? No? Okay. I just had one. Do you...do you folks know how many hours are on each ski?

MR. VENTURA: So, great question. We do not. And the reason for it is the LCD screen is slightly sun-bleached, so only some of the dials are working. So, we don't have a reading on the hours of them.

CHAIR PALTIN: Okay. All right. Well, everything else in the presentation was exactly what I wanted to hear. At this time, we'll be taking public testimony. I'll just read the testimony portion, and it will apply to both items, but we're only taking testimony on the DRIP-11 right this moment. So, written testimony is encouraged and can be submitted via the eComment link at mauicounty.us/agendas. Testifiers wanting to provide oral testimony should join the online meeting via the Microsoft Teams link printed on today's agenda, or call in to the phone number, which is also on today's agenda. For individuals wishing to testify via Teams, please raise your hand by clicking on the raise-your-hand button near the top right of your screen. For those calling in, please follow the prompts via phone. Staff will add names to the testifier list in the order testifiers sign up or raise their hands. For those on Teams, Staff will lower your hand once your name is added.

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Staff will then call the name you're logged in under or the last four digits of your phone number when it's your time to testify. At that time, Staff will also enable your microphone and video. If you wish to testify anonymously, please notify Staff. Otherwise, please state your name for the record at the beginning of your testimony. Oral testimony is limited to three minutes. If you're still testifying beyond that time, I will kindly ask you to complete your testimony. Once you're done testifying, or you wish...or if you do not wish to testify, you can view the meeting on *Akakū* Channel 53, Facebook Live, or mauicounty.us/agendas. At this time, we will call on testifiers wishing to testify on DRIP-11. Staff, is there anyone wishing to testify on DRIP-11?

MR. KRUEGER: Chair, there's currently no one signed up to testify on DRIP-11. We'll do a last call. If there is anybody who would like to testify on this item, please identify yourself now in the Chamber, or if you're on Teams, by using the raise-hand function. We'll do a countdown...three, two, one. Chair, no one has indicated that they would like to testify on this item.

CHAIR PALTIN: Thank you, Mr. Krueger. Members, without objection, I will now close oral public testimony for DRIP-11.

COUNCILMEMBERS: No objections.

. . . END PUBLIC TESTIMONY ON ITEM 11 . . .

CHAIR PALTIN: Okay. All right. So, the presentation answered mostly all of my questions. Did the Members have any further questions?

COUNCILMEMBER SUGIMURA: No.

CHAIR PALTIN: No from Member Sugimura. I guess one item was prior to hearing this on the last Council meeting agenda, we heard that there needed to be some corrections on the item, like the...the name of the donor, and things like that. Has that been taken cared of, or do...do you know of any corrections on the item itself?

MR. VENTURA: Chair, I wasn't at the first meeting, and I wasn't aware of any corrections that needed to be made except for maybe a signature line.

CHAIR PALTIN: Oh, the signature line. Okay. Was that for Corp. Counsel's signature line?

MR. VENTURA: That's what I understand, yeah.

CHAIR PALTIN: Okay.

MR. VENTURA: I think we might have sent up the resolution without her signature by accident.

CHAIR PALTIN: Oh, okay, okay. Corp. Counsel, is there any...were...were you okay with the

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resolution as it read?

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

CHAIR PALTIN: Okay. And do we need to make any amendments to it, or just swap it out?

MS. GRECO: So, Chair, these were just nonsubstantive things that were mentioned before. So, if that's okay, when you...if and when you make the call for the motion, if you just add that some nonsubstantive revisions be included.

CHAIR PALTIN: Okay. All right. So, nobody has any questions on this item. Are we ready to move it forward? Okay. Chair will entertain a motion to recommend adoption of the proposed Resolution 24-101, entitled "AUTHORIZING ACCEPTANCE OF DONATION OF JET SKIS AND TRAILERS TO DEPARTMENT OF FIRE AND PUBLIC SAFETY," with any nonsubstantive revisions.

COUNCILMEMBER COOK: So moved.

COUNCILMEMBER SUGIMURA: Second.

CHAIR PALTIN: Moved by Member Cook, seconded by Member Sugimura. Any discussion? Member Cook?

COUNCILMEMBER COOK: Is it possible to send a note to the donor saying that we're appreciative?

CHAIR PALTIN: I think we can do that, yeah. Sure. Okay.

MR. VENTURA: Chair? Chair, we can take care of that.

CHAIR PALTIN: Oh, our Fire Department will be taking care of that for us.

COUNCILMEMBER COOK: Mahalo. Thank you, Chair.

CHAIR PALTIN: Okay. And Member Sugimura, discussion?

COUNCILMEMBER SUGIMURA: So, I just want to thank Chief and Battalion...Otsubo, sorry if I get your titles incorrectly, but so experienced, even during budget, you know exactly what to do, how to communicate with us, and I can't tell you how appreciative I am because it makes our life very smooth. Thank you.

CHAIR PALTIN: Okay. Any further discussion on this item? Seeing none. I'll call for the question. All in favor, raise your hand and say "aye."

COUNCILMEMBERS VOICED AYE.

CHAIR PALTIN: I have five "ayes," two excused, and one Non-Voting Member. The two excused

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would be Member Kama and Member U‘u-Hodgins.

VOTE: AYES: Chair Paltin and Councilmembers Cook, Rawlins-Fernandez, Sinenci, and Sugimura.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Vice-Chair U‘u-Hodgins and Councilmember Kama

MOTION CARRIED.

ACTION: Recommending ADOPTION of Resolution 24-101, CD1 by C.R.

ITEM 2(10): FIRE PREVENTION (Rule 7B)

CHAIR PALTIN: Okay. Moving on to the next item, DRIP-2(10), Fire Prevention. So, this item, I introduced because there’s been some talk about large fallow landowners, and what’s the County doing in light of the August 2023 fires. And also, during the budget that we just passed, which takes effect July 1st, we authorized the expansion of three Firefighter III positions for fire inspectors. And if we are going to craft any legislation to try and reduce the number of flammable, large fallow ag fields, or any kind of flammable situations in our County, I think we need to educate ourselves of what the current rules are that would be enforced by our fire inspectors, as well as what more could be done legislatively. So, this is kind of like a scoping of where we stand and where we want to go. So, at this time, I would receive opening comments from our resource personnel, starting with the Department of Fire and Public Safety, and then Mrs. Pickett from Hawai‘i Wildfire Management Organization. So, once again, if you can take it away, Chief.

MR. VENTURA: Certainly. Thank you, Chair. Just a quick introduction here. So, Chief Otsubo oversees our bureaus, which includes our Training, Fire Prevention, and our Health and Safety. A lot of attention, obviously, given to the Fire Prevention Bureau, and there’s a lot of work going on. So, we’re going to share with you today what guides them, what they’re creating, and how we’re moving forward, including the Fiscal Year ’25 Budget. And we’re going to cover our enforcement and our ways of doing business, and Ms. Pickett from HWMO will kind of yin and yang with us and show us...and speak to the...how we can work with the large landowners after all the work that we do, how...what their suggestions are, and what their stance is. So, Chief Otsubo will talk a lot more than I did. Sorry about that. But he’s got a lot to kind of share with you this morning, so thank you.

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CHAIR PALTIN: And...and no pressure, no rush. We do have a recess date if we need more time for this. So, it's...it's that important to our community, that we don't want to...want you to have to feel rushed. Thank you.

MR. OTSUBO: Okay. Good morning. I guess this is for DRIP-10?

CHAIR PALTIN: Yeah, DRIP-2(10).

MR. OTSUBO: Okay. Thank you. So, I just want to start off with the laws and codes that we follow for fire inspections. There's two main laws and codes we follow. The first one is Hawai'i Revised Statutes 132, and that is coming from the State that tells all counties what we need to do. And it's kind of like the who, what, when, where that we need to follow. For example, all facilities except the interiors of private dwellings, we need to inspect once every five years. So, that's just one example. And then we also follow NFPA 1, 2018 edition, and that is the Fire Code that tells us what we need to do and how we do it. So, that's the main two laws, codes that we follow. Okay. For large vacant lands...so, when inspecting large fallow lands, we pretty much follow 10.13.10 of our County amendments, which is the exterior vegetation. In that section, it specifies clearance from brush to structures, not necessarily the property line. And we are in the process of clearing up that section and possibly having an amendment. Sorry, you have a question? Oh, okay. So, yeah, we're in the process of amending that section to make it clear of our interpretations. Basically, depending on how high the brush is, the farther you need to clear. And we can send you that PowerPoint after this meeting. Okay. We also had a meeting with the large landowners, and partnered with all the other counties and HWMO, that we talked about causes of structural ignition, changes to our County Codes, different ways to mitigate, whether it be machines or animals, and we also introduced grant opportunities. And that meetings were on May 7th, 14th, and 21st, led by Hawai'i Wildfire Management Organization, Elizabeth Pickett, who will be speaking after. Next question was, how do we perform fire inspections and enforcement on private lands, County-owned lands, and State and Federal lands? So, when we do fire inspections, it's pretty much all the same. We go out no matter what type of land it is, and we find Code violations. So, enforcement is a little bit different. We...if it's private lands, we use our own process, our current process, which is sending letters, collecting fees, and possibly having a lien on the property. If it's County lands, we work together with our Department of Public Works, and they're very helpful. Once we let them know what's in violation, they send their Highways Division out and clear the property in a timely manner. State and Federal, we have no jurisdictional rights. So, what we do if anything is in violation is we communicate to appropriate, I guess, departments, like the Department of Transportation or DLNR. So, that's how we handle State and Federal lands. So, what are we doing for wildland...wildfire mitigation? We started off with some training back--I forget the date--about four months ago. We had an ASIP training, which is Assessing Structural Ignition Potential. All of the Fire Prevention staff attended that class, and it talked basically about possible ways that structures ignite. And the two main ways are brush leading up to structures with not having enough clearance, and also the embers that fly onto, in, or nearby structures, igniting materials that can cause, you know, combustion within the structure. So, with that information, we did some planning, and I'll talk about what we're doing in the future. So, currently, what we have

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in place is request for service or a code case process. That is our general reporting concerns to us, and we're going out to see if the property is in violation, sending letters, collecting fees, and possible lien on property. Secondly, we have the MFD Wildland Urban Interface Program, which was in place about two years ago. And in this program, we...it's designed for subdivisions bordering large vacant lands. We meet with community leaders or associations and provide educational material. I know you guys heard about the "Ready, Set, Go!" guide that HWMO created. So, we partner with them to, I guess, help to educate them, what they can do to be proactive, what is the Fire Code so that they can do self-assessment. So, we provide a map, tell them what to look for, and when they're done, they're...they call us back in, and we send an inspector to do...help them with enforcement. And then the last thing is we call in our company stations to...or crews to do a pre-plan. And what they do at that time is make sure hydrants work, make sure the gate codes work, look for access prior to any fires so that they can write this in their plans. So, that is the MFD WUI program. And additional programs that are in progress, we are in progress with the Fuel Break Program. In this program, we're working with HWMO to help create this high-risk maps for Maui County. And in those high-risk areas, we're going to require large landowners to maintain these fuel breaks. Inspectors will go out once a year, right before the dry season, to verify that these areas are cut and cleared. We also met with our GIS team, and they already confirmed that they can do what we want, so... And then the last thing, we're...we applied for a grant for an educational brochure. And this is information for ember ignitions. So, the Fire Department will handle making sure the fire breaks are in place, but we need the public's help to clear around their homes, on their homes. But we need to get that information out to them. So, this is one way that we can get that information to them. So, if that grant is denied, then we'll probably ask for funding, or find something. So, all of these, we have several teams doing research and giving recommendations for wildfire mitigation. We have the Western Fire Chiefs Association. We have the Fire Safety Research Institute. We have the Insurance Institute for Business and Home Safety. And we just met with the FEMA Mitigation Assessment Team last week. And we've been also talking to NFPA and ICC. So, so far, all of the recommendations that were given to us, we're kind of putting in place. Next topic is the four additional Firefighter IIIs. So, one position will be going to our public education area, and three will be going into the fire inspections. So, these are some of the duties that the public education inspections...inspectors do. So, in...or for public education, they conduct safety presentations. They go to public schools and do presentations. They also meet with community meetings and public events. And they also conduct fire and...extinguisher trainings for whoever wants trainings. So, right now, we currently only have one person, and that person is getting, you know, overwhelmed with work. So, plan to have two people, and maybe have them handle half...half the district and half the district. Three...the three inspectors, we plan...well, some of the duties, first of all, is they do installation of fire protection systems, which are currently taking up majority of the inspections. So, fire protection systems are things like your alarm systems, sprinkler systems, your hydrants, your hood and duct system. And whenever a new building is built, there's multiple inspections per fire protection system. Another thing is maintenance of facilities. We are currently trying to keep up with that Hawai'i Revised Statutes law. So, having more inspectors will increase our maintenance inspections. Also, specialty permits. These are things like firecracker permits, fuel tank

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permits, your hazardous materials permits. They handle specialty permits as well. And then community concerns. That's what I discussed earlier, code case, request for service. So, I guess, one inspector is planning to go in the Wailea area, Kihei-Wailea area, because there's a lot of new construction there. So, we...we need help in the maintenance of those areas. And the second one will be going to Lahaina area. And then the third one is being thought about, brainstorming. It could be a rover position, or it could be a Molokai position. And also, some of these positions also do fire investigation. So, a lot of these people wear multiple hats. They help with public ed, inspections, and also fire investigation. Oh, and here are some links for the Fire Code and HRS. And I believe that's the end of my presentation.

CHAIR PALTIN: Thank you, Chief Otsubo. At this time, I'd like to turn it over to Elizabeth Pickett of Hawai'i Wildfire Management Organization. If she has any opening presentation or opening remarks for us, we would be glad to hear them at this time. Thank you so much for coming.

MS. PICKETT: Thank you, Chair Paltin and...and to the whole Committee, for inviting me. For those of you who aren't familiar, I actually represent Hawai'i Wildfire Management Organization. I'm the Co-Executive Director. And our organization is a nonprofit that over the years has become a hub for a lot of things related to wildfire preparedness, planning, mitigation, et cetera. So, we're a typical 501(c)(3) nonprofit. But we have a handful of staff. We have a conventional board of directors. And then we have technical experts from all kinds of fields who come together to collaboratively and proactively figure out how we can move forward to protect communities and natural resources from wildfire. And we were founded in the year 2000. So, we've been around a long time, and we have really clear and deep relationships with our fire agencies, State, County, and Federal. And so, to just add on to what BC Otsubo was sharing, wildfire risk, you can see there's a lot we need to do about it. It's...it's really a system of contributing factors that leads to our wildfire risk. And then it requires a whole...a whole system of actions that work together to then reduce that risk. And there are...there's a simple way to think about it that they've come up with at the national level. And they call it the cohesive strategy, but essentially, it looks at how to create fire-adapted communities. So, that...that's communities and the built environment to be adapted to the...to the level of risk that they face through all kinds of things...awareness, education, work around their homes and yards, safe building materials, subdivision design, et cetera. There's a firefighting piece. But I'm going to focus on the third piece to complement what Maui Fire Department was talking about in terms of managing vegetation on large lands. And so, that really falls under that third key category, which is called wildfire resilient landscapes. And the idea here is that we should be managing our lands to reduce ignition, and to reduce the risk of rapid wildfire spread through them. So, that requires, again, a system of things. So, we have...we have a lot of movement in the world of codes and inspections and enforcement. And I'm so grateful to MFD for pursuing that, and really bolstering their program. And thank you for allowing more positions to be funded for inspectors. I think that is a really, really important piece of what...where we need to go next. But I do want to talk about how fires spread in more than one way. Chief Otsubo talked about it for a minute, but we have to remember that fires spread along the ground, but they also spread through embers and through

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superheated air. And fire breaks and fuel breaks don't stop fires for those...for those types of spread. They provide access. They might slow it down. But we need a whole package of activities in place to really...to really make sure that our landscapes aren't just sitting there with high fire risk and then we have rapid spread through them. So, in addition to codes, there are some other things that we really need to start thinking about. And at that national level, in that category, which is really where all of us are aligning and learning and trying to move forward to, it applies here, which is that there are contributing factors ahead of time. There's vegetation. There's drought. There are things that we can monitor. Disease, invasive species, other things like that, disturbances that create more wildfire risk on our large lands. And then after fire, when we lose our...our vegetation, we also have post-fire landslides, erosion, flooding, and things like that. And so, the idea is to really move forward in managing lands that...in a way that comprehensively addresses all of those wildfire risks, and not just putting in fuel breaks and fire breaks. There's a limit to what codes can achieve, and they're essential. And they need to be proactive. It needs to be robust. It needs to hit all high-risk areas. And MFD is really moving in that direction, and I...I think it's great. And I just wanted to complement what they're saying with this other piece of things, which is that...which...which is that we need to sort of transform how we think about managing land because just letting it sit there with a fire break on one side and then unmanaged is still really risky. And so, we...we've been doing a lot of stuff also that was mentioned, which is to educate large landowners on their options, mitigation planning, best practices for reducing wildfire risk, things like that. But what we're stumbling upon is that there's a whole spectrum of types of landowners. We have landowners who are just totally unaware. Maybe they're not present, they're not here, they own land, whatever, but there's just like an absence of knowledge or interest. There are landowners who are super willing and wanting to be good stewards, but they don't have the resources or the capacity to do all the work that they would like to do to reduce wildfire risk. And then there are landowners who probably it's going to take regulation and enforcement, and it's going to have to be uncomfortable to get them to act. And so, I think we need to think through how to address each of those. And there's probably others, but just as an example, those are some that we're running into. So, on the...the willing, or the people who are motivated by liability and other stuff, they're coming now, and they're...we're...we're providing education and training. But what we're realizing is, I think we need some other system components to support this kind of work. And it would be really helpful if we had tax incentives, or penalties, or something for that larger acreage management, as opposed to just a fuel break 30 feet from the nearest subdivision line or structures. We need to think through how to transform our landscape so it's reducing risk in bigger ways. And really, we can do it through...like if you think about mowing and weed whacking, those are hard to keep up, and it's hard to stay compliant. It can be costly. It's kind of exhausting work. Sometimes it's hard to find landscaping crews or...or...or folks who'll repeat it. They often underbid. It's really hard. And then they don't come back, or it's really expensive. There's just really a lot of challenges with thinking we can just keep weed whacking every two months or something like that. And so, we want to shift over to active agriculture, crops, grazing. Even if it's temporary and the land use changes later when they decide to develop, or whatever they're holding that land for, if there could be some intermediary solutions, or where people have access, or can lease out, or whatever the solutions are. But we need

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to incentivize or penalize just owning land in a way to encourage agriculture, ecological restoration, something healthy going on, on the land that has additional community benefits, like jobs and food, or ecosystem services, or something. And so, there's the codes part, and then there's this how are we going to manage land in the future? And there's a lot of additional benefits from reducing wildfire risk if you use certain directions because ecological restoration, active agriculture, grazing, open space, trails, it doesn't matter. But all that kind of stuff, converting it in some way so it's being used and in rich ways, rather than just sitting there is really where we need to get creative and think through how we can support that. And that is very, very typical in places that have similar wildfire risk as us, is they have a robust, proactive codes and enforcement side of things going on. And then they have all these other features within their bigger regulatory tax political system that's supporting that other land management. So, I just wanted to compliment Maui Fire Department, both kinds of compliment. One compliment in that I think that they're really heading in a strong direction and they're going to probably need to continue to ramp up the capacity to do that codes inspection and enforcement, but then there's this other piece that together, we need to problem solve. And there are examples elsewhere of folks who built that into their bigger systems of policies to support active land use, especially in places like ours where it's invaded, and not managing, and not actively using the land is the source of the risk. So, that's all I have on the resilient landscapes piece. If at any time anybody wants to talk about the communities' part of things, there's a lot of really good stuff going on there too. We have lots of...lots of communities across Maui County have entered into the Firewise Communities Program, and there's a lot of good partner programs we have going with Maui Fire Department and Division of Forestry and Wildlife, but that's kind of separate to this whole landscapes piece. But I'm available for questions for any of that.

CHAIR PALTIN: Thank you, Ms. Pickett. And just to verify, your website is [www...h...dot hwmo.org](http://www.hwmo.org)?

MS. PICKETT: Yes.

CHAIR PALTIN: Okay. Thank you. So --

MS. PICKETT: Yes.

CHAIR PALTIN: -- if Members can just hold their clarifying questions or any questions for the discussion, we'll move into the public testimony phase. Staff, is there any public testifiers signed up to testify for this portion of it?

MR. KRUEGER: Chair, there's currently no one signed up to testify, but we do have an individual who has approached the podium in the Chamber.

CHAIR PALTIN: Okay. Go ahead, Mister...what...what do you want to be called today? You, at the podium. Do you have a preference?

. . . BEGIN PUBLIC TESTIMONY ON ITEM 2(10) . . .

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TESTIFIER 1: How you say fire chief? A fireman, how do you say that? Kia'i...

CHAIR PALTIN: . . . *(inaudible)*. . . and ahi. You want to be called kia'i ahi? Or...

TESTIFIER 1: Kiani *(phonetic)*, something like that. Where's our Hawaiians today?

CHAIR PALTIN: Are...are you testifying anonymously today?

TESTIFIER 1: Yes.

CHAIR PALTIN: Okay.

TESTIFIER 1: Oh, the 'Ōlelo... 'Ōlelo for today is kāhea pau ahi. And the line is over the first
A on kāhea, means fire alarm.

CHAIR PALTIN: Thank you, anonymous Testifier number 1. Any questions for the testifier?
Does...does that conclude your testimony? Thank you. All right. Any further testifiers?

MR. KRUEGER: Yes, Chair. The next person signed up to testify is Mike Moran.

CHAIR PALTIN: Okay. Mr. Moran, it's your turn to testify.

MR. MORAN: Good morning, Chair Paltin. Mike Moran.

CHAIR PALTIN: Good morning.

MR. MORAN: While I'm with the KCA, I'll say my testimony as...as an individual this morning because we didn't clarify that we'd be testifying on this. So, I'll just say as South Maui resident. First of all, mahalo to you for...for bringing this issue. Where the...the community association is constantly inundated, what...what are we doing about this? It seems like we're just talking, and months go by. And one scenario we have is, sadly, the...North Kihei experienced exactly what Lahaina did over the years, where we had, you know, wildfires ripping across the land, heading toward our...our first settlement in North Kihei, and just missing. I mean the first time, and I believe it was in 2018, those of you who remember when Doug Bigley's project was going up there at the top of Kaiwahine, and I happened to be up there looking at the construction that day, and I saw the fire start out in Waikapū. Well, then we know what happened afterwards. So, I went up the next day, and the land outside Bigley's project against that black fence was as black as the...as the fence. So, you could see that fire got right to that edge of the construction. It didn't go through, but they had over a million dollars' worth of smoke damage. And I talked to a firefighter the next day, and just in appreciation, he said, Mike, there was nothing we could do. We...we were standing and looking at it coming. The wind changed and blew it Upcountry. He said, otherwise, we were...so, we had that warning, and you had. We had a second warning, one burned more recently right to the edge. And as a layman, and with the association, we're doing everything we can. We've had these good people that you've had on talk to our community, the Chief

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and Elizabeth. We are meeting with a...a--I think it's called a task force, and the next meeting is tomorrow--we have a meeting with them, you know, professionals, including Elizabeth and the Fire Department. So, we're doing all we can, but we keep hearing from the community. We don't see anything happening, with the one exception that the DOT did a...a firebreak in South Kihei, but we don't see anything else. And of course, that's what people are looking for. And we try and repeat to the community what we hear, like from Elizabeth. I don't know how many people I've told, clear up your own area. Take care of your own house. And if the guy's . . .(timer sounds). . . place goes next door, yours will be protected. But, you know, human nature, they shrug that off. So, without...trying not to whine too much, that's what we're hearing. And we know everybody, all the entities are doing everything possible, including you, including the guests today. So, we commend everybody's efforts. But when people go out the Veterans Highway, and they see all that land just overgrown, it...it's...the fear is there. So, thank you for the opportunity to express my points.

CHAIR PALTIN: Thank you, Mr. Moran, for your testimony today and all your hard work. Members, any questions for the testifier at this time? Seeing none. Thank you for...oh, wait, we got...Member Sinenci has a question for you. Go ahead, Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair. And mahalo, Mr. Moran, for your testimony this morning. You mentioned the Veterans Highway, and I was just curious if you're...do you...who's the landowners along...along that highway?

MR. MORAN: Well, the vast, vast majority is Mahi Pono. I mean, there are little pockets. Hawaiian Home Lands has a little land, DLNR has a little land. Even A&B has one tiny, but just...well, of the whole thing, I would guess it's like 95 percent Mahi Pono. And close to Kahului, that's where they're growing crops. And that one...but the closer you get, the further south you go, closer to Kihei, that's where it's all wild overgrown.

COUNCILMEMBER SINENCI: Okay. Thank you, Mr. Moran. Thank you, Chair.

MR. MORAN: You're welcome.

CHAIR PALTIN: Thank you, Member Sinenci. Seeing no further questions. Thank you so much for your testimony. Looks like we had another testifier sign up. Miss...is it Ms. Chase next? Ms. Chase, now is your opportunity to testify.

MS. CHASE: Aloha, Chair. Aloha, Committee. Thank you for this time. I just wanted to, again, express the importance of rotational grazing when it comes to fire prevention. Sort of by the lead of Councilmember Shane Sinenci, Kahikinui Hawaiian Homestead was able to get drought water relief assistance a couple years ago. And moving forward, that grant was able...we were able to leverage that grant for another grant, which is a pilot...second phase of a pilot project of rotational grazing. So, kind of exciting, you know, not everybody has the opportunity. And I...I did speak to the Chief of Fire at a Kaupō community meeting about this. It's in a lot of the sort of materials about fire prevention, rotational grazing. Of course, not everybody has that opportunity, right, to have animals to do that. But I'll just want to keep saying it over and over again, that

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when there's the opportunity to support agriculture, the farmers, even...even as small...small as, you know, a pig farm, that can also do...that can also serve well in that rotational grazing space. And I look forward to sharing reports of remediation. We're actually already working on the third phase of funding, and it looks to be a good project to model. And anyway, I just want to keep saying, you know, just broken record, just keep saying when there's the opportunity to do rotational grazing, please try. I'm...I am coming from an experience-based place. I was raised on a Black Angus cattle farm in Kīpahulu. And, you know, now it's all overgrown, but my...my family was able to help keep that 'āina, you know, green and free of debris for many, many years. So, anyway, just wanted to keep impressing that. When can, please try. Thank you.

CHAIR PALTIN: Thank you. Members, any questions for the testifier? Seeing none. Thank you for your testimony. Is there anyone else that was wishing to testify?

MR. KRUEGER: Chair, there's currently no one else signed up to testify, so we'll do a last call at this time. If there are any individuals who have not testified and would like to do so, please identify yourself now. On Teams, you can do that by using the raise-hand function. We'll do a countdown...three, two, one. Chair, no one has indicated that they would like to testify.

CHAIR PALTIN: Thank you. Members, any objections to closing oral testimony and accepting written testimony?

COUNCILMEMBERS: No objections.

CHAIR PALTIN: Okay. I will now close public oral testimony for this item.

. . . END PUBLIC TESTIMONY ON ITEM 2(10) . . .

CHAIR PALTIN: I...I believe--Ms. Pickett, do you have to leave at 10:30; is that correct? Okay. So, for our first rounds of questions, I'm not going to impose a strict time limit, but just realize that Ms. Pickett needs to leave at 10:30. So, if we can direct our first questions to her before she leaves and give enough room for your colleagues to ask questions, don't be a question hog like sometimes I am. But we'll...we'll go with Misses...Ms. Pickett first and then the Fire Department because I think they can stay past 10:30. So, go ahead, Member Cook, for your first round.

COUNCILMEMBER COOK: Thank you, Chair. My question...good morning, Ms. Pickett. Thank you for your work. I've had the opportunity to hear you a variety of times, and you're doing a great job. Keep it up. My question is, you made a comment about in other jurisdictions' methods to...of enforcement and is linking it to property tax. Do you have any examples that you could share with us or send to the Committee of jurisdictions that have utilized that? We have notice of warnings, notice of violations. We have fines, but Maui has...off-island...especially in South Maui and my district, tracts of land that people own, or corporations own, or LLCs own, and it's difficult to identify who the owner is to contact them. But if somebody's paying the property tax,

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it seems to be linked. So, anyway, my question, do you have examples of that that you could share?

MS. PICKETT: Yeah, I'd like to get back to you with a little package of examples, if that's okay. I can send it to you later, but I can give you some...some additional information in general. Because there are several states who are dealing with wildfire risk and fuel breaks and buffers, those are important, but it's thinking about just...it's...it's really about...it's more like incentivizing agriculture or offering programs to support folks who want to manage their fuels, whether it's through conventional methods and machines and other things, or you know, planting or doing grazing cooperatives. Or it's really about supporting those programs or building that into the tax code where their property taxes are reduced if they are having those kinds of things happen. So, there's a different...a few different ways. There's the tax incentives or penalties related to how they're using their land and managing it, looking for actions that reduce fire fuels, reduce fire risk for sustained...you know, better management of land. And it's usually just putting money into those programs. Or there's another...another set of things, which I didn't mention, but I did say some people are willing to be good stewards, but they lack capacity. So, there are other states that actually...states and counties across the U.S. who actually create funding programs to which land stewards can apply, to get the money to put in the infrastructure they need, or to buy the plants, or to pay for the water or the staffing to actually do the work on the land. So, there's like a whole menu, or a whole toolbox full of tools, and I might put together something so you can kind of see who's doing what and what might be possible. But so far, none of that's happening in any County or in the State for...in Hawai'i, but it is happening in other places that have risk.

COUNCILMEMBER COOK: Thank you very much.

CHAIR PALTIN: Are...are you done? Okay. Member Sugimura?

COUNCILMEMBER SUGIMURA: Yeah, thank you. Nice to see you, Elizabeth. Thank you for coming to my community Upcountry and speaking with them. I'm just curious, this Western Maui Community Wildfire Protection Plan, do we have an update for it? Because I see the Chief there is Jeff Murray that's supposed to sign off on it. So, do we have another one that we're working on?

MS. PICKETT: Yeah. This is where basically no County or the State is...has any funding programs for any of us to do this kind of work, but we need to do an update. Together with the Maui Fire Department, we applied for Federal money to update that plan, and we were not awarded the funding. So, it's...it's a...it's a tricky funding landscape out there to do any mitigation work or any wildfire planning. There's like two Federal sources, and we're all competing against each other to try to get at the money to take those actions. So, if there's a way to get that plan covered...and since we're on it, I might...I might need to myth bust a minute...for a minute, which is that the community wildfire protection plans are...initially were there to...it's a document and a process, but it's a misnomer. It's a Federally-recognized name, but it's not a plan of like exactly this is what should be happening. It doesn't come with authority, and it doesn't come with

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money. So, the plan's only as good as who shows up, and who starts to collaborate, and who tries to get things done. So, for a very long time, we had the hazards identified. We had projects identified, and our struggle has been to find the funding to then implement. And so, that plan, almost nothing has really been done except for the educational programs, the homeowner programs, things like that, that we've been able to do at a Statewide level from our organization and with our fire partners. But even the plan you have in place, there's a lot that isn't done yet that still is a really good foundation from which to work. But it could use a new update because I bet a lot more people would come to the table to co-identify priorities and projects. But again, even once we have that plan, it's just a starting point, and we need collaborative action, and we need to find money to get the projects done, which is where we've had the collaborations, we know the hazards, we know what to do, we know how to do it. We've lacked money this whole time to get any of that work done that was in that plan. So, even with an updated plan, which I'm in support of, we're going to need to figure out how to get it funded and not rely on enormously competitive Federal programs where we're competing against the whole country to try to get our projects done.

COUNCILMEMBER SUGIMURA: Could I ask how much that grant was for that got denied for the update?

MS. PICKETT: We'd have to look, but if I guessed right now, I'd say something like 120, 140,000, something like that.

COUNCILMEMBER SUGIMURA: And the implementation part is separate. So, just to write the grant and update this. So, right...

MS. PICKETT: Yeah, except the way...oh, sorry.

COUNCILMEMBER SUGIMURA: No, go ahead. Go ahead.

MS. PICKETT: Okay. I was just going to say, yeah. Well, we...at least at Hawai'i Wildfire, we're very aware that these plans can't just sit on the shelf. So, we...we have...I don't know why the Maui County ones weren't funded. We actually cut and paste the application for all areas across the State to get updated, and a lot of the other ones got funded. So, I don't really...it's all about the like randomness of the evaluators, I think, because it was the same identical application. But in order to offset some of what we know is a challenge from just pumping out a plan and not having it yield anything, we have built into the planning, moving forward for our community wildfire protection plans across the State, to have two years' of ongoing collaborative action groups so that we can keep on talking about it, keep on identifying projects. Hawai'i Wildfire has funding to help people apply for grants. And so, we want to produce the plan, do those initial community input, agency input meetings, have that be the foundation, but have ongoing working groups so that we continue...can continue to work together and try to get stuff done, whether it's by volunteer or by little bits of money we can find along the way. But the plan now across the State is as we do these updates, we keep the conversation going and Hawai'i Wildfire can host that so that we can just keep all coming together, anyone interested in continuing the work. So, there's a little bit of action in...in terms of that,

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like having like an action hub and getting some stuff done, but we are going to need to find funding for the longer term and the bigger projects.

COUNCILMEMBER SUGIMURA: So, the implementation portion is the challenge, I would imagine, where --

MS. PICKETT: Yeah.

COUNCILMEMBER SUGIMURA: -- a bigger...bigger pot of money. But for grants that are available now for private landowners to apply through you, what is the amount, and what is it for?

MS. PICKETT: So, there are two grant opportunities. I mean, they don't come through us, but we have...we raise funds to be able to help people apply. The first one is, there's an application that goes through State Forestry, and it's...locally we call it the Wildland Urban Interface Grant, but it's a Forest...a USDA Forest Service Grant Program, and it's up to \$300,000 per project, and it lasts for two years. And then the other one is this big national grant program that has two rounds out of five...no, three rounds out of five left in it, and it came from the infrastructure law. And I think the projects can be up to 10 million, but I'm not aware of anybody who's gotten any of the big number projects like that. And the grant term is for five years, and it's called the Community Wildfire Defense Grant. And so, we're assisting, but just to give you some...some context, almost \$100 million of applications went in across the country, and they only funded just under...or around 20 million. And in Hawai'i alone, \$65 million of applications went in, and 5 million were funded. So, it's super competitive, and that's all we got in terms of getting any projects, any fuels management, any community programs. Even the Firewise Program, it didn't get funded. So, it's really competitive. So, that's why I say, I think we need to look at other parts of the system to kind of bolster our opportunities to take action.

COUNCILMEMBER SUGIMURA: Okay. Thank you very much. Thank you, Chair.

CHAIR PALTIN: Thank you. Member Sinenci, your opportunity.

COUNCILMEMBER SINENCI: Mahalo, Chair. And mahalo, Ms. Pickett. When Officer Otsubo mentioned that some of their laws, bylaws, are...are governed by State, County laws, including HRS, and he did mention that they're...he's presenting an amendment. Have you been working with the Department as far as drafting any type of wildfire litigation...mitigation...well, legislation? Sorry.

MS. PICKETT: I was going to make a joke because we're not involved in any litigation, thankfully, but mitigation, for sure. So, yeah, I guess the answer is yes. We haven't been super intimately driving anything, but we partner as much as we can. We're helping make risk maps. We're helping identify the highest risk areas. And then the Maui Fire Department folks, we...we...we're talking all the time. And so, as they're making amendments, they run it by, you know, experts and partners, and we're one of them. So, yeah, we've been included along the way, for sure.

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COUNCILMEMBER SINENCI: All right. Great. Thank you. Thank you, Chair.

CHAIR PALTIN: Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. And aloha, Chief, Assistant Chief...or Battalion Chief, sorry, and Ms. Pickett. Mahalo for being with us today. I'm...I'm multitasking, so, my apologies if I...if I missed it, if you said it earlier, Ms. Pickett. But in your opening remarks, you talked about like transforming landscapes. So, we're not just, you know, trying to put Band-Aids with, you know, animal grazing as mitigation, but really, turning landscapes into, you know, like maybe food forests, or if something that wouldn't be as flammable. So, I know you...you spoke a lot about funding for, you know, like--what is that--urban-wildland interface mitigation. But did you hit on some of the potential funding for transforming landscapes, such as into food forests? I know there's a lot of like climate change funding out there right now. So, it may not, you know, on the face be fire mitigation funding, but as we're discussing transforming landscapes into one that's less flammable and one that's more productive, you know, for the community as a whole, you know, there...there may be funding out there. I know of a lot of climate change funding out there that perhaps could be used for that purpose.

MS. PICKETT: Yeah, those aren't anything that we're tracking specifically, but what we're doing is doing a lot of that education on what...what some of those integrated solutions are. So, real quick, I want to be clear that any kind of agriculture, food...food forests, or grazing, or crop production, those are transformations. So, grazing isn't a Band-Aid. What's a Band-Aid is mowing. And then two months later, you have to mow, and you have to mow, and it's like that. That's what the Band-Aid solution are. It's still important, and it...it serves an immediate risk reduction purpose. But the longer-term production of food of any kind, including animal proteins, but also just grazing, food forests, all these integrated solutions and ecological restoration that isn't including or making food, but it's restoring other landscape function and native habitats and things like that. All of that reduces fire risk. And each of those are very specialized. There are...through Division of Forestry and Wildlife, there are forestry grants available. They're all on their website. So, we basically steer people in the direction they want to go, and just encourage them not to just let their land sit. So, you're right. There are agricultural opportunities. NRCS has a lot of opportunities to support agriculture, water infrastructure development, other things like that to support grazing and agriculture. And then there are forestry grants and ecological restoration grants. And I'm not as familiar with specific climate change ones, but you're right, that that's a whole nother category. So, that would probably be beyond our tiny team to try to figure out every single grant. But instead, what we're doing is laying that foundation of how best to mitigate what the options are, how to follow through with it. And then if they find applications, we can review their applications and try to help them get in some good proposals.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Ms. Pickett. And then I guess I'll...Chair, I'd like to turn the question over to the Department as well. I know that agriculture and

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transforming landscapes isn't exactly under the Department of Fire and Public Safety. We do have the--what is that?--fire mitigation prevention...Fire Prevention Division. And so, you know, with the Administration working on...or...or...or establishing different working groups, do you...do you know if there's like a working group where, you know, fire prevention and agriculture intersects and, you know, like there's that kind of maybe discussion on that intersection of, you know, transforming landscapes for the wildland-urban interface? . . .*(laughing)* . . .

MR. VENTURA: Perfect. Yeah, great...great question. So, you know, we...we talked about where our Department has teeth and what we can do with enforcement and prevention. But when our...I wanted Elizabeth to talk about exactly what she did because it is outside of our purview. However, when we had our three meetings with the large landowners that Chief Otsubo mentioned, that transformation of land, especially in and around neighborhoods, was discussed. And then also, we have our wildfire task force that we do in various districts--Molokai, Lānaʻi, Kīhei, West Maui has all these task forces. And those conversations also shall be coming up amongst that group. We have definitely received a lot more participation from large landowners over the last eight months, which is a very good sign. It's a good indication that they recognize that they're part of the solution, and that they should be making an effort to make things better on their lands.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chief. Mahalo, Chair.

CHAIR PALTIN: Thank you. Chair Lee, your opportunity.

COUNCILMEMBER LEE: No, thank you. I'm just listening.

CHAIR PALTIN: Okay. For Ms. Pickett from myself, when...when we were in Yosemite this past few months ago, they were talking about one...one lady that worked in the fire response was talking about wicks, about, you know, if you are rebuilding with wood and you have a fence, you want like the last five feet to be noncombustible. And the, I guess, vents coming into your house, you don't want them to be able to have embers go through. As well as, I guess, you know, we have a few neighborhoods in West Maui, I'm not sure about other portions of the...the County, with zero lot lines. And I was wondering, is there any, I guess, legislation in that respect that we should be considering, like that new buildings, or retrofit buildings so that they don't have those...I guess it's kind of similar to a candle wick, where if a fire is coming through, it helps the home be more resilient. Are...are you aware of any legislation across the country that guides building codes to not have those candle wick-type situations?

MS. PICKETT: Yeah, I'm so glad you brought that up. I focused more on the landscapes portion of things, but there...there...there are many places where there are building codes that are increased and strategically oriented in areas of high fire risk to have ignition-resistant materials. And that's everything from roofs to eaves, to siding, to vents, to under...and post and pier, to like how to cover underneath your...under your lanai, things like that. And also, materials used for walls and...like rock walls instead of wooden fence. What to do in that zero to five-foot home ignition zone, which is the

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most...you know, the...the most impactful place to take action. So, that's called home hardening, that big package of activities that you mentioned. And a million percent, I can't say strongly enough how I'd like to see our counties and State have regulations that require wildfire ignition building materials...wait, wildfire-resistant building materials. And there's the home...the home safety, right, home and yard that needs to be managed with home hardening and defensible space and how you manage your yard and your vegetation. But also, the built environment, if you zoom out, we need better subdivision designs where we have two ways in and out of every community. There's a lot of buffers around all of our new developments, and maybe retrofits to make sure that we are managing vegetation and putting access for firefighting and adequate water resources on the larger landscape. So, all of those things have more to do with the built environment, but they're integrated with what's going on on the larger landscape. And together, that whole system needs to be in place. And so, a lot of times, people are just picking which part to think through, but actually, all of it matters. So, there are examples in many states that are...that have really moved forward to...in increasing the regulations on the built environment. And usually, it's from new developments forward, and then to retrofit. Usually, there's some kind of cost-share program to encourage homeowners to then do those retrofits.

CHAIR PALTIN: To your knowledge, has it made building more prohibitive? I mean, on the continent, it may be easier to get those things. Are there things that are specifically not prohibitive that could be done? Or are these things not prohibitive in...in your experience?

MS. PICKETT: So, I'm so glad you're asking these questions. This is...this especially when we're thinking about rebuilding. I've...I've done a deep dive lately to understand the costs. And a lot of times, people will use the costs for retrofitting a structure as why it's cost-prohibitive. And they'll say it's 8 to 25 percent more expensive. But actually, when you build back...or no, when you build safe from the start, and you have all that total system of components in place from the start, it's like maybe 1 to 1-1/2 percent is the national average of what it might cost you upfront. And it's doable. And so, we're working with...we're working with some economists at the national level who have Forest Service funding to help areas identify exactly what materials are locally available and how much those costs are. And so, we're actively working right now on a materials list where you can get it at Home Depot or Lowe's or they ship to Hawai'i. So, we're actually working really hard to identify those true costs for people who live here. And I don't know the answer to that yet, but it's in process. And they're telling us probably by August or so, we should have a really...really clear numbers on that. So, we're super excited to finally have a list like that for Hawai'i. But it's things like Hardie...Hardie board and metal roofs and things that we use all the time here. So, it's not outside of possibility that we could start building a lot safer and...and require that.

CHAIR PALTIN: So, have you seen in other jurisdictions them offering incentives that would offset that 1 to 2 percent, like maybe property tax reduction for a number of years, or possibly reduction in permitting fees if they use these types of materials?

MS. PICKETT: Yeah, I think there's precedent for that. And...and there's also some...I know

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some city fire departments have been able to advocate and get--you know, I guess that's equivalent of our counties--but get their local jurisdictions to create funding pots where people can do a cost-share. So, it's like they'll pay half and the city or county will pay half to do those retrofits. And so, there's a lot of ways to set it up so that some...they get some kind of relief somewhere to make it...to encourage them and to make it possible for them to do the...to...to build safely.

CHAIR PALTIN: Cool. And just checking, would this be on your website, like examples of other jurisdictions' legislation on the built environment or home hardening?

MS. PICKETT: Home hardening, absolutely. The numbers and costs for Hawai'i are not on there yet because we're still working on them. But even the "Ready, Set, Go!" guide that we provide with our fire departments and fire agencies as the first level of preparedness education, the centerfold is all the things that you can do--you know, class A roofing, close your eaves, make sure there's...you know, your...your vents are screened, et cetera. It goes through all of those different things. So, most of our materials have the concepts and the information on them because they're so vital to home and family safety. But we're working on some additional materials that have more of where you can get it and how much it costs and whatever else. But what we're trying to encourage people to do who might be building from the start are to do it all together as a package or a system. Because you can imagine after the fact, you might, you know, replace your roof, but you still have your vents opened. Or you might do your vents, but you still have, you know, wood or highly ignitable building materials in other places. And so...or you might have single-pane windows, you replace those, but you didn't do your roof yet. And so, all these things are much easier to make sure your whole system of your house is safe when you do it from the start. And we're really trying to produce some materials that itemize everything and kind of make it easy to do that.

CHAIR PALTIN: Awesome. And...and just to verify, those would be on your website hwmo.org under the "Get Prepared" tab?

MS. PICKETT: Yes.

CHAIR PALTIN: Okay. Thank you. Mr. Cook, any round two questions for Ms. Pickett? We have her for seven more minutes.

COUNCILMEMBER COOK: No, Chair. Just thank you for your work, and I look forward to working with you in the future. Aloha.

CHAIR PALTIN: Does anyone else have round two questions for Ms. Pickett? I don't want to be a question hog. Member Rawlins-Fernandez? Okay, cool. If you do have any of the legislation from other jurisdictions in terms of building materials, or zero-lot lines, or any of those things, the one...two ways in and out, please do send them to our Committee. For the most part, we try to see that there's more than one entrance, at least on a...on a emergency access basis. But we have approved some without that, in my recollection. So, we'll make better efforts and maybe Code changes. So, everybody else is good? Okay. Thank you so much, Ms. Pickett. And we'll be in touch. Please

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don't hesitate to let us know if you have any legislation that you'd like us to propose or things that you'd like us to do with you.

MS. PICKETT: Thank you so much for that. Thank you.

CHAIR PALTIN: Thank you. Okay. Now, on to the Fire Department. Any questions? Let's see. Member Cook, you want to...oh, Member Sinenci, you want to start us off? Sorry, Member Cook.

COUNCILMEMBER SINENCI: Thank you, Chair. And yeah, I'm just listening to Commissioner Gore in Sonoma County. He's updating people on...he has a wildfire near the Sonoma Lake. And so, he's talking about...right now he's giving updates, but he's also asking people who live near the fire, you know, just to be wary of the evacuation if they need to evacuate. So, I guess my question to Chief Ventura is, for those areas with large...some of these large areas, are there ample...do you see enough ample evacuation routes for those high-populated areas that might be near possible, you know, large areas with...that require land management?

MR. VENTURA: Certainly. Chair? Yeah, the...that's one thing that we're focusing on right now looking ahead to communicate to the community is evacuation routes. We're working closely with MEMA to identify them, communicate it to the public, and then have people, you know, plan them out. Councilmember U'u-Hodgins is having a meeting shortly in the Pā'ia area to involve members of that community to actually do...like drive along the evacuation routes through the Mahi Pono lands. And Mahi Pono has provided keys to gates and such. So, there is a lot of evacuation routes that aren't normal roads that we're willing to use. But the key to evacuation is...is being prepared and not waiting until the last minute. Because if everybody leaves at the same time, there's always going to be traffic. And no matter what community you're in, anywhere in America, if everybody gets on the road at the same time, there will be a traffic jam.

COUNCILMEMBER SINENCI: Got it. So, it's not just people that live within the vicinity, but you know, keeping roads clear for those residents can evacuate. Commissioner Gore has...has talked about defensible space as well. What can some of the residents do for defensible spaces, I guess, around their properties?

MR. VENTURA: Yeah, so that's a great question. And I think one of the challenges we have in Hawai'i is that the cost of land is so expensive that it's hard to enforce legislation or ask people to create that zero to five feet of noncombustible space around their house. Many houses just have a six-foot setback from their neighbor's property. So, if you ask them to grow nothing in the first five feet, that means they really can't have any vegetation around their house. So, if you look at the HWMO, the "Ready, Set, Go!" guide, the Firewise Program, some of the legislation in California, Arizona, they have required no vegetation, no combustible material from the outside of your house to a five-foot mark. And in a 4,000 to 5,000-square-foot lot, that's very hard to do. So, if we do want to move in that direction, I think what Elizabeth alluded to was community planning. When we plan these neighborhoods, maybe we do need to do slightly larger land so that we can create defensible space around the homes. And then also, in the planning of

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these developments, make sure we're planning two ways in and out. Councilmember Paltin, Chair, and I had many conversations a year, a year and a half, two years ago about this in...in many of her neighborhoods, and our goal was to try to, you know, come up with other ways out of neighborhoods to keep people safe. Because traditionally in Hawai'i, if you look at any neighborhood built in a valley, there's only one way in and one way out. People aren't going over ridges to get out. So, it's almost impossible in some places, but where it's possible, we have to focus on creating two ways in and out when we develop new.

COUNCILMEMBER SINENCI: Thank you, Chief. And then you did mention on...on DLNR State lands, does...DLNR will mitigate those properties...in your opening comments?

MR. VENTURA: Yeah. So, Chief Otsubo alluded to when we do maybe a complaint from the public, and it is on DLNR or State lands, we will contact them directly, and they will be the ones that mitigate the Fire Code violation on their property, usually utilizing DOFAW or Department of Transportation, HDOT.

COUNCILMEMBER SINENCI: Okay, great. Thank you. Thank you for that. Thank you, Chair.

CHAIR PALTIN: Thank you, Member Sinenci. Now Member Cook.

COUNCILMEMBER COOK: Thank you, Chair. So, Chief, following up on Mr. Moran's comment and question, I think on the Mokulele Highway, DHHL has the property on the west side by the Hawaiian Cement light. That's their industrial area. And then they have large tracts of land over there, 4 to 600 acres. And then the drag strip is County property, I believe. So, that inspires me. I'm going to have my office, we're going to look at that, the TMKs and label it so that at our community...maybe at our town hall, be able to have that so people can know. But having said that, DHHL is pretty understaffed. And I think they have the property where a lot of the old World War II Quonsets and stuff are; is that correct? Is that the DHHL property?

MR. VENTURA: That sounds about right.

COUNCILMEMBER COOK: When I...when I talked to DLNR, they were saying that was one of the problems with them controlling the derelict cars, unsheltered, et cetera, over that was they didn't really have the personnel. So, in...in my...my district in South Maui, a lot of the spaces are...a lot of the undeveloped areas are relatively large. They might be from one acre to five acres, not necessarily applicable for any type of agriculture. The...I commend the Fire Department for being responsive to coming to complaints. People...our office has reached out and worked with your Department. And they...people clear around the perimeter and then they leave it in the middle. And so, we've had complaints and follow up on that. But that just leads us to the fact that these off-island owners that may be private, they may be a corporation, that may be an LLC. So, identifying who the owner is and getting them to do anything, do you have advice?

MR. VENTURA: Yeah, thanks for that question. We...when it...there's a lot in that statement. There's a...when we initiate the clearing of land, we direct the landowner to remove

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what's the violation from the property, not just cut it and kind of push it into the middle, which is a problem in lots of areas of the island. The...but when the landowner takes it upon themselves [sic] to do it prior to us showing up, they think they're creating a safety barrier around their large acreage by just pushing all that debris in the middle. So, we...if we get requests from the community, we will follow up with those landowners. Most landowners are pretty compliant, although slow once the Fire Department gets involved. If they're not compliant, then we have the process. Once we go through the notice of warning, notice of violation, then we would hire somebody to do the work for them, send them the bill. If they don't pay the bill, that's when the lien can be added to their...their...the property. When the...when the debris is left on the property, it obviously looks bad. It becomes a fire hazard and the vegetation's dangerous. So, we want to be able to feel a bit more proactive with these new inspectors, to maybe get to the landowners who...who are volunteering to do the work, but work with them in our...in our meetings, and include them in our large landowner meetings so that they are doing the right thing, not just what they maybe think is right or think it meets the Code, but still is a little unsafe. So, those landowner meetings are important.

COUNCILMEMBER COOK: Sorry to cut you off. Thanks. Another challenge that's...that's sort of layered in that is when there are unsheltered people who are camping on the property. And I...I...from communications with other departments, sometimes it's difficult to address that if they can't get ahold of the landowner. But that's what people...and have...that's one of the big complaints to my office isn't so much that there's houseless people living on the property as they're concerned about the fire hazards of people living on it. So, anyway, can you briefly tell me--and if not, maybe we can give it to the Committee--I'd like to know the...kind of like the timeline for the prevention and enforcement. So, somebody's going to give you a notice, you receive the notice, and then about how long it takes usually to get to inspect the property, and then the time frame for...and issuing a notice of warning to the...to the owner, and then the time frame after that of notice...issue of notice violation if they don't comply, and then the time frame to issue a work order to do the work, and then subsequently bill the owner.

CHAIR PALTIN: Before you answer, Member Cook, do you mind if I have them also go from one step back as to how a member from the public would log that complaint, so people know the entirety of the process if somebody's watching at home? How do they do that? If you can...

COUNCILMEMBER COOK: By...by all means, Chair. Thank you.

CHAIR PALTIN: From that...that point there, somebody sees something they think is unsafe, what...what's the first step?

MR. OTSUBO: Okay. I can...I can answer that. When...we have several ways you can report complaints to us. One is on our website, we have an email address, that's fire.prevention@mauicounty.gov. It also has a phone number on there. And then another one is our SeeClickFix program. So...and once we get the concern, we handle it the same way. It's assigned to an inspector. The inspector, depending on his schedule, will schedule the inspection with the requester and do an inspection. So, the

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initial inspection, they'll determine if that concern is in violation or not. And whether it's in violation or not, they'll get back to the requester and let them know what's going on. So, as soon as...if a property is in violation, a warning letter is sent on the same day...or when they have time, as soon as possible. They'll allow 30 days to contact them and come up with a plan. If there is no contact within 30 days, another inspection is made. And if property is still in violation after 30 days without any contact, then a notice of violation is sent. So, notice of violation, we also give another 30 days, and it's the same thing. If they don't contact us again, we'll send the inspector to inspect after that 30-day period. If it's still in violation, then that's when we let Corp. Counsel know, and we go ahead with moving forward with fines and fees. And then how that works now is we have a third-party collection agency that's helping us. And we are also in process of, I guess, amending the fee section because HRS put in a bill in place that is going to be in effect pending Governor's signature. So, it was up to \$500, and it will be \$2,500 per day. Yeah, that's the change in the law. So, whenever the Governor signs it or a certain time frame, it becomes law?

MS. TRENHOLME: . . .*(inaudible)*. . .

MR. OTSUBO: Okay. So, it becomes law when the Governor signs it or a certain time frame, but we don't know the time.

COUNCILMEMBER COOK: Okay. Do I have time for one more clarifying question?

CHAIR PALTIN: Sure.

COUNCILMEMBER COOK: Thank you. Is the...the 30 days for the notice...notice of warning after inspection, the 30 days to notice of violation, and then the time frame to get it cleaned, is that something that can be changed by ordinance to be like two weeks? Because I'm saying during the summer, during a drought, two, three months, doesn't...it adds up. And it is no reflection on the Department whatsoever. I'm trying to say like what is possible to enable the Department to enforce these things quicker, but still being realistic for people being able to comply.

MR. OTSUBO: I believe that's possible, but Christie from Corp. Counsel can explain.

CHAIR PALTIN: Go ahead, Ms. Trenholme.

MS. TRENHOLME: Okay. Thank you. Yeah, Councilmember Cook, we are...we're looking at potentially tightening up those time frames, and I believe we can do that, especially after the notice of violation is issued. We can maybe tighten it up to as short as five days. They would have an appeal to the Board of Variances and Appeal. So, I think we're working with the Fire Department, and they're looking at, you know, the types of risk of what the property...you know, if it's tūtū's property and it's an overgrown tree versus like a large landowner, I think they're kind of assessing the notice of warning and then notice of violation process. But we can tighten up that notice of violation and appeal period under the HRS.

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COUNCILMEMBER COOK: Is that an administrative task or is that a legislative task?

MS. TRENHOLME: We'll be updating the Fire Code...or...or they...I'm assisting the Fire Department with updating the Fire Code, and so, that will be part of the potential update, to tighten up those time frames.

COUNCILMEMBER COOK: I don't want to be a hog. Next.

CHAIR PALTIN: Okay.

MR. OTSUBO: And I would just like to add that in HRS, it says we can...for repeat offenders, we can skip the notice of warning stage. So, we're going to add that to our County amendment.

CHAIR PALTIN: And...and just to follow up while we're on the issue, do you need our help right now with the Fire Code update, or you'll bring it to us when we're ready, and it'll go through the Fire and Public Safety Commission, and then come to us? Is that the process?

MR. OTSUBO: Yes. So, our process is we work with our Department and Corp. Counsel, and then when it's ready, our fire chiefs...we brief the fire chiefs and it goes through all of the different committees. So, you guys will have a chance to adjust any Codes or comment at a certain time.

CHAIR PALTIN: Okay. And you guys are working on it, so we're good with that?

MR. OTSUBO: I believe so. Christie's on it.

CHAIR PALTIN: Awesome. Okay. Member Rawlins-Fernandez, your opportunity.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. No questions at this time.

CHAIR PALTIN: Member Sugimura?

COUNCILMEMBER SUGIMURA: Thank you very much. Just a quick one then. When you're ready for the fee schedule to be changed, we'll look forward to that once the...the Governor signs. So, did you say 1,250 it goes up to, or was it 1,000?

MR. OTSUBO: It's 2,500 --

COUNCILMEMBER SUGIMURA: Oh.

MR. OTSUBO: -- per day.

COUNCILMEMBER SUGIMURA: 2,500.

MR. VENTURA: Yeah, up to.

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COUNCILMEMBER SUGIMURA: Oh, up to.

MR. VENTURA: So, I'll just add a little bit on that. So, historically, in our Code, we could charge a maximum of \$500. So, what that tells a landowner is they're only going to be charged \$500 for us to do all this work--hire a contractor, clear their land, send them a bill, and then they'll be happy to pay it. With this new legislation and us being able to charge up to \$2,500 per day from the notice of warning, that adds up really quick. And so, now we're going to be...sorry, and after the notice, the second warning, the notice of violation. So, a notice of warning, they have 30 days to do it. We give them the notice of violation, then we start the clock. If they don't act, and we have to then go hire the contractor for them, up to \$2,500 a day on that violation. So, this is going to obviously encourage people to be a little bit more proactive, and understand the Fire Code, and meet the Fire Code on their property. Now, people need to recognize, Fire Code isn't clear the whole land, but if there is a Fire Code violation that we've identified, that they have to address it quickly. Otherwise, it'll cost them a lot real fast.

COUNCILMEMBER SUGIMURA: Yeah, that's great. So, I guess you're going to have some education out for the community before we start implementing.

MR. VENTURA: Yes, that's a good point. So, in talking with Corporation Counsel, that definitely once that law is signed, it'll go out on our social media, it'll go out in our public education, it'll go out in our community meetings, it'll go out wherever we can share it, the County website. But again, people need to actually read it, show up, listen to it, hear about it. Prevention has been working with HWMO to have large landowner meetings. We may have a few more of those once that's announced, then all those people will find out about it as well.

COUNCILMEMBER SUGIMURA: Yeah. So, unfortunately, because of the wildfires, August 8th, everyone's very aware of the problem. So, wow, that's...that's pretty amazing. I can imagine it'll...it'll get these unattended private owners to take care of what they need to.

MR. OTSUBO: I just want to add that we're also working with our litigation section, and are possibly going to implement criminal prosecution for repeat offenders with the Prosecutor's Office.

COUNCILMEMBER SUGIMURA: Wow. Okay. Great, all this serious action. So, I have a kind of aside, which is one of my pet peeves, I guess, is that...and I took a picture, so I can tell you exactly when this was happening. There were fireworks going off at the Kula Community Center. There's a big party going on because I could hear it there one lot away from my home. And the incident that they did, or what was going off, was fireworks going off at 8:38 p.m. on July 15th. And so, what I'm going to do is find out who had the permit because it's a County facility. And I was wondering, I'm going to check with you to see...make sure that whoever was there had a permit to let go...I mean, to do fireworks. And of course, I'm concerned because of obvious reasons, you know, of how volatile it can get with, you know, all the dry...dry woods and everything, even...well,

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obviously...but any comments on that?

MR. VENTURA: Yeah. The Fire Department, as well as the State Fire Council, which we're a part of, continuously supports the abolishment of fireworks. It's...we understand that not only is it a fire hazard, but people are injured every year. There's a right way to do it, and there's a wrong way to do it. But if you do get a permit, and you do have professionals doing a big fireworks show, we fully support that.

COUNCILMEMBER SUGIMURA: Because it'll be safe...safer, right?

MR. VENTURA: Exactly. With...with doing a professional fireworks show, you have professional pyrotechnics people, you have inspections done by our Department. We're on site when the show happens, and safety measures are put in place.

COUNCILMEMBER SUGIMURA: Yeah, appreciate that. And I will go...I'm going to check further because I took a picture, I called the Police. Maybe I should have called Fire, I don't know. I did the first thing, and not the emergency number, but I called the regular 244 number. But it is a great concern, you know, and should not happen. And so, I'm going to look further into it, but thank you. I look forward to learning more in general, and...and yes, abolishing fireworks. I think it's illegal now. It is not permitted, but it still happens.

MR. OTSUBO: I have something, just to clear up permit requirements for fireworks. So, permit is required for firecrackers for use, and then consumer fireworks permits are not required during the times of New Year's Eve and 4th of July.

COUNCILMEMBER SUGIMURA: 4th of July.

MR. OTSUBO: But aerial fireworks, yes, you need a permit for those.

COUNCILMEMBER SUGIMURA: Okay. So, if anything's flying in the air, you'd need a permit for that, and that's what was happening next door to...well, not next door, but close by to my home.

MR. OTSUBO: Yeah. And then also, Maui Police Department enforces that.

COUNCILMEMBER SUGIMURA: Okay. So, I don't call you.

MR. OTSUBO: Yeah.

COUNCILMEMBER SUGIMURA: I don't call Chief . . . *(laughing)* . . . like I always do. Okay. I have no other questions. Thank you very much.

CHAIR PALTIN: Okay. I do have some questions, but we're a little bit past the point of our mid-morning break. So, if there's no objections, I'll take a 12-minute recess for the cause, to return at 11:00 a.m.

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COUNCILMEMBER SUGIMURA: No objections.

CHAIR PALTIN: Okay, here we go. Recess until 11:00 a.m. . . .*(gavel)*. . .

RECESS: 10:48 a.m.

RECONVENE: 11:06 a.m.

CHAIR PALTIN: . . .*(gavel)*. . . Will the DRIP meeting return to order of June 17th, the time is 11:06, and thank you, everyone, for that pause for the cause. We left off on my opportunity for questions, and I...I got quite a bit. So, the first question, I guess, is these positions don't open until July 1st. Have you folks already described them with Personnel and ready to hire folks on July 1st?

MR. VENTURA: Thanks for the question, Chair. The...once the positions are approved, we'll have to do a reorganization . . .*(laughing)*. . . to get them placed. But the position description is very broad, and we will use the descriptions that we currently have in place. So, it's not like we're reinventing the wheel, we're just adding positions to our current Prevention Bureau.

CHAIR PALTIN: How long do you anticipate before we can get warm bodies into those positions?

MR. VENTURA: That's a loaded question, but I can tell you this. We have been very fortunate to have been given numerous positions in the FY '25 Budget. The operations positions that we received from you folks, we already started that reorganization prior to the fiscal year. We started all the documentation and the paperwork so that we can be ahead of it. And as soon as the budget is shared with us and given to us, and we can verify what we got on the...the Bureau side, the Prevention Bureau will be the first Bureau that we do the reorg for.

CHAIR PALTIN: Thank you. And so, thank you so much for the resources at the end of the presentation, which should be on Granicus as well, about the Fire Code and the Hawai'i Revised Statutes. I briefly looked at both sites, and I was wondering if there's kind of a simpler, maybe a frequently asked questions page for what...what people should call fire inspections for, or if you folks get a lot of calls for things that aren't exactly a violation of the Fire Code right now, but people think are dangerous. If that happens, is there a site that people can go to that would easily let them know, like if you see this, this, and this, it's a violation; these, while you may think they're dangerous, is not a violation; or is there any site like that available to people to easily identify what they should or should not call for, Chief Otsubo?

MR. OTSUBO: Okay. We have our County website that has some programs, and we are planning to have a frequent answered *[sic]* questions page, but as I said before, our public person, which is one, is overwhelmed with something, it's tough right now. And when we get that second position, definitely we can work on improving our website with those frequent answered *[sic]* questions. And I just talked to our Staff, I think it was

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this...beginning of this week about it.

CHAIR PALTIN: Great, that sounds good. And then in your presentation, you said that you've had a meeting with large landowners of vacant lands bordering subdivisions. I was wondering if there is a publicly available list of these areas so that the public knows, maybe, that their area is on your radar, and you have been meeting with the large landowners, or how that works. If...if they're...where they live is not on your radar, maybe they want to get on your radar. Is that information publicly available of the large vacant lands bordering subdivisions that you are tracking and working with?

MR. OTSUBO: Yeah. Currently we don't have that on our website, but as soon as our fuel-break plan is in place, those maps will be online, and anyone can view it.

CHAIR PALTIN: Okay. And then also in your presentation, you said that you have recommendations from the Western Fire Chiefs Association, FSRI, an insurance group, FEMA Fire Mitigation, NFP, and the ICC that you're working on the recommendations. Also wondering if those recommendations are publicly available for folks to know what the recommendations are, as well as our progress on working towards implementing or meeting the recommendations.

MR. VENTURA: So, all those agencies that we worked with over the last several years, a lot of that information's going to be brought into our fuel-break plan, and once we...so, we have high-risk area maps already identified. We're working with GIS to make a little bit more finer-tuned maps so that you can see a neighborhood in that high-risk area, which would then kind of share with your neighborhood if there's a large landowner around you that we're concerned about, that we'll be working with every year on our fuel-break program. The input that we're getting from these folks kind of is driving this program. Something that isn't out there is how far a fuel-break needs to be, based on the size and type of vegetation because every vegetation has a different flame length. And so, what we did was we asked these people to look at our local flora and fauna and determine what an adequate fuel-break would be, based on the type of vegetation and the height of vegetation. So, for example, our invasive grasses that we have, they are short, but they throw quite a big flame length, so we would require a larger fuel-break than, let's say, if it was pine needles. Then we also have different plants, like haole koa, that are in the, you know, 3-foot to sometimes 15, 20-foot tall, we'll require more like a 100-foot firebreak for that, fuel removal, and for multiple reasons. One, a taller fuel can throw a larger flame, and then also, depending on the type of fuel, we know the pods on the haole koa trees can ignite and travel in the weather, and that's that ignition that can travel a quarter mile to several miles when the wind's blowing strong enough. So, all those people and entities, we're trying to get really scientific information behind our decision-making so that it's not driven by feelings, and how we feel things need to be addressed, but more so why we're addressing them based on the...the type of fuel, the type of topography, the type of flame that a vegetation can throw. So, all that is going to kind of go into our fuel-break plan. And then some of the recommendations from them were in our after-action report, and then some will continue to come out in the Attorney General's report through FSRI. So, those will all be publicly available to people.

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CHAIR PALTIN: Thank you. And is there a date that we can anticipate the fuel-break plan being released?

MR. OTSUBO: Currently, we are waiting for HWMO to finalize the maps. They provided the maps. We gave them feedback. We're waiting for them to provide the final map. We met with the GIS team. Once we get those maps, we can start putting in the TMKs, highlighting fuel-break areas, getting property owner information, and I hope we can do this as soon as possible.

CHAIR PALTIN: Okay.

MR. OTSUBO: I don't have an exact date, sorry.

CHAIR PALTIN: So, it's not...it's dependent also on when HWMO gets it?

MR. OTSUBO: Yeah. Because we don't hold all the cards, we are working together with other people as well.

CHAIR PALTIN: Okay. And then the other question I had was, in light of that State legislation that's coming down, are we--the County, maybe not necessarily the Fire Department, maybe the Department of Management or Public Works or someone else--all of the County-owned lands in compliance with the Fire Code and things like that? Is there any entity within the County that you know of that's checking County...that we're being the leaders of the results that we want to see? For example, mile marker 13.5, or other areas where we have a lot of illegal dumping, creating a large toxic fuel load hazard?

MR. VENTURA: Thanks, Chair. I can share this, that...you know, especially since the August fires, the County Administration does want to be a leader in the community to show what right looks like. It's not always a Fire Code violation, but where there is one, and where we do get involved, we'll inform the appropriate manager of the property...because sometimes the property may fall under Parks, sometimes it may fall under Public Works, sometimes it may fall under another department, even Fire. And so, then it's that department's kuleana to, you know, tighten things up and keep it within the Fire Code. So, Mayor has shared with us that, you know, we want to be a leader and...and being good stewards of our land.

CHAIR PALTIN: To your knowledge, is funding ever a problem that we could help with? Member U'u-Hodgins' recently proposed Charter Amendment that we be using Open Space Funds to clean up the fuel hazard load from open space lands. But as you said, it's not just open space lands. It's maybe under the Department of Parks or some other jurisdiction. Do you see a need to create a fund to specifically remove fuel hazard load from any County-owned or managed land?

MR. VENTURA: That's a great question. I...I think it's a conversation we have to have as a group. The...for example, we rely heavily on Public Works to assist us. And I'm not sure how deep their pockets are, or their pool of workers are, or their equipment, if we can continue to rely on them or if they would need financial support. And same goes

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for other departments. You know, if the Fire Department was tasked with having to clear a piece of park...land that we owned, that we managed, we would either have to contract somebody out or we would have to ask Public Works for help. So, it just kind of depends how we're able to manage that project. If we have to contract things out, that's very expensive, and I'd say a pot of money for wildfire mitigation might be helpful.

CHAIR PALTIN: I guess for Corporation Counsel, do you have a legal way forward that would be best? Like is this something that we could legislate from the Legislative Branch, or is it more important to...for the Administration to put something out there and us just give feedback on it? Or where do you...like the management of all public lands, not just open space, not just parks, any lands that the County owns or manages that have unnecessary fuel loads on them that could be reduced. What do you see as like maybe the first steps to address it? Would it be the creation of a fund? Would it be like Committee meeting? Or do you think it's better to come from the Administration, and we should do like a resolution? Or what...you have thoughts?

MS. TRENHOLME: Thank you, Chair. I, you know, think those are all options on the table right now, and we're just kind of figuring out the best way forward. So, I couldn't answer that today. We could look into it further as the best approach. And I'm curious to see what Ms. Pickett shares with regard to what the other jurisdictions are doing with regard to kind of this holistic approach to fire prevention.

CHAIR PALTIN: Okay. Members, for our discussion, what...what...do you have any ideas of best path forward from this point on? Do you want to...our Committee to draft a letter to the Administration or the Managing Director about how we move forward on this? Or do you folks have any ideas? Member Sinenci, and then Member Cook.

COUNCILMEMBER SINENCI: Sorry, wrong button. I know that--and thanks for asking, Chair--Member Johnson had a...had a...an ordinance on land management mitigation, and I know he was...but it still needed the approval of the...the department. So, I was...I was just inquiring about that one, but I can try and get that and send that to the Committee, Chair. I'm not...I haven't gotten to that ordinance, but I know he's drafted up one.

CHAIR PALTIN: Okay.

COUNCILMEMBER SINENCI: And I can follow through.

CHAIR PALTIN: Okay. Great. And that's under the ADEPT Committee, is that...

COUNCILMEMBER SINENCI: I believe, right, in his...or...or the last Committee that he had...he had drafted it in. I can...I can forward it to the Committee, Chair.

CHAIR PALTIN: Okay. Great.

COUNCILMEMBER SINENCI: Thank you.

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CHAIR PALTIN: Thank you. Member Cook?

COUNCILMEMBER COOK: Thank you, Chair. I just want to comment. I think that like the County enabling and having a really vibrant composting program, both the public...public sector with Environmental Management as...as they're planning, as well as the private sector, and because this...a lot of this biomass is actually a potential resource if we arrange it properly. Where people go and clear the land. They have a chipper. They're going to clean it. They're going to take it someplace. It has value, and they're not just having to take it to the dump, and they're...so, I think that we have an opportunity, as a community, to...as we address this, to recognize that...that it's a potential resource, and to utilize the resource for the benefit of mitigating the fires, as well as using the biomass in a more constructive manner.

CHAIR PALTIN: Thank you. Member Sugimura?

COUNCILMEMBER SUGIMURA: Yeah, I guess I just want to add that I think...how many years did we have the land manager position in the budget, and we finally took it out?

CHAIR PALTIN: At least five.

COUNCILMEMBER SUGIMURA: At least five.

CHAIR PALTIN: Now six, maybe.

COUNCILMEMBER SUGIMURA: But I think what we're talking about is, I think we need to have a land manager for the County of Maui because we have so much land, and for everybody to know, you know, that information, and for us. And the departments then can work together and not in silos, which is what we're forcing by not having, you know, that overall management. So, if...if we could somehow, you know, bring that up again, and...and suggest maybe to the Administration if that could help with this because that's really what we're talking about.

CHAIR PALTIN: Yeah. So, my understanding on the land manager, the reason it couldn't get past the Managing Director was there was already a position with that function in Public Works. So, if that position needs to be beefed up within Public Works, or added on to or something, maybe that's the case. But what we need is, I guess, Finance, Public Works, and Management, and Personnel to sit down together and sort that out. Because if they don't, they won't like the way that we do it, I'm sure.

COUNCILMEMBER SUGIMURA: Yeah. For sure.

CHAIR PALTIN: Okay. Chair Lee?

COUNCILMEMBER LEE: Thank you, Chair. I think we heard some very good ideas today. For me, the first and foremost would be the money. So, a dedicated fund is absolutely vital. So, probably a Charter Amendment on the Open Space Fund or...or something else, but definitely a dedicated fund. And some good ideas, you know, composting, the

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use of R-1 water, all the other ideas. You know, we have to treat the...Member Sugimura's, all the animals Upcountry, all the goats, and the...what's the other one, the big one?

COUNCILMEMBER SUGIMURA: The axis deer.

COUNCILMEMBER LEE: The axis deer. All of those could be used to our advantage, you know? We just have to teach them how to eat grass.

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

COUNCILMEMBER LEE: Well, they're going to have to. But, you know, using the resources we have now in a more creative way is probably one of the better things we can do, in addition to paying for things. So, this was...this is a great discussion. I'm glad you started it. And, you know, however we can help, let us know. Thank you.

CHAIR PALTIN: Thank you. And I guess as a follow-up, it was kind of a little bit surprising to hear that Hawai'i Wildlife Management Organization couldn't get that 120 to 140,000 grant to update and start to implement the community wildland preparedness plan, I believe it's called. I guess my request to the Fire Department is if...if we don't have the money for that this year, please request for it. I mean I wish we knew before the budget, but please request for it in the next budget. I don't think that we will turn you folks down if we're all still here...or even the new Council, I hope that they wouldn't turn you down, so please do request that. Is that a good thing to say on behalf of the Committee, that we can...we can afford 120 to 140,000 for that kind of service? Go ahead, Chair Lee.

COUNCILMEMBER LEE: Yeah, Chair. I would suggest that it be...not wait for the next budget, but to come down in the next amendment to the Council.

CHAIR PALTIN: Oh, yeah, even better, the sooner the better...because then we can get them going on that. That would be awesome...if that's okay with the rest of the Members. And then maybe our next steps for our next Committee would be to...to draft a letter to the Administration, the Mayor and the Managing Director, or the Department of Management, about our...our desire to possibly set up a fund to mitigate fuel hazard loads on all County lands, whether it's open space or under the jurisdiction of another department, and how we can collaborate on that. And...and, you know, I don't know...we do have...it seems we do have a lot of PIOs. I don't know if that could help with your one fire inspector to get information out to the public sooner rather than later. Would that be something that we could put into our letter to the Administration? Would that be a help to your one firefighter inspector prior to the new positions coming on board, or do you think that's not going to help? Like if...if they have the information, and the PIO can just get it out, or they still need to aggregate the information to release to the public?

MR. VENTURA: Thanks, Chair. No, we certainly can push out information through our Department, through the County communications, and you kind of hit the nail on the

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head there. One of the main tasks of our dedicated PIO in the Fiscal Year '25 Budget is public education, community meetings, outreach, just hitting the ground, communicating with people on multi-language, multi...you know, kind of where people are. You got to meet them where they are. You can't expect them to just read social media. You can't expect them to go on the Internet. You can't expect them to hear you on the radio. You got to try to capture them all and cast a wide net. So, the PIO will be involved in public education, for sure. And then kind of a quick go back on the Community Wildfire Protection Plans, the CWPPs. We...Elizabeth did use a number, about 120 to \$140,000 to update our current CWPP for West Maui. We have one for South Maui. We have one for Leeward Haleakala. We have one for Molokai. We have...we have several of them, and many of them need to be updated. We applied for a multi-million dollar grant through CWDG, which is what she was talking about, and unfortunately, we got...we did get something. I don't recall which one off the top of my head, but we did get some small funds from that to do an update of at least one of them, but it was...it was specific. They didn't give us West Maui, we don't know why. It's one of our older ones, but they gave us one of the CWPP updates and some grant funding. So, we'll be using that to update that particular one. And then as Chair Lee had mentioned, maybe we can find out actually what the bandwidth is we have to update another one this year because it's pretty arduous project. There's community meetings. There's announcements in the paper. There's all sorts of coordination. Facilities need to be gotten. People need to be told to come to the meetings. And I think, like she said, there's going to be a lot more participation probably moving forward in these CWPPs. We...when we did the South Maui one several years back, ironically, there was very low participation. But I think now, moving forward, we'll have a lot more community input, so that's a good thing.

CHAIR PALTIN: So, it's...it's not just the funding, it's a capacity issue as well. We can't do all the plans at one time. We'll work on the one that we do have funding for, and if we have capacity to add another one, you'll bring down a budget amendment to --

MR. VENTURA: Exactly.

CHAIR PALTIN: -- get the funding for it. Okay.

MR. VENTURA: Perfect.

CHAIR PALTIN: So, we'll wait for your direction on that portion of it, and we'll just have the letter to the Mayor and the Adminis--...Department of Management about next steps, about either having a fund to mitigate fuel loads, hazards, and illegal dumping on County-owned land, if they want to work together on something along those lines so that we can be the leader...that we want the public to follow our lead on in our own management of County-owned lands, especially to be in alignment with the State bill that we're either waiting for the Governor to sign or to become law without his signature. And Corporation Counsel, when that does occur, will you let us know, like transmit that to us?

MS. TRENHOLME: Sure. Yes, I've been monitoring it, so I'll let you know.

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CHAIR PALTIN: And then...and then we'll take up the legislation to amend our Code to comply with State law?

MS. TRENHOLME: Yes. So, the Fire Department has been actively working on amending the Fire Code in collaboration with Corporation Counsel. So, we're hoping to finalize that before it gets signed into law, but...

CHAIR PALTIN: Nice. Okay. So, those are...are the next steps that we're working towards, if any of the Members have any other things. I guess in terms of the home hardening, we anticipate getting maybe some examples of legislation in other jurisdictions, and maybe we should go over that with both the Fire Department and Public Works. When we...when we get the legislation examples from Ms. Pickett, is it okay for the Committee to send it out to all the Committee Members? Yeah, and then I don't know if that...if there's suggestions for home hardening we want to take up, if it would be more appropriate in the Water and Infrastructure Committee or in this Committee, but I imagine we'd like both Public Works and Fire...and possibly Housing because it would affect possibly the cost of building. Maybe Finance, if we can give incentives to offset the cost of building.

COUNCILMEMBER COOK: I think in this Committee would be fine because --

CHAIR PALTIN: Okay.

COUNCILMEMBER COOK: -- it's a broad...broad strokes.

CHAIR PALTIN: Okay. Okay. All right. So, those can be some next steps in terms of trying to just make our...our communities a little bit more fire-safe based on legislation and building codes, if it's possible, whether it's construction going forward with incentives, or maybe a cost-share in retrofitting, and things like that. So...all righty, then. So, that concludes the comments I had. Unless anyone wanted to start working on legislation, we can use our recess date, or maybe we should wait until we get the examples from Ms. Pickett. Any feedback?

COUNCILMEMBER SUGIMURA: Yeah, I think we can...oh.

CHAIR PALTIN: Go ahead, Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, I think if we can wait to just see what kind of examples she provides, and then work with the Department, so then we'll have something that will make sense for us.

CHAIR PALTIN: Okay.

COUNCILMEMBER SUGIMURA: Appreciate that.

CHAIR PALTIN: Yeah. And in the meantime, we can...we can go over the resources that they

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provided us on the second-to-last page about the Fire Code and the Hawai'i Revised Statute. And we'll see with that new legislation coming down from the State, hopefully we can be ready to implement that as well. So, those...we have a clear direction for next steps to follow up on. Okay. In that case, I'm willing to let you guys go 26 minutes early.

UNIDENTIFIED SPEAKER: . . .*(laughing)*. . .

CHAIR PALTIN: So, let's see. If there are no objections, the Chair will defer this item until such time we get the...the more resources that we requested from folks.

COUNCILMEMBERS VOICED NO OBJECTIONS (excused: TK and NUH).

ACTION: DEFER pending further discussion.

CHAIR PALTIN: Okay. This concludes today's Disaster, Resilience, International Affairs, and Planning Committee meeting. Thank you very much, everyone. The time is now 11:35. This meeting is adjourned. . . .*(gavel)*. . .

ADJOURN: 11:35 a.m.

APPROVED:



TAMARA PALTIN, Chair
Disaster, Resilience, International Affairs,
and Planning Committee

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Transcribed by: Daniel Schoenbeck

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CERTIFICATION

I, Daniel Schoenbeck, hereby certify that pages 1 through 39 of 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 15th day of July 2024, in Wailuku, Hawai'i

A handwritten signature in cursive script that reads "Daniel Schoenbeck". The signature is written in black ink and is positioned above a horizontal line.

Daniel Schoenbeck