

CLIMATE ACTION, RESILIENCE, AND ENVIRONMENT COMMITTEE

Council of the County of Maui

MINUTES

November 30, 2022

Online via BlueJeans

CONVENE: 9:04 a.m.

PRESENT: VOTING MEMBERS:

Councilmember Kelly Takaya King, Chair
Councilmember Shane M. Sinenci, Vice-Chair
Councilmember Gabe Johnson
Councilmember Tamara Paltin

EXCUSED: VOTING MEMBERS:

Councilmember Alice L. Lee
Councilmember Michael J. Molina
Councilmember Yuki Lei K. Sugimura

STAFF:

Wilton Leauanae, Legislative Analyst
Laksmi Abraham, Legislative Analyst
Shelly Espeleta, Supervising Legislative Analyst
Jocelyn C. Moniz, Committee Secretary
James Forrest, Legislative Attorney
Lenora Dinneen, Council Services Assistant Clerk
Nālani Fujihara, Hawaiian Language Specialist

Mavis Oliveira-Medeiros, Council Aide, Hāna Council Office
Denise Fernandez, Council Aide, Lānaʻi District Office
Jade Rojas-Letisi, Council Aide, Makawao-Haʻikū-Pāʻia District Office
Christian Balagso, Council Aide, West Maui District Office
Daniel Kanahale, Council Aide, South Maui District Office

Angela Lucero, Executive Assistant to Councilmember Paltin
Axel Beers, Executive Assistant to Councilmember King
Dawn Lono, Executive Assistant to Councilmember Sinenci
Ellen McKinley, Executive Assistant to Councilmember King
Jordan Helle, Executive Assistant to Councilmember Sugimura
Kate Griffiths, Executive Assistant to Councilmember Johnson
Roxanne Morita, Executive Assistant to Councilmember Johnson
Sarah Sexton, Executive Assistant to Councilmember King

ADMIN.:

Keola Whittaker, Deputy Corporation Counsel, Department of the
Corporation Counsel
Jackie Takakura, Deputy Planning Director

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OTHERS: Randy Wagner
Mike Moran, Kihei Community Association
John Leong, CEO, Kupu Hawaii

Additional attendees (2)

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

CHAIR KING: . . .(gavel). . . Will the Climate Action, Resilience, and Environment Committee please come to order. It is Wednesday, November 30th, 2022, 9:04 a.m. And we apologize for being a little bit late, we had some technical difficulties. We...this morning, Members, and public, we have a bare quorum. So, if you have to go...if you have to take a break just do the signal, and we'll take a brief pause. But please silence your cell phones and other noise-making devices. And in accordance with the Sunshine Law, if you are in a nonpublic workspace, when your name is called, please identify by name who is present with you in the room, vehicle, or workspace, other than minors. Please see the last page of the agenda for information on meeting connectivity. All right. Members, my name is Kelly Takaya King, I'm the Chair of the Climate Action, Resilience, and Environment Committee. Our Committee Vice-Chair is here, Shane Sinenci, from the East Side. Aloha kakahiaka. We don't have...Chair Lee is excused, so we have no official greeting this morning, so you're on your own.

VICE-CHAIR SINENCI: Aloha and konnichiwa, Chair. Happy to join --

CHAIR KING: Aww, konnichiwa.

VICE-CHAIR SINENCI: -- this meeting from my private office, where I'm alone. And Ms. Medeiros has put in the chat that there are no testifiers at the Hāna District Office.

CHAIR KING: Okay, great. Thank you so much, and thank you for being here. Next we have Councilmember Gabe Johnson, who is here in the Chambers with me, so no need to announce who else is here. But thank you for keeping me company, Councilmember Johnson. Aloha kakahiaka.

COUNCILMEMBER JOHNSON: Arigato gozaimasu. [*Speaking Japanese*] Nice to be here, everybody. There's no testifiers at the Lānaʻi District Office, and I'm here and ready work. Mahalo, Chair.

CHAIR KING: All right. Arigato gozaimasu and ohayō gozaimasu. All right. Next we'll go to Councilmember Tamara Paltin from what looks to be a very exciting event on the Big Island. I got out just...the day before the mountain blew because I was there for Thanksgiving. So, nice to see that picture behind you, Member Paltin. Aloha kakahiaka.

COUNCILMEMBER PALTIN: Aloha kakahiaka, and la Orana kākou. Broadcasting live and direct from historic Lāhainā Town. With me I have Angela Lucero and Christian Balagso, and we have no testifiers waiting to testify at this time. Thank you.

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CHAIR KING: Okay. Thank you. And is that...what day is that picture from...your background? Oh, you're muted.

COUNCILMEMBER PALTIN: From the 29th. I think it was still, like five or six --

CHAIR KING: So, yesterday.

COUNCILMEMBER PALTIN: -- miles away from Pōhakuloa.

CHAIR KING: Okay. I think it...and it...is it still five miles away from Saddle Road? It was yesterday when I checked.

COUNCILMEMBER PALTIN: I think they said just over three miles, at this point.

CHAIR KING: Oh, okay. Yikes, that's going to bring a lot of things to a halt if that hits Saddle Road. And Members, I'm in the Chambers. There are no testifiers in the South Maui District Office, anonymous or otherwise, today. So, we'll go ahead and get started. We have Members Molina, Sugimura, and Lee excused today, so we have a bare quorum, as I said. Just let me know if anyone needs to take a break. And, let's see. Today we have no Non-Voting Members. We have from the Administration with us Jackie Takakura, Deputy Planning Director for CARE-100; and we have, possibly, a representative from Public Works for CARE-100. Also, we have outside resources; John Leong, who's the CEO for Kupu, to give us our presentation for CARE-1(18). And our Committee Staff--Wilton Leauanae, Legislative Analyst; Laksmi Abraham, Legislative Analyst--I think Lesley Milner is still on vacation--we have Jocelyn Moniz, Committee Secretary; we have James Forrest, Legislative Attorney; and Lei Dinneen, our Council Services Assistant Clerk. Thank you all for being here in what may be our last CARE Committee meeting of the term. We're not sure what's happening with the last week of Committee meetings. So, Members, we have three items on today's agenda. We have CARE-100, Resolution 22-258, Referring to the Lānaʻi, Maui, and Molokaʻi Planning Commissions and Advisory Committees the Proposed Bill Amending the Maui County Code, Relating to the Landscape Planting Plan. We have CARE-XX, it says, I guess there's not a number on this one, Communications to be Referred to the Council Chair for the Term Beginning January 2, 2023, Under Rule 22 of the Rules of the Council. We have CARE-1(18), Kupu Youth and Young Adult Training Programs for a Sustainable Hawaiʻi. So, let's begin with public testimony. Oral testimony via phone or video conference will be accepted. Staff, do we have any testifiers wishing to testify at the beginning of the meeting?

MS. ABRAHAM: Yes, Chair. We have two at this time.

CHAIR KING: Okay, great. So, in accordance with the Sunshine Law, testimony can occur at the beginning of the meeting, but cannot be limited to the start of the meeting. The Chair will receive oral testimony for agenda items at the beginning of the meeting, and as the item is called up on the agenda. When testifiers sign up to testify, they must let Staff know whether they wish to testify at the beginning of the meeting, or before an

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agenda item. Otherwise, Staff will assume the testifier will testify at the beginning of the meeting. Testifiers wanting to provide video testimony should have joined the online meeting via the BlueJeans meeting link, noted on today's agenda. And audio testimony is also noted on today's agenda, the phone number and meeting code. Written testimony is highly encouraged, and instructions on how to submit testimony can also be found at mauicounty.us/testify. So, oral testimony is limited to three minutes per item. If you are still testifying beyond that time, I will kindly ask you to complete your testimony. Unless you want to testify anonymously, please clearly identify your name, organization, and items you would like to testify on in the chat. We ask that you state your full name, but if you prefer to testify anonymously, Staff will identify and refer to you as testifier, and assign you a number. Please also indicate the agenda item or items you are testifying on. Please be mindful of the use of chat during the meeting. Chat should not be used to provide testimony or chat with other testifiers. If you are here to provide testimony, please be courteous to others by turning off your video, and muting your microphone while waiting for your turn to testify. Once you are done testifying, you can continue to view the remainder of the meeting from the call, which is also available to view on *Akakū* Channel 53, mauicounty.us, on Facebook Live via the Maui County Council page, or in the Council Chambers. Participants who wish to view the meeting only, without providing testimony, should let us know in the chat at this time so you are not put on the list of testifiers. I remind Committee Members, Administration, and the public to please be patient if we run into technological issues. And Members, if there are no objections, we'll proceed with oral testimony at this time.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR KING: Okay. Thank you.

. . .BEGIN PUBLIC TESTIMONY. . .

CHAIR KING: All right. Staff, can you call the first testifier?

MS. ABRAHAM: Yes, Chair. Our first testifier is Randy Wagner, to be followed by Mike Moran.

CHAIR KING: Okay, Randy?

MS. WAGNER: There. Got it. Aloha. My name is Randy Wagner, and I am a long-time resident of Central Kīhei. I wanted to start with a little story. I'm testifying about CARE-100, which...the parking lot tree issue. One night I awoke at 4:00 in the morning to this horrific, loud noise, and I got in my car in my PJs, and drove around to find out what it was. And it turned out it was the Longs parking lot being...the trees being made into stubs, and thrown into chippers in the middle of the night. And I was just shocked and horrified because as an architect, I know the law is one tree for every five parking places for shade. That's the existing code that we have. So, clearly, this rule is not adequate to encourage tree growth and maintenance for shade. So, the value of trees that everyone probably knows, but I'm just going to reiterate here very quickly, is that they filter pollution. Primarily, the green leaves are the most efficient air purifiers in the world. They take CO₂ from the air and H₂O from the soil, and they produce oxygen,

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which is emitted into the atmosphere, and glucose for the tree to grow. And they require leaves to do this process, the trunk does not do it. They shade the environment...they cool the environment, which reduces energy needs in all sorts of ways. They also increase economic activity. They...shaded parking lots encourage more visits to stores and higher retail emphasis, and they also increase property values. And they are beautiful, and they bring well-being and health to people because people want to walk in the shade and be in the shade. So, those are the reasons that we need this help. This is a grassroots effort because myself and Maui Green & Beautiful applied for a grant to help educate parking lot tree owners on how to maintain and grow their trees, and the importance of them. And when we went to see the rules, because we were making a little rule book about what the existing rules are, there were basically no rules except for that you just have to plant one tree for every five spaces. So, what we really want to see is a shade percentage requirement, which is what this resolution suggests. And also, we want the language that the trees are there for maximum shade to provide in the parking...over the hardscape, which is the worst heat islands. And did you know that parking lots actually comprise about 10 percent of land area in developed towns. So, that's a lot of hardscape that needs to be shaded. The other...so, I really support the changes to 19.36B.080, but...and I want to see that go to the Planning Commission for approval. . . .(timer sounds) . . .

CHAIR KING: Okay. Thank you so much for your --

MS. WAGNER: *(Audio interference)* one other thing.

CHAIR KING: -- testimony. Did you have a conclusion? Go ahead.

MS. WAGNER: Yeah. I just want to say, I also support the changes to Title 12 requiring the Maui County Planting Plan to become mandatory, not just advisory, for all Departments. And I also wanted to mention that I know the Planning Department had some concerns about these resolutions. And if anyone wants to ask me about those concerns, I'm happy to answer.

CHAIR KING: Okay. Thank you, Ms. Wagner. Members, I know Randy Wagner has another meeting that she has to be at. But in the event that we might be able to text you and bring you back on, would you be able to serve as a resource for this item? It'll be the first item *(audio interference)* --

MS. WAGNER: I may or may not be; it depends. You can text me. Ellen has my phone number.

CHAIR KING: Okay.

MS. WAGNER: And --

CHAIR KING: Okay.

MS. WAGNER: -- if I can, I will come back on.

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CHAIR KING: Okay. Well, does anybody have any questions for her right now since we may not have her as a resource? Okay. Well, thank you for being here. And just to be clear, you did get the grant for the education?

MS. WAGNER: Yeah.

CHAIR KING: Okay.

MS. WAGNER: And KCA is also supporting the...that effort.

CHAIR KING: Okay. And where did the grant come from?

MS. WAGNER: It came from the...I can't remember how you say it, Kualani (*phonetic*), Department of...it's a State --

CHAIR KING: It's a --

MS. WAGNER: -- agency.

CHAIR KING: Okay. It's a --

MS. WAGNER: And it's...the Federal Department of Forestry supports it too. There's all kinds of little decals we have to put on any information we produce because it's very --

CHAIR KING: Okay.

MS. WAGNER: -- it's thoroughly Government supported.

CHAIR KING: Okay. So, you'll know the name of it by the end of your project, I'm sure (*audio interference*) all the stickers. . . .(*laughing*). . .

MS. WAGNER: I don't know why...for some reason I have trouble.

CHAIR KING: And then just FYI, you know, the ICLEI USA, the board that I sit on, just gave out...just partnered with Google, and gave out three \$1 million grants for climate action. One of them went to a community that was doing green infrastructure, which meant planting, you know, tens of thousands of trees. And had we...Maui County had a completed climate action plan, we could have applied for those monies. So, you know, you keep your ear to the ground too, and I'll let you know if that grant comes up again. But those were \$1 million grants, you know, but --

MS. WAGNER: That would go a long way.

CHAIR KING: -- yeah, heat islands has...is becoming a big issue these days. So, thank you for working on that. Any other questions, Members? None. No. Seeing none. Thank you very much. And, you know, we might make an attempt if we have a question, but thank you for taking the time out to come.

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MS. WAGNER: Mahalo.

CHAIR KING: Okay. Staff, next testifier.

MS. ABRAHAM: Chair, our next testifier is Mr. Mike Moran.

CHAIR KING: Aloha, Mike.

MR. MORAN: Aloha, Chair King, and CARE Committee Members. Mike Moran for the Kihei Community Association on that same item that Randy Wagner just spoke on. We are...continue to offer our support on this action, and we realize that you had to make a compromise, and that...that's the way things are sometimes. But any progress we can make with increasing shade, and increasing number of trees, and keeping them as real trees, is progress. We have watched in South Maui for...I can say, at least for this century, where we have not really made progress. All we were...have ever been able to do is status quo. We were able to keep the one grove of monkey pod trees, which prior Administrations tried to remove a couple of times for a simple reason that, oh, it's upending the sidewalk. And then when cooler heads prevailed, they repaired the sidewalk, and the trees are now declared exceptionals. But that's the kind of battles we've been doing, is just keep what we have, where now that we can try and make progress, and get more shade, that's a good thing, of course. So, anything we can do. And we...the general population--community--seems to be getting it more and more about the true value of trees. Certainly, with the climate change issue, this is...it's coming more into...into general public knowledge. And just by coincidence, our...our CPAC for South Maui...our last meeting, and our...our next meeting this evening is look...part of the...of the topic is looking at trees and shade, so this is very appropriate timing. And we do approve sending this not only to the Planning Commissions, but to our South Maui Advisory Committee, which I expect will begin support . . . *(inaudible)*. . . on that group. But I expect that everybody there will be in support. And I wanted to save a minute as...well, a little bit of time, if this is to be the last meeting of this Committee, we want to extend our hearty congratulations for all the positive things that this Committee has been able to do. You've made extraordinary progress on so many...so many factors. So, this Committee has been outstanding. And, of course, we know, Chair King, you won't be back, and we don't know the future of this Committee...what will happen. And if you do sneak another meeting in this year, we'll be back to repeat those words again. But in case not, we wanted to be sure that our Association speaks in strong support of...of the Chair, Vice-Chair, and rest of this Committee for doing outstanding work at this time. Mahalo for the opportunity to testify.

CHAIR KING: Mahalo, Mr. Moran. And, you know, if it...I, too, hope the Committee continues. The three people that you see on this meeting, besides myself, would probably be the most likely. But every...I mean I don't know what Committees everybody wants. So, any of...any of the three you see on the meeting today would be excellent Chairs for this Committee. But thank you so much for your testimony, appreciate it. Any questions? Member Johnson.

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COUNCILMEMBER JOHNSON: Thank you, Chair. Good morning, Mr. Moran. I appreciate your testimony, always good to listen to your stories in regards to this. So, I want to ask about the monkey pod trees. You said you...you know, they were considered, you know, a tree...a substantial tree, or that...you know, that...very important trees. Does KCA have a stance on the types of trees that would be required?

MR. MORAN: Well, we always try and...first, we yield to the professionals. At the last CPAC meeting, we had the relatively new County Arborist, and I was able to chat with him afterwards. So, me, as just a guy, say well, that's a beautiful tree. But, yeah, we certainly look to the...to native trees, which...you know, which can offer what is needed. Sometimes that's the criticism with monkey pods...well, they're an invasive species. Well, many of us are too, so it doesn't make it evil that it...because it wasn't native here. But we do always support...we always grill developers when they come to us, what...what's your planting plan? And we always...always encourage, you know, using the best logical professional choices of what kind of trees it can be. But we feel...mostly it's get trees in, and then, when you can, make the best logical choices.

COUNCILMEMBER JOHNSON: Yeah. Okay. Thank you so much. Thank you, Chair.

CHAIR KING: Thank you, Member Johnson. And thanks so much for being with us, Mike, we'll continue to follow. The trees...so, the trees you're speaking of were the ones on the sidewalk? That were along the sidewalk --

MR. MORAN: Yeah (*audio interference*) --

CHAIR KING: -- that were kind of pushing the sidewalk. And then we had that other incident, I remember, years ago, I think it was...might have been in my first term, with the trees by the Community Center that actually had big red Xs on them, they were supposed to be cut down. I think we saved those as well.

MR. MORAN: Yup, I agree with you. The Arborist Committee did agree to hold a meeting in Kihei because of that issue. And that brought it to everybody's attention. They could walk right outside the Community Center, walk down that beautifully shaded path, and see these big red Xs on some of the trees. And when the Parks Department was grilled on it, they said, oh, that doesn't mean we're going to remove them. Well, gee, it sure looks like it. What's the purpose? Oh, they need trimming. Well, that...we did feel that getting...bringing the attention to it did preserve those trees. But, yes, I was really talking about the ones on South Kihei Road, that grove. And KCA didn't get them declared exceptional, that was done by a...one community member who very strongly worked with Maui Green & Beautiful to get those done. It was...she worked at it diligently, and showed what can be done by a volunteer--that, eventually, the whole grove is now considered exceptional, which doesn't guarantee them, but it gives them added protection.

CHAIR KING: Okay. Well, thank you so much for being here, and for your advocacy as usual. We will check and see if there's another testifier at this time.

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MR. MORAN: A hui hou.

CHAIR KING: Staff? A hui hou.

MS. ABRAHAM: Aloha. Aloha, Chair, there are no other testifiers waiting at this time.

CHAIR KING: Okay.

. . .BEGIN PUBLIC TESTIMONY FOR CARE-100. . .

CHAIR KING: Well, is there anybody else wishing to testify before we go to our items? Anyone wishing to testify on the first item, which is Resolution 22-258, Referring to the Lānaʻi, Maui, and Molokaʻi Planning Commissions and Advisory Committees to the Maui Planning Commission a Proposed Bill Amending the Maui County Code, Relating to the Landscape Planting Plan, or CARE-100. Is there anyone wishing to testify specifically, on this item? Hearing none. Is there...is there any objection to closing testimony on this item?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR KING: Okay. Thank you, Members.

. . .END OF PUBLIC TESTIMONY FOR CARE-100. . .

ITEM 100: RESOLUTION 22-258, REFERRING TO THE LĀNA'I, MAUI, AND MOLOKAI PLANNING COMMISSIONS AND ADVISORY COMMITTEES TO THE MAUI PLANNING COMMISSION A PROPOSED BILL AMENDING THE MAUI COUNTY CODE, RELATING TO THE LANDSCAPE PLANTING PLAN

CHAIR KING: All right. Members, the Landscape Planting Plan was prepared by the Maui County Arborist Committee, and serves as a guide for government officials, design and landscaping professions, and the public. It provides information on the planting, replanting, care, pruning, preservation, and disposition of exceptional trees, trees in general, and other landscape plans in Maui County parks and public rights of way. Constituents met with former Maui County Arborist Ernie Rezens to review the current Code relating to the Landscape Planting Plan, and proposed revisions to Chapter 12.24 and 19.36, Maui County Code. These amendments include Section 12.24A.040, which proposes to make Maui County Planting Plan standard practice. Proposed amendments to Section 19.36B.080 clarifies the intention of shade trees in parking lots. They must be allowed to become mature canopy trees in order to provide 50 percent shade over hardscape to reduce atmospheric heat gain, and to reduce and filter run-off pollution. This is especially pertinent now, as we make an effort to respond positively to temperature rise and flooding due to climate change. At the November 18th Council meeting, prior to Resolution 22-258 being referred to the CARE Committee, there was

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discussion to consider amending Resolution 22-258, including deleting Chapter 12.24 before it was referred to the Planning Commissions. Bill 198 amending Chapter 12.24, Maui County Code, relating to the Landscape Planting Plan to make it legally effective is on Friday's Council meeting, anticipated to be referred to the next 2023 to '25 Council term. I posted an ASF on today's agenda with various proposed amendments for the Committee's consideration today. And we are currently, I think, joined by Jackie Takakura, Deputy Planning Director. So, Director Takakura, do you have any comments at this time? Aloha. Good morning. You're muted. Actually, I have my little --

MS. TAKAKURA: Thank you. Sorry about that. Good morning, Chair King, and CARE Committee Members. So, I do have a few comments about this proposed bill. Is that okay if I start?

CHAIR KING: Sure.

MS. TAKAKURA: Okay. And they're not long. So, just a reminder, and you probably know this, the Planning Department does not enforce parks trees, or street trees. So, just to make sure that we're only talking about parking lot trees, yeah...so, only parking lot trees. We do hope that the CARE Committee consults with the Maui Chamber of Commerce and business community, since they would be affected by this proposed bill. To administer this, the Planning Department would need a new position for an Arborist, and additional office space because our current Staff do not have this expertise. I know that we've already submitted our budget request to the Mayor's Office for FY'24, so we've already kind of passed that window of putting in a new position for an Arborist. But, yeah, we would definitely need an Arborist to administer this. One thing for the Committee to think about is if you wanted to consider exceptions for parking lots that have the PV panels, you know, that's something that should be discussed. It would also help if we understood better how the Committee expects the requirements to be enforced. Because we know trees do take time to grow and mature, and what would be the criteria for enforcement? And then just for a little background information on how we look at the landscaping. This requirement could affect property owners in three situations. One would be...you know, the initial permitting, like say when the...when the property is being developed, the applicant has to submit the LPAP, which stands for Landscape Planting Application for Parking, and that does follow the planting plan. Those would be created by a landscape architect. So, that's the initial permitting. The next place where this can come into play is when, you know, tenants of a multi-tenant structure...like say you have a new store in a mall, or something. When they apply for their certificate of occupancy, if the landlord...or the property owner is not taking care of those trees, then that tenant may not be able to get their CO. So, this could affect the CO issuance. And then the third situation would be if complaints came in. I do want to add though...you know, I'm always looking at the Zoning Code. I do have some housekeeping updates that I'd like to do for this chapter, so if it does get referred to us, I would want to include those. So, those are my comments, and I'm here to answer any questions that may have. Thank you very much. *(Audio interference)* --

CHAIR KING: Okay. Thank you for those comments. And the *(audio interference)* --

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MS. TAKAKURA: Yeah. And I can explain whatever, if you need, so...

CHAIR KING: Well, you know, from my point of view, I think there may be adjustments to the budget because we have a new Administration coming in. So, I wouldn't...I wouldn't, you know, rest on the current...you know, wherever the budget's at right now because I think there will be changes. And I think also that the changes in the new Administration may affect enforcement--who's enforcing what--and hopefully we'll get some of these vacant positions filled that have been vacant for so long in both your Department, and Public Works, as well as other Departments. So, I wouldn't...I wouldn't...I'm not personally that concerned about where we're at today with those things...with enforcement, but, you know, this will be a partnership effort with the new Administration, with the Planning Commission, with the Advisory Committees in the various areas--Hāna, South Maui, and Ha'ikū-Pā'ia. And so, I think there's going to be a lot of public discussion around this, as well as possibly more input on climate change...how this affects it. I do remember you made a comment in the...in the Affordable Housing Committee when we were discussing design standards about how important trees were, and I really appreciate that because as we move forward, it's going to become more and more important, just globally. So, I appreciate that recognition. Members, any other questions for Deputy Director for this referral? Member Paltin, followed by Committee Vice-Chair Shane Sinenci.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Takakura. I was wondering--when you said the Department only oversees parking lot trees, and not parks or street trees, I was wondering where park parking lots fell in that delineation.

CHAIR KING: Good question. Director.

MS. TAKAKURA: Thank you, Member Paltin. So, I think...you know, Public Works has an Arborist, so they take care of their own street trees. And then Parks, that part is a little bit gray, and I'm not...I'd have to go ask our Plans Reviewers when they review these things for Parks. I'm not sure how that works for Parks.

COUNCILMEMBER PALTIN: Okay. Because I kind of --

MS. TAKAKURA: Sorry.

COUNCILMEMBER PALTIN: -- a little bit remember when the War Memorial parking lot was resurfaced, we had a presentation. And I didn't realize the impact until after...when I was waiting for my kid to get off the bus, and there was no trees in the parking lot. And like I had my choice of a million stalls, but none of them was under a tree. And then I kind of remembered that Director Peters said they were going to supplement all the trees along the border of the thing, but that didn't...I guess that meant the one per five, but it didn't provide any shade for parking there. And was that us exempting the Parks Department from meeting the one per five within the parking lot, or is it allowed to be on the exterior, or...I was wondering if you could clarify how the requirement works. Is it just meant to be one tree per five spots, and you can put it anywhere, or how does

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that work?

MS. TAKAKURA: Thank you, Committee Member Paltin. So, you know, we do...like you mentioned, it's one per five stalls. And, you know, sometimes we can be flexible...like say there's, you know, something in the way that doesn't allow for it to be exactly every five spaces. But we don't like to compromise on the number of the trees, so I'm looking at the Code to see what it says. But generally, it's one per every five (*audio interference*) number.

COUNCILMEMBER PALTIN: Because I think...I think they did meet that, and it's distributed evenly among the perimeter. But is the intent to provide shade for the parkers, or just to meet a tree to parking lot space ratio, and distribute it evenly, and not bunch it all in one place? Because I'm not...it could be that we met the letter of the law, but not the intent by allowing that. Unless the plan is to cover the entire parking lot with solar panels, I'm not sure. But if that was the case, then they should have probably put the wiring in before they did the resurfacing.

MS. TAKAKURA: Yeah, that particular one, I'm not sure. I'm asking the Zoning Division if there was a LPAP. So, that one we have to look up. Yeah, that one...I kind of wondered about that too when I saw it.

COUNCILMEMBER PALTIN: Okay. Chair, do you think we could do a transmittal under this Committee to the Parks Department to get clarification? I mean I'm not sure if it was us because I remember having a presentation about that, and like the types of trees. But I can't remember if we...this body, at that time...think it was the 2019-2020 term, exempted them from having the trees distributed through the parking lot. And I think that it was the same kind of argument that Mr. Moran had stated about pushing up a newly paved parking lot, or something along those lines...and if we...if we allowed that ourselves, and then we didn't realize the effects. Because once I experienced it, I was like, shucks. If we were going to allow this, we should have at least required solar panels over the whole thing because, you know, the swimming pool right there, the stadium right there, the school right there, all of those could at least use the electricity, you know, if we allowed solar panels. And then I guess...I'm not sure if the other question is for you, Chair, on 19.36B.080(2)(C) (*phonetic*) about solar or photovoltaic carports. So, that would be an acceptable, I guess, swap for...how do they calculate that, I guess, in light of the tree situation if you have how many photovoltaics? Like is it...is there a formula or something?

CHAIR KING: I don't think there's a formula for how much electricity is provided. So, for this bill, it would be the amount of shade provided. So, you know, if we're requiring 50 percent coverage, then you would have to calculate the square footage relevant to the square footage of the parking area, and see if it covers 50 percent.

COUNCILMEMBER PALTIN: Oh, but it says --

CHAIR KING: It's not --

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COUNCILMEMBER PALTIN: -- in Part C, it says, as an alternative means to provide visual relief, if solar or photovoltaic carports are situated in a manner that makes it impracticable to plant the required trees anywhere on the lot, appropriate additional hedge material may be planted elsewhere on the lot in linear masses that will reach at least four feet in height when mature. So, when you're putting in your parking lot, you can make the decision to do photovoltaic if you do hedges? Is that what that means?

CHAIR KING: That was the...meant to be that...you know, the...that the total 50 percent coverage. So, I think that would be something that would probably be clarified by the Planning Commissions, if that was acceptable. And we'll get...yeah, I'm sure we'll get some public input as well. My thought on this, Members, is that this is a...we're looking at a regulation that's going to make improvements, and the actual enforcement is going to be up to the Administration. So, it's not really for us to say, here's (*audio interference*) the Planning Department should enforce, and here's what the Public Works Department should enforce. But if there is additional enforcement personnel needed, I know both of those Departments have vacancies that could be filled and, you know, assigned to this kind of enforcement. Just that we're not the...we're the legislative body, we're not the enforcement or implementation body. So, the things that we would clarify are the things that Member Paltin's talking about, which are, you know, do we want to put clarifying language in there that says that the photovoltaic coverage can replace trees. Because, of course, that will cut down on the shade item...shade...or the heat islands, but it doesn't solve the problem of sequestering CO₂, which is what the trees do. So, you know, those are...those are all issues that will be fleshed out, I think, at the Planning Commission, and decided whether the benefits of photovoltaics are going to outweigh the benefit...or at least equal the benefits of shade trees.

COUNCILMEMBER PALTIN: Well, I guess my interpretation of the way that I'm reading it is, even if you have photovoltaic, you still need to plant hedge material that would reach four feet in height when mature. It's just, does that (*audio interference*) --

CHAIR KING: Does it have to be 50 percent (*audio interference*) --

COUNCILMEMBER PALTIN: Yeah. Or then are you exempted from the one tree per five (*audio interference*) stall, and then how long would the linear...like what...what is the...what is the exact trade off to ensure that you're meeting the Code? Because it seems like if you use photovoltaic carports, you don't need to plant one tree per five parking spaces distributed evenly, but you do have to plant a four-foot mature hedge in a linear thing, but it's not clear what the exact swap out is. What if your linear hedge is like one foot, or something? Like it's not clear like, oh --

CHAIR KING: Oh, how long it is...how long the (*audio interference*) --

COUNCILMEMBER PALTIN: Yeah. Yeah, like to equal --

CHAIR KING: Oh.

COUNCILMEMBER PALTIN: -- the one tree per five spaces, if you know what I mean.

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CHAIR KING: Yeah. No, I do know what you mean, and I think that's something that's going to have to be fleshed out at the Planning Commissions to clarify. Because we're going to get input from, I think, people who are going to advocate for both sides, right, we're going to have...probably developers are going to advocate for being able to replace trees with photovoltaics. And then we're going to have people who are going to advocate for still having the Planting Plan in place. So, a lot of these issues, I think, will be fleshed out in...that's why it goes to the Planning Commission before we flesh it out in our Committee. We're not allowed to actually create this...you know, bring it into Committee for discussion.

COUNCILMEMBER PALTIN: Okay. And you would be willing to write to the Parks Committee, and try to clarify if Parks are in charge of Parks' parking lots, and what happened with the War Memorial situation?

CHAIR KING: Okay. Can we...did you get that, Staff? We'll send out a memo this week to the Parks Department?

MR. LEAUANAE: Yes, Chair.

CHAIR KING: Okay, great. And then hopefully we'll get a response back, and we can send that in with the...to the Planning Commission with this...with this legislation. Okay.

MS. TAKAKURA: Excuse me, Chair *(audio interference)* --

CHAIR KING: Committee Vice-Chair Sinenci.

VICE-CHAIR SINENCI: Chair, looks like Ms. Takakura wanted to respond to that.

CHAIR KING: Okay. Well, I wanted to give you a chance to comment first, or ask questions first, and then we can *(audio interference)* --

VICE-CHAIR SINENCI: I can wait for her response too. Thank you --

CHAIR KING: Okay.

VICE-CHAIR SINENCI: -- Chair.

CHAIR KING: Ms. Takakura, did you have a response to...or an input to --

MS. TAKAKURA: Yes.

CHAIR KING: -- Member Paltin's --

MS. TAKAKURA: Thank you, Chair --

CHAIR KING: -- comment?

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MS. TAKAKURA: -- King. Sorry about that. I did check with the Zoning Division, and we don't see an LPAP submitted by Parks to us for the War Memorial parking lot. So, I just wanted to put that out there, we did not get an LPAP for that one. Thank you. That's all.

CHAIR KING: Okay. So, we'll just...we'll just send the memo out to ask about whether the Council actually made a decision on those...on that...that swap out, I guess. I'm assuming that...Director, I'm assuming that that means that there was no oversight by Planning for parking lots in the Parks Department. Okay. Because now we have --

MS. TAKAKURA: The War Memorial.

CHAIR KING: -- you know in my...for War Memorial specifically, okay. Because in my...in my first term, there was...we were...we discussed the Arborist's appointment, and it was always this tug-of-war between Planning and Public Works, trying to push it to the other Department. So, maybe you're right, maybe we do need an Arborist in each Department, especially as trees become more important to our future. So, that might be something to look at for the next budget session for this Council. Thank you. Okay, Committee Vice-Chair Sinenci.

VICE-CHAIR SINENCI: Oh. Thank you, Chair. Just for clarification...so, Ms. Takakura, you mentioned if we go ahead and refer this to the Planning Commission, they won't be commenting on 12.24A because it includes trees in parks, and on roads, and streets. They would just be commenting on the 19 (*audio interference*) --

CHAIR KING: Yeah, I can...I can address that, Committee Vice-Chair. So, what we did because of the input of the Director...the Planning Director at the last Council meeting is, we separated out the Title 19 revisions from the Chapter 12 revisions. And so, because we didn't want to send all of that to the Planning Commissions--you know, they don't...they don't handle Chapter 12--so, we're only sending...so, my next move is to, you know, recommend the adoption of the resolution, and then do...just for...and then we're going to...we have an ASF that specifies it's just for the Chapter 19.36B section. And then we have another bill...we separated out the Chapter 12 into a separate bill, which will be on this Friday's...it will be listed on this Friday's Council meeting as a communication to be referred to the next Council. So, that one doesn't have to go through the Planning Commissions.

VICE-CHAIR SINENCI: Okay. Thank you for that clarification, Chair.

CHAIR KING: (*Audio interference*) --

VICE-CHAIR SINENCI: And then under 12...12.24 under C, the enforcement, would that enforcement fall under the new Arborist and the Planning Department, or elsewhere?

CHAIR KING: I think that will be something for the next Council to discuss with the Departments.

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VICE-CHAIR SINENCI: Okay.

CHAIR KING: Because right now, we're just referring that on to, you know, the next Council. And however...and, you know, it's...it'll be like one of the other referrals, where it just goes to the Council Chair, and the Council Chair will refer it to the appropriate Committee. And then the Committee can refine the bill before it brings it back, or it could just bring on the appropriate Department to make those clarifications.

VICE-CHAIR SINENCI: Okay. I think Ms. Takakura wanted to comment.

CHAIR KING: Ms. Takakura.

MS. TAKAKURA: Thank you, Chair King. Sorry to keep interrupting, but we do have some concerns about that because we don't typically administer Title 12. And so, for the enforcement responsibility of Title 12 to fall on the Planning Department, that's a little concerning --

CHAIR KING: Okay. And then you can --

MS. TAKAKURA: -- because that's kind of outside of --

CHAIR KING: -- you can put in --

MS. TAKAKURA: -- our *(audio interference)*. Thank you.

CHAIR KING: Right. And I think it'd be appropriate for you to...you know, when it gets referred, to send that comment in to the Council Chair. And that will go...that memo can go along with the referral. Okay. Any --

VICE-CHAIR SINENCI: Okay. Thank you, Chair.

CHAIR KING: -- Member Johnson. Oh, thank you.

COUNCILMEMBER JOHNSON: Thank you, Chair. So, Deputy Director Takakura, in the...in your opening remarks, you mentioned about the electric vehicles, the EV, in...in the parking lot. And it was just a quick statement, but I...can you clarify...can you expand on a little bit of that? I just...it was...you were going pretty fast, and I didn't...I was taking notes, so can you expand a little bit on that?

CHAIR KING: Director.

MS. TAKAKURA: Yes. Thank you, Chair King. So, sorry, Councilmember Johnson, when I get nervous, I talk fast. So . . . *(laughing)*. . . what I wanted to say was, you might want to consider exceptions for parking lots that have PV panels that are providing shade, or are otherwise taking up, you know, some percentage of the lot. Because if you were to plant these big trees over them, that could affect, you know, the PV's productivity. And

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then also, you know...you know, you want to consider...you know, the PV panels are providing some shade already. So, you might want to make some provision that, you know, if you've already got some shade by PV panels, maybe you want to count that into the total, or...or I don't know, something. But it should be taken into consideration, as we're seeing more of these lots, you know, like UHMC, or Costco, where the --

COUNCILMEMBER JOHNSON: Yeah.

MS. TAKAKURA: -- there is some shading. That's all I want...I wanted you folks to think about that.

COUNCILMEMBER JOHNSON: So, it would be...you would like for that to be an exception for the one in five rule for shade to parking stall.

MS. TAKAKURA: Committee Member Johnson, thank...well, yeah, that would be an idea, but I guess what we need is clarity so we know how to administer it based on what you folks want. So, if you want it to be included, you know, in the percentage, make sure that we understand that; or if you don't want it included then, you know, make sure people understand that too. And, you know, to keep those two in mind; you've got trees and you've got PV panels --

CHAIR KING: Um-hum.

MS. TAKAKURA: -- what are the impacts on each other. So, you know just (*audio interference*) to think about (*audio interference*) --

COUNCILMEMBER JOHNSON: Okay. Thank you.

MS. TAKAKURA: -- give us clarity.

COUNCILMEMBER JOHNSON: It makes...it makes sense to me. The next question I wanted to ask was in regards the Arborist. It seems to be kind of a hot potato, where...like we were...what Councilmember King was saying, where one Department didn't want it, and one Department did. I think, in my mind...is there a role for the Arborist Committee to play in this? I mean we have an Arborist Committee, right? And don't...wouldn't...couldn't your Department, Deputy Director Takakura, go to the Arborist Committee in the meantime while you guys decide if you want to have a Arborist in your Staff?

CHAIR KING: Director?

MS. TAKAKURA: Thank you, Chair King. Councilmember Johnson, so regarding the Arborist...so the Public Works Arborist, you know, they take care of the street trees. We don't have anybody who has that kind of training for our Staff. So, you know, we could have one...a new one, and that Arborist would take care of the parking lot trees. I would imagine they would correspond with each other, at some point, but the things that they look at would be different. We already do send LPAPs to the Arborist Committee when

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they ask for exceptions.

COUNCILMEMBER JOHNSON: Oh.

MS. TAKAKURA: So, there is a role, when they...when they want to...like say there was a property that for safe...security reasons didn't want to have trees, or wanted to not follow the rules, and there's already a provision in there that the Arborist Committee would make that decision for those --

COUNCILMEMBER JOHNSON: Okay.

MS. TAKAKURA: -- kind of situations. But otherwise, we just follow the Code ourselves.

COUNCILMEMBER JOHNSON: Okay. And my final question is in regards to...the categories, you said, it was very unique. So, you don't do street trees, you don't do parks...you know, all those things. Do you have a number of how many parking lots--not stalls, please, we don't need that number--but how many parking lots you would be kind of overseeing? And if you have a number, that...I mean is that a one-person job, or could it be a part time? That's kind of where I'm going with that question.

CHAIR KING: Director?

MS. TAKAKURA: Thank you, Member Johnson. I have no idea because, you know, they're just part of any development, and we just ensure that they meet the criteria for number of stalls. So, I'm sorry, I...we would have to look at that when we start administering this, I guess (*audio interference*) --

COUNCILMEMBER JOHNSON: Right. Okay.

MS. TAKAKURA: -- what the (*audio interference*) would be.

COUNCILMEMBER JOHNSON: All right. Thank you so much, Deputy Director. Thank you, Chair. No further questions.

CHAIR KING: Thank you, Member Johnson. You know, another thought that occurred to me was...because I was part of that ping ponging back and forth, and neither Department wanted it back then. But, you know, it could be something that could be reorganized, like the County Archeologist, where maybe an Arborist could be put under the...you know, the General...the Managing Director, or the Mayor's Office, and then they could, you know, administer those services to whatever Department needed an Arborist at whatever time. So, that might be something that the next Council could consider as well, just moving that Arborist position to the Mayor's Office so that it's accessible...you know, so you don't have a full-time person that's sitting around half the time with nothing to do in one of the Departments, but, you know, I'm sure there'll be plenty to do for that person, so...okay. If there are no other questions, Members, then--oh, Member Paltin.

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COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Takakura. I just was wondering, with this bill, the way that it's written as...in the ASF, what would be the consequence to not having the one per five evenly distributed, or the 50 percent canopy? I think one of the testifiers previously had mentioned like if one tree were to die, and then like you would go...I guess somebody made a complaint about a dead tree, then you would give them a notice of warning, and then they would have to, like, replant the tree, and then you would, like, check back annually, or something. Oh, the tree is still alive, or...I mean...and then say like they got to notice of violation level where, like, we're not watering, or irrigating the tree, what would be the consequence? Like how would it escalate after it hits the notice of violation phase?

MS. TAKAKURA: Thank you, Member Paltin. So, this...in this situation, this would be complaint based. So, if someone were to call, and...I guess we would send an inspector out. There's already provisions in there that if the tree dies, I think you're...you do have to plant the same type of tree. Or if you want to make a change, you would have to submit an application to...yeah, it says, it must be replaced by a tree of the same species and maturity, so that's already in the Code, or they can submit a revised landscape plan. I guess if the...if there were continued complaints, we would escalate enforcement. I haven't seen that. I think, typically, you know, we get a complaint, and then we follow up, and usually we don't hear back further. And that's probably something an Arborist would be needed...would be helpful to have so that they could be doing a follow up. That's kind of a gap we have, you know, our Zoning Inspectors, they know Title 19, and HRS, and SMA, and shoreline, but they're not certified Arborists. So, that...that is one weak point that we have right now.

COUNCILMEMBER PALTIN: Okay. I guess...I mean another scenario besides the tree dying would be they bolo head the tree with noncertified arborist tree trimmer. Would that be...would that...how would that one escalate? Would it be straight to notice of violation if this were a bill? Because it's supposed to have 50 percent canopy, and whether or not it had 50 percent canopy prior to the bolo heading...obviously, when you bolo head the tree, it's not going to have 50 percent canopy. So, would that be straight to notice of violation, or would it be notice of warning first, and then they would have to bolo head the tree again to get a notice of violation?

MS. TAKAKURA: I think that would...to me, if the Code says a minimum of 50 percent canopy covered of the hardscape, and then they had it, and then they removed it, it probably would go straight to a violation. But if the trees are still growing...see, that's where it's really gray, where you're going to have some, well, it's still growing or, you know, that...that's the part where we would really need that Arborist expertise to say, you know, if the trees are...if that was part of, like, a regular pruning, or something that totally decimates the trees. So, yeah, that part's really hard to...without the expertise of an Arborist, it would be hard to say.

COUNCILMEMBER PALTIN: *(Audio interference)* --

MS. TAKAKURA: You had also asked about fines, and Title 19 fines, I think they're like 1,000 for civil and . . . *(inaudible)*. . . dailies. It's either 500 or 1,000.

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COUNCILMEMBER PALTIN: So --

MS. TAKAKURA: -- for...generally speaking, for Title 19 fines.

COUNCILMEMBER PALTIN: -- would it...it wouldn't be that they bolo head the tree, they get a notice of violation, and they accumulate daily fines until the tree becomes 50 percent canopy, because that would be a lot of money (*audio interference*) --

MS. TAKAKURA: Right. So, we would have to work with them on some sort of mitigation and compliance plan. Maybe they have to go and replant new trees that already have a little bit of growth, but that's going to be very difficult for us to figure out. It's going to be very gray.

COUNCILMEMBER PALTIN: And then...like say they bolo head the tree, and you attempt to give them a notice of violation, but they did hire a certified Arborist to do the tree trimming, and the certified arborist says, well, we had to do that because there was, like, silky (*phonetic*) disease, or something along those lines, then it wouldn't be a notice of violation. Would that need to be written into the Code, like must be 50 percent canopy, but trimming would be allowed if there...if the tree was diseased, and it wouldn't be a fine, or would that just be implied?

MS. TAKAKURA: I think that's something that would be very helpful to have clarified so that we know exactly how to enforce this, because that's going to be really difficult for us.

COUNCILMEMBER PALTIN: So, put some sort of exception if there was a disease that required trimming beyond 50 percent of the canopy, or something like that, like professional Arborist opinion. And then, would that have to be documented in order for it to be accepted...exempted?

MS. TAKAKURA: Well, when we issue, like, warnings or violations, you know, we do try to work with the property owner on compliance. And so, it does help, and we do take, you know, circumstances into consideration. So, by keeping open communication with us by documenting things like that, that would certainly help, you know, so that...you know, to avoid fines, or to...you know, getting to the point where we start issuing fines. You know, if...they would really need to show efforts at compliance. (*Audio interference*) --

COUNCILMEMBER PALTIN: And then (*audio interference*) --

CHAIR KING: And I think in these...in these kinds of cases the Director has discretion for these types of fines; is that correct, Ms. Takakura?

MS. TAKAKURA: For Title 19, the applicant...the property owner can go to BVA if they want to, or we can try to work with them. It depends on the situation, the severity.

CHAIR KING: Um-hum. Because the Charter just says up to \$1,000 fine. So, you can only

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do up to \$1,000 fines, but the discretion is usually up to the Planning Director.

COUNCILMEMBER PALTIN: And then I also had a question about what you were saying, if the landowner was different than the tenant. And I don't think that I would like the certificate of occupancy to be withheld from the tenant if it's the landlord. Can it just be the landlord being fined rather than the tenant being denied their certificate about occupancy, or is that not a choice?

CHAIR KING: Director?

MS. TAKAKURA: Thank you, Member Paltin. So, you know, certificates of occupancy are really Public Works' domain, you know, but when we do review...when we do the inspections, we look for pretty much everything in terms of compliance. And so, yeah, I guess we would have to kind of see because...yes, like, you know, say what if the trees are still growing, and they're not at maturity yet, would they be considered out of compliance or not? You know, a similar example is like with the EV stations, if a tenant comes in for a CO, you know, we can issue a temporary CO while the landlord is...or the property owner is working on the EV. But I was thinking about this, like would you issue a...how long can you issue a temporary CO for, you know, if the trees are still going. So, that part, I'm not sure on of how we would resolve that. But normally, when we look for COs, we look at everything on the property.

COUNCILMEMBER PALTIN: Would it be possible to...like if instead of not issuing the CO, fine the landlord, and let the tenant take it off their rent or something, or no, that's not a thing?

MS. TAKAKURA: I would have to consult with Public Works on how we would figure that out. I'm not sure.

CHAIR KING: And Member Paltin, the...in the bill, it says that during the review of a building permit application, prior to the issuance of a certificate of occupancy, the Department must require the submittal of a landscape plan that shows compliance. So, the plan has to be submitted, but it doesn't say that, necessarily, the trees have to be fully mature and in. Does that...does that make a difference with you, Director Takakura?

MS. TAKAKURA: Chair King, where is that section? I just want to read it to make sure I understand.

CHAIR KING: Section A, right...it's right in the first paragraph, the bottom of the first paragraph.

MS. TAKAKURA: Oh, okay.

CHAIR KING: The Department must require the submittal of the landscape plan that shows compliance with the following landscape standards, and then it goes to the standards. So, really, what you're looking for is the plan to be submitted. You know, and I suppose...right now, I can't...I can't foresee that you would take a certificate of

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occupancy away if some of the trees didn't reach maturity. You know, if you do get complaints, you'd probably go in and work with the landowner, but I've never heard of a certificate of occupancy being removed from something like this from a tenant.

MS. TAKAKURA: Yeah, this would only come to us when a new tenant is coming in, and that's when we'd do our check. Yeah, I guess if they do have a landscape plan, and it shows compliance, and it shows that the trees are...you know, haven't reached maturity yet, we'd probably, you know, allow that. *(Audio interference)* --

CHAIR KING: Okay. Anything else, Member Paltin?

COUNCILMEMBER PALTIN: I guess, you know, if it's a new tenant that comes in right after the tree been bolo headed, can you just fine the landowner rather than deny the CO for the new tenant?

MS. TAKAKURA: We've had a similar discussion regarding the EV, and we try to ask the tenant to go to the property owner and work with them so that we don't get drawn into, you know, all of that. But, yeah, I'd have to talk to Public Works on how to administer this.

COUNCILMEMBER PALTIN: Would it be better if we made that the law? Like if a landowner is not compliant with their LPAP, then instead of denying a new tenant a CO, if the tenant is not the landowner, the landowner should be fined? Like make that be a law...and so that there is no gray area?

CHAIR KING: So, Member Paltin, I just got a...I don't want to get into...I mean I think we're just kind of bordering the edge of deliberations. And I was just told by Staff that there's another testifier, and that we can reopen testimony at this time because we...all we've been doing is asking clarifying questions. So, before we get into the deliberation about the possible amendments, are you okay with us --

COUNCILMEMBER PALTIN: But I thought we closed testimony already?

CHAIR KING: We did. We did.

COUNCILMEMBER PALTIN: Oh. Oh.

CHAIR KING: And I just got this...a message from Staff that there's one more testifier, and that we can reopen as long as we are still on clarifying questions. So, if you can hold that thought, and then...I mean does anybody object...have any objections of letting one more testifier testify?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR KING: Okay. So, maybe hold that thought, Member Paltin. We can come back to that, and deliberate on that. But Staff, if we're...I'm assuming, since I haven't heard from Mr. Forrest, that we're okay to reopen testimony, and let one more testifier?

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MS. ABRAHAM: Yes, Chair.

CHAIR KING: Okay. So, there's no objections.

. . .REOPEN PUBLIC TESTIMONY FOR CARE-100. . .

CHAIR KING: So, we'll go ahead and call the new testifier.

MS. ABRAHAM: We have a Jessica Kaneakua (*phonetic*), I'm not sure if she's testifying on this item.

CHAIR KING: Oh. Okay, this is...we're still...we're on this item. So, Ms. Kaneakua, are you testifying on CARE-100? I thought we had already made that request, and she was--she still there? Staff, she still there?

MS. ABRAHAM: She is on the line. We did try to chat her, but we haven't received a response.

CHAIR KING: Okay. If not, I'd like to move on, and just keep...we'll go ahead, and keep testimony closed then, and move on to deliberations.

. . .END OF PUBLIC TESTIMONY FOR CARE-100. . .

CHAIR KING: So, Members, let's go ahead and get the motion on the floor, and then we can deliberate. At this time, I will entertain a motion to recommend adoption of Resolution 22-258, entitled "REFERRING TO THE LĀNAʻĪ, MAUI, AND MOLOKAʻĪ PLANNING COMMISSIONS AND ADVISORY COMMITTEES TO THE MAUI PLANNING COMMISSION A PROPOSED BILL AMENDING CHAPTERS 12.24 AND 19.36, MAUI COUNTY CODE, RELATING TO THE LANDSCAPE PLANTING PLAN." And then once we get this on the floor, we'll do the ASF.

COUNCILMEMBER JOHNSON: So moved.

CHAIR KING: Okay. Moved by Member Johnson. Do we have a second? Seconded by Committee Vice-Chair Sinenci. Okay. So, we have before us the actual resolution. And then before we enter into discussion, I'd like to entertain a motion for an amendment, and like to entertain a motion to amend the motion on the floor to replace with the ASF that was dated November 30th, 2022, CARE Committee meeting. And this is to amend Resolution 22-258 to Refer to the Planning Commission and Advisory Committees a bill that only amends Chapter 19.36B, Maui County Code, Relating to Off Street Parking and Loading, and does not amend Chapter 12.24A, Maui County Code, Relating to Landscape Planting and Beautification. Do I have a motion to...for the amendment?

COUNCILMEMBER JOHNSON: So moved.

CHAIR KING: Okay. Moved by Member Johnson, seconded by Committee Vice-Chair Sinenci. So, we have on the floor the amendment. So, Members, I'd like to open the floor to discussion on the amendment. You should have...does everybody have the ASF...does

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everybody have the ASF?

COUNCILMEMBER JOHNSON: Chair, what was the date of that...of that one?

CHAIR KING: It's dated today, November 30th, 2022.

COUNCILMEMBER JOHNSON: And it's been sent in our emails?

CHAIR KING: It should have been. Staff?

COUNCILMEMBER JOHNSON: Okay.

CHAIR KING: Oh, it's in Granicus.

COUNCILMEMBER JOHNSON: Oh, it's in Granicus.

COUNCILMEMBER PALTIN: I see one dated November 23rd.

CHAIR KING: So, it's attached to CD1 version of Resolution 22-258, incorporating the proposed amendments. The proposed amendments are, one, in the title and body of the resolution in Exhibit 1, replace each instance of Chapters 12.24A, and with chapter in each instance of 19.36 with 19.36B; and number two, in Exhibit 1 strike Section 1 and renumber section--oh, I'm sorry. Member Paltin, did you not find it?

COUNCILMEMBER PALTIN: Oh. I just was wondering, is this the same one in Granicus...that's dated November 23rd in Granicus?

CHAIR KING: I don't think so, it's dated today. Is it in there twice, Staff?

COUNCILMEMBER PALTIN: I only --

CHAIR KING: No, it should be date...should be dated today, November 30th.

COUNCILMEMBER PALTIN: I only see one in Granicus that's dated November 23rd.

CHAIR KING: Oh, it was? Okay. So, the 11...the November 23rd is the correct one. Okay. Yes, it is the correct one.

COUNCILMEMBER PALTIN: *(Audio interference)* --

CHAIR KING: I'm not sure...my...mine's dated November 30th, but I guess it was because it was for the meeting today. Okay, it was received by November 23rd in order to post for today. Okay. Anybody not have it yet? Okay. So, the second...the second amendment is in Exhibit 1, strike Section 1, and renumber Sections 2, 3, and 4 to Sections 1, 2, and 3, respectively. And number three, incorporate nonsubstantive amendments to ensure consistency with the drafting guide for Maui County Legislation. So, that's the proposal on the floor right now. And any further discussion on the amendment proposed? And

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this is...this was due to concerns we all heard from Director McLean last Council meeting that the entire thing should not go to the Planning Commissions, just the section that addresses Title 19. So, we're only looking at the sections that address 19.36B now. And then a lot of the questions that were asked about enforcement of Public Works will be addressed in the next term under the 12.24. Okay, any more discussion? If not, we'll...let's go ahead and take a vote on the amendments. All those in favor, raise your hand and say aye. Aye. Okay. Unanimous, four votes. Thank you, Members. No noes.

VOTE: AYES: Chair King, Vice-Chair Sinenci and Johnson and Paltin.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmembers Lee, Molina and Sugimura.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

CHAIR KING: And so we're back to the main motion as amended. Any discussion? If not, all those in favor of the main--oh, Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. I was wondering, in the Committee report that gets transmitted to the other agencies, if we could put in there about the idea about not denying the certificate of occupancy if the tenant is not the landowner, and looking at other means of addressing compliance. Because we don't...I don't personally think that having empty storefronts is a benefit and helpful in achieving compliance. So, if we can look at other means of achieving compliance than denying certificate of occupancy for a tenant who is not the landowner.

CHAIR KING: Okay. To show that in the discussion?

COUNCILMEMBER PALTIN: In the Committee report, yeah.

CHAIR KING: I think that's a good...I think to show that in the discussion in the Committee report would be good. I kind of have mixed feelings about that, Member Paltin, because I think this is a way of getting landowners to be compliant. You know, if you want to rent out your entire space, get compliant with the number of trees that...you know, in your planting plan. But I understand about, you know, not wanting to...about wanting to move forward with filling up empty storefronts. It's just some of these things...and I

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think...I think the trees are not the only issue, but some of the things are...the way to get landowners to be compliant, be able to rent out their spaces is to...you know, I mean there is that kind of give and take there. But I understand what you're saying about putting it in the Committee report, that that was an issue that the community . . .
(inaudible). . . --

COUNCILMEMBER PALTIN: Yeah. For West Maui, we have so many vacant storefronts as it is. And I don't think that compliance with the landscape planting plan is the issue in keeping them vacant. And, you know, as there's all these vacant storefront properties, it doesn't contribute to a, you know, thriving community. Like kind of ghost townish or, you know, illicit activities going on around all these vacant buildings. So, to me, that's not the goal. I would like to achieve compliance. I think there are other ways, you know, if it be fines...daily fines, whatever it is, but vacancy is not my preferred method of enforcement.

CHAIR KING: Okay. And the other thing too, is that we...I hope in the next term we get a report from Randy Wagner's grant, you know, for the public...she's doing the public outreach and information program on trees. And the fact that...because one of the strong arguments for getting compliant is that if you do have a good tree planting plan that you've complied with, then you're going to get more people wanting to come to your mall, or your stores in your...in your shopping centers, and possibly staying longer, as well. So, that what was one of the things that we heard from our former Arborist Ernie Rezens, that that's actually a benefit to landowners who are renting out space for storefronts. So, yeah, I think it's a...it's a continued discussion, but certainly putting that in the Committee report is important because that's also going to affect how the next Administration enforces this piece of legislation. Okay. Anything else? If not, call for the vote...the motion on the floor as amended. All those in favor, raise your hand and say aye. Aye. Member Paltin. Okay. Four ayes, zero noes, three excused. Motion passes, and we'll refer this to the Planning Commissions.

VOTE: AYES: Chair King, Vice-Chair Sinenci and Johnson and Paltin.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmembers Lee, Molina and Sugimura.

MOTION CARRIED.

ACTION: Recommending ADOPTION of Resolution 22-258, CD1.

COMMUNICATION FOR REFERRAL TO THE COUNCIL CHAIR FOR THE

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2023-2025 COUNCIL TERM

CHAIR KING: Okay. Moving onto the next item, we...which is the Communications to be Referred to the Council Chair for the Term Beginning January 2nd, 2023, Under Rule 22 of Rules of the Council. Staff, do we have any testifiers on this item?

MS. ABRAHAM: There are no testifiers at this time.

CHAIR KING: Okay, great.

. . .END OF PUBLIC TESTIMONY FOR COMMUNICATION FOR REFERRAL TO THE COUNCIL CHAIR FOR THE 2023-2025 COUNCIL TERM. . .

CHAIR KING: And we should all...everybody should have the list. Does everybody have the list of the items from the master agenda to be referred? Okay. That will be...that will go on to the Council Chair to be redistributed, depending on what the makeup of the next Council term is as far as Committees. Any discussion on this item? And, you know, of course, we've been told we can...can't add anything new, we can only delete items. Okay. If not, I'll entertain a motion to refer to the Council Chair for the term beginning January 2nd in accordance with Rule 22 of the Rules of the Council. We have a motion? Moved by Committee Vice-Chair Sinenci, seconded by Member Johnson. All right. Any further discussion on these referrals? And of course...you know, if there's anything that I've allowed to be filed that you want brought up again, that's...that can always be brought up again in the next term. If there's no further discussion, all those in favor of the motion on the floor, raise your hand and say aye. Aye. Okay. Four ayes, zero noes, three excused; Members Lee, Sugimura, and Molina.

VOTE: AYES: Chair King, Vice-Chair Sinenci and Johnson and Paltin.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmembers Lee, Molina and Sugimura.

MOTION CARRIED.

ACTION: REFERRAL of communications to the Council Chair for the term beginning January 2, 2023.

ITEM 1(18): KUPU YOUTH AND YOUNG ADULT TRAINING PROGRAMS FOR A SUSTAINABLE HAWAII (Rule 7(B))

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CHAIR KING: Okay. Members, so we have one more item on the...on the agenda, and it's a presentation by Kupu Youth and Youth Adult Training Programs for a Sustainable Hawai'i. This was referred to us by the Chair earlier this year. And do we want to take a ten-minute break, or do you want to just power through the presentation? Okay. Nobody has to go to the bathroom? Okay. We'll power through, and hopefully we have the folks on board. Members, we are joined by John Leong, CEO of Kupu, an organization whose mission is to empower youth to serve their community through character building, service learning, and environmental stewardship opportunity that encourage pono or integrity with ke akua, self, and others. He will be providing a presentation on Kupu, and various youth and young adult training programs that promote a sustainable Hawai'i. If there are no objections, I would like to designate Mr. Leong as a resource person for this item in accordance with Rule 18(A) with the Rules of the Council. Any objection?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR KING: Okay. Thank you. And we'll go ahead and do the presentation, then we'll ask if there's any testifiers. So, remember after we do the presentation, only clarifying questions. And I think this is a good segue into next week when we're going to have the Youth Council, so the timing seems to be good on this item. Okay. So, Mr. Leong, your opening comments and presentation. The floor is yours. Staff, is he...is Mr. Leong here?

MR. LEAUANAE: Chair, we'll follow up. He was on earlier.

CHAIR KING: Oh, okay. Well, why don't we go ahead and take a five-minute break, Members. And then we'll come back. It's...oh, 10:20. We'll come back at 10:25...26, and then we'll have the presentation. I think I could--oh, is he here? Mr. Leong, one more time...one more check. Okay. And then we'll come back and do the presentation. I think I can still get you out of here early today. But for right now, 10:21, the Climate Action, Resilience, and Environment Committee is on recess until 10:26. . . .(gavel). . .

RECESS: 10:21 a.m.

RECONVENE: 10:28 a.m.

CHAIR KING: . . .(gavel). . . Will the Climate Action, Resilience, and Environment Committee please return to order. And we have one more Member...one more item on our agenda, Members. I think we have John Leong with us, now, ready to give his presentation. Mr. Leong? Do we have him? I thought we had him here? Okay. I did get a text from Axel that he was waiting to give his presentation. So, give him a few more minutes to get started. Okay. I got...there's a message in chat that he's attempting to join the call now. Mr. Leong? Okay. He's resending the link (*audio interference*) get him on. And Staff, will he be sharing his screen, or will you be running the...is it a PowerPoint?

MS. ABRAHAM: We have the presentation ready to go if that is --

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CHAIR KING: Okay.

MS. ABRAHAM: -- his request.

CHAIR KING: Okay. Axel, if you're on, can you let us know what's happening?

MR. BEERS: Yes, Chair. He has the link, and he says he's logged in as a guest. So, I'm not sure what the technical difficulty is right now, trying to work it out.

CHAIR KING: Okay. Okay. I did...I saw one...there's two guests not testifying. Mr. Leong, if you're on, can you tell us what...how you're logged on? We have a Guest not testifying, and a Guest 42 not testifying. Okay. I'm not...I guess we're not going to get to this presentation today. I'm disappointed. We can't get him online, Staff?

MR. LEAUNAE: Yeah, we could...ask him to try to logged [sic] off, and log back in.

CHAIR KING: Okay. Okay. Now he's on, I think. Okay. Mr. Leong, can you unmute your screen, and your audio?

MR. LEONG: Okay. I can...can you guys hear me now? Sorry.

CHAIR KING: There you are. Okay. Now we can see you; and now we can hear you.

MR. LEONG: I'm so sorry.

CHAIR KING: Welcome to the meeting. So, do you have your presentation, or do you want Staff to put up the presentation, and you can tell them when to advance?

MR. LEONG: *(Audio interference)* I think that we email [sic] it in, so Staff has it, and they can *(audio interference)* --

CHAIR KING: Okay. We'll have our Staff go ahead and pull the presentation. Are there any introductory comments you'd like to make?

MR. LEONG: Yeah, I'm happy to share a few words while they pull that up. Well, aloha, everyone. Thank you so much for having me come and share about what Kupu is doing. We've been really excited to do this work over the last 15 years as an organization, and 22 years now as...you know, from when we first started it. Kupu is a...is a Youth Corps model, so we get young adults, and we work them...and we get them engaged in 'āina-based work as...across the State. And they work with many different organizations within various communities. We've been on Maui since 2003 doing different projects. The first was under Hawai'i Youth Conservation Corps, and then we incorporated as a nonprofit in 2007 as Kupu. And --

CHAIR KING: Okay. And then where...are you working out of the college right now with this program?

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MR. LEONG: Yeah. No, so we...well, our main office is based on O'ahu, that's where I am located right now. But we have a staff on Maui, and then we have...oh. In our slides, I believe, will show you some of the different sites that we get to work on on Maui. So, I'm not sure if the...if the slides are --

CHAIR KING: Okay. We'll go to the presentation, pull that up.

MR. LEONG: All right. Thank you so much, team over there.

CHAIR KING: All right.

MR. LEONG: Thank you, Axel, for all his great support in getting this going. So, just kind of to share a little bit about the work we've done. It's a really...it's been a real honor to do the work we're doing. We started as a very grassroots organization out of my parents' house. My wife, myself, and a friend Matt (*phonetic*), we're the founders. But today it's grown into a really great organization that works...serves all the islands, and other parts of the Pacific. We employ and work with about 600 young adults in our...in our programs, that's our number for 2023. So...next slide, please. As I mentioned, our programs really engage young adults in service, so we're trying to...we target 16 to 24 years of age. And I'm not going to read through the slide, but just to kind of give you a sampling of the...of the core programming. We have about seven different programs, but they're kind of clustered into these three silos here. The first and third column are really a individual internship placement, where we place young adults in internships. We've supported about 400 different project sites across the State over our time, and it's been really exciting. The first column really is in conservation, and it's...most of our members here are AmeriCorps funded, which means that they get paid, plus they get an educational award, and they can get college credits through either our community colleges, certificates, UH, and Arizona State also has...we have a credit program through them as well too. So, it's a really awesome opportunity for a young person that they get a chance to get out there, get real-life experience, they're serving and supporting organizations at a fraction of the cost for the organization, and then they move upwards. And our goals are higher education, employment, and then a sense of kuleana for their community. The third column...and I'll go...I'll get to the second column, but the third column is similar. It's an internship-based model as well too. But this was State funded through the Legislature. We started this program during COVID under CARES funding, and then it went onto ARPA funding, and now it's under the General Fund through the State budget. We partner with Department of Land and Natural Resources, and have worked with them over the last several years. And basically, it's...it was founded initially to get our community working in green jobs. And in the pandemic, where we lost a lot of folks who lost jobs during the height of the pandemic that were in the service industry, we were giving them opportunities to explore other green jobs. The program's evolved as the...as the unemployment need is no longer a crisis; but still, the desire to get young adults interested and involved in future industries for Hawai'i is still there. So, we're really excited that this program is now able to support people, not only in conservation, but also in agriculture; energy, especially clean energy; waste reduction; cesspool conversions; and a bunch of other green jobs...related job work. These individuals also are paid, and they can get college credits as well too, for the experience that they're in.

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I did miss...on our...one of the other things that's really neat to...well, this is that...we've, in the last few years, also engaged in supporting our tourism industry to create...to create shifts in paradigms to make it more authentic, and reduce some of the tension. And so, we started at Pololū on Hawai'i Island with DLNR, and have members there that are trail stewards. And we have people that are from the community that are helping to become representatives to those . . . *(inaudible)*. . . up there, and it's been really successful. We went from 4 individuals, this upcoming year we'll have 20 across the State, and so, we're looking at high usage areas to really create better stewardship, better information, and safety, and also to create more continuity in the information that's being provided so that there's more alignment with our guests, and with those that are our 'āina practitioners as well too. And then the middle column is our environmental education program, and we're really excited about this work. Kupu has been working within the DOE to provide kind of a Teach for America model within the natural resource and the ag pathway. We are able to impact thousands of young adults every year, where we're taking them outside of the classroom, giving them a really hands-on curriculum, and supporting the educators in these areas. The work has primarily been on O'ahu, but we are looking on expanding that. We got a GEAR grant this last year from the Governor, and have been working with some of the....some of the districts to really bolster this work. We also have a mini grant program that we work with Jack Johnson's foundation, Kōkua Foundation, across the State where we provide mini grants to encourage sustainability and entrepreneurship within the schools for...so all the schools can apply, and small groups of four or five kids usually apply, and we'll give them funding, mentorship, and then they can...to bring their products to life. And we've seen some really great innovative work that's come to...across the State. And then finally, we...right now, on O'ahu, and hopefully on other islands, we will have...this is raw, but we have a really great alternative learning center program where the DOE has partnered with Kupu. We provide 'āina-based education as a platform for job training, but we're really seeing amazing results. We're also getting...we have a full diploma program, as well as a GED program that's linked to a social enterprise, and so, the young people there can get paid while they're doing 'āina-based work, and they can get their diplomas or their GED. It's really been transformational. Most of the kids were either on their way out, or 100 percent had dropped out. And we're seeing 90...85 to 90 percent retention rate based on the year...depending on the year, but it's been really successful, and it's been a really powerful program. Next slide, please. So, this is just to give you some statistics of who we're serving. And so, about 47 percent are...of our participants are native Hawaiian or other Pacific Islanders; 53 percent of our participants live in households making less than \$25,000. And I'd say that about 80 percent of our participants come from medium to low...below median household incomes in Hawai'i. So, just to give you a sense...although, that was not planned initially, we're seeing that we're...we are...the program has become meaningful to people that are in this population, and we're really excited because we're also seeing solutions and pathways upwards. We're seeing about a 88 percent success rate for our alumni coming out of our internship programs, where they're getting jobs in related fields, or going on to higher education, so we're really excited about that. Next slide, please. So, this is giving you a sense of...in Hawai'i where we are...our different partners are, and where we get to do some of the great work. And last year, we did...we had about 150 different sites that we supported. Next slide, please. And these are some of the partners,

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statewide, that we get to work with, from nonprofits, to State and Federal agencies, Counties, some schools, and some corporations, and other organizations. And what's really nice is that we become kind of a succession model for our partners where they can hire...work with our young people for a year, or six months, and then hire them after that. And so, it's really exciting. You know, we were with DLNR, and about 50 to 60 percent of their managers were...are alumni of our program. We've seen nonprofits that are started up by our alumni, so they're creating their own work as well too, and so, it's neat. And then for the Federal government...like at Halekakaalā, a young person can go through Kupu's programs, and they can get a job noncompetitively. So, traditionally, people have to go to jobs.gov, apply, and they're applying against people that have credentials, and they're from, you know, the mainland, and other places. And oftentimes, the folks will come, work for a little bit, and then leave, or get transferred. But what's really cool is that we've seen some of our Federal partners be able to hire our alumni, and they're from the communities that the parks are in, as that example, and it gives them a Federal job, and a way to move upwards in life. Next slide, please. And this gives...as I mentioned earlier, this is a list of some of our partners on Maui, and where we get to work with, and support. So, you know really, really grateful. The work on Maui has been really meaningful. We have, as I mentioned, one of our staff members there, and we really appreciated getting to work with some of our partners. Today we have a training over at our center here in Honolulu, and we have some folks from Maui as well that have come over for training. So, that's in addition to the work that we get to do on the ground with them, we also get...try to support our partners, and give them the soft skills so they can be more successful. So, today's training is in fundraising and in human resources, all the fun stuff. Next slide, please. And then just to give you a sense of what impact looks like for us. And I apologize, I don't have it by County, but this a cumulative over the last 15 years of what we've been able to see happen. So, you know, over 5,000 young people have gone through our programs. As I mentioned, next year...it keeps increasing, we have about 600 people in our programs targeted, but 1.5 million native species put back in the ground. So, watersheds are really important to us, coastal areas, climate change, the resiliency of a community, these are all areas that we're working to support our Counties, and our partners with, to strengthen within the work that we're doing. We support about 150,000 acres, and a lot of that's invasive species removal work, as well as restoration work. We were part of a Columbia University study that looked at different Youth Corps across the country, and we've continued to work with a professor at Columbia to analyze our socioeconomic impact. This does not include our environmental impact, but each year, we're providing about 20 to 30 million in socioeconomic impacts, and we're seeing a cumulative of 170 million. So, that's looking at the service hours that we're providing, volunteer engagement. We're also able to look at averted cost to Government if certain members were not supported through programs. So, those are some of the numbers that make that up. And altogether, it's a one to three cost-benefit ratio we're seeing. So, for every dollar we've...we're invested into Kupu, we're seeing about three times that in benefits...so, better than the banks, even though interest rates are rising. And then we provide about a \$1 million every year now...it's been also increasing, but about \$1 million in educational grants through our AmeriCorps Education Award. And so, cumulatively, it's been about 6.3 million. And then high school diplomas, as I mentioned, mostly that's on O'ahu. And then about 223,000 members have been supported by our

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programs, either then as volunteers by our members, work in different workshops, or school events that have occurred. Next slide, please. And I think that's it. So (*audio interference*) --

CHAIR KING: All right. Mahalo to you.

MR. LEONG: Yeah. Well, thank you guys for the time, and for the opportunity to share. I'm happy to answer any questions.

CHAIR KING: Thank you for sharing. You know, I...yeah, I think our company, Pacific Biodiesel, hired some of your Kupu interns way back when you first started in Maui, maybe back in the early 2000s.

MR. LEONG: Um-hum.

CHAIR KING: So, I was familiar when you...with you...with your group back then, and the intern program. And I hope you got an invitation to our Youth Council, which will be on Monday, December 5th at 1:30. We're going to be seating nine youth in our...in our Council seats, and they will be deliberating on resolutions that they've created to, hopefully, pass on to the next Council next year. But this is a program that we've been working on for the last couple of years, actually, a pilot program which I...I'm hoping will continue on. So, probably fits really well into what you're doing with students, and the student interns. But folks...Committee Members, any questions...clarifying questions, and then we'll go to see if there's testimony. Or should we go to testimony next?

. . .BEGIN PUBLIC TESTIMONY FOR CARE-1(18). . .

CHAIR KING: Okay. Let's see if there's any testimony. Staff, do we have any testifiers for this item?

MS. ABRAHAM: Chair, we have no testifiers at this time.

CHAIR KING: Okay. Anybody on screen who wishes to speak up and testify? If not, any objections to closing testimony, and receiving written testimony into the record?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR KING: Okay. No objections. So ordered.

. . .END OF PUBLIC TESTIMONY FOR CARE-1(18). . .

CHAIR KING: And we'll go to questions from the Committee next. Councilmember Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. Good morning, Mr. Leong, good to hear your presentation. I really appreciate your work. I used to work in conservation, so I really appreciate the hard work that those young folks are doing for us, and the planet.

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MR. LEONG: Thank you.

COUNCILMEMBER JOHNSON: So, of course, you know, I am the Lānaʻi representative, and I noticed there was no dot on Lānaʻi. So, is there any plans to do anything with Lānaʻi? Again, the ʻuaʻus are...we have a large population of native seabirds that could really use Kupu's help, as well as the invasive species that you often work with. So, anything...any plans to expand on Lānaʻi?

MR. LEONG: That's a *(audio interference)* --

CHAIR KING: Mr. Leong, I did see Pūlama Lānaʻi on the list of partners, but maybe you should elaborate.

COUNCILMEMBER JOHNSON: That's exactly right. I did see that --

MR. LEONG: *(Audio interference)* --

COUNCILMEMBER JOHNSON: -- as well, but I...so if they're willing to help, then you kind of got 98 percent of the land . . .*(laughing)*. . . that you could work with, right?

MR. LEONG: Yeah. We are...we are hoping that we can reestablish. We have been working on...we have worked on Lānaʻi in the past, and Mr. Ellison funded a program at one point, and then we are...our challenge has been up until recently, our AmeriCorps programs are restricted to providing...we can't provide private benefit. So, being that the island is mostly...90 percent owned by --

COUNCILMEMBER JOHNSON: Yeah.

MR. LEONG: -- Mr. Ellison, it makes it difficult for our AmeriCorps programs. But one of the things that we are in discussions is with our Kupu ʻĀina Corps program because we have the flexibility to work on the private side. So, you know, so noted, and definitely, we'll continue that...those conversations with Pūlama --

COUNCILMEMBER JOHNSON: Okay.

MR. LEONG: -- because we would love to establish that.

COUNCILMEMBER JOHNSON: Well, Mr. Leong, I noticed, as well as Pūlama Lanai, some of your...the list of places. You had farms that was listed. Well, good news, there's a Lānaʻi Agriculture park that we're working on getting set up on Lānaʻi where it would be 100 acres...that the County would be the lessee of, so --

MR. LEONG: *(Audio interference)* --

COUNCILMEMBER JOHNSON: -- or it would be...and taking it over from the State. So, there would be 100 acres that we could really use some young folks on that...in that space

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that is not private, so that would...that might solve that issue for you.

MR. LEONG: That would be perfect if --

COUNCILMEMBER JOHNSON: Wonderful.

MR. LEONG: -- yeah, we'd love to connect. If there's a person that would be a good representative for them, we'd love to --

COUNCILMEMBER JOHNSON: We could talk *(audio interference)* --

CHAIR KING: You couldn't have a better representative than Member Johnson. . . .*(laughing)*.

. .

MR. LEONG: Okay, well, *(audio interference)* --

COUNCILMEMBER JOHNSON: Let's chat after.

MR. LEONG: All right. Sounds great.

COUNCILMEMBER JOHNSON: So, my next question is...okay. This is a overall...please don't consider this as criticism, but as a former blue-collar worker...or green-collar worker, I should say, they just never paid us the wages that the hotels would pay, right, and that...do you find that struggle as keeping --

MR. LEONG: *(Audio interference)* --

COUNCILMEMBER JOHNSON: -- young people in this type of career path, with the wages that the industry...that green-collar jobs are providing compared with, say, for example, hotels. You're boots on the ground, Mr. Leong. How do we...how do we pay our folks, the young kids that are hiking the watersheds, that are doing that back-breaking work --

MR. LEONG: Yeah.

COUNCILMEMBER JOHNSON: -- how do we reach...you know, solve that concern?

MR. LEONG: That's a great question. And I would answer yes and no to that question, I think there's two sides to that coin. I totally agree. I mean we need to be able to value the work for what it's worth into Hawai'i, which is in the long term where we need this work in order to survive for the...for the long run. And it should have a lot more value in it, you know, and not...you know, although Kupu can't change the overall economic industry, we are trying our best in what we're doing. We've raised our...we've tried to anticipate the minimum wage raises, and try to get ahead of them. We do have some restrictions with our...with our Federal grants in terms of what...the max amount we can pay individuals, but we are trying to hit the upper boundaries of that as well too, especially with Hawai'i being the highest place to live in...cost of living in the United States too.

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COUNCILMEMBER JOHNSON: Right.

MR. LEONG: Yeah. I would say also, the...you know, we're going to be the first job for a lot of the individuals there, so we won't be the career job, but we are preparing them for careers. And like I mentioned, the Federal job side is a really great way we can get folks involved. I was just on the...a call with DC...with the...with the Deputy Chief of the Forest Service, and, you know, they're wanting to provide trainings to do like GIS work, and are willing to pay cost-of-living allowance adjustments, have people work from Hawai'i, and be able to do that type of work remotely as well too. So, those things, I think, are really also important to add into fold. And then the last thing I would say to that too, is that, you know, we...as I mentioned, we're the first job that these young people are working, it is hard. I mean housing is so expensive. If they're not living with family, it's...what we're able to pay them, it's not easy to make it happen. So, we have been trying to work with some of our donors to see what we can do to increase the...you know, the cost allowance, and the per diem allowances for housing, and things like that. We haven't...we don't yet have the silver bullet on that, honestly, but it is something that's been top of mind for our radar. But I will say that the blessing has been that while we've seen difficulty in hiring, and the numbers or recruitment haven't been as high as it has been like during the pandemic time, where we're seeing four times the...four or five positions...applicants per position, we still are getting more applicants, as a whole, for the positions that we have. And I think part of the reason is, is that there's a lot of...there's been a lot of really great 'āina-based education work within our communities that have gotten people interested. And the people that are doing it aren't just doing it for a paycheck; they're doing it because they're interested in this work. I wouldn't say that's everyone, but as a whole, we're seeing that...more happening. And so, part of what our hope is to do is to...is to help build the industry support...the organizations that are doing the work so that they can, in turn, thrive, and that we can continue to build the continuum to get people that are doing it in the classroom, and getting them all the way into industry.

COUNCILMEMBER JOHNSON: Thank you for answering. That's tough...a tough topic for the green-collar folks. So, I appreciate you thinking about it, and working for it. So, thank you so much. Thank you, Chair.

MR. LEONG: *(Audio interference)* --

CHAIR KING: Thank you, Member Johnson. That was a great question. And I think one of the things to point out too, is that the internships get paid by Kupu, as I recall, and they are lower because they do take...it actually takes time away from your paying employees to help intern...to mentor the interns that come in. But when you hire them is when you want to see that higher wage...the wages go up. So, you know, might be something to think about Kupu doing...you know, maybe convening a summit of employers in this space. You know, I would help you do that if you wanted to because we...you know, Pacific Biodiesel is on three islands.

MR. LEONG: Yeah.

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CHAIR KING: And we're about to be on four islands because we'll be doing a project on Kaua'i next year. So, I'd be happy to help you if you wanted to try to convene something like that for other employers to talk about living wages.

MR. LEONG: Thank you *(audio interference)* --

CHAIR KING: Because when we were...when we were...and Member Johnson brought this up, you know, trying to raise the minimum wage at the State level. And for me, you know, our company has never hired anybody for less than \$15 an hour. So, for us, it was no brainer.

MR. LEONG: Right.

CHAIR KING: But all we got was \$12 an hour, unfortunately. So, it's a...it's a battle, and, you know, I'm happy to be part of that inspiration if we can help other companies come up.

MR. LEONG: Thank you so much.

CHAIR KING: I mean we've actually had managerial employees who we've tried to give raises to, and they go, no, we're already making good enough money, you know, give it to someone else in the company, so...

MR. LEONG: *(Audio interference)* --

CHAIR KING: You know, you must be...you must be paying well if your employees are saying, that's okay, I'm making enough already. . . .*(laughing)*. . .

MR. LEONG: That's a great problem to have *(audio interference)* --

CHAIR KING: But, you know...yeah. Yeah, I mean it was...it was great to hear because everyone's so dedicated to what they're doing. But we have another question from Council Vice-Chair--or Committee Vice-Chair Shane Sinenci.

VICE-CHAIR SINENCI: Mahalo, Chair. And mahalo, Mr. Leong, for presenting today. We've been very pleased, and happy on the East Side of Maui. And I see that Kīpahulu Ohana is one of the partners with Kupu, and we've been working formally with Ms. Fukushima *(phonetic)*, and the students of Hāna. So, my only question was, are you stationed on O'ahu, and the Big Island, and not on Maui?

MR. LEONG: I...our administrative offices are on O'ahu. We have a...we have a core staff, one of our executive team, who is in Wailuku, home office. And then...but, yeah, I mean our...right now, we don't have a headquarters on Maui.

VICE-CHAIR SINENCI: Okay. Thank you for that. And, again, mahalo for all the great work. Thank you.

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MR. LEONG: Mahalo.

CHAIR KING: Mahalo, Committee Vice-Chair. And we have Member Paltin. Did you change the picture behind you? It looks like it's a little updated. . . .*(laughing)*. . .

COUNCILMEMBER PALTIN: Oh, yeah, these are the fissures.

CHAIR KING: Oh, okay. Nice.

COUNCILMEMBER PALTIN: *(Audio interference)*. I had a few questions. In answering Member Johnson's question, you stated that Hawai'i has the highest cost of living in the nation. Is that anecdotal, or did you have sources that supported that?

MR. LEONG: Yeah. No, we...we've seen that stat. I don't...I don't have the specific source right now, but I'm sure we can...if you'd like, we could look at some of the data, and then provide that back to you. But if not the highest, I know we do have one of the highest cost of livings *(audio interference)* --

COUNCILMEMBER PALTIN: Yeah. Yeah, if you could provide that source, I'd love to have it. The other question I had, I thought I heard you mention experience with cesspool conversion. Is that to septic, or composting toilets, or anything?

MR. LEONG: It's septic. And so, one of our partners' focus...is a nonprofit that focuses on cesspool conversions to septic *(audio interference)* --

COUNCILMEMBER PALTIN: Oh, okay. So, it's in the context of what your partner does that if --

MR. LEONG: Yeah.

COUNCILMEMBER PALTIN: -- they wanted to get experience of cesspool to septic conversion, they could intern at that business.

MR. LEONG: Correct. Yeah. Yeah.

COUNCILMEMBER PALTIN: And then did you folks used to work with Pu'u Kukui Watershed, and no longer work with them?

MR. LEONG: We do...yeah. Well, we...we have done work with Pu'u Kukui. I'm not sure if we still have members at Pu'u Kukui right now, I can check. But I do know that Chris Brosius over the West Maui Mountains is also a active site as well too. So, there's...and I'm not sure if they also do work at Pu'u Kukui as well to support the work happening there. So, in fact, Chris is at our...at our center today doing...going through the training I mentioned.

COUNCILMEMBER PALTIN: Okay. Thank you.

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MR. LEONG: Yeah.

CHAIR KING: Thank you, Member Paltin. And just as a follow up, Mr. Leong, if you're not already connected with WAI, which is Wastewater Alternative Innovations, Stuart Coleman, who used to be the head of Surfrider Hawai'i.

MR. LEONG: Um-hum.

CHAIR KING: Very excellent work that they're doing on regional wastewater treatment facilities that would...that would surpass septic, and also return the water to the land.

MR. LEONG: *(Audio interference)* --

CHAIR KING: So, you might want to connect with him on some of the projects he's working on. It's --

MR. LEONG: *(Audio interference)* --

CHAIR KING: -- regional, so it's decentralized, and addresses smaller communities than what we've seen in the centralized wastewater treatment facilities.

MR. LEONG: That's really good to know. Actually, Stuart is the...is the...is the nonprofit that our members work with doing the cesspool conversion. I'm just not as familiar with the technologies that he's...that he's been doing *(audio interference)* --

CHAIR KING: Oh, okay. Yeah, I think they're trying to...they're not...they're trying to not do septic, they're trying to do wastewater treatment in these regional wastewater plants, and then clean up the water so that it can be used on the land for agricultural purposes.

MR. LEONG: *(Audio interference)* --

CHAIR KING: So, anyway, that...that's one of the projects that we hope to see in Mā'ālaea that we funded in the last budget because of the impaired status of Mā'ālaea Bay.

MR. LEONG: That's great to know.

CHAIR KING: Love to see some interns working on that project.

MR. LEONG: Yeah, I know he's had a few in the past, and it's...you know, they've all really enjoyed the work with Stuart. He's a...he's a great mentor.

CHAIR KING: Yeah, he's a really good person to work with. Okay. Members, any other burning questions for Mr. Leong? If not, I'll thank you so much for your presentation, and I think you have some strong Councilmembers here to connect with if you have projects in their areas; West Maui, East Maui, and Lāna'i. And we hope to...maybe we can circle back around offline, and if you have anything that I can help you with in the private sector, I'm happy to follow up next year.

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MR. LEONG: Thank you so much, Chair. I appreciate that. And thank you to all the Members today for your questions, and for your time as well.

CHAIR KING: Okay. Well, happy holidays to you. Thank you for being with us.

MR. LEONG: Thank you (*audio interference*) --

CHAIR KING: Members, so if there's no objections, we'll go ahead and defer this item, and then defer the previous item of the recommendations that we forwarded onto the Chair, and that way the Committee Staff doesn't have to do Committee reports on these two items, and they will just automatically file at the end of the year. Any objections?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR KING: Okay. Okay, great. Thank you so much.

**ACTION: DEFER COMMUNICATION REFERRED TO COUNCIL CHAIR
FOR TERM BEGINNING JANUARY 2, 2023 AND
CARE-1(18) pending further discussion.**

CHAIR KING: And thank you so much for being here today, and getting us through this Committee meeting. I know it was hard...it was hard to get a quorum for today, so I really appreciate the three of you being here (*audio interference*) us through these last few items of the legislative session, and...Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. I just want to say it's been an honor to sit on this Committee for my two years here.

CHAIR KING: (*Audio interference*) --

COUNCILMEMBER JOHNSON: And I think you for all of your service, and I look back on the years...or the two years I've been on this Committee with you, and the other Members, and the legislation that we've passed has been excellent. And I got to give you credit for the amount of work you churned out, or the amount of bills you churned out, there was a lot...there was a lot of work that we did in this Committee, and I want to thank you personally for that, so (*audio interference*) Chair.

CHAIR KING: Aww, thank you, appreciate that. I really appreciate that. Member Sinenci.

VICE-CHAIR SINENCI: Yeah, I too wanted to share my gratitude to you, Chair, been great kind of being the Committee's Vice-Chair. And like Councilmember Johnson said, I think we did some great work, and I think in your absence, Chair, we're going to see all those things come into fruition (*audio interference*) --

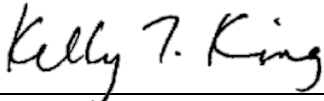
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CHAIR KING: That's great. Thank you so much. And thank you, Committee Vice-Chair, for carrying the football over the goal line in my absence this year, and last year when I was at COP. You know, we got through the second and final readings on some of the bills, and you did a great job of shepherding those, so thanks for your work as well. And thank you, Member Paltin, for all your constructive amendments, and your support of some of our wastewater treatment bills. And we'll end this...we'll adjourn this Committee meeting at 11:04 a.m., and we'll see everybody at the Council meeting on Friday, and then we'll see you at the Youth Council meeting on Monday, the two next big events. All right. Thank you so much. Aloha. . . .(gavel). . .

ADJOURN: 11:04 a.m.

APPROVED:



KELLY TAKAYA KING, Chair
Climate Action, Resilience, and
Environment Committee

care:min:221130:jcm:th

Transcribed by: Tricia Higa

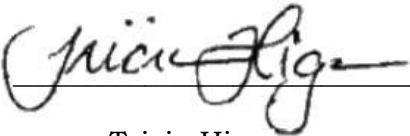
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CERTIFICATION

I, Tricia Higa, hereby certify that pages 1 through 42 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 5th day of January 2023, in Mililani, Hawai'i



A handwritten signature in cursive script, reading "Tricia Higa", is written over a horizontal line.

Tricia Higa