

PC Committee

From: Jennifer Maydan <Jennifer.Maydan@co.maui.hi.us>
Sent: Tuesday, May 30, 2017 3:21 PM
To: PC Committee
Cc: Michele McLean; Pam Eaton; William Spence
Subject: Molokai Community Plan Update (PC-2)
Attachments: Conflicts & Redundancies Matrix_EEPS & MLPS.pdf

Chair King & Planning Committee Members,

Attached please find the Planning Department's review matrix of the East End Policy Statement - 2016 edition and Maunaloa Policy included as Chapter 11 Subarea Descriptions in the Draft Molokai Community Plan Update (May 2016). The matrix outlines where the East End Policy Statement and Maunaloa Policy are either redundant with or in conflict with the Draft Molokai Community Plan Update (May 2016). Should you have any questions please do not hesitate to contact me.

Jennifer Maydan, AICP
Senior Planner
Long-Range Planning Division
County of Maui
2200 Main St., Suite 601
Wailuku, HI 96793

MOLOKA'I COMMUNITY PLAN -- REVIEW INDICATING CONFLICTS WITH 2016 DRAFT COMMUNITY PLAN AND AREAS OF REDUNDANCY

East End Policy Statement – 2016 edition

| PAGE/ LINE # | REDUNDANCY/ CONFLICT WITH CP | COMMENTS |
|-----------------|------------------------------------|--|
| PG.ii | Conflict | Appendices A, B, C, D, E, F, G & H – Do not belong in community plan. The community plan references many other documents, however the documents are not <i>included</i> in the plan as appendices. |
| PG. 4 | Redundant | A.1. Already covered in CP CH 9, pg. 9-6, issue #1; pg. 9-7, policy #1; pg. 9-8, Action 9.2.5; pg. 9-11 Action 9.3.3 A.3. Already addressed in CH 3 Cultural Resources |
| | Conflict | "Recommendations" not appropriate in sub area plan. Additionally, already covered in CH 9 |
| PG 5 - 11 | Conflict/redundancy | "Recommendation" does not belong in subarea plan. Already addressed in CP CH 9, pg. 9-4, policy #11 |
| | Conflict | C. Ocean access/boat ramp - not under county jurisdiction. State issue only - DLNR |
| PG 11 | Conflict | "Recommendation" does not belong in subarea plan. |
| PG 12 | Redundant | III. Environment and Natural Resources - all material covered in CP CH 3 Natural Resources |

| | | |
|-------------------|--------------------|---|
| PG 13 | Conflict | Lines 6-7 has nothing to do with Erosion. Also, hunting allowed for "Moloka`i residents"? What about non-Moloka`i residents? |
| | Redundant | Lines 10-11, lines 19-20, line 24 Already addressed CH 6, pg. 6-9, policy #14 also all addressed in County Multi- Hazard Mitigation Plan |
| | Conflict/redundant | "Recommendation" does not belong in subarea plan. Make a specific recommendation to add to CP, not blanket inclusion of language. Also already covered in CH 3 Policy #8, Action 3.2.1, 3.2.2, 3.2.3 |
| PG 14 | Redundant | IV. Cultural Resources & Traditional Land Uses - 3rd paragraph - already addressed in CH 3 Natural Resources, Policy #5, pg. 3-14 |
| | Redundant | Paragraph 5 - Already addressed in CP, CH 8 Policy #1, pg. 8-3; pg. 8-4 Policies #13 & 14 |
| PG 15 | Redundant | Paragraphs 1 - 3 - Already addressed in Chapters 3 & 8 (Water) |
| PG 16 - 17 | Conflict/redundant | "Recommendations" does not belong in subarea plan. Recommendation 1 - Already addressed in CH 3 pg. 3-13, issues # 1& 2, policies #1-3 pg. 3-15 and Action 3.2.1, 3.2.2, 3.2.3, 3.2.4. Recommendations 3 & 4 - already addressed in pg. 3-14, Policies #3, 4, and 5. Recommendation 6 - already addressed in CH 3 policy #6 & 9. Recommendation 7 - already addressed in CH 6, pg. 6-9, policy #14. Recommendation 8 - already addressed in CH 3 pg. 3-14, policy #8. Recommendation 9 - already addressed in CH 3 - is the GOAL, policy #5, 19 Action 3.2.2 and also CH 6 policy #7. Recommendation 10 - already addressed in CH 8 (Water) pg. 8-3, policy #1, and pg. 8-4 policies 11, 13 & 14. |
| PG 18 | Conflict/redundant | "Recommendations" does not belong in subarea plan. Already addressed in CH 3, pg. 3-14, line 20, policy #8, pg. 3-16, Action 3.2.2. |
| | Conflict | B. Pu`u o Hoku - specific actions on private property |
| PG 19 | Redundant | D. Ke`ana O Hina - Recommendations - "Recommendations" does not belong in subarea plan. #3 - incomplete sentence? #5 already addressed in CH 3 and 5 |
| PG 20 | Conflict | Reference to Moloka`i Nov 2015 draft plan - several changes made since then and should not be referenced. Source of data referring to # of households? Year? |

| | | |
|------------|--------------------|---|
| | Redundant/conflict | "Recommendations" does not belong in subarea plan. Already addressed in CH 5 pgs. 5-4,5, policies #1,2,3,4,5,7,8,12,13,14,15,16,17,18,19,20,22,23, pgs. 5-7, 8, Actions 5.1, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10, 5.11, 5.14, 5.15, 5.16, 5.17. #3 refers to Aquaculture areas for consideration etc. -- under the jurisdiction of DLNR NOT the County |
| PG 21 | Conflict | Taxes - not appropriate in a CP |
| PG 22 - 25 | Redundant | VII A Legal Framework for Land Use Policy, Permitting, and Decision-making - should not be contained in CP -- repetitive and is addressed in HRS as appropriate |

Maunaloa Policy

| PAGE/LINE # | REDUNDANCY/ CONFLICT WITH CP | COMMENTS |
|-------------|------------------------------------|--|
| PG 1 | Conflict | First paragraph, line 4 – inaccurate information: “2015 Molokai Community Plan Committee”. This document was presented to the Molokai Planning Commission. |
| | Conflict | Second paragraph, first sentence – no evidence to substantiate the statement that “extensive West End community input over the past year” occurred. |
| | Conflict | Last paragraph, first sentence – inaccurate information: The West End is not a “fragile, narrow, coastal community”. |
| PG 2 | Redundant | II. Subsistence – Already addressed in CH 1 and 3, pg. 1-1, lines 10-17; pg. 1-11, lines 22-24; pg. 3-13, lines 2-23. |

| | | |
|------------------|--------------------|---|
| PG 3 | Conflict | Axis Deer – Hunting limited to Molokai residents? |
| | Conflict/redundant | Community based game management plan already covered in CH 3, pg. 3-10, Action 3.1.13. |
| PG 3 – 4 | Conflict/redundant | Goal and Action – no actions in policy statements. Far too much detail for a community plan. |
| PG 5 | Conflict/redundant | Goal and Action – no actions in policy statements. Far too much detail for a community plan. |
| PG 5 – 7 | Conflict/redundant | Contaminated Water Concern – State DOH and CWRM issue – concern could be summarized in 2 to 3 sentences. |
| PG 7 – 8 | Redundant | Goal and Action – no actions in policy statements. |
| | Redundant | A.3 – Already covered in CH 9, pg. 9-6, Issue 1; pg. 9-7, Policy 1; pg. 9-8, Action 9.2.05; pg. 9-10, Issue 1 |
| PG 8 | Conflict | V. Public Facilities, first paragraph, second sentence – “...but do not qualify as such under this group” – Corporation Counsel advised that this is a legal concept and should be deleted. |
| PG 9 | Redundant | Goal and Action – no actions in policy statements. |
| | Redundant | A & B – Already covered in CH 8 and 9, pg. 8-21, Action 8.5.11. |
| PG 9 – 10 | Redundant | Already covered in CH 3 and 8, Pg. 8-3, Policy 1; pg. 8-4, Policies 13 and 14 |
| PG 10 | Conflict | A. Water 1 – Water allocation is the jurisdiction of CWRM. |
| | Redundant | A. Water 2 – Already covered in CH 8, pg. 8-3 and 8-4, Policies 1, 13 and 14 |
| PG 11 | Redundant | A. Water 3 – Already covered in CH 8, pg. 8-3, Policy 9 |
| | Redundant | A. Water 4 – Already covered in CH 8, pg. 8-3 Policy 1 |

| | | |
|-------------------|-----------|--|
| | Redundant | A. Water 5 – Already covered in CH 8, pg. 8-4 Policy 14 |
| | Redundant | B. Control Erosion 1 – Already covered in CH 3, pg. 3-7, Policy 13; pg. 3-10, Action 3.1.13 |
| | Redundant | B. Control Erosion 2 – Already covered in CH 3, pg. 3-7, Policies 3 and 8; pg. 3-10, Actions 3.1.06 and 3.1.08 |
| | Redundant | B. Control Erosion 3 – Already covered in CH 3, pg. 3-17, Policy 9; pg. 3-10, Action 3.1.07 |
| | Redundant | B. Control Erosion 4 – Already covered in CH 5, pg. 5-4, Policy 3, pg. 5-7, Actions 5.01 and 5.04 |
| | Redundant | C. Be Prepared for Tsunami – Already covered in CH 4, pg. 4-4, lines 1-13 |
| | Conflict | C. Be Prepared for Tsunami 1 & 2 – Discouraging multi-family and resort development in Kaluakoi conflicts with the community plan, land use entitlements for that area, and other statements in the Maunaloa Policy. |
| PG 12 | Redundant | D. 1 – 6 and E 1 – 3 – Already covered in CH 3 and 8, pgs. 3-6 – 3-9 Issues 1, 2, 3 and 5, Policies 4, 5, 6, 17 and 19, Actions 3.1.06, 3.1.08, 3.1.09, 3.1.10, 3.1.11, 3.1.12, 3.1.14, 3.1.15; pgs. 8-3 – 8-5, Policies 1, 12, 13, 14, and 15, and Action 8.1.08. |
| PG 12 – 14 | Redundant | VII. Cultural Resources and Traditional Land Uses – Already covered in CH 3, pg. 3-11, lines 3-13 and 15 – 32, pg. 3-14, Policy 5. |
| PG 15 | Redundant | A. 1 – 8 – Already covered, and directly from CH 3, pgs. 3-14 – 3-15. |
| | Redundant | A. 9 – Nuclear power is prohibited in Maui County per MCC. |
| | Redundant | B. 1 – 4 – Already covered in CH 3, pg. 3-14, Policies 1, 2, and 3, pg. 3-15, Actions 3.2.01, 3.2.02, 3.2.03, and 3.2.04. |
| PG 16 | Redundant | C. 1 – 3 – Already covered in CH 3, pg. 3-14, Policies 4 and 9. |

| | | |
|------------------------|--------------------|--|
| | Conflict | D. 1 – CWRM regulates water allocation. D.2 – A moratorium on tourist related development conflicts with the community plan, land use entitlements for that area, and other statements in the Maunaloa Policy. |
| | Redundant | E. 1 – 3 – Already covered in CH 3, pg. 3-4, Policy 8 and pg. 3-16, Action 3.2.02. |
| | Redundant | F. 1 – 3 – Already covered in CH 3, pg. 3-9, Action 3.1.06. |
| PG 17 – 18 | Redundant | VIII. Social and Economic Resources – Already covered throughout CH 5. |
| PG 18 | Conflict | A. 1 – Conflicts with CH 5, pg. 5-5, Policy 17. |
| PG 18 – 20 | Redundant/conflict | A. 2 – C.6 – Either already covered throughout CH 5 or State responsibility. |
| PG 20 | Conflict | IX. Land Use, second paragraph – False statement. |
| PG 20 | conflict | A. Taxes - not appropriate in a CP |
| PG 21 | Conflict | B. Commercial Development – The community plan cannot establish permit review procedures. |
| PG 212 – 23 | Redundant | 6.h – Already covered by State Burial Law. |
| PG 23 | Redundant | 5. – Already covered by Section 404 Clean Water Act, HRS Chapter 205A Coastal Zone Management, and HRS Chapter 343 Environmental Impact Statement Law. |
| PG 26 | Conflict | IX. Land Use - The community plan cannot establish permit review procedures. |