

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

**MINUTES**

**October 9, 2024**

**Online Only via Teams**

**CONVENE:** 1:35 p.m.

**PRESENT:** VOTING MEMBERS:

Councilmember Tamara Paltin, Chair  
Councilmember Nohelani U‘u-Hodgins, Vice-Chair (Out 3:42 p.m.)  
Councilmember Tom Cook, Member (Out 3:44 p.m.)  
Councilmember Tasha Kama, Member (In 1:42 p.m.)  
Councilmember Keani N.W. Rawlins-Fernandez, Member  
Councilmember Shane M. Sinenci, Member  
Councilmember Yuki Lei K. Sugimura, Member

**STAFF:**

Jarret Pascual, Legislative Analyst  
James Krueger, Senior Legislative Analyst  
Megan Moniz, Legislative Attorney  
Maria Leon, Committee Secretary  
Lei Dinneen, Council Services Assistant Clerk  
Ryan Martins, Council Ambassador

Roxanne Morita, Council Aide, Lāna‘i Residency Area Office  
Bill Snipes, Council Aide, South Maui Residency Area Office

**ADMIN.:**

Jen Maydan, Executive Assistant II, Office of Recovery  
Wendy Taomoto, Engineering Program Manager, Department of Management  
Saumalu Mataafa, Deputy Director, Department of Housing  
Robert Schmidt, Deputy Director, Department of Environmental Management  
Eric Nakagawa, Wastewater Reclamation Division Chief, Department of  
Environmental Management  
John Stufflebean, Director, Department of Water Supply  
Jacky Takakura, Planning Program Administrator, Long Range Planning  
Division, Department of Planning  
Kristina Toshikiyo, Deputy Corporation Counsel, Department of the Corporation  
Counsel

**OTHERS:**

Dean Uyeno, Acting Deputy Director, Commission on Water Resource  
Management, State Department of Land and Natural Resources  
Kai Nishiki, Former Chair, West Maui Community Plan Advisory Committee

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

**October 9, 2024**

---

Testifiers

Faith Chase

Johann Lall

Jasee Law

(10+) additional attendees

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

-----

CHAIR PALTIN: . . .*(gavel)*. . . Will the Pla...or sorry, will the Disaster, Resilience, International Affairs, and Planning Committee of October 9th, 2024 come to order. The time is now 1:35. If people...if everyone could please silence their cell phones or other noisemaking devices, that will help our cause. Members, in accordance with the Sunshine Law, if you are not in the Council Chamber, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. Minors do not need to be identified. Also, please see the last page of the agenda for information on meeting connectivity. My name is Tamara Paltin, and I'll be your Chair for today's meeting. And with me in the Chambers, I have Committee Vice-Chair Nohelani U'u-Hodgins, aloha 'auinalā and ahaw.

VICE-CHAIR U'U-HODGINS: Aloha, Chair. Ha-ha *(phonetic)*. Or ahaw.

CHAIR PALTIN: Oh, ahaw. Okay. Less funny. Next up, we have Councilmember Tom Cook, ahaw and aloha-auinalā.

COUNCILMEMBER COOK: Ahaw, and aloha auinalā.

CHAIR PALTIN: Thank you. And Member Kama let us know she'll...she's running a little bit late. Next up, we have online Councilmember Keani Rawlins-Fernandez. Aloha auinalā and ahaw.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha auinalā, Chair. Aloha auinalā kākou, mai Molokai Nui a Hina. I'm at the Molokai District Office, alone on my side of the office, and there are currently no testifiers here. Mahalo, Chair.

CHAIR PALTIN: Thank you. And also online we have Councilmember Shane Sinenci. Aloha auinalā and ahaw.

COUNCILMEMBER SINENCI: Aloha auinalā, Chair, and ahaw kākou. Here at my home office, I'm here by myself. No testifiers in Hāna. Mahalo, Chair.

CHAIR PALTIN: Thank you. And last but not least, we have Councilmember Yuki Lei Sugimura. Aloha auinalā and ahaw.

COUNCILMEMBER SUGIMURA: Aloha auinalā and ahaw to you, and looking forward to an interesting meeting.

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

**October 9, 2024**

---

CHAIR PALTIN: Thank you. And our Non-Voting Committee Members, Gabe Johnson and Council Chair Lee, are welcome to join us at any time, but they will not be marked absent because they are not Voting Members of the Committee. This meeting of the Disaster, Resilience, International Affairs, and Planning Committee of the Maui County Council is located on the traditional 'āina of Kānaka 'Ōiwi, who never ceded their sovereignty to the United States. We recognize that Her Majesty Queen Lili'uokalani yielded the Hawaiian Kingdom to the U.S. in duress under threat of violence to avoid the bloodshed of her people. We further recognize that Hawai'i remains an illegally occupied nation-state by the U.S. as documented in a 2021 scholarly article for the National Lawyers Guild Review by Andrew Reid, adjunct professor of law at the University of Denver Sturm College of Law. Generations of Kānaka Maoli and their knowledge systems have sustainably cared for Hawai'i and continue to do so. We are grateful to occupy this space and learn the ways in which we can contribute as a Committee. We seek to support the varied strategies that the indigenous people of Hawai'i are using to protect their land and their Committees...communities, and commit to dedicating time and resources to working in solidarity. For our resources, from the Administration, we have Deputy Director Schmidt from the Department of Environmental Management; Jacky Takakura, Planning Program Administrator from the Long Range Division, Department of Planning; Director John Stuffbean, Department of Water Supply; Deputy Director Saumalu Mataafa, Department of Housing; Jen Maydan, Executive Assistance [sic] in the Office of Recovery; Wendy Taomoto, Engineering Program Manager in the Department of Management; Deputy Corporation Counsel Kristina Toshikiyo; and Acting Deputy Director Dean Uyeno, State Commission on Water Resource Management. Members, without objection, I would like to designate Mr. Uyeno as a resource person under Rule 18(A) of the Rules of the Council, along with our Administration team, because...but the one for Mr. Uyeno is because of his expertise in today's subject-matter as CWRM manages the Lahaina Aquifer sector area.

COUNCILMEMBERS: No objections.

CHAIR PALTIN: Thank you, Members.

CHAIR PALTIN: Committee Staff, we have Committee Secretary Maria Leon, Senior Legislative Analyst James Krueger, Legislative Analyst Jarret Pascual, Legislative Attorney Megan Moniz, Assistant Clerk Lei Dinneen. Members, because we only have one item on the agenda today, I will ask for opening comments and presentations from our department representatives before receiving testimony.

**ITEM 2(22): POST-DISASTER COMMUNITY PLANNING AND  
INFRASTRUCTURE RESILIENCY (Rule 7(B))**

CHAIR PALTIN: So, on the agenda today, we have Post-Disaster Community Planning and Infrastructure Resiliency, DRIP-2(22). Under Rule 7(B) of the Rules of the Council, the Committee intends to discuss matters relating to post-disaster community planning and

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

**October 9, 2024**

---

infrastructure resiliency, including a draft resolution urging the Administration to initiate updates to the West Maui Community Plan that are in alignment with West Maui infrastructure plans in the aftermath of the August 2023 wildfires. The Committee may receive comments from representatives of the Department of Environmental Management, Department of Planning, Water Supply, Office of Recovery on the draft resolution, post-disaster community planning and infrastructure resiliency in the West Maui Community Plan Area, and other related matters. No legislative action will be taken. And I believe this resolution is also on Friday's Council agenda, and the intention is not to pass it on the floor or anything, it's just to start the discussion today and continue it if we need to into future meetings. And the reason why I scheduled this item is for myself, as well as you all, my colleagues, as well as everybody watching online, to get kind of a better understanding of where we're currently at, where we're going, and try to bring a lot of the players to the table. And that's why I'm really grateful for Mr. Uyeno from CWRM because that's, you know, one of the major situations that we're dealing with in...in West Maui, in terms of building permanent housing moving...going forward. But, you know, the idea is that we may qualify if Congress releases CDBG-DR funds, and if we're planning to use any of those funds for infrastructure, what I wanted to kind of lay out is we...we had a community plan, and there's, you know, a lot of affordable housing opportunities within our current community plan. Pulelehua is at, like, 50 percent affordable housing. Pu'ukoli'i Village Mauka, is at 50 percent affordable housing. There's all of Kā'anapali 2020, and a lot of things on there. And for Pulelehua and Pu'ukoli'i Village Mauka, both of them have stated that what is holding them back from moving forward is water. And then as Member Cook's meeting is tomorrow, it's discussing about R-1. And so, like, you know, we have these projects that have been on the books for decades, and haven't come to fruition. And then we've had projects kind of spring up in the aftermath of the fire. And then we have temporary builds, we have government rebuilds, private sector possible rebuilds, and we're moving water around between temporary and permanent. And, you know, just trying to flesh out as much information as we can get for ourselves as policymakers, the community, about how it all aligns together. If our community plan is not in alignment with current or future infrastructure plans, then we...we may need to change things. So, it's not about...it's just about like trying to chart the vision and the best way forward. And so, there's not...I mean, the only rush is that we need to do this sooner rather than later, but I'm not...it's not my intention to like ram it through, if...if that makes sense to you folks. And I'm...I'm super stoked that we have both the Water Department and CWRM here. Maybe we can start talking with each of them about, you know, how we proceed with things. Let's see. So, at this time, I wanted to give all of our resources, based on what I just shared, a opportunity to give any opening comments about where we are at this point in time. I know that the Administration, the Office of Recovery have been having a lot of discussions that we're not really a part of. And so, if there's anything before we take testimony and start jumping into the discussion that our resources wanted to share, I did want to open up for that opportunity at this time, and maybe start off with Deputy Director Schmidt, if there's anything you wanted to share with us in terms of repopulation, or plans going forward on the infrastructure side in terms of wastewater, or R-1 water, or a community plan. Thank you. *(pause)* Oh, shoot. We can't hear you if you're talking, Deputy Director Schmidt.

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

**October 9, 2024**

---

MR. SCHMIDT: Is that better?

CHAIR PALTIN: Yes, much better. Thank you so much.

MR. SCHMIDT: Yeah. Thank you, Council [sic] Chair. Aloha, Councilmembers. In general, we...we support the idea of planning. Right now, in the effort for recovery, we're...we're kind of responding to temporary housing and just future housing needs, and focusing our attention, kind of taking our lead or... our lead from, you know, where the housing needs need to be met, right? So...so we're working closely with the Recovery folks, and...and trying to just focus our attention in...in the directions that are going to do the most good as quickly as can. And then, of course, with R-1, we...we just seek out opportunities. The folks that are going to use the most R-1 are the directions we're going to go for that, and especially if we can get public-partner...public-private partnerships, and especially where it's going to offset water because of the need for water. But in general, we support this resolution. That's all I have.

CHAIR PALTIN: Thank you so much. And I'm sorry to interrupt our resources. I did want to recognize Councilmember Tasha Kama. Aloha 'auinalā and ahaw to you.

COUNCILMEMBER KAMA: Aloha 'auinalā, Chair, and ahaw to you and everyone in the Chambers. Please forgive me for being tardy, my meeting ran late. Thank you.

CHAIR PALTIN: Thank you. No worries. Thank you so much, Deputy Director Schmidt. And if any of the Members have any questions, if you could just write them down for now, and then we'll...we'll jump into it after testimony. Next up, any opening remarks from Long Range Division Planning Program Administrator Jacky Takakura?

MS. TAKAKURA: Good afternoon, Chair Paltin and Members. So, Director Blystone was unable to make it today, and she extends her apologies, so I'm here for you. And Office of Recovery is here, too. Office of Recovery and Planning Department have been working closely with each other on this. We've also been working closely with the State and our Federal partners to draft the Long-Term Recovery Plan, which will go out to the community later this month. The plan includes identified infrastructure projects that are still being vetted by the community, and any amendments to the community plan would be premature at this time. If there's a need to amend the community plan for infrastructure projects, we will act quickly to bring the revisions to the Maui Planning Commission and to the County Council at that time. Typically, though, infrastructure projects are developed based on the land use pattern identified in the community plan, not the other way around. It's not common for infrastructure plans to drive long-range planning. At this time, you know, we do not anticipate the need for amendments to the West Maui Community Plan, but as I mentioned, we've got the Long-Term Recovery Plan coming up very soon. In October, we'll have the open houses. So, that will kind of determine what the next steps are, and if any amendments are needed. Thank you.

CHAIR PALTIN: Thank you. Next up, from the Department of Water Supply, Director John Stufflebean.

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

**October 9, 2024**

---

MR. STUFFLEBEAN: Chair, good afternoon. Yeah, we certainly support this. We are...as you know, we were able to restore potable water to all of Lahaina with...less than a year from the fire, which was, I think, pretty good. And, you know, we're committed to provide water to anyone who's rebuilding in Lahaina, as well as to any of the temporary housing developments that are in place, and we're able to do that. And we're also pursuing all the water sources that we can possibly go after. And we did submit to the HLU Committee a report that shows kind of everything we're doing in terms of water sources throughout Maui, but also certainly includes West Maui, which includes the potential for wells, potential for additional surface water, potential for recycled water and desalination. And so, we're pursuing all of those things. Obviously, the designation is the...is the legal issue in terms of being able to get additional water. . . .*(feedback)*. . .

CHAIR PALTIN: Member Cook, was that you? Oh, okay. Sorry. Sorry about that.

MR. STUFFLEBEAN: Yeah. Oh, no worries. Yeah, so...yeah. So, obviously the designation then requires new use permits for any new uses for both surface water and well water. So...but we're...I think we're doing everything we can. If there's any other ideas, we're certainly open to them, but everything we're doing is described in the report that's now in your possession. Thank you very much.

CHAIR PALTIN: Thank you. Staff, would it be okay to upload that to this item as well, what Mr. Stufflebean had shared earlier?

MR. PASCUAL: Chair, I believe it's possible. We would just have to do a transmittal document to this Committee item folder.

CHAIR PALTIN: Okay.

MR. PASCUAL: Oh, Member Kama does have her hand raised up.

CHAIR PALTIN: Oh, go ahead, Member Kama.

COUNCILMEMBER KAMA: Chair, I just wanted to let your Staff know that it's on Granicus, and it is number 4. They don't have to go chasing through stuff on HLU.

CHAIR PALTIN: Thank you so much, Member Kama. So, in the future, we'll also have it on here as well. Next up, Deputy Director Saumalu Mataafa of the Department of Housing.

MR. MATAAFA: Aloha, Chair Paltin. Can you hear me?

CHAIR PALTIN: Yes, we can. Thank you.

MR. MATAAFA: Okay, great. Thank you for having me here today. For opening statement, I just wanted to mention a couple things. For the CDBG-DR pre-allocation action plan, which is being spearheaded by the CDBG office currently, that plan is well underway. As you all know, in West Maui there are a handful of multifamily rental projects that were lost in the fire, and each of those projects are in various phases of rebuild. And

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

**October 9, 2024**

---

they all have collective and unique challenges that are presented that, you know, are obstacles that we're helping them work through in order to get to that rebuild stage. And then I just wanted to add, as the last item--and I'm available for questions throughout the Committee discussion--is that for the County-owned projects that were lost in the fire, we are currently going through the public assistance process with FEMA to see if we can recoup funds to rebuild those projects. So...so, happy to answer any questions that the Committee has. *(feedback)* Happy to answer any questions that the Committee may have with me. So, thank you all. Appreciate it.

CHAIR PALTIN: Thank you. I...I didn't hear. On the rebuild part, was that all the housing that you were helping to work through, or was it government? I didn't catch that part.

MR. MATAAFA: So, largely it's the government or nonprofit-ran multifamily rental projects. The...the longer-term plans that we have is looking outside of that to see if we can help condo owners too, but that is a little bit more difficult...a little bit more difficult project to handle, but we are looking at that as well.

CHAIR PALTIN: Thank you so much. Next up, Jen Maydan, Office of Recovery Executive Assistant.

MS. MAYDAN: Aloha, Chair and Committee. I echo Jacky Takakura's comments, and Office of Recovery and Planning Department have been in coordination. And I do not have any additional opening comments.

CHAIR PALTIN: Thank you so much. Wendy Taomoto, Engineering Program Manager, Department of Management. Any opening comments?

MS. TAOMOTO: Hi, Chair. No. Good morning...good afternoon, actually. No, I don't have any opening comments. I'm just here to support...for technical support. Thank you.

CHAIR PALTIN: Thank you so much. Mr. Uyeno, are you online, and did you have any opening comments from CWRM?

MR. UYENO: Aloha, Chair Paltin and Members of the Committee. Dean Uyeno here, Deputy for the Commission. No, no opening comments. Just here to support and answer any questions you folks may have. Mahalo.

CHAIR PALTIN: Thank you so much. Okay. That is the opening comments from all of our resources. So, at this time, I do see a member of the public indicating that they'd like to testify. So, written testimony is encouraged and can be submitted via the eComment link at [mauicounty.us/agendas](http://mauicounty.us/agendas). Testifiers wanting to provide oral testimony should join the online meeting via Microsoft Teams link provided on today's agenda or call into the phone number, which is also on today's agenda. For individuals wishing to testify via Teams, please raise your hand by clicking on the raise-your-hand button near the top of your screen. For those calling in, please follow the prompts via phone. Staff will add names to the testifier list in the order testifiers sign up or raise their hands. For those on Teams, Staff will lower your hand once your name is added. Staff will then call

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

**October 9, 2024**

---

the name you're logged in under or the last four digits of your phone number when it is your time to testify. At that time, Staff will also enable your microphone and video. If you wish to testify anonymously, please notify Staff. Otherwise, please state your name for the record at the beginning of your testimony. Oral testimony is limited to three minutes. If you are still testifying beyond that time, I will kindly ask you to complete your testimony. Once you're done testifying, or if you do not wish to testify, you can view the meeting on *Akakū* Channel 53, Facebook Live, or [mauicounty.us/agendas](http://mauicounty.us/agendas). At this time, we will call on testifiers wishing to testify on DRIP-2(22). I believe the first testifier is Faith Chase. Okay. Ms. Chase, it is your turn to testify.

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

MS. CHASE: Aloha, Chair Paltin. Aloha, Committee. Thank you for this essential post-disaster infrastructure resilience conversation item. In your efforts to chart the vision, I guess, I wanted to recom...remind the Councilmembers to include those Department of Environmental Management items that will overlap Central Maui issues, such as the landfill. And so, I just wanted to echo the importance of public and private partnerships, and how Central Maui is going to have to lean on those partnerships to be able to take care of the unexpected landfill mass that we have, and also resolve anything that is Olowalu-related. I want to lend support. I didn't hear anything in the Department of Environmental Management speaking to that, but I just wanted to let you know that I'm paying close attention to that topic because while it's West Hawai'i [sic]-sensitive focused, I do see how Central Maui will have to make considerations based on what you decide to do or what is decided as far as long-term planning for Lahaina. So, I just wanted to remind DEM that I'm looking forward to those solutions that...those decisions that need to be made to help the ever-growing Central Maui landfill. Thank you.

CHAIR PALTIN: Thank you. Members, any clarifying questions for the testifier? Seeing none. Thank you for your testimony. I believe the next testifier waiting to testify is Kai Nishiki. Go ahead, Ms. Nishiki, it's your opportunity to testify.

MS. NISHIKI: Aloha, Chair, Committee Members. Good afternoon. Kai Nishiki. I am testifying...I'm a registered lobbyist, and I'm testifying for Maui Nui Resiliency Hui. I was former Chair of the West Maui Community Plan Advisory Committee, and we had probably 30-something-odd meetings, and worked on the plan for four years, I think, between like 2016 or 2017 through 2021. Glad to see Jen Maydan in the Office of Recovery. We worked together closely on the West Maui Community Plan, and this plan was the first plan to consider sea-level rise, and plan accordingly with the sea-level rise exposure area and the erosion hazard lines. And during the CPAC process, the 20 and...2018 fires and floods had just happened, and so those were...it was really top of mind. And many of the policies and action items focused on improving safety and providing much-needed housing. And I was hoping that with the new shoreline and SMA rules, perhaps at a future meeting, this body would consider asking the Planning Department to present and provide easy-to-understand, you know, like with lots of pictures and stuff, so the community can really understand like how all of this affects



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

**October 9, 2024**

---

the rebuild of Lahaina. I think that's really important to consider, and provide transparency and some guidance to folks. As a member of the CPAC, we were invited to attend the Hawai'i State Association of Counties Conference that year, which was held on Maui, fortunately for us, and a featured speaker had talked about municipalities considering retirement of water and sewer infrastructure in areas that are threatened by sea-level rise or vulnerable to climate change, to facilitate keeping people out of harm's way and preventing a lot of investment into hazard-prone areas. So, I'm hoping with the master planning of infrastructure and the rebuild of West Maui, and specifically with the...with the opportunities presented in redevelopment, that the County of Maui will consider phasing out water and sewer service to properties in the SLR-XA and other hazard-prone areas. In the West Maui Community Plan--I mean, I hope that all of you have a copy of it. I...I keep my copy. It goes everywhere with me, and so they're in...in--yeah--in the...in the development of...in...in considering developing...redeveloping Central Lahaina, and with new projects proposed. I...I support, you know, additional infill...infill developments, but I hope that we will be considering . . .*(timer sounds)*. . . that we need to move folks out of the hazard areas and...and consider that when we're proposing newer developments. But I did hear the bell, and is that my...my cutoff time?

CHAIR PALTIN: Yes, it is.

MS. NISHIKI: Or is that the wrap-up time? Sorry. Okay.

CHAIR PALTIN: I was wondering if Members would like to designate Ms. Nishiki a resource as the former Chair of the West Maui CPAC as her expertise, to share with us a little bit about what they were thinking about in the moment when they were making the CPAC?

COUNCILMEMBERS: No objections.

CHAIR PALTIN: Ms. Nishiki, are you available to stay on as a resource?

MS. NISHIKI: Yes, I am. Thank you.

CHAIR PALTIN: Okay. Thank you. Is there anyone else ready to testify?

MR. KRUEGER: Chair, the last person we currently have signed up to testify is Johann Lall.

CHAIR PALTIN: Okay, thank you. Mr. Lall, it's your opportunity to testify.

MR. LALL: Aloha. Johann Lall testifying on behalf of myself. First, I want to say I'm really glad that Jen Maydan is involved in recovery because, you know, when I started working at the Planning Department, that was the first job I had, in...in Planning, even though I had some education in urban planning. That was my first actual job, and I learned a lot from Jen Maydan, and also Kate Blystone and Pam Eaton, and then later Karen Comcowich, who was on the West Maui CPAC. But that...that community plan was the first one I had worked on. I started at the very end of it, and then the South Maui plan after that. I think community planning is really important to like everything pretty much

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

**October 9, 2024**

---

in some way, but particularly with like disaster resiliency and stuff like that. I think where you build and how you build plays a huge role. One thing I've been disappointed by is that with the South Maui Community Plan, the CPAC actually put in a lot of Open Space to protect gulches and reduce flooding risk for folks downstream of where new development is going to happen, and the Planning Department actually recommended removing a lot of that. So, I think in general, the Planning Department and the other departments need to have a...more of a big picture look, and that also includes the Fire Department, the Police Department, and not get too hyper-focused on the last disaster. Like, for example, you know, heat is a huge issue now because we're...we have global warming, we have localized climate change, but we're chopping down trees to reduce fire risk, and that creates a different risk, which is people literally dying from heat strokes. Like, my mom's bedroom in our condo is too hot a lot of the time because they cut down the trees. And so, like I'm always worrying, like is it over 100 degrees in her room today? And that's...you know, it's even worse in...in a lot of places where, you know, there's heat island effect, stuff like that. And then flooding, I mean, that's always going to be an issue. When you clear-cut to create a firebreak or you clear-cut an entire parcel under the guise of doing a firebreak, great flooding risk downstream. It's like you're getting rid of one hazard, but you're creating another. And it's the same with, you know, a lot of different things. Escape routes, connectivity, that's all urban planning stuff, and it's all the same thing pretty much. Traffic safety, being able to have places where you can cross the street safely is also a part of, you know, being able to escape if there's a disaster. And everything is really interconnected. And so, I hope that going forward, having these people in positions who are really knowledgeable helps. So, that's my testimony. Mahalo.

CHAIR PALTIN: Thank you. Members, any clarifying questions for the testifier? Seeing none. Oh, Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Real quick. Aloha, Mr. Lall. The trees that were cut, do you know what kind of trees they were?

MR. LALL: I can't remember, but I did see that there was a park, I think somewhere in the vicinity of Lahainaluna Road, where people really enjoyed having shade in that area, and those trees were removed. In a lot of cases, it's invasive trees like kiawe that will get cleared, but they're still shade trees, there's still habitat for like hoary bats, even 'iwa birds will use them, and they have some benefit, but, you know, they are being removed kind of like willy-nilly.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. Yeah, I think it would be a good policy to replace the invasive trees with trees that may, you know, promote shade, but also promote a better...a healthier ecosystem, and not...and not fire risk.

MR. LALL: I'm not sure if that's a question, but in some cases, I would agree, but it also takes like a generation for a tree to grow. So, you know, the trees we have are also valuable, even if they're invasive, I think, a lot of the time.

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

**October 9, 2024**

---

COUNCILMEMBER RAWLINS-FERNANDEZ: I'll...I'll...I'll hold more comments for discussion, but basically, kiawe trees suck all the ground...like a lot of the groundwater from seeping to the nearshore water, so it...it is not good for the ecosystem because then it doesn't allow for more seaweed, like limu, to grow, so...difference of opinion. Mahalo, Mr. Lall. Mahalo, Chair.

CHAIR PALTIN: Thank you. Kind of like mangroves and fish ponds. Let's see, is there anyone else that would like to testify?

MR. KRUEGER: Chair, there's currently no one else signed up to testify at this time, so we can do a last call. Oh, I see an individual approaching the podium.

CHAIR PALTIN: Okay. Go ahead. Individual, if you wanted to state us your name.

MR. LAW: I got the same name as him, James. E komo mai, ka papahale 'ewalu, ka haleku'i 'o Kalana o Maui. Luna Ho'omalua Paltin. Welcome to the 8th Floor of the County of Maui Building, Chair Paltin. Thank you for the opening statement, as always, about the...how the U.S. Marines terrorized and threatened Queen Lili'uokalani. At the same time, I'm thankful for the Army Corps of Engineers for kōkua. And at the...at the risk of sounding ass-backwards, I think we should take care of the trash first in Lahaina. Thank you for always calling that to the attention of the Council. And Director Schmidt, I know you don't have like a magic wand and stuff, and it's going to take a lot of effort to build the...the MRF, the municipal recycling facility, but it's almost five years now since at Mr. Sinenci's Committee that they were talking about the energy...waste-to-energy. And, you know, we need that. You guys can see how...how the...the pile of trash is getting bigger, and you just can't sweep it under the rug and make it disappear. So, recommendation to solve part of the problem and to get more funding for this is maybe look at raising the HI-5 deposit rate to 10 cents.

CHAIR PALTIN: Members, any clarifying questions for the testifier? Seeing none. Thank you. Did you folks want to go ahead with the last call?

MR. KRUEGER: Yes, Chair. We'll proceed with the last call for testimony at this time. If there's anybody else who would like to testify on DRIP-2(22), please identify yourself now. On Teams, you can do that by using the raise-hand function. We'll do a countdown...three, two, one. Chair, no one else has identified themselves as wishing to testify.

CHAIR PALTIN: Thank you. If there...Members, without objection, I will now close public testimony and accept the two written testimonies we received into the record.

COUNCILMEMBERS: No objections.

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

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

**October 9, 2024**

---

CHAIR PALTIN: Okay. Now we must begin discussion immediately following testimony, and we have all the resources available. If Members don't mind if I go first, because I live in West Maui. Thank you. I guess my first question would be for Director Stufflebean, and it's regarding the water meters. I know that everyone can call up and get new water meters, and the estimated time is two to six weeks. Some are waiting a little bit longer. Maybe the laterals haven't been replaced yet. And I know that people with building permits are given priority. I was wondering, how does the water meters work? Like does it run with the land, or how long will we hold people's water meters for if they're going to rebuild, say, in 20 or 50 years? Cheeseburger in Paradise was one of the initial folks that said they didn't plan to rebuild, and majority of that restaurant was over the ocean, which my understanding is the ocean high tide mark is State property. And so, I was wondering what happens in situations like that with that water meter for that property? I know that's like maybe three questions, but so excited to see you.

UNIDENTIFIED SPEAKERS: . . .*(laughing)*. . .

MR. STUFFLEBEAN: . . .*(laughing)*. . . So...so, each individual case...you know, there's differences in each individual case, but the bottom line is when...when people apply for the water meter, we...we process that and get it to them as...as quickly as we can. And certainly, anyone that had a water meter prior to the fire will get one after. So...and we've already replaced quite a few of them, and we're actually allowing people to upsize as well. So, you know, no one who had a water meter before the fire will be denied a water meter. We're certainly providing that, if that was the question. In terms of the...how long we hold it, I mean, if...when someone gets their permit, applies for a water meter, we...we provide that. And so, I'm not quite sure what more you wanted on that one. So...

CHAIR PALTIN: I guess, you know, like what if they have the property and they don't rebuild for 20, 50 years, we're still holding their water meter for them?

MR. STUFFLEBEAN: Oh, yeah. Yeah. Yeah. Certainly, if someone had...there's no time limit on that. If someone had a water meter prior to the fire, they will get one after the fire, regardless of the time frame.

CHAIR PALTIN: And then I guess also like I saw in the *Maui Now* online, Kamehameha III Elementary School is looking at the possibility of relocating to Kamehameha Schools Bishop Estates land. I mean, two different Kamehameha names and entities. But, I guess, would that be a situation of transfer of development rights where they take their water meter from where it was, oceanside, to wherever they end up? Because the Department of Education has said that they're not going to rebuild on their previous location?

MR. STUFFLEBEAN: Yeah, I would think that would...that would be what we would do then, would be to just transfer that water meter to the new location. Yes.

CHAIR PALTIN: And then...so then the old location would have no water meter rights, and thus could not build anything?

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

**October 9, 2024**

---

MR. STUFFLEBEAN: Right. I mean, they would have to decide which one they wanted to do. I mean, in terms of if there's new water meter requests, then that would have to be...that would have to be the situation where we identified additional source. So, if they were to...if they were to take their previous right to water and move it to a new location, and wanted...in addition to that, wanted more water, then we would have to look at when...when additional source became available before we could do that.

CHAIR PALTIN: So, then in that case, the water meter is *... (timer sounds) ...* tied to Department of Education and not to the land itself?

MR. STUFFLEBEAN: Right. I mean, we would look at each individual case, but we certainly want to enable people to have the water that they had before the fire. And if they move to a new location, we want to support that. You know, we'd have to look at each individual case. I can't tell you exactly what we'd do in each...that specific case, but we would want to support that.

CHAIR PALTIN: Thank you. I'll move on to Committee Vice-Chair Nohe U'u-Hodgins.

VICE-CHAIR U'U-HODGINS: Thank you, Chair. I actually have a question for you.

CHAIR PALTIN: Oh, cool.

VICE-CHAIR U'U-HODGINS: Or Ms. Nishiki, whoever is...is...wants to answer, but what specific changes do you feel is necessary, either in the community plans or in infrastructure, to best meet West Maui needs? Like what changes are you hoping to see?

CHAIR PALTIN: Thank you. So, I...I did meet with representatives from Kamehameha Schools Bishop Estates, and they...I'm not sure how much I'm supposed to disclose, but they have identified in their lands areas where they may be willing to, you know, possibly entertain a land swap with shoreline property owners or, you know, maybe some of the Mill Camp properties if...if they don't feel safe because of, you know, the narrower roads and smaller lots. And I did also hear that they may be going after infrastructure funds as well. And then, you know, just trying to see, I know that in...in this photo of our West Maui Community Plan Sub Area 3, there's a bunch of yellow here, which represents Kaiāulu o Kūku'ia, which hopefully will be finished maybe November or December of this year for some of them to be moved in. But there's also FEMA housing that is temporary. There's also Ka La'ī Ola infrastructure that is permanent. And so, in some of my talks with Ms. Nishiki, you know, and their concern for sea-level rise, she had said...or I can let her say it herself, but something to the effect of, if all those homes didn't exist in the shoreline or the SMA, we wouldn't...we would have planned differently, but it...that wasn't the case at that time. And so, you know, if...if folks were to choose that they didn't want to rebuild in the shoreline, and...and I did also meet with the Budget Director about utilizing Managed Retreat Funds as well to possibly if...if they choose not to rebuild in that area, where then could they go to remain in Lahaina? And

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

**October 9, 2024**

---

so, that's kind of what I had meant in the aftermath of this . . . *(timer sounds)*. . . disaster like--sorry, I took your whole time.

VICE-CHAIR U'U-HODGINS: Thank you. I do have more questions, but I kind of wanted a more narrow idea of what we should be considering. Because the community plan is huge, and so...and all of the rebuild is also huge. So, I was just wondering your thoughts. But thank you.

CHAIR PALTIN: If I could expand to like...you know, I think Ms. Takakura said briefly how many folks were renters in Lahaina. And we don't necessarily have control over the nongovernment rebuilds especially, and minimal control over the government rebuilds. But I guess the other thing that was alarming to me that I wanted to take a look at it from the community plan lens was there were a lot of projects, temporary and possible permanent, that were popping up in the aftermath of the fire when we have, you know, I think, I had spoken to Mr. Rebugio, but I think, you know, Pu'ukoli'i Village mauka would be 800 for-sale homes, 400 affordable, 400 market rate, give or take. And Pulelehua, 800 rentals, 400 affordable, 400 market rate. And...and that's why I'm so happy that Mr. Uyeno came online because if this isn't going to be possible, then we should know, you know, because both of them are stating that what is holding them back is the availability of water. And if the availability of water is what's holding them back, then will anything else have water availability, or is it because of the location? I know Ms. Takakura said we usually make the infrastructure fit where the community wants the plan, but we've been waiting 30, or less or more years, and it's not working out that way, which I'd love it to work out that way, but it's just not. And so, if there's another way that is easier or will happen, I'm open to the discussion. And I see Ms. Nishiki, so maybe she wanted to answer your question as well.

MS. NISHIKI: Aloha, Committee Members. Yeah, I think that largely to answer Councilmember Nohe U'u-Hodgins' question on narrowing the focus, I...I think that...I was thinking that perhaps KSBE was going to be here to present their...their proposed plans. But to incorporate their plans in any future community plan amendments might be something that this body might want to consider after reviewing the plans and receiving public testimony on that. But that would add a significant amount of density to Central Lahaina portion of the community plan. And obviously, when we were looking at the community plan, we didn't have much say in Lahaina Town because it was an already-built environment. And so, the fire, while it's a tragedy, it now presents an opportunity to look at the policies and action items in the community plan and redevelop with that in mind. And if we're going to add that additional density of KSBE's proposal, that it's not just an addition, but that it would then allow residences and businesses to move into the proposed commercial school and residential areas. And so, to kind of look at a...like...basically like land swaps, moving folks mauka to...to be cognizant of sea-level rise and climate change impacts. And there's a number of like action items that say propose amendments to the zoning code to increase density for infill developments, and initiate changes in zoning based on community plan designations for growth areas identified as high priority for 100 percent affordable housing. And I know Member Cook mentioned this morning, you know, in the earlier meeting, about

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

**October 9, 2024**

---

that...about that idea. And so, I think that that is supported within the community plan.

CHAIR PALTIN: Thank you.

VICE-CHAIR U‘U-HODGINS: Thank you.

CHAIR PALTIN: And for first round, we'll just go three minutes. I did want to let the Committee know that Jen Maydan is only available until 3:30 p.m. So, if anyone had any questions for Ms. Maydan, we can get those out of the way first. Go ahead, Member Sinenci.

COUNCILMEMBER SINENCI: Chair, I just had a couple of questions for Ms. Maydan. And just to...before my questions, Chair, it was nice on Monday to come down Keawe Street and see Kaiāulu o Kūpu‘ohi that's starting to...to rebuild a couple stories already. So, that was nice to see the Affordable Housing Funds being already acted upon. My first question for Ms. Maydan was, is there a plan to resolve the right-of-way discrepancies in Lahaina?

CHAIR PALTIN: Ms. Maydan?

MS. MAYDAN: Mahalo, Chair. And mahalo, Member Sinenci, for your question. I'm not sure that I completely understand the question, and I am not sure that I am the person to answer.

COUNCILMEMBER SINENCI: Okay. And...and I just got to let you know, it's not...it's just questions that we're receiving, my office is receiving. This question might have been from some of the surveyors that are working with the...some of the landowners. So, that was the first question. The other one was, will the County allow for multiple dwellings to be on one septic system? Maybe this one is for Director Stufflebean, but if you wanted to...

CHAIR PALTIN: Or Miss...Deputy Director Schmidt, maybe.

COUNCILMEMBER SINENCI: Or Deputy Director. Will the County allow multiple dwellings to be in one septic system?

CHAIR PALTIN: Deputy Director Schmidt?

MS. MAYDAN: Yeah, that would be for Environmental Management --

COUNCILMEMBER SINENCI: Okay.

MS. MAYDAN: -- not . . . *(inaudible)*. . . Thank you.

COUNCILMEMBER SINENCI: Sorry, snuck that one in.

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

**October 9, 2024**

---

MR. SCHMIDT: Yeah, I mean, that'll be a capacity issue. I'm not...I'm not certain. I mean, like a main dwelling, an accessory dwelling, I mean, there...I think there's that potential. It'll just have to do with a capacity issue of the septic system, right?

COUNCILMEMBER SINENCI: Okay. Thank you. Thank you, Chair. That's the only two I thought I had for Miss...

CHAIR PALTIN: And was your right-of-way question coming from the Mill Camp area?

COUNCILMEMBER SINENCI: I did mention to them at your meeting that there were proposed roads that will be going around Mill Camp, so I'm not sure what context they were asking that question, but they are working with some of the...the...starting to survey some of the...the residents' properties.

CHAIR PALTIN: Okay. Thank you. Is --

COUNCILMEMBER SINENCI: Thank you.

CHAIR PALTIN: -- does anyone have a question for Ms. Maydan before she has to leave? Member Cook?

COUNCILMEMBER COOK: I don't...I don't know if this is for Ms. Maydan or not, but what's the plan for Front Street?

CHAIR PALTIN: Ms. Maydan, are you aware of the plan for Front Street?

MS. MAYDAN: Mahalo, Chair. And mahalo, Member Cook. So, there is not a plan for Front Street yet. In the Long-Term Recovery Plan, there is a project that's identified as a short-term project to be completed in the next two years for a Rebuild Lahaina Plan, and Front Street would be a absolute critical first step and component of that planning process. So, there is not a concrete plan at this point in time.

COUNCILMEMBER COOK: So, I guess maybe for Ms. Nishiki also, the...how it...how...because I'm just getting a lot of questions about this, and...and it comes into the play with our talk about whether they were going to have a...conventional roads or what. But Ms. Nishiki, how does the rebuilding of Front Street as it was fit in with the West Maui --

CHAIR PALTIN: Policies?

COUNCILMEMBER COOK: -- Community Plan?

CHAIR PALTIN: Ms. Nishiki?

MS. NISHIKI: So, I do recall that in looking at...at looking at Central Lahaina, there were a lot of changes that we envisioned to make it like a transit-oriented corridor that really looked at better movement and safer movement of folks. And so, like I said before, with the opportunity to redevelop, infrastructure is...is the key. And I think as a County, we



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

**October 9, 2024**

---

should be looking at infrastructure being prioritized and restored in areas that we want to encourage redevelopment in. So, if we're trying to keep people safe, and we're trying to minimize risk from the County perspective, as in decisions that...where we allow people to rebuild, that we're tasked with looking long-term instead of satisfying folks' desires to just hurry up and rebuild what we had. And...and so, it would be wise . . . *(timer sounds)* . . . to focus our infrastructure away from the shoreline...and outside of the sea level rise exposure area.

COUNCILMEMBER COOK: Okay. Well, thanks. That's been kind of just everybody's...they keep...the people who own the land just want to know whether they should...can start designing, what they should doing, or what's going to happen. So, hopefully, that can be determined sometime in the near future. Thank you.

CHAIR PALTIN: Thank you. Member Rawlins-Fernandez, did you have a question for Ms. Maydan?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Maydan. Mahalo for being with us. My question is...and...and my apologies if you all kind of like answered this already, but is what the resolution asking the Administration to do something that the Office of Recovery is working to spearhead and...and, you know, thread through the different departments?

MS. MAYDAN: Mahalo, Member Rawlins, for your question. We have had it on our minds to be aware of if anything comes up through development of the Long-Term Recovery Plan, and just general recovery efforts, if there is something obvious that does not align with the West Maui Community Plan, that amendments would be needed. And there is nothing that has come up yet. We see, as...as Jacky mentioned with Director Blystone's comments, that we don't see amendment to the community plan needed right away. But if amendments are needed, a thorough assessment of the community plan would happen, and propose amendments to go through Planning Commission and Council. That is on our radar to keep that in mind, but there is nothing formulated at this time.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo. And then what about the other way through? Like is the...when developing the plans, is it kind of being...is the West Maui Community Plan being centered in developing these additional recovery plans?

MS. MAYDAN: Yeah, thanks for your question. Absolutely. The West Maui Community Plan is a central guiding document for recovery efforts, looking at it as far as the vision and voice of the community, and it is a guide for...for actions and priorities of the community for recovery going forward.

COUNCILMEMBER RAWLINS-FERNANDEZ: That's wonderful. Mahalo, Ms. Maydan. Mahalo, Chair.

CHAIR PALTIN: Thank you. Anyone else have any questions for Ms. Maydan as she's going to leave? Yes, Member Cook?

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

**October 9, 2024**

---

COUNCILMEMBER COOK: Thank you. So, Ms. Maydan, I'll circle back to the Front Street question as far as if the community plan as kind of the guiding principle. Is there any communications occurring with the Administration and the...all the people on Front Street, landowners, about the status and intent for their reconstruction?

MS. MAYDAN: Mahalo, Member Cook. I guess I would just need a little clarification. Because when we say Front Street owners, are we speaking business owners? Are we speaking residential properties? All? Of course, the SMA and shoreline process is available for landowners to pursue and go through if they are ready to move forward with their rebuilds. And the Planning Department does have the opportunity out there for the community to schedule one-on-one conversations, especially for shoreline properties, to understand the shoreline permitting process and what...and to really dive into their particular parcel, and what the complications could be. Please let me know if I can address your question more accurately.

COUNCILMEMBER COOK: So...so, would that be the properties on the mauka side of the road as well, too? I understand the ones on the makai side of the road that run piers. A lot of those just are not going to be rebuilt, but the ones that are on the mauka side of what was Front Street, whether that be a greenway, a bicycle path, or whatever. So, when we say Front Street, I'm not really thinking about the street itself. It's the properties and the stores that were there, whether they have to relocate, whether they're going to be able to rebuild. Just...there's stress about nobody can start to plan or budget or do anything until they have some guidance as far as what the...what the plan is for that area. It's pretty clear that the makai side is not going to be rebuilt, but it isn't really clear, from my understanding and people who's asking what from the...say, from the edge of the sidewalk that was there mauka, how much variance is going to be there. I've heard that the Planning Department is saying they'll talk to each individual landowner one by one, but the interpretation of that is that could take 15 years. I mean, not being...not being sarcastic or rude, but it really takes a lot. Each SMA takes time, and there's literally 100 different parcels. So, you might not have the answer. I'm just asking you out of respect, that I know that you've been very involved in this whole process.

MS. MAYDAN: Yeah. Thank you, Member Cook. I hesitate to speak on behalf of the Planning Department as I am not within the Planning Department, but being aware of their messaging around the . . . *(timer sounds)*. . . SMA and shoreline within the impact area. Property owners within the erosion hazard line, so that's the new shoreline, and that, in some areas, does fall mauka of Front Street, can reach out to the Planning Department and schedule one-on-one meetings to discuss their property. Property owners are also able to submit their applications for SMA and shoreline. And as I mentioned, in the draft Long-Term Recovery Plan, there is a project for a Rebuild Lahaina Plan, and that will dive in intensively to urban design within Lahaina Town, and focusing on Front Street, and parks, and mobility, and circulation, et cetera. The property owners are able to consult with the Planning Department now.

COUNCILMEMBER COOK: Thank...thank you very much, and keep up the work. Mahalo.

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

**October 9, 2024**

---

CHAIR PALTIN: Member Sugimura, did you have a question? Oh, I just had a quick question for Ms. Maydan. You know, majority of the property...or not...majority of the residents in Lahaina were renters, and you know, I had learned earlier from Ms. Taomoto that multifamily housing has a slightly lower requirement for water per unit than single-family housing, and multifamily housing can also use R-1 for their irrigation landscaping and like that. Has the Office of Recovery reached out to any of the large multifamily units, whether they be rentals or owner-occupied like, you know, Lahaina Residential, Channel House? I know they've reached out to government-owned and nonprofit, but has a survey been done about the large projects that were privately owned, if they...if and when and how they intend to return?

MS. MAYDAN: Thank you, Chair, for your question. I do not have an answer. Perhaps Ms. Taomoto does, but I am not sure.

CHAIR PALTIN: Okay. I'll come back to it because it was only for you because you were leaving. And I'll...I'll move on to Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Thank you very much, Ms. Maydan. So, the Long-Term Recovery Plan, tying into what Member Cook is talking about, the Front Street property owners are...I've talked to some, and they're wondering also what next steps. So, you're saying what the next step for them is to look at the Long-Term Recovery Plan, and that'll provide them directions.

MS. MAYDAN: Thank you, Member Sugimura. So, the Long-Term Recovery Plan is a collection of projects and programs that look holistically at recovery, covering community planning, infrastructure, health and human services, housing, and economic development. It is not a land use plan or urban design plan. It is an action plan to address the many facets of recovery across infrastructure and all those topics I mentioned. One of the projects within the Long-Term Recovery Plan is a Rebuild Lahaina Plan to go through a planning process to look at the rebuild within Lahaina, an urban design plan, and if...and look at circulation, infrastructure capacity, and if any land use changes are needed. The Long-Term Recovery Plan provides that more holistic picture of recovery, whereas the Rebuild Lahaina Plan would dial in the part to rebuilding Lahaina Town.

COUNCILMEMBER SUGIMURA: So, there's another plan called Rebuild Lahaina that is connected to the Long-Term Recovery Plan?

MS. MAYDAN: Correct. In the Long-Term Recovery Plan, it's a collection of projects and programs, so there are forthcoming plans that come out of that as far as infrastructure plans, et cetera. It's...it's a larger-picture look at the needs and priorities for recovery.

COUNCILMEMBER SUGIMURA: So, in your capacity in the Office of Recovery, you're going to take this information...and is the Office of Recovery going to then come up with something a little bit more firm for the community, or is...are these the documents that the community should use to move forward?

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

**October 9, 2024**

---

MS. MAYDAN: So, the projects and programs within the Long-Term Recovery Plan will be implemented by various project leads. There's many County departments as well as State departments that are identified as project leads. The Rebuild Lahaina Plan is identified as a Planning Department project, and there are other projects and programs that are identified for Water, Wastewater, MEMA, et cetera.

COUNCILMEMBER SUGIMURA: Oh, I see. Every department has their own like Rebuild Lahaina Plan. Is that what you're saying? . . .*(timer sounds)*. . . And to use that as a guide?

MS. MAYDAN: Well, each department has projects and programs within the Long-Term Recovery Plan that they will be implementing. There's water capacity projects, R-1...R-1 upgrades, for example, is a project. So, that, of course, is DEM. There are improvements for MEMA. So, there's various projects and programs that will be implemented by the appropriate agencies going forward.

COUNCILMEMBER SUGIMURA: Okay. Thank you.

CHAIR PALTIN: Member Kama?

COUNCILMEMBER KAMA: Thank you, Chair. So, Ms. Maydan, the...it...it sounds like the Long-Term Recovery Plan is not something that's actually written out and you can get it and follow it, but it's being developed as time goes on with the departments as they continue to...to meet with the...the community on the Wednesday nights when the Mayor meets with him, or is...or is it already developed? I mean, the Long-Term Recovery Plan is already developed, and that's what the departments are using as their guide to be able to help them through this, as well as with the community?

MS. MAYDAN: Mahalo, Member Kama. So, the Long-Term Recovery Plan, the draft will be available to the community a little later in October. And we will hold open houses in the community to share the draft Long-Term Recovery Plan, and to highlight the projects within the plan, and to have subject-matter experts and project leads available to share more and answer communities' questions on the projects. So, it is a document that is coming together and will be available later in October. And we are on track, and we will gather the community's input, and we will have a final before the end of this year. So, it is a document and a plan. You can think of it kind of as a...well, actually, I hesitate to say action plan because I don't want to confuse it with CDBG-DR, but it is a plan that is meant to be implemented.

COUNCILMEMBER KAMA: Okay.

MS. MAYDAN: And it may need to be adapted and updated over time to reflect progress on implementation of projects and programs, or adapt to changing needs and challenges and opportunities. But it is a plan, and it will be available later this month. And we are scheduled to come to...or I believe to come to the Council's GREAT Committee to provide an overview on the plan later this month.

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

**October 9, 2024**

---

COUNCILMEMBER KAMA: Okay. So, as...as...as you are helping the families, and as they walk through this process, I sometimes feel like, you know, when you...when you build a home...when you yourself build a home, there's a lot of steps that are kind of complicated in the interim, but there's lots of steps to go through. And our families are going to be rebuilding their homes. Is there someone that can help them navigate through that process? Or do they just have to go hire their own contractor. and then the contractor does whatever the contractor does? I mean, is there someone to help them navigate through all of that? Is that part of the plan, to help them do that?

MS. MAYDAN: So, that is not included in the Long-Term Recovery Plan --

COUNCILMEMBER KAMA: Okay.

MS. MAYDAN: -- but there are resources like that for individual homeowners to help them navigate their permitting process and design process.

COUNCILMEMBER KAMA: Yeah.

MS. MAYDAN: I'm not as knowledgeable with the details, but the long-term recovery group does have...what do they call them...building navigators. Some...there...there are resources for individual homeowners to support them through the process --

COUNCILMEMBER KAMA: Yes.

MS. MAYDAN: -- . . .*(inaudible)*. . .

COUNCILMEMBER KAMA: Yes. Because we hear...I heard testimony today that...that our build...the...the permitting process is what's holding up lots of our families from rebuilding, so...but, yes. Thank you so much for sharing that. I appreciate that. Thank you, Chair.

CHAIR PALTIN: Thank you. My next question would be for Mr. Uyeno. It's been about a year since...or two years since designation, one year since everyone got in their water use permit applications. How many have...has CWRM been able to get through at this point, one year out, little over?

MR. UYENO: Aloha, Chair Paltin. Thank you for the question. Let's see. I don't have the exact numbers, but we have reviewed all of the Honokōwai...so, the first step that we have to do is review all the applications that were submitted, deem that they're complete because then that starts the clock ticking on certain legal steps. And so, the first region that we're going to tackle is the Honokōwai region, which is primarily groundwater. And so, we have reviewed all the applications...most, if not all of them. I think there was one maybe that may be an outlier. But we've sent letters to all those applicants to...for seeking additional information to complete their applications, and so we're currently in the process of reviewing that additional information. I don't think we've gotten back information from all of them, so that's something that we still need to follow up on. So, that is proceeding. The next region that we're planning to tackle is Honokōhau and

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

**October 9, 2024**

---

Honolua. As of now, we have conducted one site visit for several water use permit applicants that have applied for existing and new uses in Honokōhau. We have a...we have another site visit scheduled for this Friday, and we are planning another one sometime in late October. And then once we...

CHAIR PALTIN: Mr. Uyeno, if I could stop you because I got limited time.

MR. UYENO: Okay.

CHAIR PALTIN: I won...I was wondering, is this something that you could possibly outsource or contract to go faster? And like about how long do you think before like new projects? Are you doing existing and new water use at the same time? And, you know, we're not moving forward with any new permanent housing, and we just barely cleaned up 100 percent residential debris. So, I guess, you know, we're...we're trying to see if we can bring housing online because it's...it's...we're in a dire situation.

MR. UYENO: Yeah. So, just to close the loop, we are hoping to bring back...and Honolua provides...or excuse me, Honokōwai provides a lot of water for much of the region as far as groundwater goes, and so we are hoping to bring that area later this year, if not early 2025. Honokōhau . . .*(timer sounds)*. . . will probably be early next year, but...and so that...that's the bulk of the...Honokōwai is the bulk, I think, of the...the groundwater sources for the region. So...sorry, I lost my train of thought. Is it something that we can outsource? Probably not, just because of the expertise that's...that's needed to review the applications, the legal issues that we have to...to deal with. As far as the difference between ground and surface water, as far as surface water goes, we are taking the existing and new uses together because of the appurtenant rights issues and the traditional and customary practices by...by some applicants, or that have been asserted by some applicants. As far as groundwater goes, we're going to be looking at existing uses first as a priority, and then new uses. Just a note, we did get the Pulelehua application in fine...I think it was in June or July. We have not received any application for the Pu'ukoli'i project. Some of the TMK parcels that were included in the application for that project...excuse me...by, I think, Kā'anapali Land, those are some of the questions because they identified some of the TMKs as part of the Pu'ukoli'i project, but you know, basically there's no existing use. And so, we still are waiting for a new use application for...for that project specifically.

CHAIR PALTIN: Thank you so much. And I'm just going to take a little extra minute. Is there anything that the County can do that would help you folks help us folks?

MR. UYENO: No. I think...and you know, I did want to mention too, Ciara Kahahane, the new Deputy Director, will be starting tomorrow. So, we are...we...we did...I did talk to Deputy Director Landgraf with Board of...or excuse me, Department of Water Supply earlier today. So, we are planning to hold a meeting. And I think that's the...you know, just trying to coordinate between agencies and on the ground, I think that's...that's one of the first steps we can do to kind of helping this...this process as a whole to move it along. You know, we're...we're still going to need to do these site visits. We're still going to need to do...review all the applications internally, get those complete, and then, you

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

**October 9, 2024**

---

know, if...we'll have to get the public notices issued. And, you know, we're...we're crossing our fingers, but you know, a contested case hearing could be requested at any point once the...those applications are accepted. And so, that's why, you know, we're moving cautiously, trying to make the best decisions, or at least put part...put forth the best recommendations to the Commission.

CHAIR PALTIN: Thank you. Committee Vice-Chair Nohe U'u-Hodgins?

VICE-CHAIR U'U-HODGINS: Thank you, Chair. I will also ask Mr. Uyeno some questions picking up on your line of questioning. When do you think you folks will get to the new users and their applications? How long would it take to review the existing ones?

MR. UYENO: For groundwater? Or...

VICE-CHAIR U'U-HODGINS: Sure.

MR. UYENO: So, like I mentioned, for surface water, we are doing them at the same time. For groundwater, you know, honestly, I think we...in reviewing the applications, we will be doing them at the same time, so that will be moving forward. But as far as the recommendations goes, hard to...hard to say, but I think practically speaking, we're going to need to address the existings first and then the news, just because of the...you know, the legal requirements that we have...right?...as an existing user versus a new user. But ultimately, you know, in looking at the big picture, and the...the...the water needs of the region, and the availability of water and the sustainable yield, we will need to look at all of them together. And so, when we bring up those to the Commission, you know, it will need to be a balanced recommendation that takes into account the existing users and...and all the new users.

VICE-CHAIR U'U-HODGINS: Okay. Thank you. I know maybe you can't answer this, but are we talking years? Are we talking months? What are we...if you could give me just...

MR. UYENO: Our hope is to get rolling next year. You know, we've...we've started moving things, we've started the...the wheels turning this year, but we are really hoping to get moving next year as...as, you know, especially Deputy Kahahane comes on board and, you know, we are...we do have...we do have staff vacancies, and so we're hoping to fill those, and....and then we can get moving more on these water use permits.

VICE-CHAIR U'U-HODGINS: Okay. Thank you. Chair, do we have anybody on from Planning?

CHAIR PALTIN: Ms. Takakura.

VICE-CHAIR U'U-HODGINS: Ms. Takakura. That's right. Thank you so much. Aloha, Ms. Takakura. Thank you.

MS. TAKAKURA: Hello. Hello, Member U'u-Hodgins.

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

**October 9, 2024**

---

VICE-CHAIR U‘U-HODGINS: As we talk about shoreline, and what that might look like, and the consideration of moving mauka, what lands, unless it’s KSBE lands, potentially does the County have to swap with? What are we...what are we looking at? Let’s say Front Street doesn’t come back, or the shoreline properties are discussed in that one-on-one meetings to potentially move mauka. Do we have land to offer them? How much is this going to cost?

MS. TAKAKURA: Thank you for the question, Member U‘u-Hodgins. We don’t have a system set up for that yet, and I don’t have on...easily accessible a list of County properties in the West Maui Community Plan area, but we can research that if you want to send us a request in writing. It’s going to be kind of complicated because, you know, the land values are so high, and then they vary so much how close you are to the ocean and all of that. But regarding the shoreline properties, as was mentioned, you know, we are meeting with each individual owner, and property owners can submit applications now if they’re ready, you know. It...it depends on how complex their project is and if they’re residential or commercial about, you know, how quickly it’ll take to process, but we are working with 4LEAF, the consultant. And we just launched the SMXF, which is the expedited process for the really small SMA, you know, the exemptions like their homes, the one accessory dwelling units. But some of the bigger ones are going to...they are going to take some time because they are going to be the bigger projects, like the commercial, which are SMA majors, and they do require public hearings. But we are trying to work with the Maui Planning Commission to kind of streamline that process as much as possible without reducing the community engagement that you need to have with a big project --

VICE-CHAIR U‘U-HODGINS: Okay.

MS. TAKAKURA: -- but to try to kind of get those going because they’re going to have such a volume of projects.

VICE-CHAIR U‘U-HODGINS: Yeah. I’m curious how that’s going to work out for Lahaina because, I mean, it is obviously worst-case scenario, but whatever we decide to do in Lahaina is going to reverberate throughout the rest of the County. So, I’m curious how that’s going to go. Oftentimes we have an idea of what a shoreline property is, and what they look like, and what they own, and we do still have a lot of old-school local families that live on the shoreline. And my family is one of them, you know, in Pā‘ia Town, and switching is not something I don’t think we would consider, as our shoreline property is also our cemetery. But I think more often than not, we will encounter those kinds of families that, you know, their land is invaluable, and not easily switched out with anything mauka. But I understand the value of not building back certain things in certain areas. So, definitely, that’s a hard needle to thread, and I appreciate your guys’ hard work. Thanks, Chair.

MS. TAKAKURA: I just want to...sorry to interrupt, but I just want to remind that whatever the outcome is, we need to have the community say, and that does take time, but that’s going to be the guide, and then the science too. But it will take some time and



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

**October 9, 2024**

---

community engagement to figure out, well, what does the community want, and when, timing and all that.

VICE-CHAIR U'U-HODGINS: Yeah. Yeah, definitely timing. It'll be interesting because for certain things, it is easier to argue their placement and their value than other things, except you cannot say you can, but...and . . .*(timer sounds)*. . . other people cannot. We will have to find something that works for all, and I'm not...I don't know. I don't have the answer, and luckily, I don't really have to decide that now, but yikes.

CHAIR PALTIN: Member Sinenci?

COUNCILMEMBER SINENCI: Mahalo, Chair. Yeah, I guess for Mr. Uyeno, you mentioned that the Pulelehua project received CWRM...received their application already. Okay.

MR. UYENO: Yes, that's correct.

COUNCILMEMBER SINENCI: Can you share anything else on that application?

MR. UYENO: No, I think there were...I just wanted to mention that because there were, I think, in the...in various forums, it was...there was a perception that, you know, we were, I guess, dragging our feet on it, but in fact, we had not received it yet at that...at...when it was...when issues...when it was raised in various...in these various forums. I can't speak specifically to it yet, just because I haven't personally seen the application, but we are...we will start our review on it.

COUNCILMEMBER SINENCI: Oh, okay. Thank you. And then, you know, I just had some questions about, like, some of the other streams, like Moku, Kaua'ula streams, Kanahā streams. So, those streams, do those...like they go from mauka to makai? I know when they built the...the bypass, a lot of it kind of cut off some of these intermittent seasonal streams that made it down to the...to the ocean. And...and I'm just thinking about the rebuild of...of Moku'ula, Mokuhinia Pond specifically. So, are there...and...and granted, they have a lot of underground springs that feed those ponds, but are there any types of requests or through court decisions that require that streams run from mauka to makai?

MR. UYENO: Thank you for the questions, Councilmember Sinenci. No, there are no requirements that the stream flows mauka to makai. I believe Kahoma at this time is flowing mauka to makai, following the setting of the instream flow standard. For Kaua'ula, we do have a number of water use permit applicants. However, that stream does not run mauka to makai. When we did set the instream flow standard, we had set it below the upper diversion, and...with the belief that it would not...it would likely not reach all the way to the ocean, just because there is a losing reach between...let me...let me take a step back real fast. So, there's the upper diversion, and then maybe about a quarter-mile downstream, there's a siphon that crosses the...the stream that carries water. And over the years, West Maui Land has released water to provide water to folks like the Palakikos that live along the stream. When we set the instream flow standard . . .*(timer sounds)*. . . the intent was to release all the water mauka, and hopefully that

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

**October 9, 2024**

---

stream would...would saturate and...and contin...and, you know, connect to be able to flow mauka to makai. However, what we found in the years that it had been...that instream flow standard was implemented, there was still a losing reach, and so there is still a dry section. What we're concerned about is that if we were to continue to implement the current instream flow standard, the Palakikos and others would not receive water because it does lose for a stretch. And so, at this time, the commission is currently reassessing the instream flow standard for Kaua'ula. We are looking...we will be looking more closely at the applications that are there because there are potential...additional potential users that have filed for new uses, and these are traditional and customary practitioners. So, at this time, we have basically stayed the Kaua'ula instream flow standard, and we are requiring West Maui Land to release water at the siphon to ensure that water is getting downstream. So, at this point, I believe there is mauka to makai flow from the siphon downstream to the ocean. However, there is a short...there is that dry stretch from the upper diversion to the siphon.

COUNCILMEMBER SINENCI: Okay. Thank you, Mr. Uyeno. I heard the bell. Thank you, Chair.

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

COUNCILMEMBER COOK: I don't have any more questions.

CHAIR PALTIN: Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Uyeno. Mahalo for being with us today and answering our questions with the water use permits for West Side. So, when reviewing the applications, you folks...like the process that you're going through is reviewing existing use indiscriminately, and then new use subsequently. And when reviewing new use, will there be like that priority under the Water Code where applications will be reviewed first and allocations granted as...as it's...as it's listed under the priority uses?

MR. UYENO: Correct. And that's why we're...for surface water, we are looking at the existing end uses combined because of the appurtenant rights that has a higher priority as far as the public trust use. We're also, you know, focusing on the domestic uses, traditional and customary practices, and then, of course, keeping water in the stream. So, balancing that with the...those existing end uses with the instream flow standards that have been set.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo...

MR. UYENO: Oh, so...and that's where ground...sorry, I just wanted to come back. That's where groundwater is a little bit different now because we don't have those appurtenant rights or traditional and customary practices that necessarily we have to weigh into the looking at the groundwater use permit applications.

COUNCILMEMBER RAWLINS-FERNANDEZ: There's still a priority use for groundwater.

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

**October 9, 2024**

---

MR. UYENO: Correct, correct. It's just that there isn't appurtenant rights, I should say, like there is for surface water. Sorry, my apologies for that.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, that's clear. Mahalo for clarifying. And then, you know, like...so like for some areas where existing users were using, you know, like groundwater for lush landscaping and, you know, it kind of like throwing the balance because those that had the...you know, the resources to be able to get the...get in the water before there was any kind of enforcement and permitting process were able to take as much as they want. So, how would the enforcement of priorities under public trust and Water Code be enforced like...you know, for like fake farms/gentleman estates for, I guess, landscaping and pools where they...they're not a public trust priority, but often . . .*(timer sounds)*. . . that's who has the money and the resources. And so, their use was, you know, delivered versus, you know, those that, you know, appurtenant or others who have a higher public trust priority was not.

MR. UYENO: Right. Thank you for that. That is...certainly, that is something that we're going to be looking at as we make our recommendations, especially water for landscaping and other nonessential uses. And...you know, and that's why we've been working with the County in the...over the past several years to try and emphasize the importance of expanding the wastewater reuse and...yeah, trying to get that expanded. Yeah, you know, the other thing too is in drought situations, we did have a bill over the last couple of years at the Leg to...for emergency...to expand the Commission's emergency powers, particularly in these situations...right?...and that's for...for Maui. It's really important where you have public water systems versus private water systems. So, yeah, that...I think those are...those...we're going to need to look at those carefully as we proceed.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Mr. Uyeno. And Chair, if I may, just to clarify, so the existing uses may...requests may not be...like, it's not like an automatic that those would be granted, right?

MR. UYENO: Correct.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo for that clarification. Mahalo, Chair.

CHAIR PALTIN: Thank you. Member Sugimura, followed by Member Kama.

COUNCILMEMBER SUGIMURA: Thank you.

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

COUNCILMEMBER SUGIMURA: I think we're very fortunate to have Mr. Uyeno here, and we always circle around the fact that we wish we had CWRM, and CWRM has all this control over water, and Upcountry too, but we're talking about West Maui here. And so, housing is a big problem for...as...as you know, and that we say if we had water...right?...then we could build all these houses, and solve the problems in terms of...and especially

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

**October 9, 2024**

---

Pulelehua, which you said you received their application, which is good. And Pulelehua, we've been hearing that, you know, they're...they have been working on their project, that they're ready to go, and...and then the Kamehameha III School was there. So, there's things happening there, and they do have water there. So, you're saying...what...what will this application do? So, they have water.

MR. UYENO: So, sorry, I think I lost part of that last question.

COUNCILMEMBER SUGIMURA: Oh, they have water...right? So, there's a school there, there's bulldozers, we heard that they're moving dirt, things are happening there, and...and...and...but what's stopping them is water. So, since you're here...you got their application, I guess, what is needed?

MR. UYENO: I think as far as the application goes, we're going to have to look at it in terms of balancing with all the other uses that are...that have applied for in the area, whether they're existing and new. I do know...my understanding of the Pulelehua development is that they have applied for...I think they've drilled one well so far, and they've applied for two others, but the current well has...does have salinity issues. As far as what's going on the ground...what's happening on the ground right now, I'm not particularly aware of that, but as far as the school goes, Kamehameha III, you know, I...I can't recall exactly who was supplying that water, if it was the County.

COUNCILMEMBER SUGIMURA: I think they used County water.

MR. UYENO: I'd have to...

COUNCILMEMBER SUGIMURA: I think you're right.

MR. UYENO: Yes. So, we...you know, we did have some pro...there is a provision in the Code that does allow for uses to be provided by...for the County to determine how they distribute their water, but there is not that provision for private uses. And so, the County could not...in the future, the County could possibly continue to serve that development. They would need to apply for it under the...under a new use application, if they have the...the resources, the water available to...in their system. However, I believe at this time, they...they don't. If...if they have all the existing uses that they applied for, if they were serving those currently. Being that Pulelehua is a new use, you know, that's something we'd have to work with. If...if the County were to provide them temporarily, that's something we'd have to work with the County with, but recognizing that that may not continue once all the uses that were...existed previously, prior to the...you know, October of last year, that...excuse me, August of last year...*(timer sounds)*... that they could continue after that time. After...once the...did...once the prior uses came back on board, you know, there's no guarantee that it will continue to go to...it could continue to go to Pulelehua.

COUNCILMEMBER SUGIMURA: Okay. Thank you.

CHAIR PALTIN: Member Kama?

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

**October 9, 2024**

---

COUNCILMEMBER KAMA: Thank you, Chair. Thank you, Mr. Uyeno, for being here. So, can you explain what the difference is between a water permit and a water license that...that CWRM issues?

MR. UYENO: So, we do not issue water licenses, that is under the Land Division. You know, that's the whole thing that's going on in East Maui. So, that's basically, I think, a long-term lease for the land to be able to access the water resources. So, that's why there's separate...different statutes in the...in the...in the Hawai'i Revised Statutes for water licensing under the...the Land Division, and then we issue water use permits under the State Water Code.

COUNCILMEMBER KAMA: So, the...so, the water licenses are issued by the State Department of...Board and...Board of Natural Resources?

MR. UYENO: Correct --

COUNCILMEMBER KAMA: I see.

MR. UYENO: -- the Land Division and our land board.

COUNCILMEMBER KAMA: Yeah. Yeah. Okay. Okay. So, in terms of the Pulelehua project that you were mentioning, so what more needs to happen for them to be able to get their water? I mean, is...I mean for them to...I mean what more needs to happen, I guess, for them...for you all to say yes to Pulelehua?

MR. UYENO: The first thing is making sure that all of the existing uses that are reasonable and beneficial are met first, and then we'll look at Pulelehua and if they have available water for that development. My understanding right now is that the sources that they have drilled are not suitable. I believe...I also believe that the County is not planning to take over those sources at this time. And so, I do not...I have not looked at...like I mentioned before, I have not personally looked at their applications, so I don't know exactly what water sources they're claiming. Yeah, if they're...if they're claiming...if they're planning to use those wells that they have drilled and treat it, then, you know, it's...it's...there's a good chance that I think that they could receive that water. If not, if they cannot use those wells, then that would be another issue.

COUNCILMEMBER KAMA: Okay. Okay. Well, good. Thank you so very much, Mr. Uyeno. Thank you, Chair.

CHAIR PALTIN: Thank you, Member Kama. So, you said that you haven't received any water use permit application for Pu'ukoli'i Village Mauka, and you have for Pulelehua, and they both are in the Honokōwai area. So, if Pu'ukoli'i Village Mauka turned in a water use permit application today, are they in line behind of Pulelehua, or are they on the same foot as they're both new uses?

MR. UYENO: I think, basically, they'd be on the same footing, as both as new use applications.

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

**October 9, 2024**

---

CHAIR PALTIN: Okay. But without a water use permit application, they'll never move forward?

MR. UYENO: Correct. So, we have met with them in the past, a few months ago, and so I believe they are working on it actively.

CHAIR PALTIN: Okay. And then, are you...what order is Lahaina, and as we rebuild, is it...is it important that we reissue all the water meters to the existing customers, in your opinion, or...

MR. UYENO: I don't think that necessarily affects us, so I think that's a call for the Department of Water Supply. Yeah, we're looking at the broader uses, so, you know, how much to allocate to Maui DWS, how much to allocate to Hawai'i Water Service, Kā'anapali Land, others, so that we don't go...we don't necessarily go down to that detail, as far as the individual water meters.

CHAIR PALTIN: Okay. Thank you. Director Stufflebean, are you available?

MR. STUFFLEBEAN: Yes, I am.

CHAIR PALTIN: Oh, awesome. You know, with some of the bills, like 103 or 104, that allow for increased density, and I think Front Street Apartments also wanted increased density, and I believe, you know, even when we approved Kaua'ula o Kūku'ia, part of it was that the 201st unit would need to do their own packing plant facility. How are you working together with, you know, our...the County's temporary allocation of water to folks, whether it be three to five years, how are you calculating that? In addition to, like, you know, if someone's adding on an ADU, or they're...they want to upsize their meter, how is it all balancing out that when one entity is ready to rebuild, but maybe another entity is not ready to phase out? And then, like, you know, on top of that, we have DHHL, which, how...how are you working this out in your head between the temporary . . .*(timer sounds)*. . . new use, and so on and so forth?

MR. STUFFLEBEAN: Right. So, that's...that's been a tough question. What we have decided is that we are going to support upsizing water meters, and we're going to support increased density, and that is our priority. And at this point, of course, we have enough water because there's less water demand than there was before the fire. And so, we are supporting that with the realization that...that if...once it's all done and everyone has asked for additional water, and we already, before the fire, had insufficient supply, you know, that could be a problem. But we do anticipate that we will, by that time--the next...you know, that's going to be years away--that by that time, we will have some additional sources. So, we are...you know, because we didn't feel it was fair to not be able to assist the people who have been impacted by the fire. So, we want to make sure that they have water, and we're supporting that. We also want to support infill development because that has many benefits beyond the Water Supply Department. So...so...so, we are...we are...you know, our priorities are to support the temporary use, the temporary developments, to support infill developments, to support meter upgrades. And so, you know, again, with the recognition that someday that could be a problem,

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

**October 9, 2024**

---

but we just feel it's the right thing to do. And, you know, meanwhile, we're pursuing all the different...all additional sources that we can. So...so, that is our calculation.

CHAIR PALTIN: Thank you. I just realized that I did not pause for the cause, and I just went ahead and took my third round. Do Members want a recess? Okay. It's 3:20. We'll take a recess until 3:30, if that's all right with folks?

COUNCILMEMBER SUGIMURA: Yeah.

CHAIR PALTIN: We'll come back at 3:30. . . .(gavel). . .

**RECESS:** 3:20 p.m.

**RECONVENE:** 3:33 p.m.

CHAIR PALTIN: . . .(gavel). . . Will the DRIP Committee come back to order. The time is now 3:33. And we left off with Member U'u-Hodgins, if she has any questions.

VICE-CHAIR U'U-HODGINS: I do not have any further questions, but I really do appreciate this line of discussion. Thank you, Chair.

CHAIR PALTIN: Thank you. Member Sinenci?

COUNCILMEMBER SINENCI: Mahalo, Chair. My last line of questions were answered by Director Stufflebean. Thank you.

CHAIR PALTIN: Thank you. Member Cook?

COUNCILMEMBER COOK: No, Chair. I don't have any more questions, but I want to thank you for this meeting, and I want to thank all of the resource people who have come. This has been very informative. We have...hopefully can instill the sense of urgency that we have and keep it going, but thank you, everybody, for the participation.

CHAIR PALTIN: Thank you. Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I, too, appreciate today's meeting. I guess my last question would be for you. So, this resolution is on Friday's agenda, and the intention is for it to be referred to your Committee?

CHAIR PALTIN: Correct.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. And then is your intention to eventually pass it or...go ahead.

CHAIR PALTIN: Sure. I...I do have a meeting scheduled with Hawai'i Community Foundation pretty soon, based on a confidential draft that they worked up for the State that Member...Managing Director Nishita had shared with me. And I guess kind of what I

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

**October 9, 2024**

---

was looking for is, you know, if it would be helpful to quantify large projects, what their water de...potable water demand would possibly be, what...if they're going to try and connect with County sewer or go another avenue, and what their possible R-1 usage could possibly be. And then, you know, also look at R-1 for agriculture in terms of what Hawai'i Wildfire Management Organization had said about shifting the way that we look at fallow ag lands, especially given that Kamehameha Schools has kind of fallow ag lands right along the edge of our town. Like if, you know, R-1 for like a green buffer around where people live is also a priority, if that would be helpful. Something helpful if, you know, we could quantify that for existing, rebuilding projections in terms of moving us forward. Because I don't know that we've ever in practice done transfer of development rights, and how that would work with water meters and sewer capacity and...and things like that. Just trying to get a big picture view. But from what Ms. Maydan had said, maybe in late October, we would see that in the Long-Term Recovery Plan. Of course, I would have loved to have taken [sic] this from a different angle, but being that community planning is in my purview, that was the angle that I looked at it from. But it was basically to try and pull together the...the various aspects of rebuild, repopulation, and new projects. And if we are going after Federal or other funds for major infrastructure, like just to try and get a sense of it. And so, I...I wanted to meet with Ms. Lau Hee on that first, and get a sense from them of their confidential draft that we have, and...and it's more broad strokes instead of granular detail. And I guess, you know, poll the resources that we have here, maybe not CWRM, but the others, if that level of granular detail would help in their efforts to...for Lahaina to recover in terms of like...you know, larger projects. There's Channel House, Lahaina Residential, 'Aina Nalu. And...and the other thing I was thinking, like you know, water is the biggest hold back of...of building anything new, and you know, the possibility of...of being able to provide something like everybody low-flow fixtures for free, because that's an expense in the rebuild, and if...if we had like maybe somebody going after a grant, or maybe even Hawai'i Community Foundation, or whatever, or even a law or requirement that, you know, new toilets have to have that one drop and the three drop thing, you know. I...I've seen it. Or like, you know, green up, blue down, basic water conservation so that more people can live...if any of that would help in moving us forward faster, I guess. And so, it wasn't necessarily about the resolution. The resolution was the vehicle to...that allowed me to plan this meeting, to talk about it and get as much information as I could. So, yeah, the resolution isn't...wasn't the end goal, it was the vehicle.

COUNCILMEMBER RAWLINS-FERNANDEZ: Got it. Mahalo, Chair.

CHAIR PALTIN: Member Sugimura? Member Kama?

COUNCILMEMBER KAMA: Thank you, Chair. So, does it mean your vehicle now can be put in the parking lot?

CHAIR PALTIN: Oh, I have a whole --

COUNCILMEMBER KAMA: I know, I was just...



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

**October 9, 2024**

---

CHAIR PALTIN: -- lot more questions, but if you guys have exhausted, and then, yeah.

COUNCILMEMBER KAMA: Yes, Chair, thank you so much for bringing Ms. Maydan here. I do appreciate how hard the Administration's working to try to get all of our families back together, and how complicated it is for our families to try to navigate this whole process of starting all over again, so thank you very much. But I have no more questions, thank you.

CHAIR PALTIN: Thank you. I'll just go forward without a time then, if Members don't mind, and if...if I'm saying anything that sparks a question for you, don't hesitate to jump in with a raised hand. But I think that my next question would be for Ms. Takakura, or if somebody else on the line is more qualified. Have we ever done a transfer of development rights, or is that something like we'd have to build while we're flying that airplane, or something like that?

MS. TAKAKURA: Thank you, Chair Paltin. To my knowledge, we have never done that.

CHAIR PALTIN: So, we don't have any...

MS. TAKAKURA: But I was informed by Office of Recovery that...that they are looking into...they're researching a buyout program. But in answer to your question, yeah, we've never done that.

CHAIR PALTIN: And...and in terms of a buyout program, is that simply like...I had been talking with, I think it was either the Deputy Director and the Budget Director about a buyout program, one where they'd like to retain exclusive use of their property. And would that be like a buyout of development rights, or a straight buyout and no help in rebuilding in another location, or...or those kind of things, or we're still working on working it through?

MS. TAKAKURA: I don't know yet. But you...those questions show how complicated it can be because there's so many different ways of doing that kind of program. So, it's going to really have to be thought through. And we've seen some other models in like, I think Monroe County in Florida, which has a lot of islands and luxury. It was kind of overwhelming how complicated it was. So, need to take some time to...to figure out what we'll need to do and what the end goals are.

CHAIR PALTIN: And then I guess...

MS. TAKAKURA: But I don't know yet.

CHAIR PALTIN: Like, you know, previously, I...I recall in the CORA permitting, like to...to compare CORA permitting to the ownership of a water meter. Like in the past, we've seen people like actually sell their CORA permit for thousands more than what the County issued the CORA permit at. And, you know, there could be the same type of potential with water meters. So, I guess my question for Director Stufflebean would be that, are water meters transferable? Or would the...the idea be that if somebody's not

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

**October 9, 2024**

---

going to rebuild on their property, the County would return their money that they originally paid for a water meter and then reallocate it? Or would the owner of the water meter be able to, say, auction off their water meter?

MR. STUFFLEBEAN: Yeah, I don't know the answer to that. I think that's something...I mean, to me, the...the underlying principle is, we want people to be able to...to...to do what they need to do after the fire. And if that means relocation and moving their water meter, we want to try to accommodate that. The legal mechanism for that is something we're going to have to work out. So, I don't know the answer to that, but I...you know, I think that's our intention. And we'll have to work with, you know, Corp. Counsel to figure out what we would need to put in place to...to allow that to happen.

CHAIR PALTIN: I guess, you know, the first thing that comes to mind is like how Member Cook was referring to the makai side, the commercial area of Front Street. A lot of that was in the high tide mark of the water, which...which kind of makes it be State property. And then, like, what happens with that water allocation? And so, you said you don't know yet, but you'll let us know as soon as you know.

MR. STUFFLEBEAN: But...yeah, and as soon as, you know, we get some direction as to what...how we want to...you know, how we want to accommodate that, my intention would be to try to work with our attorneys to figure out how we could accommodate that.

CHAIR PALTIN: And then any thoughts on the idea of, you know, mandating energy-efficient water fixtures, or like, you know, those toilets with the up for number one, down for number two, or things like that, or water-efficient fixtures? Is that a good idea, or...

MR. STUFFLEBEAN: Well, we certainly want to provide incentives for that, and we have done that to some degree already in the County here. We could enhance them. You know, my first reaction would be I'd rather enhance the incentives than make it a requirement. And we will be coming to Council in a few...few months here with our water conservation enhancement program for how we think we can enhance water conservation. So, you know, certainly, enhancing the rebates and that sort of thing will be something we want to ask to be...to be considered. Again, mandating is pretty far. You might want to try incentives first.

CHAIR PALTIN: And could incentives be like offering free fixtures, low-flow fixtures --

MR. STUFFLEBEAN: Yeah.

CHAIR PALTIN: -- or something like that?

MR. STUFFLEBEAN: Yeah. And we already...I'm sorry, yes. Yes, and we have done that again in the past to some degree. We could...we could increase that both for fixtures, a rebate for more water-efficient appliances...you know, maybe not the whole appliance, but you know, a rebate of a certain amount for a more water-efficient washer, dryer, dishwasher, that sort of thing. That can also be very helpful.

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

**October 9, 2024**

---

CHAIR PALTIN: And how...how would a rebate program from the County work like that?

MR. STUFFLEBEAN: Oh, they're...they're pretty common around...in the country. Basically, you just...they just demonstrate that they purchased the...you know, purchased their water efficient appliance, they...you know, print out, fill an application, and we provide a refund...

CHAIR PALTIN: Oh.

MR. STUFFLEBEAN: ...or the rebate. Yeah.

CHAIR PALTIN: Okay.

MR. STUFFLEBEAN: It's pretty simple, really. Yeah.

CHAIR PALTIN: And then I guess...

MR. STUFFLEBEAN: I did that...did that in previous...in previous lives.

CHAIR PALTIN: Okay. Let's do it. My next questions would be for Deputy Director Schmidt. Are you familiar with, like when Kaiāulu O Kūku'ia was entitled that the 201st unit was triggering a packing plant sewage facility built on those HHFDC lands?

MR. SCHMIDT: Yeah, I'm not familiar with that. I'm sorry.

CHAIR PALTIN: Okay. Maybe it didn't come into effect because it's like 600 temporary units, and they're not going to be permanent, but...I guess. And the other question, you know, the government has a lot of multifamily-type of projects that were destroyed and are intended to rebuild. There may be private multifamily projects that were destroyed and intended to rebuild. Would it be a help for you folks in the R-1 distribution line to know if these multifamily units were planning on rebuilding, and the potential usage of R-1 water if they intended to rebuild?

MR. SCHMIDT: Certainly. If the infrastructure is close or could be extended there, we'd have definite interest.

CHAIR PALTIN: So, right now, the infrastructure, the plan is to just go mauka, really. So, it might not have close infrastructure in the moment, but maybe in the future. Would it still be helpful to know the capacity, and as they rebuild, to put in those dual lines, or...

MR. SCHMIDT: Certainly. And then, as we're developing the...the...the long-term, you know, rebuild plan, I mean, we'll...we'll be looking at all those factors to decide whether sending R-1 in any particular direction would be beneficial.

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

**October 9, 2024**

---

CHAIR PALTIN: So, if it was a big project of single-family homes that had like a HOA or a common area maintenance, would they be eligible to use R-1 for irrigation landscaping, or it has to be like multifamily?

MR. SCHMIDT: Typically multifamily...or actually, multifamily or commercial.

CHAIR PALTIN: Oh, multifamily or commercial. Okay. I guess my next question would be for Ms. Toshikiyo. Are...are you familiar --

MS. TOSHIKIYO: I'm here.

CHAIR PALTIN: -- with that requirement of HHFDC about building a new packing plant sewage treatment plant on the 201st unit on HHFDC's land?

MS. TOSHIKIYO: No, Chair. Sorry, I'm not aware of that, but that's something we can look into. I think the Kūku'ia project pre-dates when I came to the County, so I'm not familiar with what happened during the development.

CHAIR PALTIN: Okay. Maybe Staff can send a follow-up question on that. And then if I could go back to Mr. Uyeno. Thanks, Mr. Uyeno. I was wondering, you know, does the CWRM have a copy of our community plan documents, and does that play any role whatsoever in the allocation of water use permits?

MR. UYENO: It can. I believe we do have copies, I'd have to check with our planning branch. But yeah, to some degree, it does play into the...into the decision-making for the water use permits.

CHAIR PALTIN: Okay. If you don't have a copy of the 2022 updated West Maui Community Plan, please do let me know, and we'll make sure to send you a link to the most current. It was just updated in 2022. And then, I guess, you know, I know domestic use is one of the higher priorities for water. Is there a differentiation between if it's affordable, or market, or rural, or things like that?

MR. UYENO: No. No. No. No differentiation.

CHAIR PALTIN: Just straight domestic use?

MR. UYENO: Correct.

CHAIR PALTIN: Oh, wow. So, affordable is not prioritized at all?

MR. UYENO: No.

CHAIR PALTIN: Is there a reason?

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

**October 9, 2024**

---

MR. UYENO: No. Because everybody needs water for drinking, and for household uses, and other personal uses. So, yeah, there's no...there's no priority in...in the type of domestic use.

CHAIR PALTIN: Even if one might be owner-occupied and one might be a second home?

MR. UYENO: No. As far as for the Water Commission, we don't get into those details.

CHAIR PALTIN: Oh. Because...

MR. UYENO: I believe that's more of a community...excuse me, a County regulation.

CHAIR PALTIN: Okay. All right. And you folks don't regulate the R-1 usage either? Just ground and surface potable?

MR. UYENO: Correct. But we certainly...that is a consideration as far as the allocation of water, if there are alternative sources of water that are available.

CHAIR PALTIN: Oh, really? So --

MR. UYENO: Yes.

CHAIR PALTIN: -- we're a little bit talking about whether that R-1 would go north or south, and the offsetting of potable usage with R-1 for the possibility of constructing housing. And then there's also another line of thinking that the R-1 is very valuable to shift our fallow ag lands around existing housing to create like a green space agricultural buffer, was one of the recommendations of Hawai'i Wildfire Management Organization in...in shifting the way that we view our fallow ag lands. How would CWRM take that into consideration if...if we're using the R-1 for ag to provide green buffers and things like that, or we're using the R-1 to offset potable usage that could possibly be used for construction instead?

MR. UYENO: That's...I don't think that's really my place to comment on how the water reuse is done on various projects. But in the bigger picture, I think the more that water...reuse water is utilized, the more it frees up potable or other water, natural water resources, I should say, I guess, ground and surface. You know, looking at the uses that have been applied for, the existing uses that have been...that are part of the water use permit applications that have been submitted, you know, just using water...that reuse water for things such as landscaping at the hotels and...and such, that would free up a lot of the surface water for other traditional and customary uses or appurtenant rights uses...as well as...as well as groundwater for certain areas.

CHAIR PALTIN: And then I know you said that should Pu'ukoli'i Village Mauka put in their application...water use permit application, say, tomorrow or next year or whatever, that they would be on the same footing as Pulelehua. Is that only up until and if you grant the water use permit application to Pulelehua? Once that happens, then they're...they have their water, and Pu'ukoli'i Village Mauka does not, and it's based on that much

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

**October 9, 2024**

---

less water being available...is that how that works? Once it's granted, then everybody else is...it's...it's an existing use, and they have it moving forward?

MR. UYENO: I think there's always a possibility of reconsideration where a water use permit could be modified. So, if, say, an additional user came onboard that was providing water for, say, a housing development, if we looked at the water uses in totality, if we found that some other uses that might not be as...might not be a public trust use or a priority use, say, for domestic uses and someone else's has...did receive a permit for, say, landscaping, that is something that we might...may consider modifying their permit allocation...modifying another person's allocation, say, for landscaping to be able to make that available for municipal or domestic use.

CHAIR PALTIN: Oh, wow. Okay.

MR. UYENO: Does that...does that answer your question?

CHAIR PALTIN: Yeah, yeah. And then --

MR. UYENO: Yeah.

CHAIR PALTIN: -- you know, I heard that you said that you're looking at possibly next year for Honokōwai and its groundwater usages. Is it possible that within three years that you'd have an answer, yes or no, for Pulelehua or Pu'ukoli'i Village, if they should get their water use permit application in?

MR. UYENO: If I recall correctly, Pulelehua is pulling from Honokōwai, so I think, yeah, we'll be looking at those collectively over the next few months.

CHAIR PALTIN: I just ask because, you know, we desperately need housing in West Maui, permanent housing, and if we're allocating water for temporary projects, like in the three- to five-year range, if we allocate temporary water to Pulelehua for three years for them to start building Phase I, by the third year they may have their water use permit application to...to use water and give back the County's water?

MR. UYENO: I can't...no promises, but that is...that is a possibility. I can't say for certain what the...you know, not having seen their application and comparing it against the others, I can't...I can't say for certain, but it is a possibility.

CHAIR PALTIN: Okay. And then I guess my next question would be for Ms. Taomoto.

MS. TAOMOTO: Hi, Chair. This is Wendy.

CHAIR PALTIN: Hey, Wendy. I just was wondering, I know that you're more in charge of the temporary use permits, and Director Stufflebean is more in charge of the permanent permits for water use, and I just was wondering if you could explain to us how you calculate that there will be temporary water available for applicants that apply, and then

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

**October 9, 2024**

---

how we know that there would be that water permanent for when people rebuild available?

MS. TAOMOTO: Yeah. Sorry, Chair, Director Stufflebean is in charge of water for temporary and permanent, so I'm going to have to defer to him to answer your question. I am responsible for the overview and the...providing the guidance to any property owner that wants to build temporary, and then the approver for Office of Recovery.

CHAIR PALTIN: Oh, okay.

MS. TAOMOTO: But...but Water is in charge of water for temporary and permanent, sorry. So, if I can have him answer that question. Thank you.

CHAIR PALTIN: Sure. While I have you, are you aware of that requirement for the HHFDC land about a packing plant sewage treatment after the 200th unit? And is it because there's like 600 temporary housing that it wasn't triggered?

MS. TAOMOTO: I'm not familiar with the details of it, but there's a master agreement that HHFDC has with the Department of Environmental Management that they need to work through if they're going to make any changes to the conditions. And they have notified myself, as I'm also supporting permanent rebuilds and coordination of that with various State or developers, that they would need to have a meeting eventually with the Department of Environmental Management. We just have not had the meeting yet to go over the master agreement.

CHAIR PALTIN: Okay. All right. Director Stufflebean, how are you deciding like temporary water use and that there will be the permanent water available when...at the appointed time, I guess?

MR. STUFFLEBEAN: Right. So...so, we are looking at it on a case-by-case basis, but so far we've been able to say yes to all the temporary requests. And...and it is...you know, there's some unknowns. I mean, we don't know how long the temporary use is going to last. We don't know when the permanent use is going to recover. So...so, we really don't know the answer to that, but we are proceeding under the assumption that as temporary phases out...as permanent comes online, temporary will phase out. So, we are saying yes, and so far I have been able to say yes to all the temporary requests just based on the fact that we understand that that is...it is ultimately going to be replaced by the permanent use. So...and again, we have...at this point, we're okay...we're okay for quite some time because of the reduction in demand from the permanent...you know, the reduction in permanent use. So, yeah. So, we don't...you know, we don't know exactly the dates on when things will transition one way or the other, but we're...we're saying yes at this point.

CHAIR PALTIN: Now that we have 100 percent residential debris removal, is...do you have a preference if...for these temporary projects that are offsite, like in all the different areas versus maybe temporary homes going back on the lot themselves? Is there a preference

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

**October 9, 2024**

---

in your mind that instead of building temporary offsite that they be allowed to build temporary onsite?

MR. STUFFLEBEAN: No, we're supporting both of those.

CHAIR PALTIN: Oh, okay. So, there's no preference in your mind?

MR. STUFFLEBEAN: No. It's up to...it's up to the...you know, yeah, we're supporting both of those, whether it's on the existing property or whether it's a new location. But as far as the...the new temporary locations, the infrastructure for that has been typically funded by others, and so we just...it's just a matter of whether we have the source to provide that, which...which again, we do at this point.

CHAIR PALTIN: And then if Pulelehua, their Phase I is 240 units, would they be allowed to have temporary water for three years as well?

MR. STUFFLEBEAN: So, the question then becomes, what is the assurance that they would ultimately have another source of water? And since they don't have a permit, we can't be assured that they would ultimately receive a permanent source of water. So, we can't say yes for that at this point.

CHAIR PALTIN: Isn't the same true for every other temporary project?

MR. STUFFLEBEAN: The other temporary projects are truly temporary. Pulelehua is purely a permanent project. That's the difference.

CHAIR PALTIN: So, you don't think that any of the temporary projects, if built to Code, will try to apply for after-the-fact permits? That's not on the radar at all?

MR. STUFFLEBEAN: We realize that's a possibility. But, you know, at this point, we're...we feel we need to support what are being clearly identified as temporary projects.

CHAIR PALTIN: Okay. So, if you realize that's a possibility, will it be allowed? Because it seems as though that would be not following our community plan.

MR. STUFFLEBEAN: That's...I think that's kind of for others to decide in the future. You know, at this point, what we're doing is if it's something that's identified as a temporary housing project, providing water. Realizing that, yes, it's a possibility that that could become permanent someday, that's a bridge that we'd have to cross at that point. But we don't...we don't want to say no to a temporary housing project, and make it unable for people to move into a temporary housing project. So, we're saying yes to those.

CHAIR PALTIN: Okay. But in essence, you're saying no to a permanent housing project that's within the community plan for three years?

MR. STUFFLEBEAN: Because we don't know if they're going to be able to get permanent water. Yes, that's correct.



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

**October 9, 2024**

---

CHAIR PALTIN: I see Ms. Taomoto. Did you have something to add?

MS. TAOMOTO: Yeah. Director Stufflebean is being consistent in how we are addressing the questions from landowners or people who want to build temporary, where they're asking what if, you know, three to five years, I want to make this permanent? They basically have to go through the process as if they were a new applicant for permanent requests and approach the Water Department, the Wastewater Department, et cetera, et cetera, with a permanent building permit. So, it's truly, as he stated, the temporary permitting is a true temporary allowance under the new ordinance that Council just passed for a maximum of five years. So, everybody that I'm navigating, I'm telling them in five years or three years, whenever you want to try to make this permanent, you would have to come back, and ask the question about permanent, and then work through all the rules the County has for a permanent build. And if we can check off everything for a permanent request, then we will naturally approve it. And Director Stufflebean, the analysis is basically not just being applied to Pulelehua, but everybody who's asking the question about if I do a temporary, what if I want to do a permanent? We're making them come in and ask the second question about permanent build.

CHAIR PALTIN: Oh, thank you. And then if I can follow up, if the zoning and the community plan aren't in alignment for temporary to permanent, but they meet, say, the Building Code, how does that play into the factor? Like, for example, if it's zoned Agriculture, but it should be Residential, Urban, Small Town Center, or something along those lines, they won't be able to move forward with the permanent building permit until their zoning community plan and State land use align; is that correct?

MS. TAOMOTO: You're absolutely correct. If you look at the permit comments from the Department of Planning, it states in those comments that in order to have permanent, that they would need to have all those checked off and go through those processes to comply. If they're going to be doing something that doesn't conform with the Agriculture zoning, it would have to comply with whatever the use is that they're proposing. So, every single department agency approval for permanent will need to be checked off, which is why I'm saying they have a building permit for a permanent house, and if they want to...I mean, sorry, a temporary house...and if they want a permanent, we would probably have them reapply under a different B (*phonetic*) number, and go through the agency approvals for permanent. And that's...

CHAIR PALTIN: Could it possibly be like an agricultural subdivision? But then it would have to be lower density. Is that how that would work?

MS. TAOMOTO: The nuances for the Planning Department zoning for Agriculture is very complicated, and it just depends. So, we'd have to take it parcel-by-parcel, and Planning would advise them accordingly based on their parcel and their proposed project.

CHAIR PALTIN: Ms. Takakura, did you want to add anything to this conversation as the Planning here?

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

**October 9, 2024**

---

MS. TAKAKURA: No. Wendy's basically right. You know, if...although if it's just a small...if it's just ministerial permits, they're not necessarily required to be consistent with the plans. But if it's a discretionary permit, then yes, the community plan and all of those things have to be in alignment. It's going to really depend...and I think that's what they've been saying, is it really depends on what...what the applicant's doing, what was there before. We have a proposed bill for nonconforming that I think was transmitted to the Council, so that might help some of those ones that are no longer...you know, it's a different zoning from when it was built, so that might help if some of those things...they want to get back to their previous use, but it's no longer consistent. So, it's really going to depend the extent of what they're doing, and if it's in the SMA or not.

CHAIR PALTIN: Yeah. And that nonconforming is mostly within the burn zone. But if, say, somebody was building temporary housing on ag lands--I didn't catch that first part of what she said, like if it was a small project, it'd be okay or something?

MS. TAKAKURA: Well, if they're going to do just what's permitted in Ag--say they're just building one farm dwelling, or one farm dwelling and a second farm dwelling that's less than, I think it's 1,500 feet--those are just ministerial permits. If they're going to be building like a whole subdivision, then that's different, and then yes, the community plans, and all the zoning, and all of that have to be consistent.

CHAIR PALTIN: Even an ag subdivision?

MS. TAKAKURA: Yes. Subdivisions also, yeah.

CHAIR PALTIN: Oh, okay. All right. Sorry.

MS. TAKAKURA: As far as I know, yes.

CHAIR PALTIN: I...I think I'm boring my colleagues. Anyone else have any question for any of our resources? Okay. Seeing none. I won't torture you folks any longer. Members, if there are no objections, the Chair will defer this item.

**COUNCILMEMBERS VOICED NO OBJECTIONS** (excused: NUH and TC).

**ACTION: DEFER pending further discussion.**

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

**October 9, 2024**

---

CHAIR PALTIN: This concludes today's Disaster, Resilience, International Affairs, and Planning Committee meeting. A big thank you to all of our resources, especially Mr. Uyeno of the Commission on Water Resource Management. We really appreciate you sharing all your expertise. It's been a little bit...we didn't know what was going on over there. So, we really appreciate you coming and sharing with us, the...all of you. The time is now 4:11, and this meeting is adjourned. . . .*(gavel)*. . .

**ADJOURN:** 4:11 p.m.

APPROVED:



---

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

drip:min:241009min:mll:ds

Transcribed by: Daniel Schoenbeck

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

**October 9, 2024**

---

CERTIFICATION

I, Daniel Schoenbeck, hereby certify that pages 1 through 43 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 14th day of November 2024, in Wailuku, Hawai'i



---

Daniel Schoenbeck