

WATER AND INFRASTRUCTURE COMMITTEE

Council of the County of Maui

MINUTES

June 30, 2025

Online Only via Teams

CONVENE: 1:32 p.m.

PRESENT: Councilmember Tom Cook, Chair
Councilmember Yuki Lei K. Sugimura, Vice-Chair
Councilmember Gabe Johnson, Member
Councilmember Alice L. Lee, Member (left at 2:22 p.m.)
Councilmember Tamara Paltin, Member
Councilmember Keani N.W. Rawlins-Fernandez, Member
Councilmember Shane M. Sinenci, Member
Councilmember Nohelani U‘u-Hodgins, Member

EXCUSED: Councilmember Tasha Kama, Member

STAFF: Keone Hurdle, Legislative Analyst
Jarret Pascual, Legislative Analyst
Carla Nakata, Legislative Attorney
Lori Ann Tengan, Committee Secretary
Jean Pokipala, Council Services Assistant Clerk
Ryan Martins, Council Ambassador

Residency Area Office:

Mavis Oliveira-Medeiros, Council Aide, East Maui Residency Area Office
Roxanne Morita, Council Aide, Lāna‘i Residency Area Office
Keomailani Hirata, Council Aide, Moloka‘i Residency Area Office
Jared Agtunong, Council Executive Assistant, South Maui Residency Area Office

ADMIN.: Caleb Rowe, Deputy Corporation Counsel, Department of the Corporation Counsel
Carly Rose Kolstad, Intern, Department of the Corporation Counsel
Jordan Molina, Director, Department of Public Works
John Stufflebean, Director, Department of Water Supply
Ortaine Acidera, Fiscal Officer, Department of Water Supply
Robert De Robles, Planner VI, Department of Water Supply

OTHERS: Jasee Law
(27) additional attendees

PRESS: Akakū: Maui Community Television, Inc.

CHAIR COOK: . . .*(gavel)*. . . Will the Water and Infrastructure Committee of June 30, 2025, please come to order. The time is now 1:32 p.m. May I ask that all participants please

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

silence all noise-making equipment. I'm your Chair, Tom Cook. Members, per the Sunshine Law, please identify by name who, if anyone, is in the room, vehicle, or workplace with you today, exclusive of minors. Before I begin, I would like to also ask the Department representatives who have joined online to please also turn on your cameras when it's your turn to speak. Now, I'd like to introduce the Committee Members, Committee Vice-Chair Yuki Lei Sugimura.

VICE-CHAIR SUGIMURA: Good afternoon, Chair. Looking forward to a productive meeting. Thank you.

CHAIR COOK: Councilmember Gabe Johnson, good afternoon.

COUNCILMEMBER JOHNSON: Good afternoon, Chair, Councilmembers, community members. There's no testifiers here at the Lānaʻi District office. And I'm here at the District office with Roxanne, the rock star, Morita. Thank you.

CHAIR COOK: Councilmember Tasha Kama is excused for this afternoon. Council Chair Alice Lee, good afternoon.

COUNCILMEMBER LEE: Boa tarde because we not...we're not going to be using bom dia this morning --

CHAIR COOK: Oh, my God.

COUNCILMEMBER LEE: -- because the morning...that's only for morning.

CHAIR COOK: It's the afternoon.

COUNCILMEMBER LEE: Yeah, for afternoon is boa tarde.

CHAIR COOK: Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: Aloha 'auinalā, kākou, and bom tarde [sic] kākou. Streaming live and direct from the West Maui Residency Area office here the historic burn zone. And I have with me one unnamed canine minor, who shall remain unnamed. Thank you.

CHAIR COOK: And Councilmember Keani Rawlins-Fernandez, who we have in the house. Good afternoon.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha 'auinalā kākou. Aloha 'auinalā, Chair. Happy to be here in person. A special aloha to the 'ōpio in the back for their civic engagement education today. And there are currently no testifiers at the Molokaʻi District office. Mahalo, Chair.

CHAIR COOK: Thank you. And Councilmember Shane Sinenci, good afternoon.

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

COUNCILMEMBER SINENCI: Aloha, Chair, and bon tarde [sic]. Here at my home office, here by myself, and there are no testifiers in Hāna, Chair.

CHAIR COOK: Councilmember Nohelani U‘u-Hodgins is on...online.

COUNCILMEMBER U‘U HODGINS: Hi, Chair. Hi, everyone. I'm here. I'm at my private residence. I do have three minors with me this afternoon. And I'm looking forward to your meeting. Thanks, Chair.

CHAIR COOK: And...okay. I would also like to say that there is currently no testifiers in the Kihei Regional office, but we have people on standby. From the Department of Public Works, Director Jordan Molina is here.

MR. MOLINA: Hi. Good afternoon, Chair and Committee Members.

CHAIR COOK: And from Office of Recovery, Managing Director Josiah Nishita may be joining us. Administrator John Smith also may be joining us. From the Department of Water Supply, we want to welcome --

MR. SMITH: Aloha. Aloha, Chair.

CHAIR COOK: Pardon? They're here?

MR. SMITH: Aloha, Chair. This is John.

CHAIR COOK: Okay. Can't see you on my screen. Sorry about that. From Department of Water Supply, Director John Stufflebean.

MR. STUFFLEBEAN: Aloha, Chair.

CHAIR COOK: We have Ortaine Acidura [sic] from...the Fiscal Officer, and Robert De Robos [sic], Planner VI, from the Department of Water Supply.

MR. DE ROBLES: Aloha, Chair -- *(audio interference)*

MS. ACIDERA: Aloha, Chair.

MR. DE ROBLES: -- and Councilmembers.

CHAIR COOK: From Corp. Counsel, we have Deputy Corporation Counsel Caleb Rowe.

MR. ROWE: Good afternoon, Chair.

CHAIR COOK: From OCS, our Committee Staff, Keone Hurdle, Jarret Pascual, Lorian...Lori Ann Tengan, Carla Nagata [sic], and Jean Poi...Poipala [sic]. Sorry about that. Please see the last page of the agenda for information on meeting connectivity. Good afternoon, everyone. Today, we have two items on today's agenda. WAI-13

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

authorizes the acquisition of several properties in Lahaina for roadway extensions, and WAI-8 amends the Water Code to establish a [sic] new water rates for preservation and restoration of native species habitats. Members, if there are no objections, I would like to take testimony after receiving opening comments on WAI-13 and WAI-8.

COUNCILMEMBERS: No objections.

CHAIR COOK: Thank you, Members. Let's begin with our first item.

WAI-13: RESOLUTION 25-129, ACQUISITION OF 1.724 ACRES IDENTIFIED AS TAX MAP KEYS (2) 4-6-027:027, 029, 030 AND 041; (2) 4-6-027:026, 028, 033, AND 040; AND (2) 4-6-016:041, LAHAINA, HAWAI'I

CHAIR COOK: Members, WAI-13 relates to Resolution 25-129, entitled "AUTHORIZING THE ACQUISITION OF 1.72 [sic] ACRES IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEYS (2) 4-6-027:027, AND [sic] 029, 030 AND 041; (2) 4-6-027:026, 028, 033, AND 040; AND (2) 4-6-016:041, SITUATED AT LAHAINA...LAHAINA, MAUI, HAWAI'I, FOR UP TO \$1,950,000, EXCLUSIVE OF CLOSING COSTS AND EXPENSES, UNDER SUBSECTION 3.44.015 [sic], MAUI COUNTY CODE." The resolution's purpose is to authorize the County's acquisition of 1.72 [sic] acres in Lahaina, identified across nine Tax Map keys, for up to 1 point...\$1,950,000, plus closing costs and...and expenses. As noted in the resolution's body, these parcels are needed for the Kuhua Street and Dickenson Street roadway extension projects. The Department of Finance submitted the preliminary title reports to the Council on June 4th, 2025, which is posted as Granicus item number 5. Members, I proposed CD1 version of the resolution with nonsubstantive revisions, and a minor correction to the total acreage, that has been posted as Granicus item number 6. At this time, Director Molina, would you like to provide any opening comments?

MR. MOLINA: Yeah. Good afternoon. I'm Jordan Molina, I'm the Director with Public Works. Thank you, Chair and Committee Members, for the opportunity today. So, before you is another step towards implementation of our long-term recovery plan as it relates to roadway connectivity and evacuation routes, to pursue land that supports the development of our Kuhua Street extension and Dickenson Street extension through this area of Lahaina. It also supports road-widening anticipated along Mill Street in this area. Before I proceed further, I guess I just want to give a mahalo to the Staff that's been working on this effort. We are scrambling to go as fast as we can on several fronts. One is to seize opportunities as they present themselves, and two is to get ahead of rebuilds that are coming online to avoid conflicts with our projects, and people recovering and getting back home in Lahaina. So, we been working expeditiously to capitalize on this opportunity. Another...or another need this site presents to us is our ability to work with HECO on relocating their existing substation off of Lahainaluna Road, which is in direct conflict with the alignment of our Kuhua Street project. That facility has been a big driver of how we move forward with Kuhua. And now, with this opportunity to move some things around, we really like that opportunity be explored with this purchase. We are asking today for the authorization to continue negotiations

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

with the landowner up to their asking price of 1.95 million, and look forward to answering any questions from the Committee today. Thank you.

CHAIR COOK: Thank you, Director Molina. And Managing Director Nishita or Mr. Smith, before you begin our discussion, let's see if anyone would like to provide testimony for WAI-13.

. . . OPEN PUBLIC TESTIMONY FOR WAI-13 . . .

CHAIR COOK: Staff, are there any testifiers?

MR. PASCUAL: Chair, there is no individual signed up to testify. Would you like me to do a last call?

CHAIR COOK: Please.

MR. PASCUAL: If there's anyone in the Chamber or on Teams who would like to testify, please come down to the podium or unmute yourself on Teams. This is last call. The countdown is three, two, one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR COOK: Members, seeing that there are no...no individuals wishing to testify, without objections, I will now close oral testimony.

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY FOR WAI-13 . . .

CHAIR COOK: As a reminder, written testimony will continue to be accepted into the record. Members, before we begin discussion...the discussion portion, I want to inform you that I intend to defer this item to the Council meeting on July 8th. The Department and the Office of Recovery would like to move forward with this acquisition to the parcels as quickly as possible. This item was slated for discussion at the WAI Committee meeting on June 16th...however, the appraisal was not completed until June 26th. A copy of the appraisal has been transmitted to the Committee, and can be found on Granicus as item number 7. I am proposing two rounds of three-minute questions per Member. Are there any objections?

COUNCILMEMBERS: No objections.

CHAIR COOK: Thank you, Members. Let's begin discussion.
Committee Vice-Chair Sugimura?

VICE-CHAIR SUGIMURA: Thank you. So, the appraisals came in, and it's less than the purchase price?

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

CHAIR COOK: Director?

COUNCILMEMBER SUGIMURA: Is that correct?

MR. MOLINA: That's correct.

COUNCILMEMBER SUGIMURA: And explain, could you? Because often, we don't do that...or justification to pay more.

MR. MOLINA: Yeah. I'm sure you guys are aware of the unique circumstances with land in Lahaina. And so, we...here we have a discrepancy between what our market appraisals came back with with their assumptions, and what the landowner is asking for currently. And happy to engage in more detail, but we are in open negotiations, so I'd be cautious on how much to divulge in open session. Thank you.

MS. NAKATA: Excuse me, Chair. Staff didn't note your closing of public testimony. Would you mind, please, closing it?

CHAIR COOK: Could you --

MS. NAKATA: Staff --

CHAIR COOK: -- you have to speak up.

MS. NAKATA: Staff didn't note your closing of public testimony. Would you, mind, please closing it? Thank you.

CHAIR COOK: Okay. We're --

COUNCILMEMBER SUGIMURA: Closing public --

CHAIR COOK: -- I thought I just did.

COUNCILMEMBER SUGIMURA: Yeah. Yeah, I thought so.

CHAIR COOK: We're closing public testimony.

COUNCILMEMBER SUGIMURA: Yes.

COUNCILMEMBERS: No objections.

CHAIR COOK: Okay.

COUNCILMEMBER SUGIMURA: And receiving written. Okay.

CHAIR COOK: So, continuing.

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

COUNCILMEMBER SUGIMURA: So, if I could then, Chair. So, I...I guess, maybe, whatever you could share. And then if we need to go into exec session, you know, that's probably the best if you're in negotiations.

MR. MOLINA: Yeah. Thank you, Chair. So, in...in reviewing the appraisal report, our needs, the land climate out in Lahaina, you know, the...and then discussing with Administration, despite the discrepancy, we are comfortable moving forward with negotiations up...again, up to that asking price. There's still opportunity to work on that, but in the anticipation we're not able to, we think it's still worthwhile for the benefits and the opportunities it presents to move forward with this acquisition. Thank you.

COUNCILMEMBER SUGIMURA: Okay. Understand. Thank you.

CHAIR COOK: Committee Member Johnson, questions for the Director?

COUNCILMEMBER JOHNSON: Thank you, Chair. I'm very familiar with Dickenson Street. And I'm trying to look at it on the map...I saw the maps, but it's still hard for me to really see exactly where...can you maybe just...I'm...I'm on Google Earth right now, but maybe you can describe it? Where...where exactly is it? Can...you know how we go, like next to...give me a landmark, I think, because all the maps just don't make sense to me.

MR. MOLINA: Yeah. Thank you, Member Johnson. So...

COUNCILMEMBER PALTIN: Across from David Malo.

MR. MOLINA: Yeah, across from David Malo apartments --

COUNCILMEMBER JOHNSON: Oh, across from David Malo?

MR. MOLINA: -- at the corner, where there's the Aloha gas station, and heading mauka.

COUNCILMEMBER JOHNSON: Okay. I know that area. Thank you for that. I...I was looking at those maps, and I'm...I'm just going to ask. So, thank you for that. Now, this is primarily going to be used as an evacuation route; is that...is that correct, Director?

MR. MOLINA: The project being supported with the land is for Dickenson Street development, which we're going to develop into a full collector road with ultimate --

COUNCILMEMBER JOHNSON: A collector.

MR. MOLINA: -- ultimately providing another connection to the Lahaina bypass. And so, this is that first segment --

COUNCILMEMBER JOHNSON: Okay.

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

MR. MOLINA: -- that gets us off Honoapiʻilani Highway heading mauka.

COUNCILMEMBER JOHNSON: I got you. Okay. Thanks for that clarification. Are there power lines above that property right now? Are there power lines? Because I know you mentioned HECO's transformer, I think.

MR. MOLINA: Yes. There are both distribution and transmission lines through that area.

COUNCILMEMBER JOHNSON: Is...is there any intention on burying those power lines on our property? Or probably cannot...I don't...I don't know because of the up and down. Or...I don't know. I'd like to hear your...your thoughts on it, Director.

MR. MOLINA: Yeah. So, generally, we won't be burying transmission lines because of those size of infrastructure required. But distribution systems are typically undergrounded. And so, with our roadway projects...we would look to incorporate that undergrounding with our roadway projects.

COUNCILMEMBER JOHNSON: Okay. So, when you do the roadway, you'll...you'll underground those power lines; is that correct?

MR. MOLINA: Yeah. We're going to move in that direction, providing we can get the funding needed to support those costs.

COUNCILMEMBER JOHNSON: Where would you get those fundings from? The County, or is there any other pots of money?

MR. MOLINA: Yeah. So, primarily, these are County projects, so it'd be County-funded, with us also seeking to supplement with any Federal funding programs that may be available to support that effort.

COUNCILMEMBER JOHNSON: Do you have any particular Federal fundings that you know of, or...

MR. MOLINA: We're still working with Federal Highways [sic] to see if their funding program support that cost of undergrounding. Another potential is some of the CDBG-DR that, I believe, is allocated toward infrastructure, which could support undergrounding as well. And we would need to explore further if any programs...any other programs are out there that could help. But we are in communication with HECO, as they also . . .(timer sounds) . . . have access to various programs that could help support these projects and their efforts to underground infrastructure. Thank you.

COUNCILMEMBER JOHNSON: Okay. Great. Love to learn more as you guys move along. And my time is up. Thank you so much. Thank you, Chair.

CHAIR COOK: Council Chair Lee, you have questions for the Director?

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

COUNCILMEMBER LEE: Yes. I didn't have a chance to look at the appraisal. How much higher is it than...than what we're...I mean, how much lower is it than what we're paying for?

MR. MOLINA: 410,000, or about 27 percent.

COUNCILMEMBER LEE: We're paying 410,000, and it's appraised for what?

MR. MOLINA: No, sorry. It's...the appraisal price is 1 point...was it, 6?

COUNCILMEMBER LEE: Oh, it's higher than what we're paying.

MR. MOLINA: The appraisal came lower than the asking price.

COUNCILMEMBER LEE: Oh, lower than the asking price.

MR. MOLINA: The asking is 1.95.

COUNCILMEMBER LEE: And the appraisal is what?

MR. MOLINA: 1-6-4 [*sic*].

MS. NAKATA: Chair --

COUNCILMEMBER LEE: So, about 300 --

MS. NAKATA: -- the appraisal came in at 1.54.

MR. MOLINA: 5-4, excuse me.

COUNCILMEMBER LEE: 1-5-4. Okay. Well, this is essential, right?

MR. MOLINA: Yeah. I mean, it borders three of our streets.

COUNCILMEMBER LEE: Uh-huh.

MR. MOLINA: It involves the substation. And it involves also multiple property owners that are also affected. And so, one of the key opportunities is our ability to negotiate with those other landowners, who we also need land from, without, you know, displacing anybody.

COUNCILMEMBER LEE: So, who is the landowner?

MR. MOLINA: There's several individual landowners that own properties in that area. So, I think there's five or six different property owners that are potentially being affected by our roadway extension projects.

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

COUNCILMEMBER LEE: I see. Thank you.

CHAIR COOK: Member Paltin, questions for the Director?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Director Molina. I guess my main questions are, you know, the shape of the lots. I see the connected portion, and the one that is in between two of...I guess either Hope Builders or Waine'e homes, that also own it. The noncontiguous parcel, what are we planning to do with that? And also, that it's M-2...some of it is M-2 and Ag right across from low-income housing. Is there any plans to do heavy industrial noxious uses? Or like could like redemption centers happen on there? Like something that the community would like versus noxious usage of M-2 Zone land. And do we have to change the Ag Zoning to make the escape route, or the M-2 zoning?

CHAIR COOK: Director?

MR. MOLINA: Okay. Let me take bites at that. The proposed uses are undetermined at this point, except for our parcel where...or the parcel being considered, where we're looking at using that site for the relocation of the HECO substation. We don't need zoning changes for the roadway itself, but depending on the footprints needed, we might have to shift some of that M-2 to cover HECO's needs. But we think we can fit within the existing footprint based on the preliminary (*audio interference*) discussions.

COUNCILMEMBER PALTIN: So, the noncontiguous parcel that you're looking at acquiring, you want to move the HECO substation to that parcel?

MR. MOLINA: No. So, that noncontiguous one to the south of Dickenson is a potential alignment for Kuhua if we take a makai alignment, and it is also a potential for land exchange with some of the other property owners are...that involve with the Kuhua alignments.

COUNCILMEMBER PALTIN: And then...so, the relocation of the MECO substation, would we be the broker to trade land with MECO, or what happens to the land that the MECO substation is on?

MR. MOLINA: Correct. Because we need that space for Kuhua extension.

COUNCILMEMBER PALTIN: Oh. I see. I see.

MR. MOLINA: So, they're collaborating with us to pursue this opportunity to move that substation and remove that conflict for that roadway.

COUNCILMEMBER PALTIN: And HECO is on board?

MR. MOLINA: Yeah. What is pressing is they need to get clarity so they can move forward with their design. And so, with...that's part of the urgency for this request, is needing to provide HECO that clarity so they can commit to that relocation to us.

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

COUNCILMEMBER PALTIN: And the...the monies being used to acquire these lands is...do you know if it's 2025 Fiscal Year or 2026 Fiscal Year monies?

MR. MOLINA: I understand it to be the 2025 funding in the CIP projects under OOR (*phonetic*).

COUNCILMEMBER PALTIN: Oh, okay. So, we have until December on that money because it's CIP?

MR. MOLINA: Correct.

COUNCILMEMBER PALTIN: Okay. And then when you say, yet to be determined on the lands that are not part of roadways, how will it be determined? And will . . .(*timer sounds*). . . there be adequate outreach?

MR. MOLINA: Yeah. So, a large portion of that is for this HECO exchange, and then the balance is for exchange with these property owners that abut the area, more...more to the mauka of these parcels were being considered. We have been communicating with those individuals over the last several months to gauge just their interest, their needs, where they're at with rebuilds--because we already have four or five parcels that are either almost completed with construction or in construction. And so, we're working around, you know, not trying to affect those people, or to see which one of them have an appetite for potentially relocating to accommodate the public infrastructure. So, we...we've touched base with everybody in that neighborhood directly to...like I said, to find the path of least resistance to go forward with these projects. Thank you.

COUNCILMEMBER PALTIN: Okay. For next round, it will be about the change in zoning. If they're going to move their house...we don't build single-family homes on M-2, right? Or Ag, I mean?

CHAIR COOK: Okay.

COUNCILMEMBER PALTIN: So, next time.

CHAIR COOK: Next time. Member Rawlins-Fernandez, any questions?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Director. Mahalo for being with us. I was trying to look on the map. Where...so, is the intention for it to connect to the bypass, or just get closer to it?

MR. MOLINA: The...you know, it's...the...the full-on extension for Dickenson is tied in with Kamehameha Schools' master planning projects.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, okay. Okay.

MR. MOLINA: So --

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

COUNCILMEMBER RAWLINS-FERNANDEZ: So, in conjunction with?

MR. MOLINA: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Because it...it --

MR. MOLINA: We don't know, exactly, the alignment going mauka at this point.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah.

MR. MOLINA: Initially, back in the '90s, the plan was to take it straight up.

COUNCILMEMBER RAWLINS-FERNANDEZ: Uh-huh.

MR. MOLINA: And that loop connector from Lahainaluna Road was going to be the terminus for Dickenson. With Kamehameha Schools' plan, they've considered a more southern terminus, to move the connection more towards the Aquatic Center [sic] end of the bypass. So, that end of the project is still up in planning. But as far where we going to get from, you know, the highway up through the neighborhood that's there now, this is the alignment we would have to . . .(inaudible). . . --

COUNCILMEMBER RAWLINS-FERNANDEZ: Is the intention for it to be a four-lane?

MR. MOLINA: No, just two lanes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Two lanes.

MR. MOLINA: We don't...we don't have...at least for this...the type of function this road would serve, we wouldn't have the need for a four-lane road.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Okay. So, it would go all the way up to Kamehameha Bishop Estate [sic] land.

MR. MOLINA: Correct.

COUNCILMEMBER RAWLINS-FERNANDEZ: And then from there, we would figure out to the bypass.

MR. MOLINA: Yeah. So, it's either going to head further south --

COUNCILMEMBER RAWLINS-FERNANDEZ: Uh-huh.

MR. MOLINA: -- up to bypass, in that area...at least, that's what the tentative plan is. And again, the original plan was to send it directly mauka. But we do have some challenges on where Kuhua intersects with Dickenson because our...our intersections require just larger footprints, and then we start getting into impacting those properties. So, we're

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

still navigating kind of...you know, like the best alignment that, you know, minimizes the affect to those...those property owners in that area.

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

CHAIR COOK: Member Sinenci, questions?

COUNCILMEMBER SINENCI: Some of my questions were answered. No questions, Chair.

CHAIR COOK: Thank you. Councilmember U'u-Hodgins?

COUNCILMEMBER U'U HODGINS: Thank you, Chair. I also have no questions. Happy to support.

CHAIR COOK: Thank you. So, my only questions...kind of clarification, Director, you said that it's a collector road. So --

MR. MOLINA: Yeah, that's correct. So, the...you know, collector roads function to connect two...two larger roads--in this case, Honoapi'ilani Highway and the Lahaina bypass--and would be inclusive of your sidewalks and bike...bike lanes. You know, full roadway standard is the intent.

CHAIR COOK: Okay. Thank you. Members, is there a need for a second round of questions? Member...Member Paltin, and then Member Johnson.

COUNCILMEMBER PALTIN: Thank you. So, from what you said, MECO substation relocation, is that onto the M-2 zone property? And that's an appropriate zoning, is M-2 for the substation?

MR. MOLINA: Correct. And it currently sits on a M-2 parcel.

COUNCILMEMBER PALTIN: Okay. And then the ones that you were saying that you would do like a land swap in Kuhua, like I guess for some of the collector roads to go through--I don't know if it's Aki Street, or whatever--if it's zoned Ag or M-2, are we just doing a straight-up swap, or are we going to change the zoning so they could build a house...like like-for-like zoning for them?

CHAIR COOK: Director?

MR. MOLINA: Yeah. So, with this purchase there is some Ag lands that we think we can utilize to accomplish these exchanges. We might...I mean, we anticipate having to facilitate some subdivision actions to make that work. But the goal would be to try and keep them in that area and like-for-like with Ag. Now, if that somehow does not work out, then we'll be in the same process of negotiation with them to figure out what the alternatives would be. Of course, we're going to have to maintain value-for-value proposal, and that ultimately is going to come back to Council to authorize those exchanges.

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

COUNCILMEMBER PALTIN: So, the...the Kuhua Camp properties that you're looking at exchanging are zoned Ag, or they're zoned Residential?

MR. MOLINA: Just to clarify, I wasn't referring to those residential properties. At this point, it's Kuhua within this area that we're talking about. So, there's these tiny separate lots that were established, and so those are being affected, that we hope to exchange with some of the portions of Ag land we're seeking to acquire. But those Kuhua lots could be considered as alternatives for exchange if, for whatever reason, we cannot reach agreement with the lands being considered with this acquisition.

COUNCILMEMBER PALTIN: Okay. I kind of feel like Peter Martin should just give you those two triangular pieces. I mean, what is he going to do with that, really? There...I mean, what can you do with that? But the other...the other lots that...the one noncontiguous one that has the lots on either side, did they not want to get rid of it? Or we don't want it?

MR. MOLINA: You referring to the parcel...the south of Dickenson?

COUNCILMEMBER PALTIN: I believe so. There's only one noncontiguous one.

MR. MOLINA: Yeah. Yeah.

COUNCILMEMBER PALTIN: And it's...the same landowner has lot number here, and a lot number here. Were they not open to getting rid of more of the parcels?

MR. MOLINA: I...we're...we're...we're in discussions for everything in that corner...call it the corner of Dickenson and Mill. Behind there is a separate negotiation that's...we're not a part of yet, but we are looking at those lands as well. And then to the north is a different landowner. So, within this area, we are looking at everything that West Maui Land and Hope Builders has, at this point. Everything else has been sold to private parties.

COUNCILMEMBER PALTIN: And then the...the other industrial area on the other side with the smoke stack on top, is that still under discussion with a other (*phonetic*) private buyer, or are they open...or that's not agendized, probably.

MR. MOLINA: It's not agendized, but we are talking on those lands as well because of the other side of Kuhua extension, as well as Lahainaluna widening, and consideration for extending Pāpalaua up to Aki Street. . . .(*timer sounds*). . . And even potentially bringing Mill across to Pāpalaua as well. So, yeah, that...those are also in discussions.

COUNCILMEMBER PALTIN: Okay, good.

CHAIR COOK: Did...did you --

COUNCILMEMBER PALTIN: I did have one other question about M-2, but we'll come back.

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

CHAIR COOK: Okay. Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. I just want to follow-up on my first round of questionings. In the Lahaina Community Engagement Summary Report in 2024, and that we conducted as a County, engaged 300...3,833 people. And 85 percent of the residents wanted to move utility...utilities underground, making the number one top priority for long-term planning. And number two, at 78 percent, was to connect streets between neighborhoods to help with evacuation routes. I think this project kind of...could check both boxes if you guys get creative and look at all those funds that you were talking about earlier. Under the...my questions is, is under the CDBG-DR money, there was like a resiliency section. Would...would burying powerlines be considered resiliency of proper use of the funds?

MR. MOLINA: Member Johnson, I would have to defer to Office of Recovery for clarity on that.

COUNCILMEMBER JOHNSON: Yeah. It...okay. Is Mr. Smith here? Or...

MR. SMITH: Hi. Can you guys hear me?

COUNCILMEMBER JOHNSON: Loud and clear.

MR. SMITH: Sorry. I'm on an iPad, so excuse my screen. So, we are developing the programs under hazard mitigation for CDBG-DR right now. And we're working with Director Molina, and Hawaiian Electric, and other shareholders in this overall effort for undergrounding. I think it's...it's premature to say that we could just fund all the undergrounding for these roads, but it is definitely something that we're aiming towards --

COUNCILMEMBER JOHNSON: Okay.

MR. SMITH: -- with that fund under those...that hazard mitigation approach.

COUNCILMEMBER JOHNSON: Okay.

MR. SMITH: I can say that for right now. Thank you.

COUNCILMEMBER JOHNSON: I...I really appreciate that. That's great to hear, Mr. Smith. So, back to Director Molina. After the roads are built and everything, do you have a estimate of how much land is left?

MR. MOLINA: I don't have that offhand right now because it's...portion of HECO substation site, as well as the road widening. So, I'd have to get back to you on...on those specifics.

COUNCILMEMBER JOHNSON: Okay. Well, I...I'm just, you know, thinking aloud here, but if there is enough room, and it's zoned Ag land--some of it's zoned Ag land--that section that is zoned Ag, maybe hui up with the Department of Agriculture and see what

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

they...you know, maybe they can jump in on this. And all of sudden you have community gardens, or something, you know, of that nature is what I'm...I...I just wanted to voice that. But if there is land left, let's use it, and make a green break, and all the good things that would come with that. But just wanted to throw that for the record, and I appreciate all your guys' hard work. No further questions, Chair.

MR. MOLINA: Chair, if I may?

CHAIR COOK: Director?

MR. MOLINA: Thank...thank you for that comment, Member Johnson, because we are...with all these purchases, are considering other County needs. One of the big ones --

COUNCILMEMBER JOHNSON: Great.

MR. MOLINA: -- of course, for us is with the bus and planning ahead for their site needs as we talk to these landowners. The...the Drop...Drop Box Center (*phonetic*) for recycling is also top of mind in these discussions.

COUNCILMEMBER JOHNSON: Great.

MR. MOLINA: And, yeah, good plug on the ag uses with Department of Ag. Thank you.

COUNCILMEMBER JOHNSON: Well, I...I like that you're also considering, you know, multiple uses of this land beside just a road. So, that's wonderful news, Director. Thank you. Thank you, Chair.

CHAIR COOK: Thank you, Members. Any further need for questions?

MR. HURDLE: I think Member Paltin has her hand up.

CHAIR COOK: Member...Member Paltin.

COUNCILMEMBER PALTIN: Thank you. I guess I was wondering about how much acreage or a portion thereof the MECO substation needed, and if it would encompass the entirety of the M-2 zoning.

MR. MOLINA: So, HECO needs approximately...I think it's 36,000 square feet. So, it's a large portion of the M-2 they're going to need. I...I can't tell you what the balance might be. But we're still working with them to kind of understand exactly how their site layout is going to have to work, so those details are still in progress. Thank you.

COUNCILMEMBER PALTIN: Is there a commitment from the County, if there is excess balance, to not use noxious uses of the M-2 category, like directly across from David Malo, low-income housing?

CHAIR COOK: Director?

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

MR. MOLINA: That parcel is privately-owned at this point, so I'm not sure the extent to which there's a public engagement process for those parcels to come in. Yeah. So, that one is a little trickier. But as for what the County owns, you know, obviously you guys are involved in authorizing the funding for whatever activities are proposed. And right now, like I said, unless people think the bus is noxious, which I'm sure some may...yeah, those are the...the top considerations we're thinking about, is the bus and a potential recycling center.

COUNCILMEMBER PALTIN: I think those would be great near David Malo. The one that is directly across and on the other side of Lahainaluna, there's no appetite to sell to the County?

MR. MOLINA: There...there is a willingness to work with us. So, we...we...I guess we don't have as much as a time pressure with those discussions as we do with this one right now, so...but those are still being pursued actively.

COUNCILMEMBER PALTIN: And how...did we talk to HECO about how long it would take to rebuild their substation? And is it preventing folks from moving back because of electricity needs?

MR. MOLINA: It is not a barrier, at this point, for rebuilds. One of the urgent things they are trying to get clarity on is being able to move the temporary substation from Lahaina Rec Center and return that site back to the County. That's kind of the more immediate driver. And they also have a...a schedule where they're trying to meet. Don't quote me on exactly, but basically they need to get started by...be the end of this year, being they have a commitment on the land to be able to deliver that rebuild within their schedule.

COUNCILMEMBER PALTIN: And so, the...the substation that's off of...on the south side of Lahainaluna Road, we would swap out the 3,600 [sic] square feet, about, and then you said that land would be used as a connector?

MR. MOLINA: Yeah. So, a portion of that parcel would have to come through with the roadway. And then they'll be some leftover lands that can be considered as part...as how we can...how we can create spaces for the County needs we have in Lahaina.

COUNCILMEMBER PALTIN: I mean, that would also be a nice bus stop, or a redemption center, or something less noxious. But are we planning to keep it M-2 zoned?

MR. MOLINA: At this point, because we don't have those detailed development plans worked out, we're not going to be changing zoning until...you know, we...we clarify the need that's going to justify those changes. Because it's going to be a lot of awkward...awkward parcel shapes and awkward zoning boundaries. And so, once we have better clarity on what those, you know, designs drive for those sites, then we'll likely anticipate those zoning changes as needed.

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

COUNCILMEMBER PALTIN: Can...can bus stop, and redemption, or a recycle center be on M-2 or Ag?

MR. MOLINA: I know M-2 is okay. I am not quite sure about Ag.

COUNCILMEMBER PALTIN: Okay. But you guys would take care of it if that has to happen?

MR. MOLINA: Yeah. Because the --

COUNCILMEMBER PALTIN: Or somebody in the County.

MR. MOLINA: Yeah. Yeah. . . .*(timer sounds)*. . . If there is support --

COUNCILMEMBER PALTIN: Not *(audio interference)* --

MR. MOLINA: -- for these sites, we would come through to try and request those changes.

COUNCILMEMBER PALTIN: Okay. Like Administration-initiated?

MR. MOLINA: Correct.

COUNCILMEMBER PALTIN: Okay. Thank you.

CHAIR COOK: Thank you, Members. If there are no further questions from anybody, I...that I can't see. Okay. Members, this item will be posted on the agenda for the July 8th, 2025 Council meeting. If there's no objections, the Chair would like to defer this item.

COUNCILMEMBERS: No objections.

ACTION: DEFER pending further discussion.

CHAIR COOK: Thank you, Members. And thank you, Director Molina, Managing Director Nishita, and Mr. Smith, for being here today. Now, let's move on to our next item. Staff, if we can take like a five-minute recess? . . .*(gavel)*. . .

RECESS: 2:11 p.m.

RECONVENE: 2:16 p.m.

CHAIR COOK: . . .*(gavel)*. . . Will the WAI Committee meeting of June 30th reconvene. It's now 2:16.

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

WAI-8 BILL 56 (2025), AMENDING SECTION 14.10.010, MAUI COUNTY CODE, TO ESTABLISH NEW WATER RATES FOR PRESERVATION AND RESTORATION OF NATIVE SPECIES HABITATS

CHAIR COOK: Members, this last item is Bill 56, entitled "THE [sic] BILL FOR AN ORDINANCE AMENDING SECTION 14.10.010, MAUI COUNTY CODE, TO ESTABLISH A [sic] NEW WATER RATES FOR PRESERVATION AND RESTORATION OF NATIVE SPECIES HABITATS." The purpose of this bill is to authorize discounted water rates for the Department of Water Supply consumers who are using water primarily for the purpose of conserving or restoring native Hawai'i species habitats without any associated commercial activity. At our June 4th [sic], 2025 meeting the Committee transmitted a follow-up letter to the Department for clarification on several implementation details, including the definition of native Hawai'i species habitat, rate structure, application requirements, and eligibility criteria. Members, since our last meeting, a proposed CD1 version has been drafted, and is before you today. This is Granicus item number 12 for your reference. At this time, Director Stufflebean, would you like to provide any opening comments?

MR. STUFFLEBEAN: Yeah. Thank you, Chair. Just briefly, this bill was thought of to address a very specific situation. We had some applicants come in...or some...some water users come in who are doing this very, we think, important work of restoring and preserving the native habitat, and they did not qualify for the Ag rate. They applied for Ag rate, and they're...since they're not a commercial agricultural operation, they didn't qualify, and so they would've had to pay quite a bit for the water. They would have to pay the typical general rate for water as opposed to the Ag rate. So, we thought that this was beneficial for the community, and beneficial for the watershed, and ultimately, you know, the Water Department. So, we came up with a special rate for just this specific category. And we wanted to make sure that it was not abused, and it was limited to a specific...a very specific issue, which is...which is organizations that are nonprofits or community trust, and organizations whose specific mission is the preservation or restoration of native Hawaiian habitat. And then...that we would require them to submit a plan for how they plan to operate, including how much water they're going to use and their best management practices. We would be delighted to consult with anyone in terms of assisting us to determine what...what a native species is, especially the Department of Ōiwi Resources, and others as well. We proposed this rate be the same as the Tier 2 residential rate. And so, if there are minor incidental uses on the property, such as a building, they would be paying the residential Tier 2 rate, which is...which is what...probably they would obviously be paying...probably be paying anyway. We do support the amendments, and be glad to answer any questions you have. Thank you.

CHAIR COOK: Thank you, Director. At this time...Staff, are there any testifiers?

MR. PASCUAL: Chair, Staff isn't seeing anyone signed up to testify on this item. Would you like me to do a last call?

CHAIR COOK: I see someone walking down.

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

MR. PASCUAL: Okay.

. . . OPEN PUBLIC TESTIMONY FOR WAI-8 . . .

MR. LAW: I see Luna Ho'omalua Cook in the chair. Aloha awakea. Aloha, Director Stufflebean, I kind of...Jasee Law from Waiakoa Ahupua'a. I noticed that...I seen the...unless I'm like reading these things more closely, the agendas for the Committees, I see more details in the...the description. So, I just wanted to thank nā lima hana (*phonetic*), especially under the description number 2, where they say the...the seven different...the things that are...that this bill is proposing. Thank you, Mr. Cook. I...I...I agree with this one.

CHAIR COOK: Staff...okay. Members, any clarifying questions for our testifier? Seeing none. Staff, is there anyone else wishing to testify?

MR. PASCUAL: Chair, there's no other individual signed up to testify, so I'll do a last call for oral testimony. This is last call. Please come up to the podium or raise your hand on Teams if you would like to testify. The countdown is three, two, one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR COOK: Okay. Members, seeing that there are no more individuals wishing to testify, without objections, I will now close oral testimony.

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY FOR WAI-8 . . .

CHAIR COOK: As a reminder, written testimony will continue to be accepted for the record. Members, I'm proposing two rounds of three-minute questions per Member. Are there any objections?

COUNCILMEMBERS: No objections.

CHAIR COOK: Thank you, Members. Let's begin our discussion. We'll start with Vice-Chair Sugimura.

VICE-CHAIR SUGIMURA: Thank you. Thank you very much, Director. And I did meet with a nonprofit that is interested in this. And I...I...I wondered how you would determine--you know, because they have lot...lots and lots of land--and how...how would you determine what is appropriate, and how do they meet the criteria, and those details that make a difference?

CHAIR COOK: Director?

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

MR. STUFFLEBEAN: Yes, Chair. Yeah, that would be based on their...their plan. They have to submit a plan saying how they would use this water, and give us the details. And then we would take a look at the plan and find out on what plans they're proposing to use...to do this particular very important work...or conservation and restoration work. And that would be how we would determine it, based on...based on a evaluation and analysis of their plan.

COUNCILMEMBER SUGIMURA: And they would be issued a separate water meter?

MR. STUFFLEBEAN: Yeah, if they needed a second one. Yeah, if they just...if they just had one water meter, and it covered the lands that were...were...were covered, that would be fine. If we needed a separate one, we could issue a second meter. Yeah.

COUNCILMEMBER SUGIMURA: Oh, so that's why they're being charged at the secondary rate? Is that why?

MR. STUFFLEBEAN: Right. It...they're...they're being charged at the...at the rate simply to give them a break. Give them...to...to allow them to...because it's going to be...think it's an important...important function, so we're giving a break instead of having to charge...you know, instead of having to pay the full general rate, which is quite a bit higher.

COUNCILMEMBER SUGIMURA: Okay. So...and the native Hawaiian plants, how do we get that definition? Or...or how does...how do they qualify with the correct plants as defined?

MR. STUFFLEBEAN: Right. So, as...the bill actually specifies what a native Hawaiian plant is. And we have a number of resources we can go to...to determine whether any of it qualifies as a native plant. We...we do...do a lot of work, as you know, with...with nonprofits that help us recover watersheds. And so, in our Planning Section, we have some...a pretty good expertise in...in what makes native plants. And...you know, we have...you know, we spend 4 percent of our budget...almost 4 percent of our budget restoring the watersheds. And so, one of the big elements of that is to encourage the use of...encourage native...native plants, and start, you know, reducing the amount of invasive species. So, we do have some expertise there but we would also be able to look to others to help us, you know, evaluate the proposals...the conservation plans.

COUNCILMEMBER SUGIMURA: Okay. Thank you. I appreciate this because one...the nonprofit that I met with is...is Upcountry, and had quite a lot of land, and...impacted through wildfire, and restoration is...is very important. So, thank you very much. I support this, Chair.

CHAIR COOK: Thank you. Councilmember Johnson, questions for the Director?

COUNCILMEMBER JOHNSON: Thank you, Chair. Good afternoon, Director. Always good to see you. Thank you for taking time to spend with us today. I'm just going to jump right into questions. So, who exactly are we talking about here? Which...which nonprofit,

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

specifically? Do we have a list? Are there people that we don't know that are out there that would...you might expect a lot of applicants?

MR. STUFFLEBEAN: So, at this point, there are two that have...that we know that would qualify that have submitted applications. But anyone who met the criteria would be qualified. So...

COUNCILMEMBER JOHNSON: Great. Who are the two?

MR. STUFFLEBEAN: Yeah. Ortaine has that information. I think she's online here.

MS. ACIDERA: I know one is the Waihe'e Coastal Dune [sic]. I can't remember the other one --

COUNCILMEMBER RAWLINS-FERNANDEZ: HILT.

MS. ACIDERA: -- Councilmember. I will provide it to you in writing. I did mention it the last meeting we had, but I wasn't...I...I don't have it with me right now.

COUNCILMEMBER JOHNSON: Okay. So, thank you for that. You know, I'm...I'm really curious of how this actually works because these areas that we...that they talk about--preservation, restoration--are...are sometimes very remote. And they...I would assume...that's why I was asking who these folks are. They don't have water lines that go into the area. Is this going to be for greenhouses? You know, are those...you know, is...that's kind of where I would think it would make sense, like just greenhouses where you're growing, you're out planting, or...or that's kind of...I...I think the water meter would attach to a greenhouse, not up in a field, right? Is that more of the...the scenario you're imagining, Director?

MR. STUFFLEBEAN: That's a possibility. I mean these would be any places where they would be connected to the County water system. So, obviously, if it's something that's very remote --

COUNCILMEMBER JOHNSON: So --

MR. STUFFLEBEAN: -- there's no County water nearby, it wouldn't be...it wouldn't be relevant. Right.

COUNCILMEMBER JOHNSON: So, what I see...in...in my time in conservation--I used to work in this field--they...we would get a truck and fill it full of water, and go water Kānepu'ū out in the middle of nowhere on Lāna'i. There's no water lines out there. There's no water meters. So, if this water rate were to happen, would that nonprofit have a water buffalo truck, fill it up at that low rate, and then go out in the field? Is that doable? Is that something you could...you...you could work with them on? Or is it just straight into the, you know, greenhouses?

MR. STUFFLEBEAN: Yeah, we...we could work...I mean, they would have to...they would submit their...their plan for how they would use the water on what lands. And...I mean,

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

typically it would be through pipes that would...you know, that...that was what we're...envisioning. But, certainly, if it's something they would want to...that they would qualify as restoring or conserving native species, and they wanted to use a water tanker, we could...we could look at that as well. Sure.

COUNCILMEMBER JOHNSON: Okay. I didn't hear the bell, so correct me if I'm wrong, Chair. But preservation, restoration, conservation--lot of tions (*phonetic*), and they're all...they all have their different nuances. So, who...why...why preservation, restoration, and not conservation?

MR. STUFFLEBEAN: Well, when we look at conservation, we're looking at how you use less water. That's kind of the typical term that we would use. And so, we would be looking at that element of the plan to make sure that they're not wasting water, that they're conserving water as they perform their function. But in terms of restoration and preservation, we're looking at...that actually applies to the actual species themselves. . . .(*timer sounds*). . . That's...that's how we...that's how we look at it from the water perspective.

COUNCILMEMBER JOHNSON: Okay. That's interesting because, you know, we got zoning for conservation zone...you know, all the taxation. So, it's...it's always these nuances. So, thank you for that response. Thank you, Chair. Out of time.

CHAIR COOK: I don't see Chair Lee at the moment. Member Paltin, questions?

COUNCILMEMBER PALTIN: Thank you, Chair. My...I guess, my main question is, if all the things that were identified as like a hold-up or not accurate the last time that you brought this to Committee has all been addressed?

CHAIR COOK: I believe so. If you look on Granicus, there's several correspondences from the Department. And it's the...the June 12th letter clarifies define native Hawaiian species habitat. So, on Granicus, to my knowledge, all of the questions that we had in the last meeting have been answered in the various letters and correspondence.

COUNCILMEMBER PALTIN: Okay. And that concludes my questions. Thank you.

CHAIR COOK: Okay. Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. And mahalo to the Departments for getting back to us with the questions. So, native Hawaiian species habitat means habitat of endemic or indigenous species that arrived either by natural means, such as water, wind, or bird migration, or which were included in the approximately 23 species brought over by the first human migration to the Hawaiian Islands and which have adapted to native ecosystems. So, I...I like that definition because that includes the canoe...what we refer to as canoe crops that have become considered native to Hawai'i. Mahalo for that information. Let's see. I...I don't think I have any further questions because your responses answered a lot of the...well, all the questions that we had at the last meeting that we had. And I think, you know, I...you and I attended the Ha'ikū

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

meeting on the East Maui Water Authority's community plan development the other week. Time is funny. And at that meeting, one of the kūpuna talked about using water to make more water. And I see this action as using water to make more water. So, I appreciate this initiative, and support it. I don't have any other questions. Mahalo, Director. Mahalo, Chair.

CHAIR COOK: Thank you, Member. Member Sinenci, you have questions, comments?

COUNCILMEMBER SINENCI: Mahalo, Chair. I'm still looking at the letter, but my question at the last one was, is the rate higher or lower than the Ag rates?

CHAIR COOK: Director?

MR. STUFFLEBEAN: Sure, Chair. Yeah, the...the ag rate is \$1.25 per thousand gallons. The general rate that they would have to pay if it's not passed would be 8.34. And the rate they would pay if this does pass would be 4.98.

COUNCILMEMBER SINENCI: Still 4.98. But the general would be 8.94, you said?

MR. STUFFLEBEAN: 8.34 is what businesses typically would...typically would pay if they're...if they don't...you know, other than...if they qualify for this, then they would get quite a break from 8.34 down to 4.98.

COUNCILMEMBER RAWLINS-FERNANDEZ: And Member Sinenci --

COUNCILMEMBER SINENCI: . Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- you can find it on page 5 of the correspondence.

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

CHAIR COOK: Member U'u-Hodgins, questions?

COUNCILMEMBER U'U HODGINS: Thank you, Chair. Thank you, Water Department, for being with us today. I really don't have too many questions, except I do want to continue on Member Sugimura's line of questioning. She was specifically mentioning somebody Upcountry and a new water meter. Can you just confirm that there would be a new water meter available for somebody Upcountry if they wanted to do this?

MR. STUFFLEBEAN: Sure. I mean, if someone wanted to have a water meter specifically for this purpose...I mean, they would have to...there would have to be sufficient water available for new...you know, for a new water meter, which is an issue Upcountry, as you know. And --

COUNCILMEMBER U'U-HODGINS: That's my question.

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

MR. STUFFLEBEAN: -- and...and then they would have to pay the cost of the new meter. But if that would...both...those two situations were met, then we would issue...we could issue a new water meter.

COUNCILMEMBER U'U-HODGINS: Interesting. Okay. Other than that, happy to support. Thank you.

CHAIR COOK: I don't have a question. I basically just want to commend the Water Department for your outreach, and your being proactive in working with the community to...for this type of endeavor. So, is there a need for a second round of questions, Members? Okay. Seeing no further discussion, we'll move on to decision-making. The Chair would like to entertain a motion to recommend passage of Bill 56 on first reading.

VICE-CHAIR SUGIMURA: So moved.

COUNCILMEMBER RAWLINS-FERNANDEZ: So moved.

CHAIR COOK: So moved by Member Sugimura. And seconded by Member Rawlins-Fernandez --

COUNCILMEMBER SUGIMURA: Member Rawlins-Fernandez.

CHAIR COOK: -- to recommend passage of Bill 56 (2025) on first reading. Members, any discussion before I move on to my amendment summary form? Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, I'll...I'll...I'll hold until...I didn't know you had an amendment summary form. I'll wait until we --

CHAIR COOK: Members, your Chair would like to entertain a motion to substitute Bill 56 with the proposed CD1 version incorporating the amendments referred in the ASF description.

VICE-CHAIR SUGIMURA: So move.

CHAIR COOK: Moved by --

COUNCILMEMBER RAWLINS-FERNANDEZ: Second.

CHAIR COOK: -- Member Sugimura, second by Member Rawlins-Fernandez, to substitute Bill 56 with the proposed CD1 version. Members, this ASF amends the bill's title, amends the bill's effective date to be retroactive to July 1st, 2025, replaces references to water use "solely" for habitat preservation or restoration with "primarily", makes reference to the uses qualifying for the water rate and the term "preservation consumer" internally consistent, indicates the entity responsible for determining whether best management practices are acceptable, defines native Hawaiian species habitat,

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

incorporates nonsubstantive and technical revisions for clarity, consistency, and style. Is there any discussion?

COUNCILMEMBER SUGIMURA: Good job.

CHAIR COOK: Seeing there's no further discussion, all those in favor, raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR COOK: Staff?

MR. HURDLE: Chair, that's seven "ayes," zero "noes," Members Lee and Kama excused. You're back on the...the motion passes, and you're back on the main motion as amended.

VOTE: AYES: Chair Cook, Vice-Chair Sugimura, and Councilmembers Johnson, Paltin, Rawlins-Fernandez, Sinenci, and U'u-Hodgins.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmembers Kama and Lee.

MOTION CARRIED.

ACTION: SUBSTITUTE BILL 56 (2025).

CHAIR COOK: Thank you, Members. Now, we're back to the main motion as amended. Any discussion? Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo for those amendments. And mahalo to the Department for the work on doing this, to recognize that they...you know, these conservation efforts have not been given the same support in the form of a discounted water rate. And agriculture, it's...is a little more like profit-driven. Conservation work isn't profit-driven, but the return on investment in protecting our eco service...ecosystem services outweighs the amount that we, you know, invest in it. So, I...I fully support the motion on the floor. Mahalo, Chair.

CHAIR COOK: Thank you. Seeing no further discussion, all those in favor, raise your hand and say "aye."

WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

COUNCILMEMBERS: Aye.

CHAIR COOK: Staff?

MR. HURDLE: Chair, that's seven "ayes," zero "noes," Members Lee and Kama excused. The motion passes.

VOTE: AYES: Chair Cook, Vice-Chair Sugimura, and Councilmembers Johnson, Paltin, Rawlins-Fernandez, Sinenci, and U‘u-Hodgins.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmembers Kama and Lee.

MOTION CARRIED.

ACTION: Recommending FIRST READING OF BILL 56, CD1 (2025), and FILING by committee report.

CHAIR COOK: Thank you, Members. And thank you, Director Stufflebean, and Corp. Counsel, and guest. This item will now move on to the full Council’s consideration. Members, this concludes today’s Water and Infrastructure Committee meeting. Thank you for...everyone for being here and for a great meeting. The time is now 2:36, and this meeting is now adjourned. . . .(gavel). . .

ADJOURN: 2:36 p.m.

wai:min:250630

Transcribed by: Tricia Higa

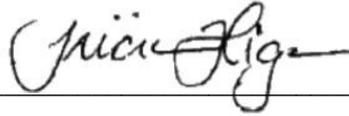
WATER AND INFRASTRUCTURE COMMITTEE MINUTES
Council of the County of Maui

June 30, 2025

CERTIFICATION

I, Tricia Higa, hereby certify that pages 1 through 27 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 18th day of July 2025, in Mililani, Hawai'i



Tricia Higa