

CLIMATE ACTION, RESILIENCE, AND ENVIRONMENT COMMITTEE

Council of the County of Maui

MINUTES

November 2, 2022

Online via BlueJeans

CONVENE: 9:00 a.m.

PRESENT: VOTING MEMBERS:

Councilmember Kelly Takaya King, Chair
Councilmember Shane M. Sinenci, Vice-Chair
Councilmember Gabe Johnson
Councilmember Alice L. Lee
Councilmember Michael J. Molina
Councilmember Tamara Paltin
Councilmember Yuki Lei K. Sugimura

STAFF:

Lesley Milner, Legislative Analyst
Laksmi Abraham, Legislative Analyst
Shelly Espeleta, Supervising Legislative Analyst
Jocelyn Moniz, Committee Secretary
Clarita Balala, Committee Secretary
James Forrest, Legislative Attorney
David Raatz, Deputy Director of Council Services
Lenora Dinneen, Council Services Assistant Clerk
Jean Pokipala, Council Services Assistant Clerk
Nalani Fujihara, Hawaiian Language Specialist

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

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

ADMIN.:

Richelle Thomson, First Deputy Corporation Counsel, Department of the
Corporation Counsel

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Hannah Shipman, Green Building and Resilient Housing Specialist,
Climate Change, Resiliency, and Sustainability, Office of the Mayor
Allison Cleghorn, Climate Change, Resiliency, and Sustainability, Office
of the Mayor

OTHERS: Lucienne de Naie, Chair, Sierra Club Maui
Dr. Genesis Young, Teran James Young Foundation
Lynn Britton, Mā'alaea Village Association
Faith Chase
Tapani Vuori, General Manager, Maui Ocean Center
Will Spence, William Spence and Associates, LLC
Hannah Bernard, President, Hawai'i Wildlife Fund
Clare Apana
Additional attendees (3)

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

CHAIR KING: . . .*(gavel)*. . . -- (audio begins mid-sentence) Environment Committee please come to order. Thank you, Members, for being here. And just as a reminder *(audio interference)* is not a Councilmember or a Committee Member, please silence your cell phones and other noise-making devices. And *(audio interference)* with Sunshine Law, if you're in a nonpublic workspace, when your name is called, please identify by name who is present with you in the room, vehicle, or workspace, other than minors. For the public, please see the last page of the agenda for information on meeting connectivity. All right. So, we'll go through roll call. I'm Kelly Takaya King, I'm the Chair of the Climate Action, Resilience, Environment Committee, or CARE. Our Committee Vice-Chair is here, Shane Sinenci. I don't see a greeting in the chat, and I don't see Chair Lee, so you're on your own. Aloha kakahiaka. Oh, there's Chair Lee. Aloha kakahiaka. Did you put a greeting in there? Didn't see one.

COUNCILMEMBER LEE: I'm doing...I'm doing it right now.

CHAIR KING: Is it...is it from Egypt?

COUNCILMEMBER LEE: Not yet, not yet. When are you going?

CHAIR KING: I'm leaving tomorrow night.

COUNCILMEMBER LEE: Oh, okay. I forgot, so I'll take of that.

CHAIR KING: Okay.

COUNCILMEMBER LEE: This is from the Bahamas.

CHAIR KING: Okay.

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VICE-CHAIR SINENCI: Da wybe, Chair. Aloha kakahiaka (*audio interference*) Maui Hikina. Happy to join this meeting from the Hāna District Office at Waiakea Road --

CHAIR KING: . . .(*inaudible*). . . --

VICE-CHAIR SINENCI: -- and da wybe. And I'm here with my District Staff Dawn Lono, and there are no testifiers.

CHAIR KING: Okay. Mahalo nui. And next we'll go to Chair Alice Lee. Da wybe, is that correct, from the Bahamas?

COUNCILMEMBER LEE: Yes, it is. Yeah, that's Creole, the...from the Bahamas. And just is a common greeting amongst those who live there. Good morning, Chair and Members. Da wybe. I am broadcasting here in Wailuku in my home workspace, alone, looking forward to your meeting. Thank you.

CHAIR KING: All right. Thank you. And next we'll go to Councilmember Mike Molina. Da wybe, and aloha kakahiaka.

COUNCILMEMBER MOLINA: Aloha and da wybe to you, Madam Chair, my colleagues, and everyone else tuning in for our CARE meeting today on this Wednesday, 2nd day of November. It is just a magnificent day out here at my district office over here in Pā'ia at Heritage Hall. I'm accompanied by District Office Specialist Jade Rojas-Letisi, and there are no testifiers, and looking forward to a wonderful meeting this morning. Mahalo, Madam Chair.

CHAIR KING: Awesome. Thank you so much. All right. Next we'll go to West Maui, Councilmember Tamara Paltin. Aloha kakahiaka and da wybe.

COUNCILMEMBER PALTIN: Because--nah, nah. . . .(*laughing*). . . Da wybe, and aloha kakahiaka kākou. Broadcasting live and direct from historic Lāhainā Town. And I have with me Angela Lucero and Christian Balagso, and we have nobody waiting to testify at the District Office at this time. Thank you so much.

CHAIR KING: Okay. Mahalo nui. And we also have, all the way over from Lāna'i, Councilmember Gabe Johnson. Da wybe and aloha kakahiaka. Ohayō gozaimasu to you if you're on in a couple minutes here. And I know what that's like, that's happened to all of us at one time or another. So, just to let folks know, please be patient if there are technological difficulties. It's a on again-off again thing, but we're also not, at this point, allowed on the 8th Floor, or in Chambers at the County building because that's being used for elections. So, everybody's on virtually. Okay, Members, we have three items on today's agenda. CARE-1(16) Maui Ocean Center Marine Institute Turtle Hospital And Coral Lab; CARE-1(17) South Maui Economic Development, Environmental, And Cultural Programs, and it's about the District funds; CARE-99 County Of Maui Joint Climate Action And Resiliency Plan, and this is the Contract 7436-2 to Lotus Engineering And Sustainability, which it gave the County an extension...they're giving them an extension on that contract. And so, we'll

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get an update on where we're at with the climate action plan. So, right now, let's begin with public testimony.

. . .BEGIN PUBLIC TESTIMONY AT THE START OF THE MEETING. . .

CHAIR KING: Staff, do we have testifiers signed up?

MS. MILNER: Chair, we do have testifiers.

CHAIR KING: Getting a little bit of reverb. Okay. And, I guess...I'll ask if testifiers want to testify now at the beginning of the meeting, or if you want to wait until directly before your item. So, we'll start with someone signed in as Guest 11, followed by Lucienne de Naie. Guest 11. Is that a testifier? Your turn to speak. Seeing no response. We'll go ahead and move on. But first, I'll recognize Councilmember Yuki Lei Sugimura. Welcome, and thanks for joining us. Da wybe --

COUNCILMEMBER SUGIMURA: *(Audio interference)* --

CHAIR KING: -- greeting today.

COUNCILMEMBER SUGIMURA: What is the greeting? Sorry.

CHAIR KING: Da wybe.

COUNCILMEMBER SUGIMURA: Da wybe, it sounds kind of fun. Thank you, Chair Lee. Good morning, everyone. I'm in Kula, and looking forward to this meeting. Thanks.

CHAIR KING: Thank you so much. Okay. So, we are going on to our next testifier, Lucienne de Naie, followed by Genesis Young. And do you want to testify now, Lucienne, or do you want to wait until we get to that item?

MS. DE NAIE: I want to testify now, please.

CHAIR KING: Great.

MS. DE NAIE: And I would like to testify on two of the items under --

CHAIR KING: Okay.

MS. DE NAIE: -- 1(17).

CHAIR KING: Okay.

MS. DE NAIE: My name is Lucienne de Naie, and I am testifying as a private individual today, although I am Chair of the Sierra Club for Maui. But first, the item of the potential pilot project on the Welakahao land to have a transitional village to help our homeless population transition to more stable situation in their lives, and eventually

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to housing. I'm in very strong support of this. I know this particular parcel very, very well. Many years ago...20 years ago the late Ron Sturtz and his partner Zach Franks proposed what they were hoping to be as a very ecofriendly community on this same parcel. And their plan preserved the 20 acres of wetlands that are at the makai end of the parcel, and built judiciously on the remaining 20 acres. That plan hit some permitting snags and so forth because it was very innovative, and it never came to fruition, and Mr. Sturtz passed away. And I was asked to be a consultant on that project about water resources because that lot happens to have a well, very interesting well. It overlays some sort of a lava tube or something because this well...the water flows and moves in it, and it's pretty fresh water for being a well that's just 20 or 30 feet down. So, I remained involved with plans for the project, and was shocked to hear that 90 units were proposed, many of them in what is really functioning as a wetlands. And so, this proposal that Mr. Young and members of the Aha Moku Council are participating in is just a far better arrangement for the land. The land already has three residences on it, not in the wetlands. And these residents have electricity. They have, you know, services. They...and so, to create a center here, where you already have something you can tap into...and part of the parcel was a nursery site. That nursery site has large shade trees. It's like you have infrastructure here that will be very helpful for a transitional village. And the size of a transitional village would fit a site like this that has wetlands, that has some cultural sites. All these could be avoided...in fact, they could be enhanced by having people who are staying at the transitional village help in restoring the wetlands, and other sorts of community projects. So, I just think this is a very innovative and worthy project. We need something to address a transition in homelessness in South Maui. It's a great . . .(timer sounds) . . .(audio interference) --

CHAIR KING: . . .(inaudible) . . .

MS. DE NAIE: I will move onto the other item in...section in Item 17, which has to do with the Mā'alaea book. And as many of you know, I am coauthoring this book with Rita Goldman, who very much more than an editor. We have written and rewritten the many pages, and pared it down to try to faithfully tell the history of the Mā'alaea area, which is one of the kind of forgotten histories of Maui, very, very rich history. In fact, we discovered so more...so much that --

CHAIR KING: Lucienne.

MS. DE NAIE: Yes.

CHAIR KING: Lucienne, sorry to interrupt, but I just got a message that you're actually on the same item, and you used up your three minutes. So, I'm going to ask if I could...if you could stay around and be a resource when we get to 1(17). Are you able to do that?

MS. DE NAIE: Oh, I'm sorry. I thought that they were different aspects to the same item. I apologize.

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CHAIR KING: Yeah, it's one item. So I just got a note from . . . *(inaudible)*. . . --

MS. DE NAIE: Okay. All right. Thank you for your understanding. I think I can stay around. I'm working at home today, so...

CHAIR KING: *(Audio interference)* are there any objections to Lucienne de Naie being a resource when we get to 1(17)?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR KING: Okay. All right.

MS. DE NAIE: All right. Thank you very much.

CHAIR KING: Thank you. Thanks for understanding. Okay. Our next testifier is Genesis Young, followed by Lynn Britton. And Dr. Young, did you want to testify now, or wait till we get past the first item?

MR. YOUNG: Now, please.

CHAIR KING: Floor is yours.

MR. YOUNG: All right. Thank you. I particularly wanted to talk about the CARE-1(17), the transitional ecovillage that we've been working on for, oh, a year or so. George Rixey is also on the call, I believe, and he may be speaking more. He's our...the architect that's been working as...with designing this. It's important...it's...really, the main aim here is to look at this wetland, and protect the wetland, and create regeneration for this wetland because we all know the wetlands are almost gone in Kihei...in South Kihei, and all of Kihei, really. And so, they need to be preserved, regenerated, and protected. And it is slated for potential development. We've spoken to the developer, and he's open to talking to us about other options, which is great, and we're working on further conversations there. Over 80 lots, some of them in flood zones...basically, they would be fast tracking the water instead of having the water come down and sit in the wetland, and be filtered before it goes to the ocean, which is the proper...one of the proper functions of a wetland. And the wetland is a little oversedimented, and full of a lot of invasives, and so, it needs some definite help. And this plan we talked to with the people who were in the local area first...that was first and foremost to...it's not about me, it's not about the environment, it's about what the local people also see who live there. Spoke to Vernon *(phonetic)*, and Cody *(phonetic)*, and Foster *(phonetic)*, and they're also interveners on a contested case with this land. And this was kind of out...this project has come out of a grassroots collaboration. They told us what they thought they wanted, and how to hold this space in a good way, how to protect the pueo, and other species, and cultural aspects of this land, which they know more than I do, really important...and to grow food there. And also, at the higher part, which is above the flood zone near to the Pi'ilani Highway, that would be where we would put a transitional park with some parking, some areas for tents, and tent platforms, and tiny homes. And then the existing buildings could be used for administrative. This

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would be administered to make sure it's safe, to make sure they have health access. Because we know when the homeless are not given houses, it costs many times more in healthcare costs down the road. So, if we give them a place to stay, the healthcare costs to society drop dramatically. So, taking care of our houseless is really an important thing. And I think this is really a great place. I think that the neighborhood seems to be potentially onboard with this the way it...it's already got many houseless people living in it, so this would actually help them enhance their lives, enhance the life of the surrounding community, I believe, and enhance the wetland in its function. So, I think it's a win-win-win all around if we can bring this forward. So, that's really pretty much all I want to say about these 41 acres, very important land. And a lot of what Lucienne said was exactly...I agree. And before I run out of time, I just want to say, I'm looking forward to this Joint Climate Action Resiliency Plan. I really want to see that, and what the...what that Administrative offices come up with. So, I hope we can do that, and then it's going to be everything we need it to be. So, that's all I have.

CHAIR KING: Okay. Thank you, Dr. Young. So, Members, Dr. Young is also slated to be a resource when we get to that. So if you'll...we'll have a chance to ask questions a little bit later, if you can hold off. Thank you. So, we'll talk to you a little bit later, Dr. Young, and we'll go on to our next testifier, Lynn Britton. Lynn? Okay. It could be technical difficulties. I did see she put in the chat that she wants to testify at the beginning of the meeting. Okay. Are you there, Lynn? All right. Well, we'll move onto our next testifier, Faith Chase, and then we'll come back, see if Lynn's gotten--oh, there you are. We can see you, but we can't hear you, Lynn. It looks like you're muted on your end.

MS. BRITTON: Good morning. Can you hear --

CHAIR KING: There you are.

MS. BRITTON: -- me now?

CHAIR KING: Good morning. We can hear you, and we can see you.

MS. BRITTON: What da wybe is. . . .(laughing). . . I just want to thank our South Maui Councilmember for the support of this book. Lucienne started to explain our journey. We proposed a 128-page picture book for our culture and arts grant. So, 15,000, Mā'alaea Village Association was going to match it with 5, and we had approximately 5,000 in in kind. And we're now...as of yesterday's meeting, we're now looking at 208 pages instead of 192, and it keeps growing. So, we've got to end this, and we really appreciate Council's support for the 7,000 additional dollars to further compensate our amazing team that bid on a 128-page book, and also additional printing and shipping charges. Because of the pandemic we struggled for the last two years, meeting via Zoom, and emails, and it's been really quite amazing. I acknowledge the efforts of our author, Lucienne de Naie. She spent months in the basement of the UHMC Library, which let us in during the pandemic so that she could research *The Maui News* from 1900 to 1950, basically. So, it's going to be an amazing book. We

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can't wait to share it with all of you. And just thank you, again, to Lucienne, and Rita Goldman, and Pat Naro (*phonetic*) for all of their efforts...and Kelly, mahalo, mainly to you, for your support. I'm here to answer any questions you might have.

CHAIR KING: Okay. Mahalo, Lynn. And you'll be here for...when we get to the item also?

MS. BRITTON: I'll try. I've got some --

CHAIR KING: (*Audio interference*) --

MS. BRITTON: Yes, I will --

CHAIR KING: (*Audio interference*) --

MS. BRITTON: -- if you could call me, I'd appreciate it. Thank you.

CHAIR KING: Okay. Sounds like your book is going from a coffee table book to an actual coffee table. . . .(*laughing*). . .

MS. BRITTON: Yes, it's very exciting. We have all the museums on the island looking forward to carrying it. It's been an amazing process.

CHAIR KING: Awesome. Okay. Thank you. So, any pressing questions for Ms. Britton? Otherwise, we'll go ahead and move onto our next testifier. The last person signed up is Faith Chase. And are you there, Faith?

MS. CHASE: Yes, good morning. Aloha, Chair Kelly King. Aloha, Committee. First of all, just as we wrap the corner of this last two years of meetings, I just want to say that this has been a really interesting, progressive Committee with...what a great delivery system for a lot of topics that went unheard, and unattention [*sic*] for such a long time, so I'm grateful for that. I'm really excited to hear the presentation about the ecovillage. I've gotten tidbits from other people. I missed...I missed one meeting that I really wanted to attend. It sounds like it aligns perfectly with some of the research I've been doing in the Commission to Healing Solutions for Homelessness under the Sustainable Housing Temporary Investigative Group, so I'm very excited to hear that. I just wanted to, actually, lay a little bit of caution...or just some advice to the Maui Ocean Center. I don't know enough about the subject, forgive me, but I've been attending Native Hawaiian Gathering Rights Association meetings for the last year, I've missed a couple, but there's some really rooted conversations there relating to honu. So, as you move forward in all of your...I don't know if you do an EA, or community outreach, please keep them in mind. I think the meetings are public. And that's all I have to say. Thank you.

CHAIR KING: Okay. Thank you so much, Faith. And I think you were in...when we did the first site visit on the ecovillage, you were invited, but you were not available that day. So, we'll keep you in the loop as we have these meetings. And I'm scheduled to...just

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FYI, I'm scheduled to have a meeting with the landowner tomorrow by Zoom, so, you know, they are open to us acquiring the land.

MS. CHASE: Thank you.

CHAIR KING: Okay. Thank you. Any questions for our testifier, Members? If not, thank you very much, Faith, and we'll be in touch. Okay. Members, it looks like we have no other testifiers signed up. Is there anybody out there who wishes to testify at the beginning of this meeting, please unmute yourself, and pop up on our screen. Otherwise, is there any...are there any objections to closing the open testimony at the beginning of the meeting?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR KING: Okay. Okay. So ordered.

. . .END OF PUBLIC TESTIMONY AT THE BEGINNING OF THE MEETING. . .

CHAIR KING: And we'll accept any written testimony into the record.

ITEM 1(16): MAUI OCEAN CENTER MARINE INSTITUTE TURTLE HOSPITAL AND CORAL LAB (Rule 7(B))

CHAIR KING: And now we'll go ahead and proceed with our first item on the agenda, the Maui Ocean Center Marine Institute Turtle Hospital And Coral Lab, CARE-1(16). Is the...I think we'll go ahead and do the presentation, then we'll check back in and see if there are any testifiers who want to testify on this issue first. So, Members, we're joined today by Will Spence, William Spence and Associates, LLC; and Tapani Vuori, General Manager, Maui Ocean Center, to provide a presentation on the Maui Ocean Center Marine Institute Turtle Hospital and Coral Lab. If there are no objections, I would like to designate Mr. Spence and Mr. Vuori as resource personnel for this item in accordance of Rule 18(A) of the Rules of the Council. *(Audio interference)* --

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR KING: Great. Okay. We'll move into the presentation now. And I think it's...I'm not sure who's going to do it, but I think you're going to share your screen, Tapani?

MR. VUORI: Yes, I can...good morning, first of all, Honorable Chair, and Committee Members, really appreciate having the ability to talk about this project. How do I, technically, share the screen with you? Is there --

CHAIR KING: Should be able to go up to the top of your screen, and there's a share screen icon. It's like --

MR. VUORI: Okay. *(Audio interference)* --

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CHAIR KING: -- *(audio interference)* --

MR. VUORI: Okay. Oh --

CHAIR KING: And our Staff *(audio interference)* --

MR. VUORI: -- I need to sign in. There we go.

CHAIR KING: And we're looking at a blue screen right now.

MR. VUORI: Oh, shoot. I don't have a password or sign in. William, can...Will, can you share the screen *(audio interference)* --

MR. SPENCE: Yes, I can.

MR. VUORI: Why don't you do that?

MR. SPENCE: Okay.

CHAIR KING: Okay. We've got *(audio interference)* --

MR. SPENCE: Can you see the presentation?

CHAIR KING: Yeah, we can see all the thumbnails on the side too, so you might want to hit the slideshow.

MR. SPENCE: That one.

MR. VUORI: Yeah.

MR. SPENCE: Okay.

CHAIR KING: There we go.

MR. SPENCE: Let me scroll to the top.

MR. VUORI: *(Audio interference)* yeah, go to the top. So I'll start with this. I believe we have 15 minutes; is that correct?

CHAIR KING: Okay. Go ahead.

MR. VUORI: I'll spend about seven minutes. William Spence will spend another seven minutes after my presentation. He's engaged with this project, you know, as a consultant. We have some zoning issues related to the lot. Our hope, and long-term hope, is to build a turtle hospital rehabilitation facility, coral arc, and education center here in Maui. And I'll start with the first slide here. Will, if you could go to the second

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slide, please. I'm the President of Maui Ocean Center Marine Institute. We founded MOCMI back in 2016 as a 501(c)(3) nonprofit corporation. We actually unveiled the corporation founding at the IUCN . . . *(inaudible)* . . . Conference in Honolulu in 2016. So, it was a pretty momentous event for us, and we were able to get a global audience in front of us, and...when we talked about these issues. So, MOCMI is founded on three foundational pillars. Number one, we have a turtle rehab rescue facility under our care. We operated with the...in conjunction with the U.S. Federal Government. We currently operate, or have been operating the entire time, under the NOAA permit. And when Federal Government...when they closed their Ford Island facility at Pearl Harbor at the onset of COVID, we became the only facility in the State of Hawai'i that is actually able to respond to injured sea turtles, rehabilitating them. And last year, we rehabbed almost 300 sea turtles, this year about the same amount. So, there's a lot of work that goes into the rehabbing of turtles. We have also set a 24-7 response line for sea turtle rescues when they happen here on Maui. We have a very substantial volunteer and intern response program that we are able to respond to these issues. We...Federal Government is airlifting all the injured sea turtles from all the islands in the State of Hawai'i to us here...under our care here on Maui. We are currently operating from the premises of Maui Ocean Center. We have two containers. One container is the Administrative Office, and the other one is the Operational Room. We also have brought in a lot of students, not only from Maui, but nationwide. They're participating in the sea turtle rehab program, and making sure that the turtles are taken care of here. Once the turtles have been rehabilitated, we return them back to the same location where they came from, or, with the permit, release them here on Maui. A Federal Government permit is actually quite restrictive. We do not allow any photos to be taken in the area, and MOC guests do not have access to that area. So, it's a separate organization, separate operation altogether. Next slide, please. Second foundational pillar is--William, can you go to the next slide, please?

MR. SPENCE: Okay. Thank you.

MR. VUORI: Second foundational pillar is coral restoration. We have done several projects already on Maui with restoring damaged coral reefs, or areas that have been either boat strikes, or anchor damages, or...or weather-related damages. We are one of the only four land-based coral nurseries in the United States. Corals are going to be front and center as we progress further dealing with climate change and these issues. Some of you may remember, I have highlighted in the past, Mā'alaea Bay, for example, we have probably less than 5 percent coral reef ecosystem coverage here. 1995, when Steven Dollar did a survey, it was 75 percent plus. 2006, the State of Hawai'i surveyed the entire State of Hawai'i, it was about 8 percent here in Mā'alaea. And we have ability to fast grow coral. Growing coral fast is a relative term. Here in Hawai'i, it means we can grow it 10 centimeters a year. Normally, it grows about 1 centimeter here. In Florida, the growth rates are actually faster. I just attended the U.S. Coral Reef Task Force meeting in Kona three weeks ago. Federal Government had a meeting where they actually decided where they are going to allocate resources to make sure that the coral reefs are remaining safe, and to not get destroyed. I had an opportunity to speak to the entire conference, and I chose to speak about the Biden Infrastructure Funding, and SRF funding, recommending that the Federal Government allocates SRF

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funding to communities like here in Mā'alaea, and there are other communities here in Hawai'i, that are next to the shoreline, that have impaired bodies of water 3 or 3D classification, that have damaged coral reef ecosystems. This is the way we can actually funnel the Federal funding...infrastructure funding to direct projects that will actually create results fairly expeditiously. We maintain a coral arc under our care. We work with the State of Hawai'i. This is part of the climate thread assessment strategy for the State of Hawai'i. We are for their...their failsafe location for rare Hawaiian endemic corals. They have the State of Hawai'i Coral Lab on Sand Island in Honolulu. They are hoping...or they're planning to put a failsafe location on Kaua'i, and on the Big Island. And we also...we have reserve partnerships with the University of Hawai'i and Stanford University. With the turtles, we are going to publish a...the research paper on the new technique, basically laser treatment for restoring turtle's flippers, actually, that has been quite successful. And the third foundational pillar is really about the educational component. Having been a public school teacher, a long time ago, public schools are very close to my personal heart. And we really, as a community, should prioritize public education, and make sure that we, especially, address communities that may not have access to resources with regards to providing education. Of course, our expertise is marine science. We really want to bring in kids here...hopefully from Maui, most of them, but they do come everywhere, as I mentioned earlier, to really highlight the beauty with the marine science, so...early on...I want to highlight one collaborative approach. Many times when we see something negative happening in the community, there's always a urge to ban things. When we saw data...what was happening with the sea turtles, and their flippers starting to get self-amputated, or we had to amputate them because of medical necessity, we noticed that most of those interactions were with the recreational fishing community. So, we decided to approach that community instead of pointing the finger at them. We went to them and said, hey, here's the data. It shows that abandoned fishing line, fish hooks, they are causing most of these accidents, or injuries. And would you be willing to work with us, and develop these, you know, fishing collection bins all across the island? Now, this program is actually statewide. We also have a Honu Beach Program where we are actually encouraging visitors coming to Maui to participate in collecting plastic marine debris all around Maui, and they're bringing it back here. In closing, as we all know, we are an island community. The analogy about . . . *(inaudible)* . . . is very appropriate, and I appreciate the point that the previous testifier mentioned about the kanaka voices staying part of the process. I would actually insist on that. This is what we have done with the whale exhibit. This is what we are doing with the waste water regional plan that we are working on. So, kanaka voices need to be at the table. And with that, I'll yield to Will. Take it over, Will.

MR. SPENCE: Okay. Good morning, Madam Chair, Committee Members...and if I have this right, da wybe. I am Will Spence, I'm a former Planning Director and Land Use Planner in Hawai'i. I'm very excited to be involved with this project. I think it's critical for our environment. I think it's very important culturally. I think it's...this is an overall very good project for Maui. What you see on the screen is a conceptual design. It would have four floors, approximately 34,000 square feet. It would include a marine animal hospital, a coral nursery and laboratory, classrooms, meeting rooms...and

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something very important for this facility is to have dormitories for visiting scientists and staff--rather than doing the hotel, and the renting condos, and all that, they envision being able to have the scientists stay on the property--and then you would have some facilities on the rooftop. In order to build this facility, they need a change of zoning, and they also need an SMA permit. And they can't get the SMA permit without the zoning being changed, and so we'll get into that in a second. Maui Ocean Center owns three properties. The larger property you can see outlined in blue is...that's where the current Ocean Center is, and a substantial amount of parking. There's also a little parking lot up towards the top of the screen. And then it's this small one here, adjacent to Mā'alaea Road, that is the location for this facility...this new facility. Little bit closer view of the existing...in the...I don't know if you can see my cursor, but it's up in this right-hand corner where the current coral facility and the turtle facilities are located. And it's just...they did this out of necessity, but it was woefully inadequate for what they would like to be able to provide to the State and to Maui. And this smaller property here, it's about a quarter of an acre, that's where the new facility should go. So, in order to change the zoning...on the left, the illustration is the community plan. You can see that all of it is designated business commercial. On the right, however, is what the zoning is, and there's...I'll show you better on the next slide. But you can see there's overlapping, mismatches, and it's really...as a planner, it's kind of a mess. This is from real property tax, and it illustrates it better. The purple hatching is light industrial zoning. The red hatching is B-2 business. The green is what we refer to as open zone. We don't even have a zoning category in Title 19, yet this category exists on the zoning maps. This red dot here is a future roadway, also existing on the zoning map, but we have no such category in Title 19. We're looking at a zoning map from the 1960s. And then this white strip right here, there's no zoning at all. So, in order to build the facility, we need to change the zoning. The zoning needs to be consistent...for SMA purposes, it needs to be consistent with the community plan. So, wanting to show you what it looks like now on the left, and what we're hoping it looks like on the right. And the little property here that...where this new facility is going to go, we're going to request B-3 because it'll allow some additional density, it will allow for this facility to be built. The larger property, the zoning just needs to be cleaned up, and we're going to request B-2 zoning on it. I know the Council's inevitable question, and the community's as well is, well, where is it with relation to the sea level rise exposure area? You can see that it's well outside of the 3.2 meter rise area. Also pertinent is, what about the draft community plan because the CPAC is reviewing this right now? At least the draft plan from the Planning Department designates the entire Mā'alaea triangular area as transportation...excuse me, transit-oriented corridor. And if you were to look at the plan...the draft plan, and see what the...that means, it's supposed to be a commercial hub. And it's supposed to be...to be accommodating to different kinds of transit, whether it's bicycles, buses, automobiles, et cetera. So, this designation fits nicely with what's being proposed here. The entitlements we need...of course, I mentioned, we would like to get a change of zoning to B-3 business for the smaller property. When we were talking to the architect, it turns out the desired designed floor area would exceed the B-2 floor area ratio where...so, in order to build the facility as it's really needed, it really needs some additional density, so that would be allowed under B-3. But both of them allow animal hospitals, which would be the turtle and the coral

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nursery, including boarding, specialized education. It allows nonprofits, such as Maui Ocean Center Marine Institute. And again, we want to make sure that we can ensure housing for visiting scientists. And then lastly, in order to build it, we need to go before the Maui Planning Commission and get an SMA permit. So, with that, that's the introduction. Thank you very much, and we're happy to answer any questions.

CHAIR KING: Okay. Can we do a stop share, Will?

MR. SPENCE: Oh, I thought I did. Okay. Thank you.

CHAIR KING: There you go. All right. Thank you. Thanks so much for the presentation, both of you. And so, now we're going to move on and receive public testimony. But first I'm going to go to the Committee and see if you have any clarifying questions only, and then we'll do public testimony, and then we'll close public testimony before we do any kind of deliberations. But any...it looks like...Chair Lee, you have clarifying questions?

COUNCILMEMBER LEE: Did you mention the...your timeline on this...your expected timeline?

MR. SPENCE: No. It's going to depend...you know, we approached Councilmember King because maybe she would like to initiate the zoning...the Council would like to initiate the zoning on the project. And so, that could save several years in permit processing. If we went through the normal process, it would take two to three years just to get the zoning, then we would have to go back to the County...or to the Planning Commission to get an SMA permit.

COUNCILMEMBER LEE: Oh, thank you. Thank you.

MR. SPENCE: Okay.

COUNCILMEMBER LEE: Thanks, Will.

MR. SPENCE: Sure.

CHAIR KING: So, that's part of the urgency of trying to get this --

MR. SPENCE: Yeah.

CHAIR KING: -- passed on to the Planning Commission (*audio interference*) --

MR. SPENCE: I would concur.

CHAIR KING: Okay. And Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. So, clarifying question...Mr. Spence, good to see you.

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MR. SPENCE: Nice to see you.

COUNCILMEMBER JOHNSON: You're saying from B-2 to B-3 because B-3 allows more density, right? Is that the main reason...can you kind of expand on what you mean by more density? Is it taller building --

MR. SPENCE: Okay.

COUNCILMEMBER JOHNSON: -- or, you know, can you get into that a little bit? Or we can save it until later, Chair, it's up to you. I figured just *(audio interference)* --

CHAIR KING: That's okay. That's a clarifying question, so you can go ahead.

MR. SPENCE: I can give a quick answer. The B-2 zoning has a floor area ratio of 200 percent. So, that's...that property is a quarter of an acre, a little bit more than 10,000 square feet. So, you could only build a 20,000 square foot facility on it. If we go to B-3, that allows a 400 percent floor area ratio, which would allow the 34,000 that we want to be able to build.

COUNCILMEMBER JOHNSON: Okay. Thank you so much for that clarification. Thank you, Chair.

MR. SPENCE: Thank you.

CHAIR KING: Okay. Thank you, Member Johnson. Next, we'll go to Councilmember Paltin, followed by Member Sugimura.

COUNCILMEMBER PALTIN: Thank you, Chair. Did you send in the presentation? I didn't see it on Granicus. And who is the --

MR. SPENCE: Yes, I did.

COUNCILMEMBER PALTIN: Okay. Is it...who's the landowner?

CHAIR KING: *(Audio interference)* I'm sorry. Go ahead, Member Paltin. I think I didn't hear that.

COUNCILMEMBER PALTIN: Oh, who is the landowner?

MR. SPENCE: The Maui Ocean Center.

COUNCILMEMBER PALTIN: Okay. And then has Dane Maxwell been involved in this project?

MR. SPENCE: I don't know if Tapani may want to answer that. I'm not familiar with Mr. Maxwell.

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MR. VUORI: Dane Maxwell is well aware of the project, he's been updated regularly.

COUNCILMEMBER PALTIN: And do you know if he's supportive?

MR. VUORI: I believe so, yes.

COUNCILMEMBER PALTIN: Thank you.

CHAIR KING: Okay.

MR. VUORI: Member Paltin, if I may, at...few years back, when we had the pigmy whales stranded on Maui, the Director at NOAA Honolulu Office, at that point, made the fateful decision to euthanize the pigmy whales, and that really hurt the local community. So, Federal Government is now changing their philosophy too. So, hopefully, eventually, it will have ability to address issues like this with this facility...obviously not humpback whales, but some of the marine mammal stranding issues. So, that is the hope anyway.

COUNCILMEMBER PALTIN: Okay. And sorry, one more. Were all turtles going to be, or just...I think there's the Hawaiian green sea turtle, and like certain listed, or endangered species, was it going to prioritized that way? Or first come, first serve on injured turtles? Just wondering.

MR. VUORI: Well, since you put it that way, I would say first come, first serve. Majority of it is Hawaiian green sea turtle, by far.

COUNCILMEMBER PALTIN: Sorry, what was that last part?

MR. VUORI: Majority of the turtles that the MOCMI is treating are Hawaiian green sea turtles.

COUNCILMEMBER PALTIN: Okay.

CHAIR KING: But you're not (*audio interference*), right? You're...you'll take in...you'll help any injured sea turtles.

MR. VUORI: Yes, of course.

COUNCILMEMBER PALTIN: Okay. Thank you.

CHAIR KING: All right. Thank you, Member Paltin. Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. A question for Mr. Spence, and one for Tapani. So, Mr. Spence, it's a four-story building?

MR. SPENCE: Yes, that's what's envisioned right now.

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COUNCILMEMBER SUGIMURA: And what is it in terms of the other buildings in the proximity? I don't think there's a building as tall as that, right, for the Maui Ocean Center?

MR. SPENCE: No, the site would...the way that the site would be, it'd be excavated down to match the adjacent roadway. And then with the four stories there, it would be approximately the same height as what exists on Maui Ocean Center, which actually sits at a little bit higher elevation.

COUNCILMEMBER SUGIMURA: So, then...oh. In other words, you're going to dig deep in order to build the building. So, four stories from the...I don't know how you (*audio interference*) --

MR. SPENCE: From the roadway level.

COUNCILMEMBER SUGIMURA: Oh, from the roadway. So, you are going up then.

MR. SPENCE: Yes.

COUNCILMEMBER SUGIMURA: Ah. So, it'll stick out in comparison to the rest of the building.

MR. SPENCE: Yeah. I think the topography will pretty much even them out. Like if you're looking at Honoapi'ilani Highway, the roof level should be roughly the same. It'll be taller as you're going by the local roadway, but the general public will see roughly the same elevation.

COUNCILMEMBER SUGIMURA: Oh, okay.

MR. VUORI: If I may jump in there. This area is...when it was developed, when Mike Spalding and Clifford Beppu . . . (*inaudible*). . . and Arisumi developed it, this land is actually backfill in this area. So, this was actually filled back. So, the intent is to remove this backfill, and get it to the street level, like Mr. Spence was saying. The overall site plan will actually mix very nicely with the existing buildings on the Maui Ocean Center side, and also on the Hau'oli Street side. So, the Mā'alaea Mermaid, which is the first building, is actually a four-story condominium building. So, it will not stand up.

COUNCILMEMBER SUGIMURA: Oh. So, one of the condos, is that what you're saying?

MR. VUORI: That's correct, yes.

COUNCILMEMBER SUGIMURA: Okay. And then...so, I'm not...I think it was Tapani that mentioned this about Federal funding. So, what kind of funding sources are you looking at for this? I think --

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MR. VUORI: This will be a \$12 million project. We have several high net worth individuals who have expressed verbal interest to underwrite this project. We have not started the capital fundraising campaign until we have the clarity on the zoning issues, and until the owner of Maui Ocean Center--I'm going to go to Israel next week, so I may attend the COP 27 meeting with Council Chair King, and we'll see *(audio interference)*. So, we will get an answer. So, either Maui Ocean Center will donate, or sell, or lease the land to MOCMI. It is a separate legal organization, so these two things need to happen. Obviously, we hope for the community support. I believe this will be a tremendous added value for Maui. I would like to add one more clarification on the visiting scientist. We will provide the space for them pro bono basis. We've heard, many years now, that we would like to come and do marine science on Maui, but we cannot find reasonable accommodations that are cost effective, or the base of operation. We can now provide them accommodations, pro bono basis, for their project. We have access to sea water, they have access to the ocean close by, and even access to the boat, if need be. MOCMI, eventually, will have a boat. So, we can provide this. And why is this important? This is important because now, Maui will become a hub for marine science research, and we will get connected with universities across the nation, even globally. And Maui will be part of these research reports, and of course, MOCMI as well, and the endowments, and the funding that the universities have. So, I personally expect that it will start regenerating more scientific, you know, dynamic coming to Maui in terms of marine science.

COUNCILMEMBER SUGIMURA: That's exciting. So, I think you probably expressed more than I asked, but how much Federal funding were you anticipating from all this new funding that's available?

MR. VUORI: Zero.

COUNCILMEMBER SUGIMURA: Zero. Oh.

MR. VUORI: Yes.

COUNCILMEMBER SUGIMURA: So, you're expecting mostly private.

MR. VUORI: We will get private funding for this.

COUNCILMEMBER SUGIMURA: *(Audio interference)* --

MR. VUORI: We have several people who have expressed interest.

COUNCILMEMBER SUGIMURA: \$12 million, wow. Okay.

MR. VUORI: Yes.

COUNCILMEMBER SUGIMURA: So, no Government funding. Thank you *(audio interference)* --

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MR. VUORI: Thank you.

CHAIR KING: Thank you, Member Sugimura. Okay. Member Molina.

COUNCILMEMBER MOLINA: Yeah. Thank you, Madam Chair. Good morning, Mr. Vuori and Mr. Spence. So, just quickly, this is again...this facility is strictly only for turtles and coral lab? Or I guess when I heard the term animal hospital, so this is not for dogs, cats, or anything of that nature (*audio interference*) strictly marine life?

MR. VUORI: That is correct, marine life. Sea turtle rehab rescue facility, coral arc research facility, and then the education component, let's not forget that. This will provide a lot of educational service for our, you know, youth here, Maui, and nationwide even.

COUNCILMEMBER MOLINA: And are you looking at partnering with, for example, University of Hawai'i Marine Science Program, perhaps...you know, students maybe train there, or to do some work at your...this new facility?

MR. VUORI: There already is ongoing partnerships with UH at the education component-wise. Also, Maui Ocean Center has partnered with University of Hawai'i on the Water Quality Testing Lab. UH Maui now has ability to do water quality testing on sea water. And we have now moved all of our water quality testing to Maui. So, we are spending substantial amount of money here on Maui, where I really personally wanted to prioritize it. So, it's important that we support these partnerships...that is a priority for us.

COUNCILMEMBER MOLINA: Okay. All right. Thank you very much. Thank you, Chair.

CHAIR KING: Thank you, Member Molina.

. . .BEGIN PUBLIC TESTIMONY FOR ITEM 1(16). . .

CHAIR KING: Okay. If there are no other questions right now, I'd like to open up to...is there anybody else...Staff, is there anybody else signed up to testify on this item? Lesley?

MS. MILNER: Yes, Chair. Hannah Bernard has signed up to testify on this item.

CHAIR KING: Okay, great. Aloha, Hannah.

MS. BERNARD: Aloha kakahiaka, Committee Chair, Council Chair, and Members. And thank you for hosting this meeting, it's a great meeting so far. Also, what the wybe is. So, I hadn't signed up to testify because I haven't been keeping up as much to the detail that I would like to on the progress that Maui Ocean Center Marine Institute is making, and moving forward. But I have been involved in conversations for years with this entity and the Maui Ocean Center to support their efforts to expand their facility, to become the State's leading hospital and recovery center...for turtles in particular, and also for stranded marine mammals. And we need to have a facility like this on Maui that has all of the capacities that they're proposing to have. And so, we're very

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excited, those of us in the sea turtle recovery research community, that this center will move forward, and become the world class facility that we know it can be. I have faith that the permitting process will identify and manage any concerns for lighting...we don't want to light up the beach. Down south of that area, we already have problems with lighting that's impacting the turtle nesting areas, and I have faith that they will abide by grading ordinances, and things like that. But I do believe that all of these issues will become more available for us to look at as we move forward with the process. But I appreciate the desire to start the process. The sooner, the better, we are seeing turtles that need to be helped. And to fly them to O'ahu is what we used to have to do, and now to have them to be able to stay here, and get taken care of properly, it's just...it's really a wonderful thing. So, mahalo. And mahalo, Tapani, for your efforts and your leadership to carry forth with this. It's been a long time coming.

CHAIR KING: Mahalo, Ms. Bernard. Any questions for our testifier? If not...thank you so much. And thank you for bringing up the lighting because, you know, Tapani had testified months ago that they were going to redo their lighting to adhere to...even before the lighting bill passed, to adhere to those standards. Okay. Any other testifiers, Staff?

MS. MILNER: Chair, we see that Clare Apana has signed into the meeting, but we do not know which items, if any, she would like to testify on.

CHAIR KING: Okay. Clare, are you testifying on this issue? If not, we'll go ahead and...seeing there are no other testifiers, we'll go ahead and...if there's no objections, close testimony on this item. Objections?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR KING: Okay. So ordered.

. . .END OF PUBLIC TESTIMONY FOR ITEM 1(16). . .

CHAIR KING: And Members, you know, my intent for this item was to defer it, and it will be on the Council agenda Friday to...we're hoping to be able to pass it out of...on Friday to go to the Planning Commission. Because, as you know, that's a lengthy process in itself, so the sooner we can get it to the Planning Commission, the better. So, if there's any questions, or any deliberation, now would be a good time. I wanted everyone to know, you know, as much of the history of what was being proposed as possible. So, any other comments or questions? Member Paltin.

COUNCILMEMBER PALTIN: I kind of feel like this is a major project, and that we would be doing Committee work on the Council floor. Has a press release been done? Like has the greater community been made aware? Usually...I don't know if this is Council initiated, but if it's not Council initiated, there's, you know, notification to the surrounding folks. Has any of that been done?

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CHAIR KING: I could...Will, do you want to speak to that? This is Council initiated, but...Will, do you want to speak to that?

MR. SPENCE: Sure. We have just started scratching the surface of public participation. We are...we have a plan, pretty much, in place how to do that. The SMA process that we also have to go through will...and, you know, is a public process, and we have to engage the public on that. We'll be contacting the community associations, the Aha Moku Council, there will also be...you know, Tapani is aware of other people who are interested in this process. So, there will be significant community engagement as we move forward, if that answers the question.

COUNCILMEMBER PALTIN: Okay. Just...I think . . . *(timer sounds)*. . . my preference would be for it to go to my Committee, just to get the information up front...to get the information out up front.

CHAIR KING: Okay. Well, Member Sugimura.

COUNCILMEMBER SUGIMURA: I can hear what Ms. Paltin is saying in terms of community outreach. I would hate for this good project...just because it sounds like a surprise. I don't know if a lot of this has been shared with the greater community, but I would hate for this to be sent to the Council, then sent to the Planning Commission directly, and then the community is going to, you know, be up in arms about where is this coming from, and how come we never knew, and, you know, the things that we hear about. So, I would rather you to take time and do it right, rather than, you know, rushing it forward. And I think Tamara does a good job in terms of, you know, slicing things down to a level that would make sense in the community. So, I would prefer that it get sent to PSLU for greater...and support, so that this doesn't get overwhelmed *(audio interference)* the community does not know about it. That would be my preference.

CHAIR KING: Okay. Thank you for that input. And Will, do you know if...I mean I know you've been working on this for...or, you know, the Ocean Center has been working on this for over a year. So, do you know how much of this has been shared with the immediate community, the Mā'alaea Village Association?

MR. SPENCE: It's...this is something that is, you know, requires transparency. So, you know, everything is going to be disclosed, that's for sure.

CHAIR KING: Okay.

MR. SPENCE: And if I could also say, the SMA process is about a year long all by itself. So there's...you know, it's up to the Council, but there's going to be a significant outreach effort.

CHAIR KING: Okay. And then if we --

UNIDENTIFIED SPEAKER: *(Audio interference)* --

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CHAIR KING: -- if we do--oh, I'm sorry. Go ahead, Member Molina, I'll let you go ahead and speak.

COUNCILMEMBER MOLINA: Oh. Thank you, Madam Chair. I appreciate this angle Member Paltin is coming from. Because typically, when we send matters to the Planning Commission, it comes to Council Committee first to do some initial vetting. If I can ask Member Paltin, if we go the route of sending it to your Committee--and I understand the urgency from the Maui Ocean Center--how soon could you get it on your docket if we were to...this matter were to be sent to your Committee?

COUNCILMEMBER PALTIN: So, I have the Pacaso bill scheduled for this week, I'm not sure if we'll be able to finish that one. And then there's the *Guzman* trial. And then there were some other ones...but if Members are willing to commit to a special meeting. The other issue is that my Committee is a nine-Member Committee. So, we have two Members missing right now, and we're committed to finishing on Friday at 4:30. You know --

CHAIR KING: (*Audio interference*) --

COUNCILMEMBER PALTIN: -- when I tried to do the homework for this Committee, there wasn't any presentation to, you know, fact check, or dive deep into, and it hasn't been uploaded to Granicus of...as of when the presentation was being done. So, you know, possibly maybe the last Committee of the year, but sooner if --

CHAIR KING: Member Paltin.

COUNCILMEMBER PALTIN: -- nine Members are willing to meet on an off week.

CHAIR KING: Member Paltin, would you be able to take the CARE Committee spot on November 16th?

COUNCILMEMBER PALTIN: Let me look.

CHAIR KING: That's at 9:00 in the morning. Because, you know, I'll still be gone. So, I was going to...going to give up that meeting time slot to somebody if they wanted it. But if you could...if we could put this on your PSLU agenda, and try to address it then, then we...then on Friday, we could refer it to PSLU.

COUNCILMEMBER PALTIN: I could do that.

CHAIR KING: Okay. We know that there were...that there would be seven Members already planning to be there, so we just have to see if the other two can make it. Member Sugimura?

COUNCILMEMBER SUGIMURA: I'm not going to be at the meeting.

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CHAIR KING: On November 16th, you weren't planning to be there? Okay.

COUNCILMEMBER SUGIMURA: No.

CHAIR KING: *(Audio interference)* --

COUNCILMEMBER PALTIN: I guess you got to ask all your questions today.

CHAIR KING: Yeah, right. That's why we had this meeting today. So, we can do that. You know, we can go ahead and just refer it to PSLU, and then hopefully--and however you want to use that meeting on the 16th, if you want to put this other one on something else...another day, and then use that time, I'll just make sure it's transferred to you...to the PSLU.

COUNCILMEMBER PALTIN: I think it would be best, to just keep it clean, do this meeting, and then maybe do a little press release about it that PSLU is meeting on a Wednesday, and this is what we're taking up, so folks know. Would you be able to put in that PAF? *(Audio interference)* --

CHAIR KING: The press release? For the press release? Yeah, I can do that.

COUNCILMEMBER PALTIN: Okay. All right. Okay, sounds like a plan then.

CHAIR KING: Thank you. All right. That will work. I think that will ensure that it can be heard before the end of the year. Because we have to get all of our Committee meetings done by the end of November in order to have a Committee report. And we're not going to be able to do anything...and ask for Committee reports in December. Okay. Any other questions or comments?

MR. VUORI: Council Chair, if I may add to Councilmember Paltin's question about the communication?

CHAIR KING: Go ahead.

MR. VUORI: I'm a board member with Mā'alaea Village Association, I have brought up the project several times in the board meetings. Hopefully, eventually...or if the project comes in front of the community, if it progresses to that point, hopefully it does, I will recuse myself as a board member...voting, you know, on behalf of the community, because, obviously, *(audio interference)* project here. Communities there, we have not done public meetings yet because the lot is impaired because of the zoning. This is really...was our first priority, to try to understand the time frame, and our ability to rectify the impairment on the lot. Thank you.

CHAIR KING: Okay. Thank you for *(audio interference)* --

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COUNCILMEMBER PALTIN: I had just a couple more clarification. So, the resolution with the...is it a CIZ CPA (*phonetic*) and DBA (*phonetic*) is on Friday's agenda? Is that what it is?

CHAIR KING: It's the zoning change...it's a zoning change --

COUNCILMEMBER PALTIN: Change in zoning, district boundary amendment, and community plan amendment, it's less than 15 acres?

CHAIR KING: No, I don't think--Will, why don't you respond to that.

MR. SPENCE: Okay. All MOCI's [*sic*] properties are already in the urban district. It's...so, there's no DBA involved at all. It's just the change in the zoning itself...in the County zoning. It's also in the SMA, so later on, we have to go to the Planning Commission for a permit, and that's the extent of it.

COUNCILMEMBER PALTIN: And no community plan amendment?

MR. SPENCE: No.

COUNCILMEMBER PALTIN: Are you presenting to the South Maui CPAC anyway?

MR. SPENCE: We're planning on it. They are not taking those kinds of presentations right now. After, hopefully, the Council initiates the zoning, we will certainly approach them during their process.

COUNCILMEMBER PALTIN: And the SMA permit and the change in zoning at the Planning Commission cannot be done concurrently? You have to get permit...you have to get the change in zoning first in order to get the SMA?

MR. SPENCE: That's correct. I mean we'll bring it all up to them, but the Council needs to actually go through the legislative process to change the zoning before the Commission can act on the SMA.

COUNCILMEMBER PALTIN: And the bill is attached to Friday's agenda.

CHAIR KING: Correct. The bill and the resolution to send it to Planning Commission.

COUNCILMEMBER PALTIN: Okay.

CHAIR KING: It's pretty short, it's a one-page bill. It's just, you know, for the change in zoning.

COUNCILMEMBER PALTIN: Thank you.

CHAIR KING: Member Sugimura.

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COUNCILMEMBER SUGIMURA: Yeah. Well, it's great to have the former Planning Director leading this discussion. Thank you very much, Will. But I know Tapani, everything he does, he does it with such passion and vigor. And I'm sure he's done a lot of outreach, and has talked about this. But I hear...I would like the...this discussion to happen, and so that when the greater community can hear about it. And if we hear nothing, that's great, right? But if you hear a flurry of, you know, questions, and concerns, then it'll take a very good project, and send it down a road, maybe, you don't expect, doesn't sound like you're expecting it right now. So, appreciate this going through PSLU, and, you know, having this bigger discussion for everybody, and doing the press release. Thanks.

CHAIR KING: Okay. Yeah. So, what...I think we have a plan for this, and, you know, I just wanted to let folks know too, that this is part of our opportunity for diversifying our economy, and, you know, lifting up that other career pathway for marine science, and research, and all the things that are going to be going on at this facility. So, these are the kinds of things we need to do to lessen our dependence on tourism, and give career pathways to our next generation of students. Because that's the other reason they leave the island. It's not just housing, it has to do with trying to find a career in their chosen field. So, I really appreciate the ideas behind this, the length of time you folks have been working on it, the thought that has gone into it, and, you know, I know you'll continue to bring in the greater community. And I will try to call in for that November 16th meeting. Member Paltin, I think I'll be in Japan by then, and...for a couple of days before we get back. But I appreciate you taking it on, and...you know, taking into your Committee before...in a timely manner. You have another discussion, Member Paltin?

COUNCILMEMBER PALTIN: Just one more question, and if you don't know the answer now, maybe before November 16th. I just was wondering, since we had Mr. Sinenci's Committee yesterday, if the area is a sensitive area...if you have consulted with the County's Principal Archeologist at all, or SHPD, being that there were plans to excavate the building. And if you haven't, just wondering if you could do that before November 16.

MR. SPENCE: Okay.

CHAIR KING: Will.

MR. SPENCE: Certainly. Thank you, Councilmember Paltin. We will talk with Janet Six before the 16th. I think, as Tapani already noted, the properties in which the Ocean Center and all the shops are already located on, all of that is fill. So...but as a part of the SMA, as a part of our due diligence for the Council, certainly, we were planning archeological consultation, and going to SHPD anyway. But before the 16th, we'll talk to Jana.

COUNCILMEMBER PALTIN: Okay. And to clarify, you're not planning on excavating any deeper than what the fill was added. And with the sea level rise, sometimes the

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groundwater table has been known to resurface. So, if the area was wetlands before, do you have a methodology to ascertain those things?

MR. SPENCE: Well, to answer the first question, no, we're not planning on going any deeper than the fill. But, you know, that's...you know, that'll come up in the consultation with everybody. I remember when this area was still bare land, before all the shops and the Ocean Center were constructed, and...at least, I don't recall there being any sea water anywhere near that location. But, you know, that'll come out, I'm sure.

COUNCILMEMBER PALTIN: Maybe we can inquire with Ms. de Naie if she's uncovered --

MR. SPENCE: Okay.

COUNCILMEMBER PALTIN: -- anything in her booklet. Thank you.

MR. SPENCE: Yeah, she's one of the people we're going to talk to.

CHAIR KING: I don't think it's a booklet, though, Member Paltin. It sounds like it's a full-on tome, I guess I would say. But...okay. So, if there are no other discussion, we are going to be referring this to PSLU. And thank you, Member Paltin, for agreeing to take it on...and one last thing that we have to discuss on Friday so you can meet the 4:30 deadline. All right. If there are no other questions, we'll go ahead and defer this...or actually, we want to defer this item, or...because we're sending it on to (*audio interference*) --

MS. MILNER: Chair, this was posted as a 7(B) item, so no legislative action can be taken. Deferral is the only option at this moment.

CHAIR KING: All right. So, no objections. We'll go ahead and defer this. And then it will be referred on...at Friday's Council meeting. Any objections?

COUNCILMEMBERS VOICED NO OBJECTIONS.

ACTION: DEFER pending further discussion.

CHAIR KING: Thank you so much, Will, and Tapani, we really appreciate those presentations...the presentation. If you can send it to the Committee, we'll go ahead and post it. And also, if you can send it directly to me, I might...you know, just because I'll be using some slides like this when I go to COP 27, and there might be something I can pull out of your slide show for some of the presentations I'm doing, that would be helpful. Okay. Appreciate that. And good luck in Israel, Tapani, meeting with the owners. Say hi to Ben (*phonetic*) for me.

MR. VUORI: Thank you. Appreciate that.

CHAIR KING: Okay. And call me if you get to COP 27.

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MR. VUORI: Okay. I will do that.

CHAIR KING: Okay.

**ITEM 1(17): SOUTH MAUI ECONOMIC DEVELOPMENT,
ENVIRONMENTAL, AND CULTURAL PROGRAMS**

CHAIR KING: Okay. Members, so, we're moving onto the second item, the South Maui (*audio interference*) Development and Cultural (*audio interference*)...oh, I guess first of all, we need to close...oh, we did close testimony on the first item.

. . .BEGIN PUBLIC TESTIMONY ON CARE-1(17). . .

CHAIR KING: We'll ask if there are any testimonies on this particular item, CARE-1(17). I think we might have, at least, one testifier.

MS. MILNER: Yes, Chair. Clare Apana has signed up to testify on this item.

CHAIR KING: Okay. Go ahead, Clare. Ms. Apana. There you are.

MS. APANA: (*Audio interference*) testify after the presentation?

CHAIR KING: You can testify...well, there's not really a presentation...I mean you can testify after I make my opening remarks if you'd like.

MS. APANA: Oh, okay, if you don't mind.

CHAIR KING: I don't mind.

MS. APANA: Thank you.

CHAIR KING: Okay. (*audio interference*) sure. Okay. I'll go ahead...and just a few remarks, Members, on the South Maui Economic Development, Environmental, and Cultural Programs, CARE 1(17). Members, on October 14th, I transmitted a request to the Office of the Mayor to submit a budget amendment for the South Maui Economic Development, Environmental, and Cultural Programs line item. This request would add funding for the Hawai'i Wildlife Fund for fencing replacement at Keālia Pond for sea turtle protection; the Teran James Young Foundation for South Maui EcoVillage, money for consultation on that; as well as funding for the Mā'alaea History Book Extension. Today we are joined by Hannah Bernard, President of Hawai'i Wildlife Fund; Lynn Britton, immediate past president, Mā'alaea Village Association; Lucienne de Naie, Chair, Sierra Club Maui; George Rixey, architect, Rixey Designs; and Dr. Genesis Young, Teran James Foundation, to discuss these projects. So, if there are no objections, I would like to designate the aforementioned persons as resource persons in accordance with Rule 18(A) of the Council.

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COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR KING: Great. Okay. We're going to go ahead...see if there are any opening comments from...we had testimony, but if there are any additional comments before we take public testimony? Ms. Bernard, any additional comments on...that you would like to make on the turtle fencing project? Hannah, are you still here?

MS. BERNARD: Yeah, sorry, I'm here. I don't have any additional comments, except to say that we really appreciate the support of the County in this project.

CHAIR KING: Okay. You want to say anything about the condition of the current turtle fencing that's --

MS. BERNARD: Yeah. So, this fence gets a significant amount of abuse, and there's actually an additional stretch that...since amending our proposal, there's an additional stretch of about 100 feet that's been completely decimated by...I don't know if it was a vehicle, or an accident, but it's in bad shape again. There are certain sections that are continually knocked down for the community's access to certain areas of the beach. And even though ourselves . . .*(inaudible)*. . . my service had modified these access points many times to allow for cars to . . .*(inaudible)*. . . in there and get closer, they continue to knock down the fence there. So, those pukas are still there, we're just really grateful that no sea turtles...no females came through those pukas this season...this summer. So, it's of concern for the next season, absolutely, have to be plugged.

CHAIR KING: Okay, great. All right. Thank you.

MS. BERNARD: *(Audio interference)* --

CHAIR KING: And *(audio interference)* I think we already got comments from Ms. Britton. And Lucienne, if you have any additional comments on the Mā'alaea History Book project...because I know we cut you off after your first three minutes. Otherwise, we'll go to any opening comments from either George Rixey--or Genesis already spoke on the ecovillage. But George, do you have any comments on the ecovillage project? Otherwise, we'll keep you as a resource for questions. Okay, don't see Mr. Rixey popping up. So, Members, we'll go back to our testifier, and see if Clare Apana would like to testify at this point. Okay, I think...Staff, can you unmute Ms. Apana?

MS. APANA: How's that?

CHAIR KING: There we go.

MS. APANA: Okay.

CHAIR KING: We can --

MS. APANA: And I got the camera on?

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CHAIR KING: Yeah.

MS. APANA: Okay. Great. Thank you very much. Wow, these are really great things that you're going to be doing. I totally support Hannah Bernard's project, and the diligence, and that she has...that they have continued with over all of these years. I personally have gone out, and slept, and watched over the turtles, and it is quite an experience. And I think that's absolutely great that they going to get their...what they need. And I have also been somewhat on the sidelines watching the progress of this Mā'alaea book, and I think that it is going to be such an amazing history of our local culture that we don't always see in a book like this. And so, thank you for that support. And I really want to speak about the ecovillage. Mālama Kakanilua is the fiscal sponsor for a project that is north of that, down on the ocean, a beach restoration project. And I feel that it is so important to what we saw with the flooding, and to the whole fate of Kihei...the Kihei shoreline to take and...a better look at how we can manage what we're doing in building, and development, to respect what is going into the ocean, and how we manage the land. I wish that Koko Nemet was here to speak to you, but he did so much work after the last flood. And his . . .*(inaudible)*. . . practices of what happened during the flood, and what could be done to stop all of that sludge, and mud, and waste going into the ocean...and also, bringing back the indigenous...the plants that he has done already, and how that made a difference. So, I really look forward to seeing the study, and to see what can be done. And I think about Dee Robinson *(phonetic)*, who had the...an ecovillage plan for the Maui Lu that never got done, and what it has become, and how it is just really not fitting with the environment there, and will continue to have problems with sea level rise, et cetera, and not keeping the environment of the land...on the land, and protecting the ocean. So, thank you so much for looking at this, and funding this...important steps. Thank you very much.

CHAIR KING: Okay. Thank you, Ms. Apana. Any questions for our testifier? We'll continue to keep you involved too, Clare. Cody's been part of the meetings on the ecovillage, and, you know, it would be great if we could get you involved as well.

MS. APANA: Thank you. So important...such important work. Thank you.

CHAIR KING: All right. Thank you. Okay. Staff, do we have any other testifiers for this item? Anybody else wishing to testify?

MS. MILNER: No, Chair, no one else is signed up to testify at this time.

CHAIR KING: Okay. If there's no objections, we'll close testimony on CARE-1(17).

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR KING: Okay. So ordered.

. . .END OF PUBLIC TESTIMONY ON CARE-1(17). . .

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CHAIR KING: So, Members, the intent was to defer this and...and try to pass it on the floor at the Council meeting. Because as you know, it takes a while, once we get these projects on the books, to get them through OED to be funded, and so, time is of the essence. There's only half a year left to get this money into the hands of the folks who need it. And if there's any questions on that issue? Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah. So, can we hear from...is Michelle Yoshimura on? Doesn't she have to do a budget amendment if we're going to change the budget? I know that *(audio interference)* --

CHAIR KING: Yeah *(audio interference)* --

COUNCILMEMBER SUGIMURA: -- still the same amount, but it's going to be designated for a different organization. So, what is the impact? I don't think...if we pass it on the floor, I think it doesn't change the budget. The budget --

CHAIR KING: *(Audio interference)* --

COUNCILMEMBER SUGIMURA: -- will have to change from the Administration?

CHAIR KING: No, the budget amendment is what's being...will be on the agenda, but it doesn't change the budget because the amount...it's just within the same amount of money that's designated for the South Maui District funds. So, we're --

COUNCILMEMBER SUGIMURA: *(Audio interference)* --

CHAIR KING: -- you know, we left them...we purposely...I purposely left them somewhat open. I didn't prescribe all of that fund in the budget, so that projects that came up, like this could be funded, and, you know...and that the turtle fencing was one of the things I...you know, that kind of thing I hadn't anticipated when we went through the budget, but it's a...you know, it needs to be replaced, and it needs to be much sturdier than it is right now.

COUNCILMEMBER SUGIMURA: Okay. So, we don't need to have anything formal from the Administration, this letter will suffice?

CHAIR KING: Oh, there is a formal budget amendment that's going to be on the agenda, and basically just to say within the South Maui District funds that this is how it's going to be used.

COUNCILMEMBER SUGIMURA: *(Audio interference)* --

CHAIR KING: So, it'll change the budget to redescribe the additional funding for the South Maui District funds.

COUNCILMEMBER SUGIMURA: Thank you.

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CHAIR KING: Thank you. Member Paltin.

COUNCILMEMBER PALTIN: Oh, I just was verifying, when Ms. Yoshimura gave us all our South Maui balances, there was that available.

CHAIR KING: Yes, we verified that.

COUNCILMEMBER PALTIN: *(Audio interference)* --

CHAIR KING: Yeah, all of these amounts are available. Okay. Anything else? If not, I will defer this item, unless there's any objections?

COUNCILMEMBERS VOICED NO OBJECTIONS.

ACTION: DEFER pending further discussion.

CHAIR KING: And, Members, we...it's 10:30 right now. I know Member Johnson has to leave for another event. And we'll take our ten-minute break, is that enough for everybody? And then come back, and we should be able to get through the update, hopefully letting you out of here before the noon hour. So, we'll go ahead. It's 10:28 now, we'll recess for...well, 10:29. We'll recess for 11 minutes, and come back at 10:40. The CARE Committee is now in recess at 10:29. . . .*(gavel)*. . .

RECESS: 10:29 a.m.

RECONVENE: 10:40 a.m.

CHAIR KING: . . .*(gavel)*. . . Okay. Will the Climate Action, Resilience, and Environment Committee please come to order. Reconvening after that short break. Thank you, Members. And we're moving on to our third and final item. Can you hear me, Tamara? Oh, okay. I thought...I didn't know if you were trying to say you can't hear me. Okay.

ITEM 99: COUNTY OF MAUI JOINT CLIMATE ACTION AND RESILIENCY PLAN (CONTRACT C7436-2; LOTUS ENGINEERING AND SUSTAINABILITY, LLC)

CHAIR KING: So, the final item is County of Maui Joint Climate Action and Resiliency Plan (Contract 7436-2; Lotus Engineering and Sustainability, LLC), which is CARE-99. And Members, the Fiscal Year 2022 Budget allocated \$150,000 for the climate plan...climate action plan implementation, as well as climate action data monitoring and reporting. The Fiscal Year 2023 Budget also included an allocation of 150,000 for climate action plan implementation. To date, the Office of Climate Change, Resiliency, and Sustainability has established a baseline of greenhouse gas emissions, identified climate vulnerabilities, and modeled carbon impacts. The Office continues to work on

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cocreating with the community, identifying mitigation and resiliency strategies, and developing an implementation road map. While developing the plans, CCRS has worked with an advisory committee made up of local community members and the general public, as well as Maui County Department representatives. The Climate Action and Resiliency Plan has been delayed, and has not yet been submitted to the Council for review. Joining us today to discuss the current status of the project is Hannah Shipman, Green Building and Resilient Housing Specialist, CCRS. So, Members, if there are no objections, I would like to designate Ms. Shipman as a resource person for this item in accordance with Rule 18(A) of the Rules of the Council.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR KING: Okay, great. So, at this point, Hannah, if you're there, if you can unmute your screen, and can you give us some opening comments, and then we'll go and see if there's public testimony? Thank you so much for being here, by the way.

MS. SHIPMAN: Great. Thank you, Chair. Thank you so much for having us and allowing us to talk about the County of Maui's first Climate Action and Resiliency Plan. So, I just wanted to share a little bit about the plan, and the process, and where we're at. Is this the appropriate time to do so?

CHAIR KING: Yes.

MS. SHIPMAN: Great. So, I just want to talk about, first, the fact that we're doing this Joint Climate Action and Resiliency Plan. And after a lot of research and talking to the different counties, we thought it would be best suited for Maui County to combine Climate Action and Resiliency into one integrated Climate Action and Resiliency Plan. So, that addresses both mitigation, which is reducing our greenhouse gas emissions, and adaptation, increasing resiliency and preparedness. And so, this plan really provides a clear and actionable set of strategies, and actions to reduce our community's contribution to climate change, and build that community resiliency and adaptation for current and future changes. And so, it's been quite the process, and there's a lot of foundational work that's been completed before the development of this plan. And so, as you saw from the contract, our contractors are Lotus Engineering and Sustainability, Sustainable Pacific as a local resource, and then GEOS (*phonetic*). And some of those foundational elements that...which Chair King had mentioned, and that are on our website at resilientmauinui.org, are our climate primer. So, this provides information on current and future climate trends, and that whole primer can be downloaded on the website. It's really interesting, and really sets the foundation for this plan. And then we also did a County communitywide greenhouse gas emissions inventory. And so, that way we can better understand our local sources in more detail. So, looking at BASIC data reporting, as well as BASIC+ emissions. And so, a lot of times most people just do BASIC, and we decided to do BASIC and BASIC+ so we could have a more well-rounded view of our greenhouse gas emissions. So, I can explain that a little because I know it's a little confusing. But the BASIC level of reporting covers emission sources from building, energy, in boundary transportation,

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waste, and waste water, whereas, the BASIC+ level requires communities to cover a broader range of emission sources in addition to the ones in the BASIC level. So, that's such as like industrial processes, transmission, and distribution, losses for electricity, agriculture, forestry, and land use, and then transboundary transportation. So, all of those inventory results are listed on our website, again, resilientmaui.org, so you can download those, and look through that data in more depth. And then we also went through the process of doing a vulnerability assessment. And this really built off of the existing County Departmental vulnerability assessments, the multihazard mitigation plan, and other community plans. And this planning effort really aimed to provide an integrated, high-level climate change vulnerability study that can guide the Climate Action and Resiliency Plan, as well as other policies, projects, and budget priorities. And so, that plan really helped identify what are our vulnerabilities, so we could help shape our resiliency strategies and actions. And through that process, there's a lot of community input. So, we did that through surveys, talk story sessions, and in-person site visits and interviews. So, that really developed that vulnerability assessment. And then that gets us into our plan. So, those are really the foundational pieces so that we could develop this really robust Climate Action and Resiliency Plan. And we really made it a point to do so, and cocreated alongside our community. And so, there's a lot of community surveys, workshops, talk story sessions, interviews, and site visits to more remote areas. And we also developed our Climate Action and Resiliency Plan Advisory Committee, also known as the CARP. And it's composed of 20 members, including residents, subject-matter experts, Government, business, and cultural representatives. And the committee met on an average of once per month throughout the duration of the project for about two-hour collaboration sessions. And we really made these sessions in-depth workshops. We really challenged their brain heavily during these, so we could really make sure we got really great feedback on every element of this plan. And they also served as kind of a bridge to the community by identifying other key stakeholders that needed greater representation, or that we should include as we continue to develop the plan. And then we also had the County of Maui's Resiliency Hui, and so this is comprised of more than 50 principle personnel from 11 County of Maui Departments and agencies. And again, similar two-hour meetings once a month, and they provided a lot of review and input of the CARP...that's our Climate Action and Resiliency Plan, we call it the CARP. There's always a lot of acronyms, I'll try to not use them too frequently. And this Resiliency Hui was established prior to this plan development, and it'll continue on after the plan is completed. But it's really great to have those Departmental individuals in this process. Because it's an integrated plan, the actions that are identified within the Climate Action and Resiliency Plan will really be the kuleana of different Departments. And so, having them involved in the creation of the plan was really important so that they felt...you know, they understood the actions and resiliency strategies, and mitigation actions and resiliency strategies, and that they really supported them. We also did more in depth with our Shoreline Planning team. We consulted with our four counties. We have a Four-County Sustainability Network. And a lot of these counties have already gone through this process, or are currently going through this process. So, we wanted to learn from them, you know, what worked, what didn't work, what they wish they included, what they didn't, and so, that was always really helpful. And then we also engaged in

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community partners. So, we had roughly 30 different community partners help with the development of this plan. So, we're really excited to announce that we're in the final stages of completing this plan. It's been a long process, and a really encouraging one, and it's currently in the final review stage. It's a very dense plan, we've currently identified 19 strategies and 61 supporting actions for the medication section, and 22 strategies and 83 supporting actions for our resiliency portion. And so, however those might change based on feedback, that is still being included. And then I also wanted to note that our guiding principles and land acknowledgment have been translated into 'Ōlelo Hawai'i, and the entire executive summary will also be translated once it is final. So, we are in the final review stages, it's going through the Administration, Department of Management, Department of Environmental Management, Environmental Protection and Sustainability Division, and of course, our Resiliency Hui played a big part in creating the plan, so they've all seen the actions and strategies. And then community partners...so, we have DLNR, the Hawai'i Climate Change Mitigation and Adaptation Coordinator, and then the Council for Native Hawaiian Advancement. And then once all those are incorporated, the plan will also be fully designed. And that way, it'll be really easy to comprehend, hopefully. It's a big plan, so, sometimes it's in a large document, and so, we're excited to have it in a really great design format with callout boxes, and so, we are working with a designer to do that. But incorporating the community feedback from community experts and our Administration is really important to us, and we want to make sure that we include these critical voices. We're still getting that final feedback, and we're in that stage now, from those personnel, and we're aiming for submittal later this year to County Council.

CHAIR KING: Okay. Any idea what...so, probably not too...it's on this next agenda. So, do you think you'll have it in time for posting on the November 18th agenda...the Council (*audio interference*) --

MS. SHIPMAN: So, we're working on incorporating that feedback, and incorporating that feedback into design. And so, because that's so important, we don't have a specific date that we're ready to share at this moment because we really want to make sure the plan we submit to Council is in its final stages.

CHAIR KING: Okay. Okay. So, just to let you know, for our purposes, we wouldn't be able to take action on anything in December because we won't be doing any Committee reports...you know, what we've been told is there won't be any availability to create a Committee report in December. So, probably have to go to the next Council in the next term. But thank you so much for that update. I appreciate it.

. . .BEGIN PUBLIC TESTIMONY FOR CARE-99. . .

CHAIR KING: I wanted to move to...to see if there's any public testimony. Anybody signed up to testify at this point, Staff?

MS. MILNER: Chair, we have no individuals signed up to testify on this item.

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CHAIR KING: Okay. Well, if anybody wishes to testify on this item, please let me know now. I'll wait just a couple seconds. And hearing from nobody. If there are no objections, we'll close public testimony, and take any written testimony into the record.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR KING: Great. Thank you, Members.

. . .END OF PUBLIC TESTIMONY FOR CARE-99. . .

CHAIR KING: So...and we'll go back to...and I think we'll start with...yeah, allowing Councilmembers to ask questions. Let's put a three-minute timer on everybody. The one thing I wanted to say, Hannah, is that I was a little disappointed that this Committee hadn't been contacted to give any input, or help review the draft. And, you know, to my knowledge, we haven't really had any contact since the plans...they started working on the plan. And then I wanted to find out if you were able to incorporate any members of the Climate Action Advisory Committee, the community one, that's been meeting for about . . . *(inaudible)* . . . years. I think somebody's been attending those meetings, I know Alex was for a while. But were you able to bring any of those folks into your Advisory Committee?

MS. SHIPMAN: Thank you, Councilmember, for your questions. The first question, I just want to reiterate that when this plan goes to Council, it goes to Council as a communications piece. And so, we're really allowing that time for the Council to be able to go in and do a thorough review, and add any of the elements they think are important, or ones, you know, they might not. And we've left a section we want...you know, during that Council review, to write a letter from the Council, and want the Council's support on that plan. And so, after we've done our final, and it goes to Council, that's a really great opportunity to be able to incorporate all of Council's feedback at that point. And then to address the second question, is that referring to the CAAC?

CHAIR KING: Correct.

MS. SHIPMAN: Okay. So, we attend as many of the CAAC meetings as we can. And I've actually gone and incorporated feedback from those meetings into our actions. I think really great stuff comes out of that Committee, and I've been able to incorporate stuff that I've heard, and in emails, and in presentations into action, so we both see those. I was not on the group that created the Climate Action and Resiliency Plan, so I was not a part of the choosing process. But to my knowledge, I don't believe anyone from the CAAC is currently on that Climate Action...the CARPAC.

CHAIR KING: Okay.

MS. SHIPMAN: And it's just...that CARPAC was just created for the duration of this plan. So, they have one meeting left, and will not be meeting at the end after it's been completed.

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CHAIR KING: Okay. All right. Thank you so much for the update, and, you know...and I love your enthusiasm, Hannah, as always. We'll go to...we'll just go by raised hand. We'll start with Councilmember Molina. Go ahead.

COUNCILMEMBER MOLINA: Okay. Thank you, Madam Chair. Good morning, Ms. Shipman. Just one quick question. The contractor, I guess, is Lotus Engineering and Sustainability from Denver. Have they already reached out to get a cultural advisor to understand and integrate cultural values into the project's resiliency plan? And if they have, who's the cultural advisor for this project?

MS. SHIPMAN: Thanks, Councilmember, for your question. You know, this was really important to us. We wanted to make sure that different cultural advisors were a part of the entire process of this plan. So, fortunately for us, the Administration has Kumu Pueo, and he has been absolutely wonderful. He's also helping with the translation of some of those pieces, and he's been a really great resource through the development of this plan. Our CARPAC also has cultural advisors on them. I am just looking through our list of CARPAC members. I'll be able to...I can provide that to you in writing, those on our CARPAC. And then we also had the plan...the entire draft of the plan sent to the Council for Native Hawaiian Advancements, and they actually wrote...gave feedback, but also made a point saying that they really commended us on the Hawaiian 'Ōlelo Hawai'i translations, and the terms used throughout this plan, we really focused on that. We did a land acknowledgement, we pulled in culture as much as we could throughout this plan. And so, they were also another review resource that we used.

COUNCILMEMBER MOLINA: Okay. Thank you very much, I look forward to your written responses. Just curious as to see who else was involved in doing some cultural advising on this. So, thank you for the information. Thank you, Madam Chair.

CHAIR KING: Okay. Thank you, Member Molina. And so, Ms. Shipman, maybe we can get that list of the members who are on the CARPAC, as well as the cultural advisors? Can you send that (*audio interference*) --

MS. SHIPMAN: Yes, I'm happy to provide that.

CHAIR KING: Okay, awesome. Okay. Any other questions or comments? Member Paltin.

COUNCILMEMBER PALTIN: Thank you. I just was wondering if you could clarify the process, when you were saying that it would get referred to the Council for a deeper dive. And the end of the year, and we're not sure the makeup of the Committees in the new term, or we're not sure of anything past November 8th, really. So, I just was wondering how...what the plan is for this contractor project to continue on past December, should there be these changes. Like what if we don't have a CARE Committee in the future, what if it's a whole new Administration, and like that? So, I just was wondering...I mean I guess we'd know more in couple weeks, or a week and a

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half, or ten days, or whatever...how many days. But just wondering like the long-term plans for stuff.

MS. SHIPMAN: Yeah (*audio interference*) --

CHAIR KING: So, Member Paltin, I think what's going to happen is this plan is going to get submitted to the Council. It'll go on the full Council agenda to be referred. So, it'll be up to the next Council what Committee it gets referred to--if there's a CARE Committee or not, it'll go somewhere. Maybe it'll go to PSLU. But, it...it'll get referred...it needs to get referred to a Committee, maybe APT, but it'll be up to the next Council...so, basically you folks, if you're there the next year. Because the referral...it doesn't sound like it's going to come to us in time to get on any November Committee agendas.

COUNCILMEMBER PALTIN: Okay. And then what is...what would the format be? Would it be like a County Communication? It wouldn't be like a bill. Or would it be a resolution? Or --

CHAIR KING: Yeah, I think it's a resolution to accept the climate action plan. Is that what you're planning to do, Ms. Shipman? Do you know if they're planning to send the plan with a resolution to approve the plan, or to accept the plan?

MS. SHIPMAN: Yeah. Thank you so much for your question, Councilmember Paltin, and Chair King. This has been an interesting process for us because we haven't done something like this before. And so, after speaking with our counterparts in the City and County of Honolulu, as well as Corporation Counsel, it appears that we will...our office and Administration will submit the Climate Action and Resiliency Plan to County Council as a communication piece for discussion, with hopes that County Council will review, support, and adopt the County of Maui's first Climate Action and Resiliency Plan. To do so, a specific Councilmember will have to introduce a resolution to adopt the plan. So, we will not, because it's not in Code, be drafting a resolution, and submitting it with the Climate Action and Resiliency Plan. So, that is our current understanding.

CHAIR KING: Okay. We...and maybe Chair King...or Chair Lee can jump in here, but our current process is that everything has to come with a bill to be...to get on the agenda. So, if it's a plan that's not in a bill form, I'm not sure...maybe...Chair Lee, can you speak to that, how that would...how that would be received?

COUNCILMEMBER LEE: Sure. Yeah. A lot of times...a lot of times the...either proposed bills or resolutions are sent to our office, and I...because we need a Councilmember to introduce it, I introduce it on behalf of the Mayor. That's standard procedure.

CHAIR KING: But would you introduce...if they send the Climate Action Plan, and it's not in a bill form, would you want it in a bill form? Or would you just...would it be the plan accompanied by a resolution to adopt the plan? Because I think what we're being asked to do is to adopt the plan into ordinance...into the County Code; is that correct,

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Ms. Shipman? That request would be to adopt it into County Code, so I think it would need to be in a bill form...format? Or you don't know? It's okay if you don't...if you're not sure.

MS. SHIPMAN: *(Audio interference)* --

COUNCILMEMBER LEE: It sounds likes she wants feedback first. So, we may...we may just...I may just refer it to Committee, and the...that Committee Chair will, you know, make the decision on whether to just provide input, or recommend a bill, or a resolution.

CHAIR KING: Okay. Because we've been told, when we try to recommend subject matter, you know, and get it on the agenda, that it has...there has to be a bill or a resolution in order to get it on the Council agenda. So, that's why...you know, I guess I'm asking about the format that would --

COUNCILMEMBER LEE: Yeah.

CHAIR KING: -- that you would go *(audio interference)* --

COUNCILMEMBER LEE: Yeah. Okay.

CHAIR KING: And maybe the rules *(audio interference)* change back. But you have a question, Member Paltin? *(Audio interference)* --

COUNCILMEMBER PALTIN: No, I just wanted to clarify. Because, you know, when we get stuff from the Administration as...like in the form of a County Communication, it's not always in a bill. Like when we get those compliance reports, that's not a bill. And sometimes I get it to my Committee to review, or conditional permit quarterly report. So, if it's coming in as a County Communication, it doesn't need a bill, and we have referred those to my Committee, like the compliance reports, or the conditional permit quarterly report. So, if the format is a County Communication, then *(audio interference)* --

CHAIR KING: From the Administration *(audio interference)* --

COUNCILMEMBER PALTIN: Yeah.

CHAIR KING: Okay. So, maybe...yeah, I'm just asking Chair Lee. So, we can forward it as a County Communication from the Administration, and then refer it to a Committee, and then the Committee can decide if they want to make it into a bill --

COUNCILMEMBER LEE: Right.

CHAIR KING: -- or an ordinance. Okay. So, is that clear, Hannah, the process? So, the --

MS. SHIPMAN: Yeah.

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CHAIR KING: -- Administration would submit it to the Council, and we have...you know, it's going to be interesting, the timing on this. Because we have till the end of this month, the last week being Committee week, to...for each Committee to decide what items they're going to keep on...you know, ask...you know, send to the Chair to keep on the agenda for the following term. And everything we don't want referred will get filed, so, it basically just goes away unless someone brings it up again. So, I'm not sure what happens with this item if it comes up after. Will it stay on the agenda, Chair Lee, for next term if it comes in in December?

COUNCILMEMBER LEE: Something as important as this would stay on the agenda.

CHAIR KING: Okay. Great. Yeah. And, you know, I...actually, even if it had come in, I was anticipating...even if it had come in before the end of this month, I think it's going to be the kind of document that's going to take two or three meetings to get through. It sounds like a fairly big and very important item. And so...but I was hoping to get some draft, or some information, you know, as...maybe even a summary that I could refer to when I'm at COP 27 because I do a lot of...in fact, one of the presentations is specifically on the Hawaiian Islands, and what we're doing about climate change. And so, if you have information that you can send...you know, some draft information that you think is pretty substantial that you can send to me that I can refer to, that would be actually really helpful for me.

MS. SHIPMAN: Thanks, Chair King. Yeah. So, it has to go through our review process. So, once I have a review, I am happy to send over the executive summary once it's completed.

CHAIR KING: Okay.

MS. SHIPMAN: That's a pretty extensive version.

CHAIR KING: (*Audio interference*) in time because COP starts on November 6th. And I'll be there from the 6th through the 12th, and then I won't be there the second week. But if you do get something that you can send to me in time...otherwise, I'm just referring to the actions that the Council has taken, you know, in terms of climate change. Okay. Any other questions or comments on the plan? You're really building up suspension [*sic*]. We all can't wait to get this plan...to see this plan.

MS. SHIPMAN: I'm very excited for you to see the plan too. We worked hard on it, and we're super excited about it, so I'm excited to share it.

CHAIR KING: You know, one of the things...I hope you don't mind me sharing this, Hannah, but one of the things that we heard from Hannah at the Maui Huliau--she's very involved in the Maui Huliau organization--is that when she was younger, and she was always expressing her opinion, and leading the way, and she was called pushy, and she said today, they call it leadership. So, I really appreciate you being in that office, and taking the leadership, and your enthusiasm, and how much you care about

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everything you're doing. So, thank you for being here, really appreciate the update. And if there's no other questions, we'll go ahead and defer this item.

COUNCILMEMBERS VOICED NO OBJECTIONS.

ACTION: DEFER pending further discussion.

CHAIR KING: Okay. Thank you, Members. Thank you so much, Hannah. We'll let you get back to work so you can finish that plan.

MS. SHIPMAN: Thank you.

CHAIR KING: All right. Thank you. Okay. So, I think that's all. Is there anything else, Staff?

MS. MILNER: No, Chair. You've covered all the items on today's agenda. Thank you.

CHAIR KING: Okay, great. Well, thank you, everyone, for great work, and great questions. Thank you, Member Paltin, for agreeing to take on the turtle hospital to your Committee. And we'll adjourn at 11:07. . . .(gavel). . .

ADJOURN: 11:07 a.m.

APPROVED:



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

care:min:221102:th

Transcribed by: Tricia Higa

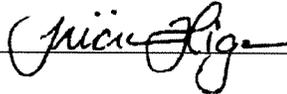
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CERTIFICATION

I, Tricia Higa, hereby certify that pages 1 through 40 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 9th day of December 2022, in Mililani, Hawai'i

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

Tricia Higa